



Statutory Document No. 127/03

THE LOCAL GOVERNMENT ACT 1985

THE NORTHERN PARISHES REFUSE COLLECTION BOARD ORDER 2003

Approved by Tynwald: 19th March 2003

Coming into operation: 1st April 2003

In exercise of the powers conferred on the Department of Local Government and the Environment by section 7 of, and paragraph 2 of Schedule 4 to, 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 Northern Parishes Refuse Collection Board Order 2003 and, subject to section 7(6) of the 1985 Act, shall come into operation on the 1st April 2003.

(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 the authority bears to the rateable value of all the hereditaments within the area of the Board;

"the area of the Board" means the parish districts of Andreas, Ballaugh, Bride, Jurby and Lezayre and the local government district of Michael;

"the Board" means the Northern Parishes Refuse Collection Board ;

"the constituent authorities" means the local authorities for the area of the Board, and "constituent authority" means one of the constituent authorities;

"the Department" means the Department of Local Government and the Environment.

¹ 1985 c.24

2. Constitution of Board

(1) There shall continue to be established a joint board by the name of the Northern Parishes Refuse Collection Board.

(2) The Board shall consist of six members, of whom one shall be appointed by each constituent authority from among the members of that 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) Unless he sooner resigns or otherwise 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 for the like term as the member in whose place he was appointed.

(5) 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 a 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 a 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 area of the Board carry out the functions of the constituent authorities relating to the collection of waste under Part IV (refuse disposal) of the Public Health Act 1990².

5. Expenses of Board

(1) The Board shall each year before the 31st December prepare an estimate of the expenses of the Board in performing its functions in the following year (including loan charges on money borrowed under article 6), and send a copy of the estimate to each constituent authority and to the Department.

² 1990 c. 10

(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 that part of the area of the Board falling within its district, and shall not later than the 30th July pay the amount thereof to the Board, less any loan charges payable by the authority in respect of any money borrowed by it under article 6.

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

6. Borrowing by Board

(1) The Board may in accordance with this article, with the consent of the Department, borrow money for the purpose of providing any equipment necessary for the exercise of its functions.

(2) The Board shall by notice in writing, specifying the total amount to be borrowed and the rate of interest and term of repayment, require each of the constituent authorities to raise under section 51 of the 1985 Act in accordance with the notice and pay to the Board the appropriate proportion of that amount.

7. Transitional provisions

(1) Each constituent authority shall, as soon as practicable after the commencement of this Order, appoint one member of the Board.

(2) The amount payable by each constituent authority under article 5(2) in the year commencing 1st April 2003 shall be the total amount payable under article 15 of the Northern Parishes Combination Order 1972³, apportioned in accordance with article 5(2).

8. Revocation

The following Orders are revoked –

- (a) the Northern Parishes Combination Order 1972;
- (b) the Northern Parishes Combination (Amendment) Order 1975⁴; and
- (c) the Northern Parishes Combination (Amendment) Order 1981⁵.

MADE 17th February, 2003

Pamela M Crowe

Minister for Local Government and the Environment

³ Made 25th April 1972

⁴ GC 67/75

⁵ GC 7/82

EXPLANATORY NOTE

(This note is not part of the Order)

This Order adds the local authorities for the local government district of Michael and the parish district of Bride to the constituent authorities of the Northern Parishes Refuse Collection Board.

It removes the specification of collection areas (and the need for a map) and special districts as inaccessible areas may now be excluded under the provisions of section 65 of the Public Health Act 1990.

The Order revokes and replaces the orders constituting the Board.