



THE LOCAL GOVERNMENT ACT 1985

THE SOUTHERN CIVIC AMENITY BOARD ORDER 2000

Approved by Tynwald:

11th April 2000

Coming into operation:

1st May 2000

In exercise of the powers conferred on the Department of Local Government and the Environment by section 7 of the Local Government Act 1985¹, and of all other enabling powers, and after consultation with all the local authorities affected, the following Order is hereby made:-

1. Citation , commencement and interpretation

(1) This Order may be cited as the Southern Civic Amenity Board Order 2000 and, subject to section 7(6) of the 1985 Act, shall come into operation on 1st May 2000.

(2) In this Order -

“the 1985 Act” means the Local Government Act 1985;

“the appropriate proportion”, in relation to a constituent authority, means the proportion which the rateable value of the hereditaments within the district of that constituent authority bears to the total rateable value of the hereditaments within the districts of all the constituent authorities;

“the Board” means the joint board constituted by article 2;

“the constituent authorities” means the local authorities for the town district of Castletown, the village districts of Port Erin and Port St Mary and the parish districts of Arbory, Malew and Rushen, and “constituent authority” means one of the constituent authorities;

“the Department” means the Department of Local Government and the Environment.

2. Constitution of Board

(1) There is hereby established a joint board by the name of the Southern Civic Amenity Board.

(2) The Board shall consist of 6 members, of whom one shall be appointed by each constituent authority from among the members of the authority.

(3) A member of the Board -

(a) may resign by notice in writing to the chairman or secretary of the Board; and

(b) shall go out of office if he ceases to be a member of the authority by which he was appointed.

(4) On receipt of a notice under paragraph (3)(a) the Chairman or Secretary of the Board, as the case may be, shall forthwith send a copy of the notice to the constituent authority by which the member was appointed.

(5) Unless he sooner resigns or goes out of office, a member of the Board shall hold office for a term of 3 years from the 1st May in the year in which he was appointed; but a member appointed to fill a casual vacancy shall hold office until the member in whose place he was appointed would ordinarily have gone out of office.

(6) A retiring member of the Board shall continue to act until his successor is appointed.

3. Chairman of Board

(1) At its first meeting after a vacancy in the office of chairman arises the Board shall appoint one of its members to be chairman.

(2) The chairman of the Board shall go out of office -

(a) if he resigns by notice in writing to the secretary of the Board;

(b) if he ceases to be a member of the Board;

(c) if he is removed by resolution of the Board.

(d) on the 1st May next after the day on which he is appointed.

4. Functions of Board

The Board shall within the districts of the constituent authorities carry out the functions of the constituent authorities under Section 69 of the Public Health Act 1990² (provision by local authorities of places for deposit of waste).

5. Expenses of Board

(1) After consultation with each of the constituent authorities and with the approval of the Department, the Board shall before the 31st December in each year prepare an estimate of the expenses of the Board in performing its functions in the

following year (including loan charges on money borrowed by the Board), and shall send a copy of the estimate as approved to each constituent authority and to the Department.

(2) Each constituent authority shall in each year raise the appropriate proportion of the expenses of the Board, as so estimated (giving credit for any surplus from the previous year), by a rate levied on the district of the authority; and shall pay the amount thereof to the Board in 4 equal instalments, to be paid not later than the 1st April, 1st July, 1st October and 1st January in that year.

(3) In this article "year" means a year commencing on 1st April.

6. Transitional provisions

(1) The constituent authorities shall appoint the first members of the Board, and shall notify the appointments to the Department, not later than the 15th May 2000.

(2) The Department shall by notice in writing convene the first meeting of the Board as soon as may be after the 15th May 2000.

(3) The chairman of the Board shall be appointed at the first meeting of the Board, to hold office (subject to article 3 (2) (a), (b) and (c)) until the 1st May 2001.

(4) The amount payable by each constituent authority under article 5(2) in the year commencing the 1st April 2000 shall be the appropriate proportion of such amount as is agreed by the constituent authorities before the 1st June 2000 or, in default of agreement, determined by the Department, and article 5(2) shall have effect in that year with the substitution for "1st April" of "1st June".

MADE 23RD MARCH 2000

W. A. Gilbey

Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes a Southern Civic Amenity Board, consisting of representatives of the local authorities of Castletown town district, Port Erin and Port St Mary village districts and Arbory, Malew and Rushen parish districts, to exercise the functions of those authorities relating to the provision of places for the deposit of waste.