

provisions herein, and do hereby direct, order, and declare as follows:—

SHORT TITLE AND INTERPRETATION.

1.—(1) This Scheme may be cited as the Borough of Fleetwood Scheme, 1933.

(2) In this Scheme unless the context otherwise requires:—

“The appointed day” means the day appointed for the first meeting of the Council of the Municipal Borough of Fleetwood;

“The Borough” means the Municipal Borough of Fleetwood;

“The Corporation” means the Mayor, Aldermen and Burgesses of the Borough acting by the Council of the Borough;

“The District” means the existing Urban District of Fleetwood;

“The District Council” means the existing Urban District Council of Fleetwood;

“The Port Sanitary District” means the existing Port Sanitary District of Fleetwood as defined by the hereinbefore recited Order of the 18th day of January, 1888, made by the Local Government Board;

“The Port Sanitary Authority” means “The Corporation”;

“The Municipal Corporations Acts” means the Municipal Corporations Act, 1882, and the Acts amending and extending that Act;

“Duties” includes responsibilities and obligations and any proceeding to which the District Council may be liable for the enforcement of any duty or for punishing the breach of any duty;

“Liabilities” includes all debts and liabilities to which the District Council are or would but for this Scheme be liable whether accruing before, on, or after the appointed day;

“Local Authority” means a local authority as defined in Section 3 of the Local Government and other Officers' Superannuation Act, 1922;

“Powers” includes rights, jurisdiction, capacities, privileges, franchises and immunities;

“Property” includes all property, real and personal and all estates, interests, easements and rights (whether equitable or legal) in, to and out of property real and personal, including things in action and all franchises, rights of common and commonable rights and all charters, records, deeds, books and documents.

COMMENCEMENT.

2. This Scheme shall come into operation on the day of its confirmation, whether by Order in Council or by Act of Parliament.

POWERS, ETC., OF CORPORATION UNDER PUBLIC GENERAL ACTS.

3.—(1) On the appointed day the Borough shall be placed under the jurisdiction of the Corporation as the local authority for the purposes of the Public Health Acts, 1875 to 1925, and save as provided in this article the Corporation shall have all the powers and duties conferred or imposed by any public general Act of Parliament on the Council of a borough containing according to the census of 1881, or any later census a population of 10,000 or upwards.

(2) On the appointed day the Port Sanitary District shall be placed under the jurisdiction of the Corporation as the Port Sanitary Authority for the purposes of exercising powers assigned to the Port Sanitary Authority and the Corporation shall have all the powers and duties conferred or imposed by the said Order of the 18th day of January, 1888.

(3) Nothing in this Scheme shall affect the provisions of the Rating and Valuation Act, 1925.

(4) Notwithstanding the provisions of paragraph (1) of this article the Corporation shall not exercise any of the powers or duties or be subject to the liabilities in relation to (a) the appointment of Analysts under the Acts relating to the Sale of Food and Drugs, or (b) the execution of the Diseases of Animals Acts, 1894 to 1914, and of the Destructive Insects and Pests Acts, 1877 and 1907, or (c) Weights and Measures, but all the powers, duties and liabilities in respect of such matters shall be exercised by and be attached to the Administrative County of Lancaster and the area of the Borough shall for all purposes of the Acts relating to the matters mentioned above form part of the County in like manner as if it were not a Borough.

DISSOLUTION, TRANSFER OF POWERS, ETC., OF DISTRICT COUNCIL.

4.—(1) On the appointed day the District Council shall cease to exist and subject to the provisions of this Scheme their powers and duties including those under any local Act, Provisional Order or Order shall be transferred to and attach to the Corporation, and the Corporation shall be the successors of the District Council.

(2) All powers and duties which immediately before the appointed day are exercisable by or attach to the District Council for the benefit of the District shall be exercisable by or attach to the Corporation for the benefit of the Borough.

(3) All the powers and duties which immediately before the appointed day are exercisable by or attach to the District Council under or by virtue of the Order of the Local Government Board, dated the 18th day of January, 1888, permanently constituting the Fleetwood Improvement Commissioners (the predecessors of the District Council) the Port Sanitary Authority for the Port of Fleetwood shall be exercisable by or attach to the Corporation.

PROPERTY AND LIABILITIES OF DISTRICT COUNCIL.

5. Subject to the provisions of this Scheme:—

(1) All property or liabilities which immediately before the appointed day are vested in or attach to the District Council both in respect of the District and of the Port Sanitary District shall on the appointed day by virtue of this Scheme be transferred to, vest in and attach to the Corporation, subject to all trusts affecting the same, and where the property was acquired or the liabilities were incurred in the execution of an Act of Parliament the property and liabilities shall be held by and be discharged by the Corporation in accordance with such of the provisions of that Act as apply to the Council of a Borough.