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Contributors

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Worcestershire County Council.

To the *Malvern* Urban District Council.

To the *Malvern Link* Urban District Council.

To the *Upton-upon-Severn* Rural District Council.

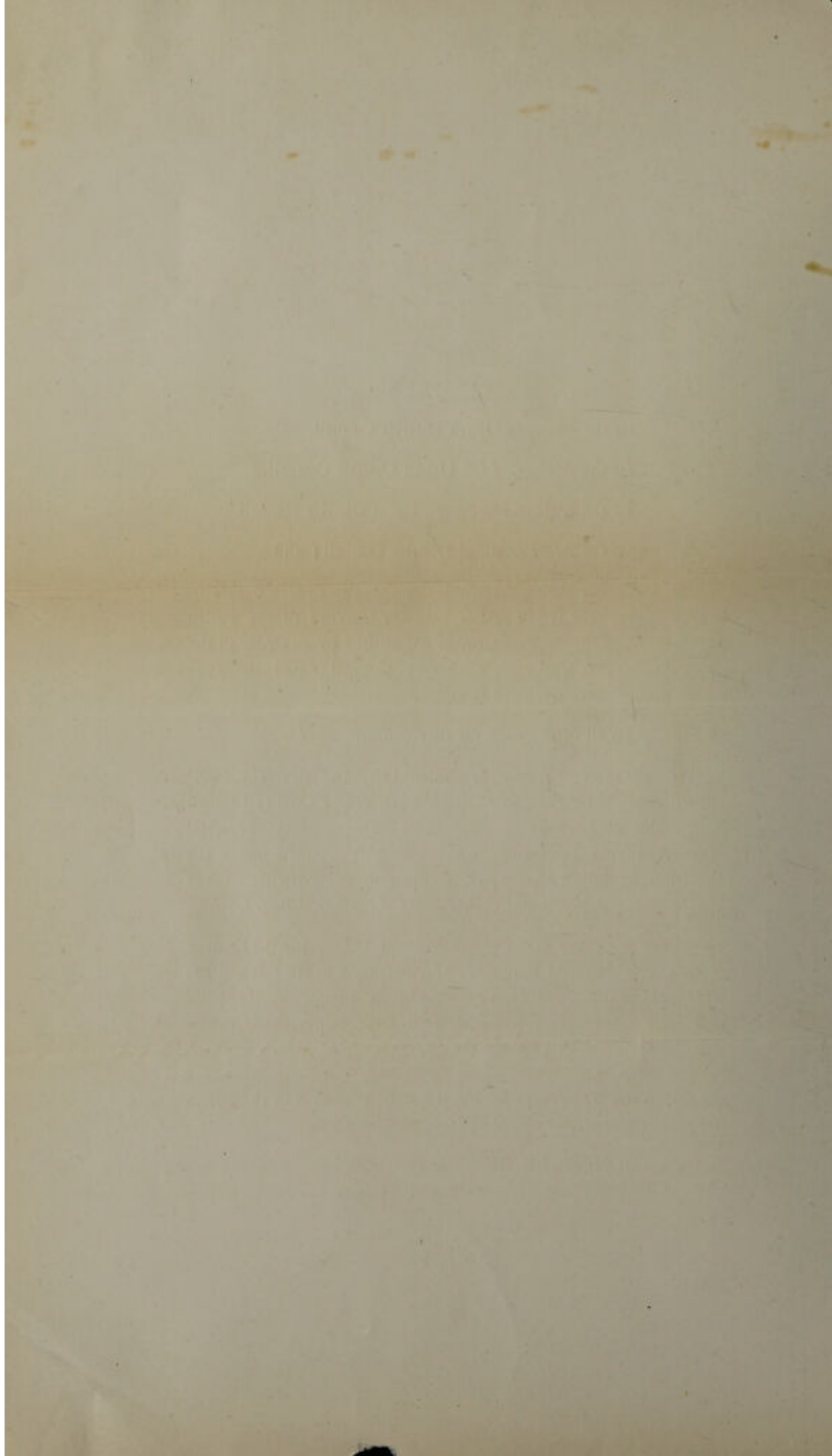
To the *Martley* Rural District Council ; and

To the Parish Meeting and the Parochial Electors of the No. 2 or *Malvern Wells* Ward of the Parish of *Hanley Castle*, as constituted by an Order of the *Worcestershire* County Council dated the 10th September 1894 and

To all others whom it may concern.

WHEREAS on the 10th September 1894 the *Malvern* Local Board presented a Petition to the *Worcestershire* County Council dated the 28th August 1894, asking that a Joint Hospital District should be formed by the County Council under the Isolation Hospitals Act 1893, comprising the Districts of the *Malvern* Local Board and the *Malvern Link* Local Board.

AND WHEREAS the County Medical Officer for the County of *Worcester* has held Inquiries under Section 6 of the Act and has reported to the County Council that a permanent Isolation Hospital ought to be established for the use of the inhabitants of the *Malvern* Urban District, the *Malvern Link* Urban District, and so much of the Ecclesiastical District of *Saint Peter's, Malvern Wells*, in the *Upton-upon-Severn* Rural District as is in the Parish of *Hanley Castle*.



AND WHEREAS the County Council were on the 10th September 1894 satisfied that a *prima facie* case was made out by the said petition for a Local Inquiry and directed such a Local Inquiry to be held by three Members of the County Council.

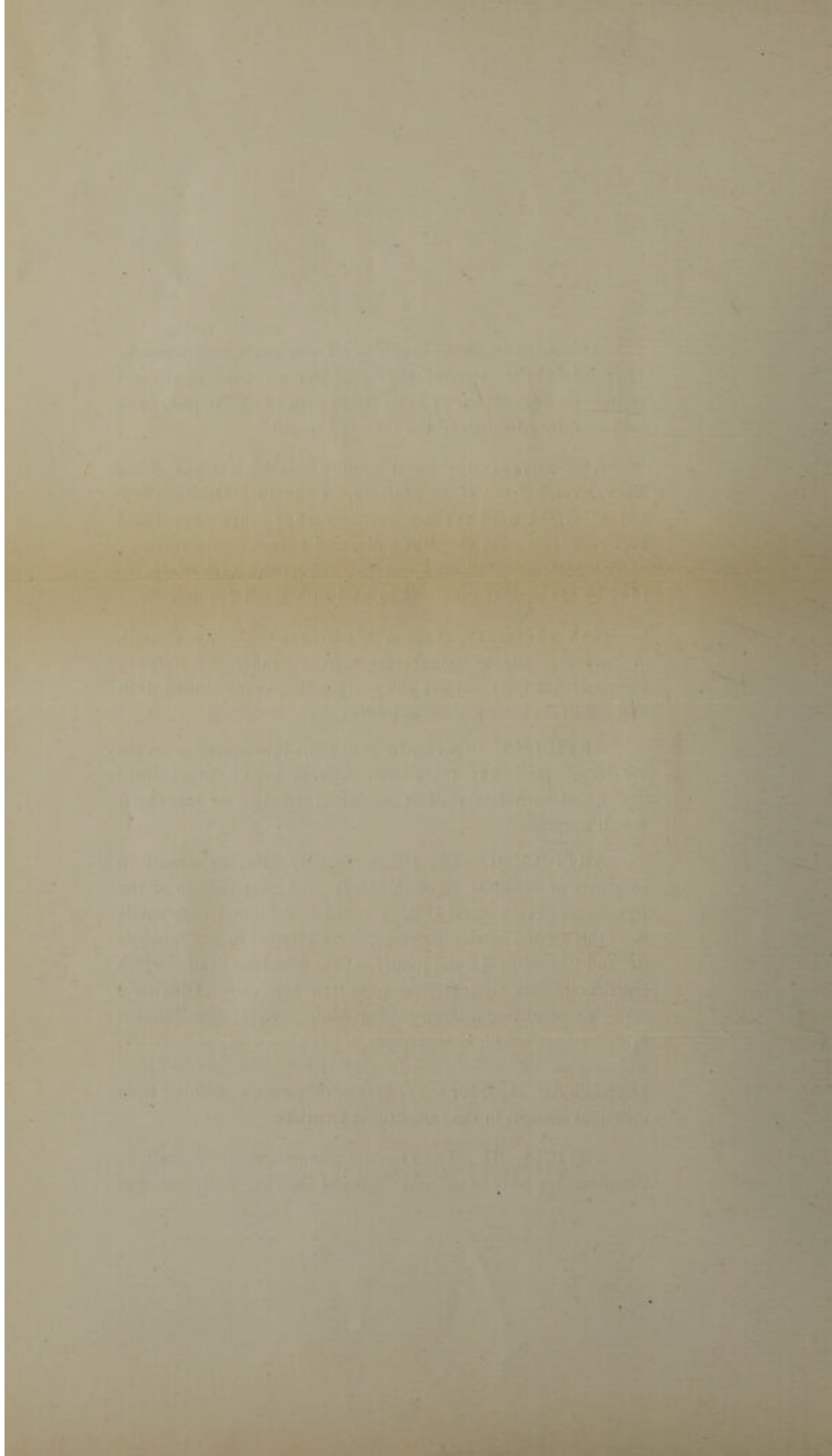
AND WHEREAS the Local Inquiry was held at the Board Room, Church Street, Great Malvern, on the 12th October 1894, and adjourned until the 8th February 1895 when such Local Inquiry was resumed after due notice and a Report presented to a Special Meeting of the County Council on the 25th February 1895 by the persons appointed to hold such Local Inquiry.

NOW THEREFORE, WE, the Worcestershire County Council, in pursuance of the powers given to us under the Isolation Hospitals Act 1893 and any and every other power enabling us in that behalf do hereby order as follows :—

ARTICLE I. This Order shall come into operation on the 1st day of April 1895, (hereinafter referred to as “the appointed day”), and such date shall be considered the date of this Order for all purposes.

ARTICLE II. The Urban Sanitary Districts named in column 1 of Schedule A. of this Order and that portion of the Upton-upon-Severn Rural District named in column 1 of Schedule B. of this Order, hereinafter respectively referred to as “Schedule A.” and “Schedule B.” and jointly as “the Schedules” (all of which Districts are hereinafter referred to as “the Constituent Districts”) shall be formed into a United District, to be styled the Malvern Hospital District, for the purposes of the provision, maintenance, and management of an Isolation Hospital under the Isolation Hospitals Act 1893, for the reception of patients suffering from infectious diseases in the Constituent Districts.

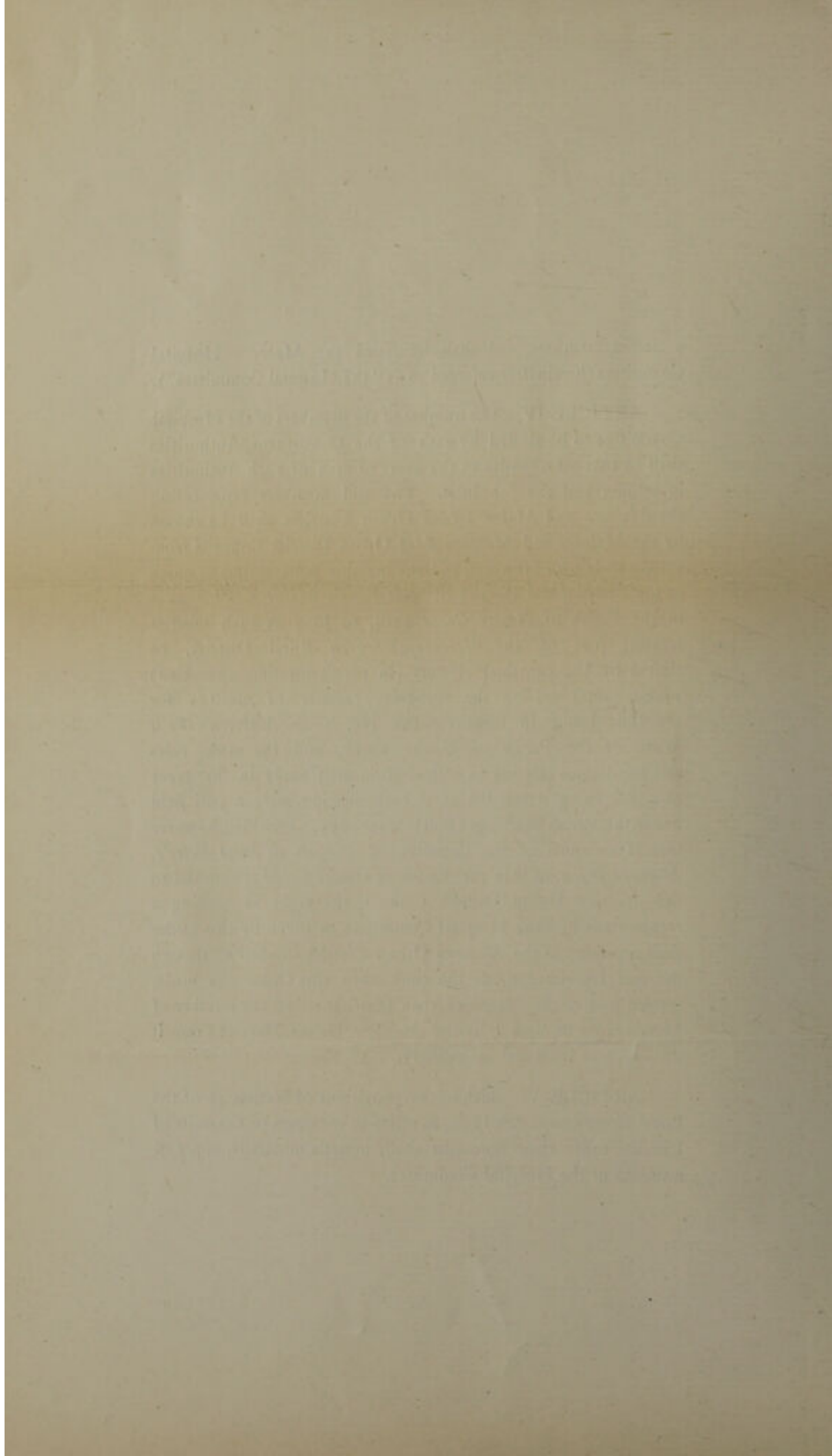
ARTICLE III. The Hospital Committee, which shall be the governing body of the said Hospital District, shall consist of



9 elected members, and shall be called the *Malvern* Hospital Committee (hereinafter referred to as "the Hospital Committee").

ARTICLE IV. The number of the members of the Hospital Committee to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 3 of the Schedules. The said members representing the *Malvern* and *Malvern Link* Urban Districts shall be chosen by the *Malvern* and *Malvern Link* Urban District Councils from among their own members, and the member representing so much of the Ecclesiastical District of *Saint Peter's Malvern Wells*, as is in the Parish of *Hanley Castle* shall, so long as such District remains part of the *Upton-upon-Severn* Rural District, be elected by the parochial electors (in parish meeting assembled) whose names are on the parochial register of electors for the time being in force for the No. 2 or *Malvern Wells* Ward of the Parish of *Hanley Castle*, and the same rules and regulations relating to such election shall apply in the event of a poll being demanded as if such election were a poll held under the Parish Meetings (Poll) Order 1895. Provided however that if so much of the Ecclesiastical District of *Saint Peter's, Malvern Wells*, as is in the Parish of *Hanley Castle* is annexed to the *Malvern* Urban District Council, the right of electing a representative on the Hospital Committee as given by this Order shall be vested in the *Malvern* Urban District Council as though the said District had, at the time when this Order was made, formed part of the *Malvern* Urban District. And the number of Members to be elected by the *Malvern* Urban District Council shall then be increased accordingly.

ARTICLE V. Such of the provisions of Section 46 of the Local Government Act 1894, as relate to members of Councils of Districts other than Boroughs shall, *mutatis mutandis*, apply to members of the Hospital Committee.

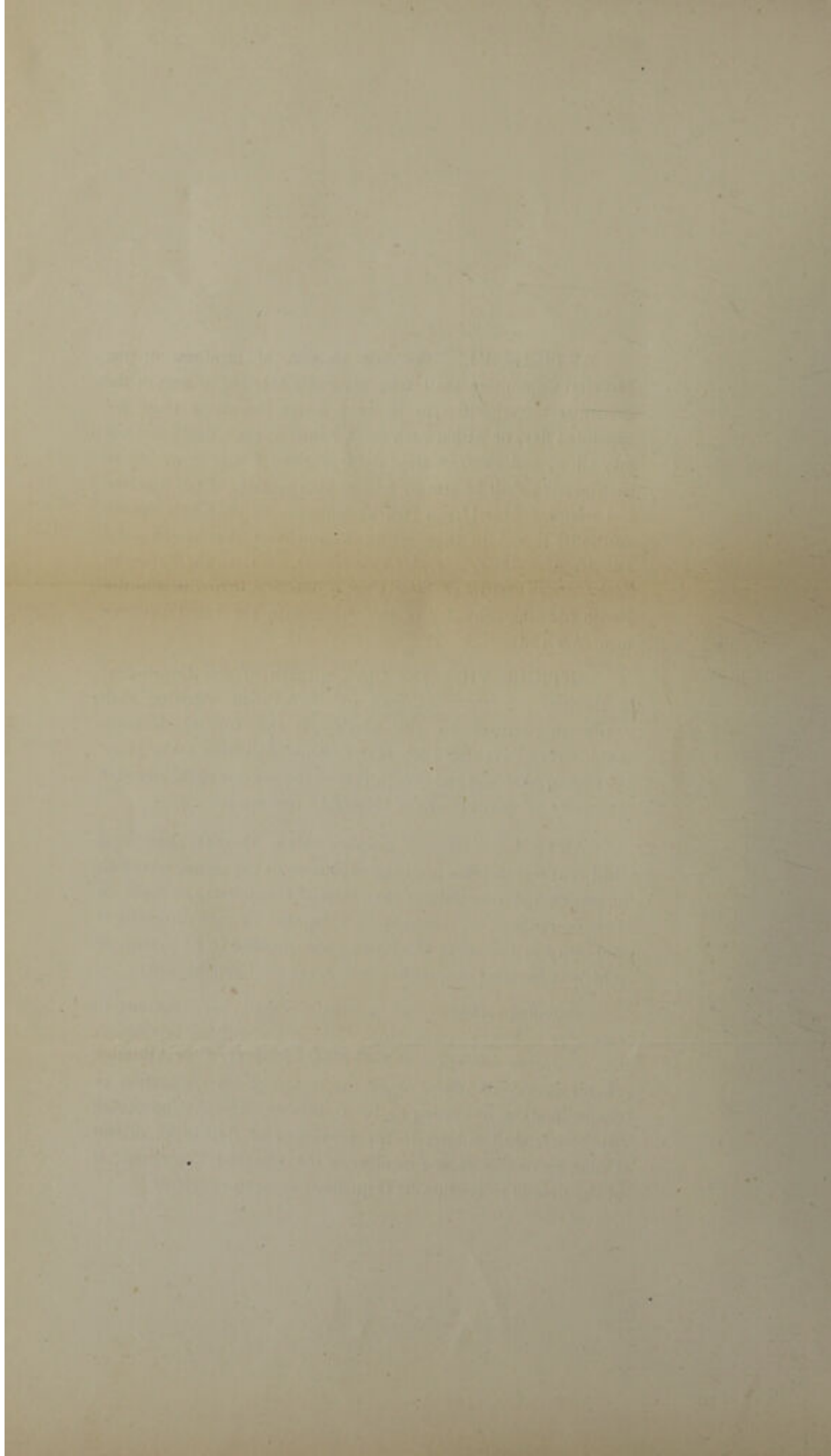


ARTICLE VI. The first election of members of the Hospital Committee shall take place at a meeting of each of the Constituent Authorities to be held within *One month* from the appointed day, or within such further time as the County Council may allow, and *Fourteen* clear days previous notice in writing of such meeting shall be sent by post to each member of the *Malvern* and *Malvern Link* Urban District Councils by the Clerk to such Authority; and in the case of so much of the Ecclesiastical District of *Saint Peter's, Malvern Wells*, as is in the Parish of *Hanley Castle* and in the *Upton-upon-Severn* Rural District by a Parish Meeting convened in accordance with the Local Government Act 1894.

ARTICLE VII. The Clerk to each of the Constituent Authorities or the Chairman of the Parish Meeting shall notify in writing to the Clerk of the County Council, within *Seven* days after such first election shall have taken place, the names, addresses and occupations of the persons elected by such Authority as members of the Hospital Committee.

ARTICLE VIII. A member of the Hospital Committee shall continue in office until the expiration of the period for which he was elected a member of the Hospital Committee, or until he dies, or resigns, or ceases to be a member of such Constituent Authority as a member of which he was qualified to be elected, or otherwise becomes disqualified, whichever shall first happen:

Provided always, that a member shall not continue in office for a longer period than *Three Years* without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by the reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article V. of this Order, be re-eligible as a member of the Hospital Committee, if at the time of re-election he is qualified to be so re-elected,

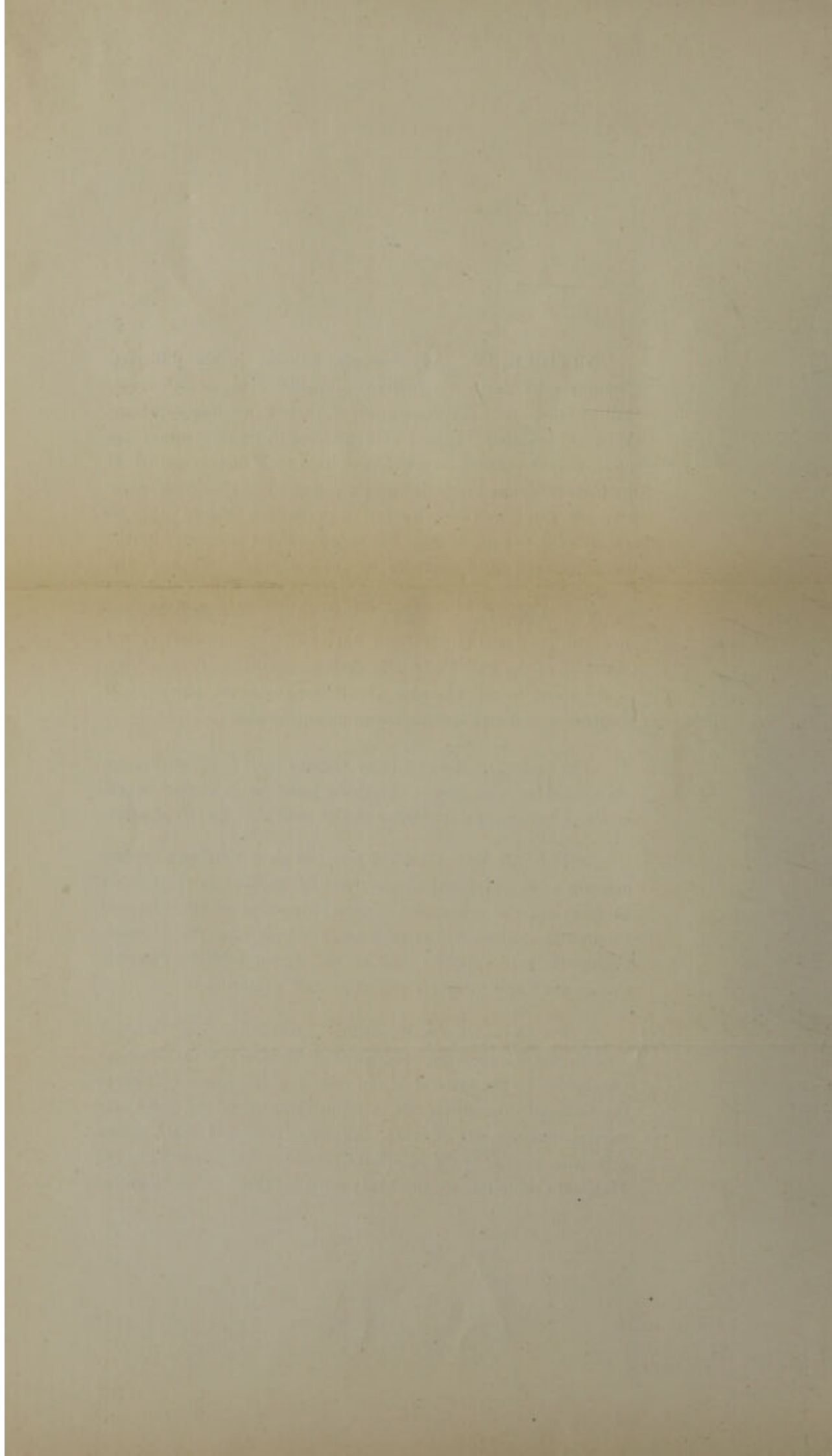


ARTICLE IX. Any vacancy occurring in the Hospital Committee by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within *Six weeks* of such vacancy occurring, or within such further period as the County Council may determine, and not less than *Three* clear days' previous notice in writing of such meeting shall be given or sent by post to each member of the Constituent Authority by the Clerk to such Authority, or in the case of so much of the Ecclesiastical District of *Saint Peter's, Malvern Wells*, as is in the Parish of *Hanley Castle*, by a Parish Meeting convened in accordance with the Local Government Act 1894, and such clerk or the Chairman of the Parish Meeting, shall forthwith notify in writing to the clerk to the Hospital Committee the name, address, and occupation of the person elected to fill such vacancy.

The person elected to fill any vacancy shall hold office until the time when the person in whose place he is elected would regularly have gone out of office and he shall then go out of office.

ARTICLE X.—(1.) The time and place of holding the first meeting of the Hospital Committee shall be fixed by the County Council, and the subsequent ordinary meetings of the Hospital Committee shall be held at such times and places as the Hospital Committee may appoint; and at all meetings of the Hospital Committee *Three* members shall constitute a quorum.

(2). The Hospital Committee may from time to time appoint Sub-Committees consisting of Members of the Hospital Committee for the exercise of any powers which, in the opinion of the Hospital Committee, can be properly exercised by Sub-Committees, but the acts of every such Sub-Committee shall, unless otherwise directed by the Hospital Committee, be submitted to the Hospital Committee for approval: provided that a Sub-Committee



so appointed shall in no case be authorised to borrow money or to issue any precept for contributions, or to enter into any contract, and it shall be subject to the provisions of the Standing Orders hereinafter mentioned.

(3). The Hospital Committee shall, subject to the approval of the County Council, from time to time make, vary or revoke Standing Orders for the convening of their meetings, for the regulation of their proceedings and business, and for regulating the quorum and proceedings of their Sub-Committees.

(4). The Hospital Committee shall from time to time make or vary the list of duties of the various officers and persons appointed by them.

(5). The Hospital Committee shall have full powers of providing a Hospital by purchase or otherwise and of managing and maintaining the same when provided, but shall have no power of raising money by loan for the purposes of such Hospital.

ARTICLE XI. The Hospital Committee shall at their first meeting or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a Chairman (who shall subject to the provisions of Articles VIII. and IX. of this Order, continue Chairman for such period, not exceeding *Three Years*, as may be determined by the Hospital Committee at the time of his appointment), a Treasurer and a Clerk, and they may from time to time appoint *one* or more Medical Officers (who shall be registered medical practitioners), and such other officers and servants as they think requisite. The Hospital Committee may pay their Treasurer, Clerk, Medical Officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such Treasurer shall, (and the Clerk and Medical Officer and any other officer appointed shall, if required by the Hospital Committee,) give such security as may from time to time be

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1822

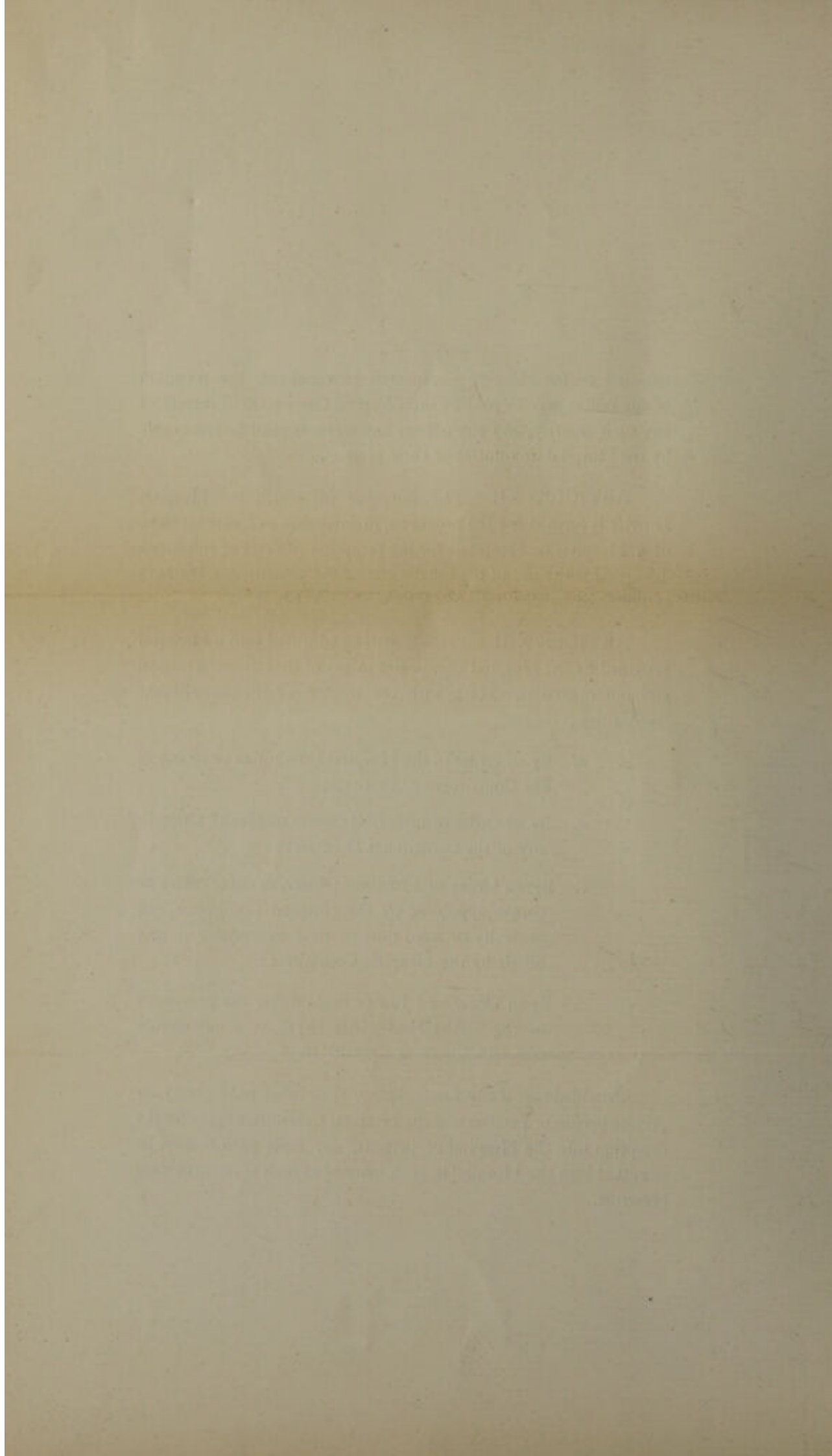
required by the Hospital Committee, provided that the premium of any officer may be paid by the Hospital Committee in respect of any such security, and any officers and servants shall be removable by the Hospital Committee at their pleasure.

ARTICLE XII. The purposes for which the Hospital District is formed are the provision, maintenance and management of a Hospital or Hospitals for the reception of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts as provided by the Isolation Hospitals Act 1893.

ARTICLE XIII. Persons shall be admitted into a Hospital provided by the Hospital Committee in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities; viz :—

- a.* By an Order of the Hospital Committee or of any of the Constituent Authorities;
- b.* By an Order of a Medical Officer of Health acting in any of the Constituent Districts;
- c.* By an Order of a Medical Officer, or other officer or person appointed by the Hospital Committee, and generally or from time to time authorised in that behalf by the Hospital Committee;
- d.* By an Order of a Justice made under the provisions of the Public Health Act 1875, or of any statute amending or extending the same;

Provided that if any Local Authority or other public body, or private person or persons and the Hospital Committee agree for the reception into the Hospital of persons, any such person may be admitted into the Hospital in such manner as such agreement shall prescribe.



ARTICLE XIV. Until a Hospital provided by the Hospital Committee is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in any of the Constituent Authorities with regard to the provision of a temporary Hospital or Hospitals for the use of the inhabitants of their District.

ARTICLE XV. All the expenses (with the exception of patients' expenses and special patients' expenses as defined by the above Act) of the County Council and the Hospital Committee, under the Isolation Hospitals Act 1893, shall be defrayed out of a Common Fund to which all receipts shall be carried, and to which the Local Authorities in the Hospital District shall contribute according to the following proportions :

The *Malvern* Urban District Council *seven-twelfths* of whole expenditure.

The *Malvern Link* Urban District Council *four-twelfths* of whole expenditure.

So much of the Ecclesiastical District of *Saint Peter's, Malvern Wells*, as is in the Parish of *Hanley Castle* *one-twelfth* of whole expenditure.

Provided that if so much of the Ecclesiastical District of *Saint Peter's, Malvern Wells*, as is in the Parish of *Hanley Castle* is annexed to the *Malvern* Urban District, then the *Malvern* Urban District as then constituted shall contribute *eight-twelfths* instead of the *seven-twelfths* fixed by this Order.

A re-adjustment of the above proportions may be made every *Ten Years* (calculated from the date of the Census of 1891) if it appears to the County Council after representation made to them by petition by any local authority concerned that this course is desirable. This power is to be exercised in addition to the powers vested in the County Council under Section 20 of the Isolation Hospitals Act 1893.

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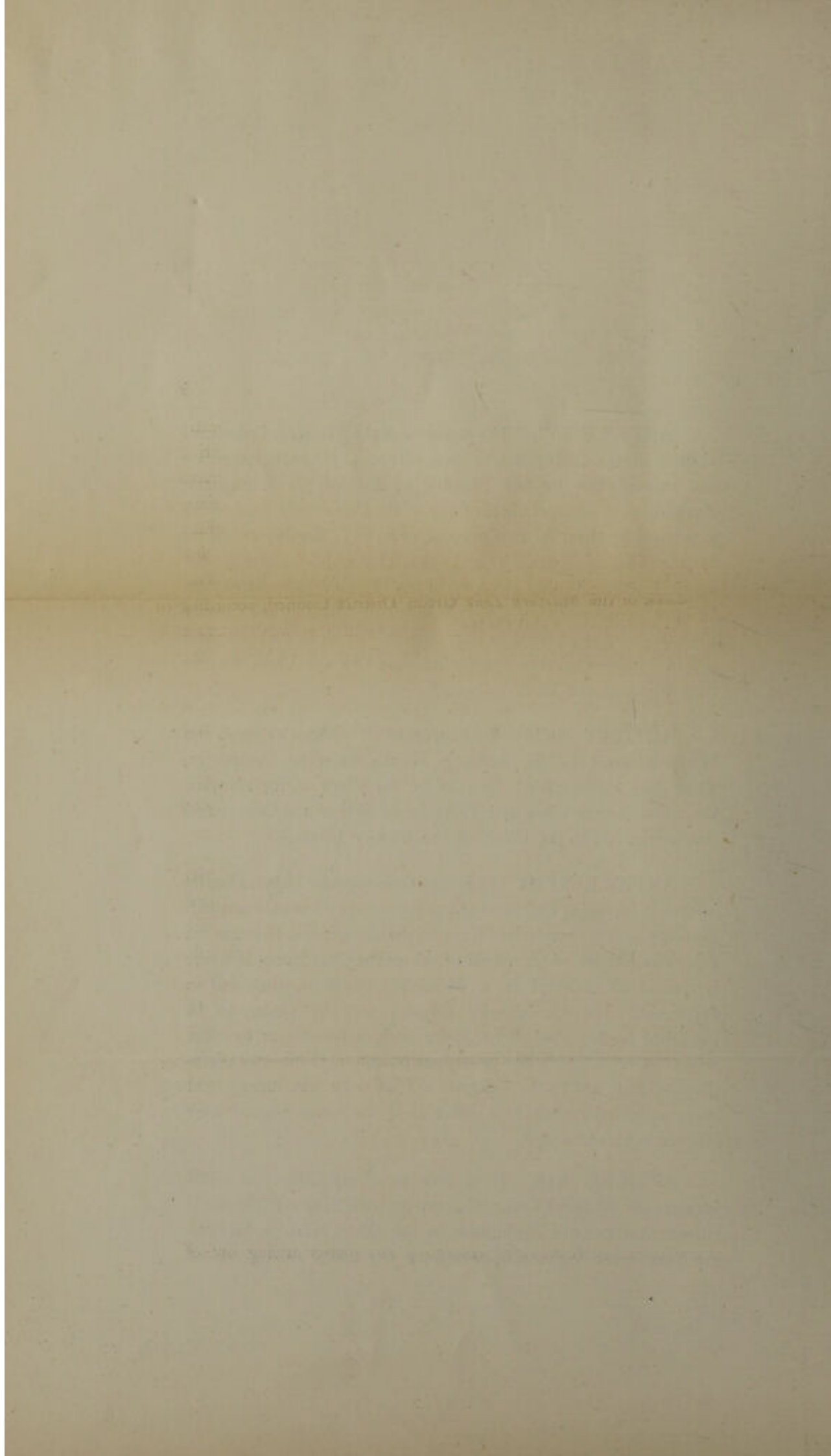
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ARTICLE XVI. The accounts of the Hospital Committee shall, at all reasonable times, be open, without payment, to inspection and transcription by any Member of any of the Constituent Authorities, or by any Officer of any of the Constituent Authorities authorised by them for that purpose, or to any Member or Officer of the County Council; and the Hospitals, buildings and appliances and all other property of the Hospital Committee shall be open to inspection by any Member or officer of the County Council or by any person having an authority to inspect the same signed by the Chairman and countersigned by the Clerk for the time being of the County Council

ARTICLE XVII. Two copies of the Auditor's Report and of the Abstract of the Accounts of the Hospital Committee, when duly audited, shall be sent by the Clerk of the Hospital Committee to the Clerk and Treasurer of each of the Constituent Authorities and to the Clerk of the County Council.

ARTICLE XVIII. If at any time any new Urban District is formed, including the whole or any part of any of the Constituent Districts, or the boundaries of any of the Constituent Districts are otherwise altered, or the whole of any of the Constituent Districts is created or included in a Municipal Borough, then and in every such case the County Council may by Order, to be published as they shall direct, make such provisions as to them seems fit for adapting the provisions of this Order to the alterations so made and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

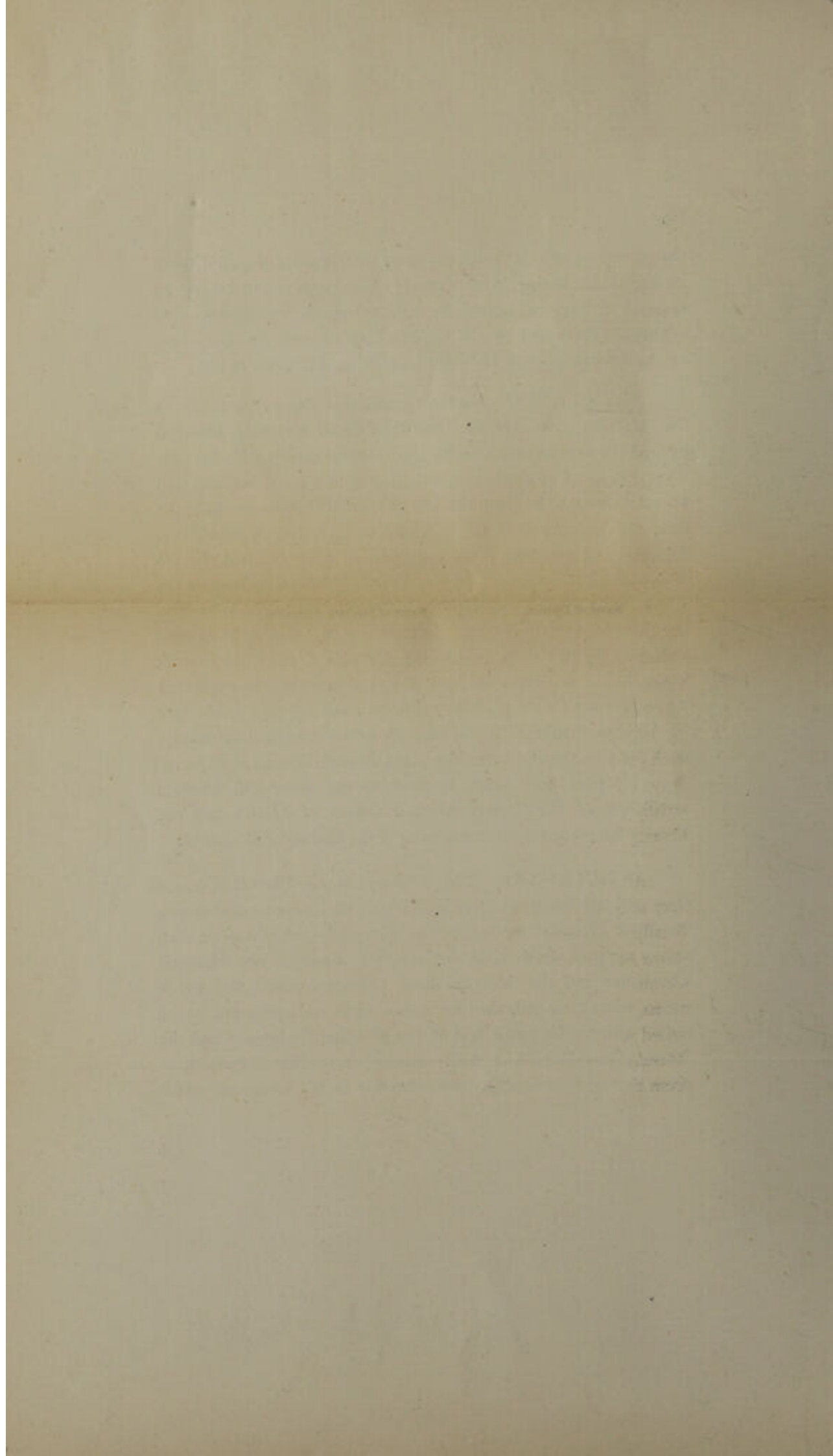
ARTICLE XIX. If at any time any difference arises between the Hospital Committee on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of



the provisions of this Order, the same shall (provided such dispute is not to be settled in a manner otherwise provided herein) be referred to and be settled by arbitration by an arbitrator or arbitrators appointed by the County Council and the provisions of the Arbitration Act 1889 shall, as far as applicable, apply.

ARTICLE XX. No further addition should be made by the *Malvern Link* Urban District Council to their Hospital beyond the expenditure actually incurred up to the 8th February 1895, plus £73 10s. 0d., in connection with the tender accepted on 7th February 1895, but the Joint Hospital Committee shall take over the building at a fair estimate of its value as a Smallpox Hospital and complete it as suggested in a letter dated the 5th December 1894 addressed by the County Medical Officer to the Clerk of the *Malvern Link* Urban District Council, according to the provisions of this Order. In the event of a dispute as to such valuation the sum to be paid to the *Malvern Link* Urban District Council shall be determined by a person or persons to be appointed by the County Council, whose valuation shall be taken as absolute by both parties, and the cost of such arbitration shall be paid by such party and within such time as the County Council shall name. Any Hospital built shall be built to the entire and absolute satisfaction of the County Medical Officer of Health and the County Surveyor for the time being of the County of *Worcester*.

ARTICLE XXI. The *Martley* Rural District Council may send any Smallpox cases with which they have to deal to any Smallpox Hospital erected by the Hospital Committee on such terms as shall from time be arranged between the Hospital Committee and the *Martley* Rural District Council, and which terms, when arranged, shall be embodied in an agreement to be sealed with the Common Seal of the Hospital Committee and the *Martley* Rural District Council. Any dispute or difference arising, or from time to time arising, with reference to the terms on which



such patients shall be admitted to the said Smallpox Hospital, or Smallpox Hospitals, shall be decided by a person or persons to be appointed by the County Council, whose decision shall be absolutely binding on both parties.

ARTICLE XXII. This Order may be cited as the "*Malvern Hospital (County of Worcester) Order 1895.*"

The Schedules above referred to.

SCHEDULE A.

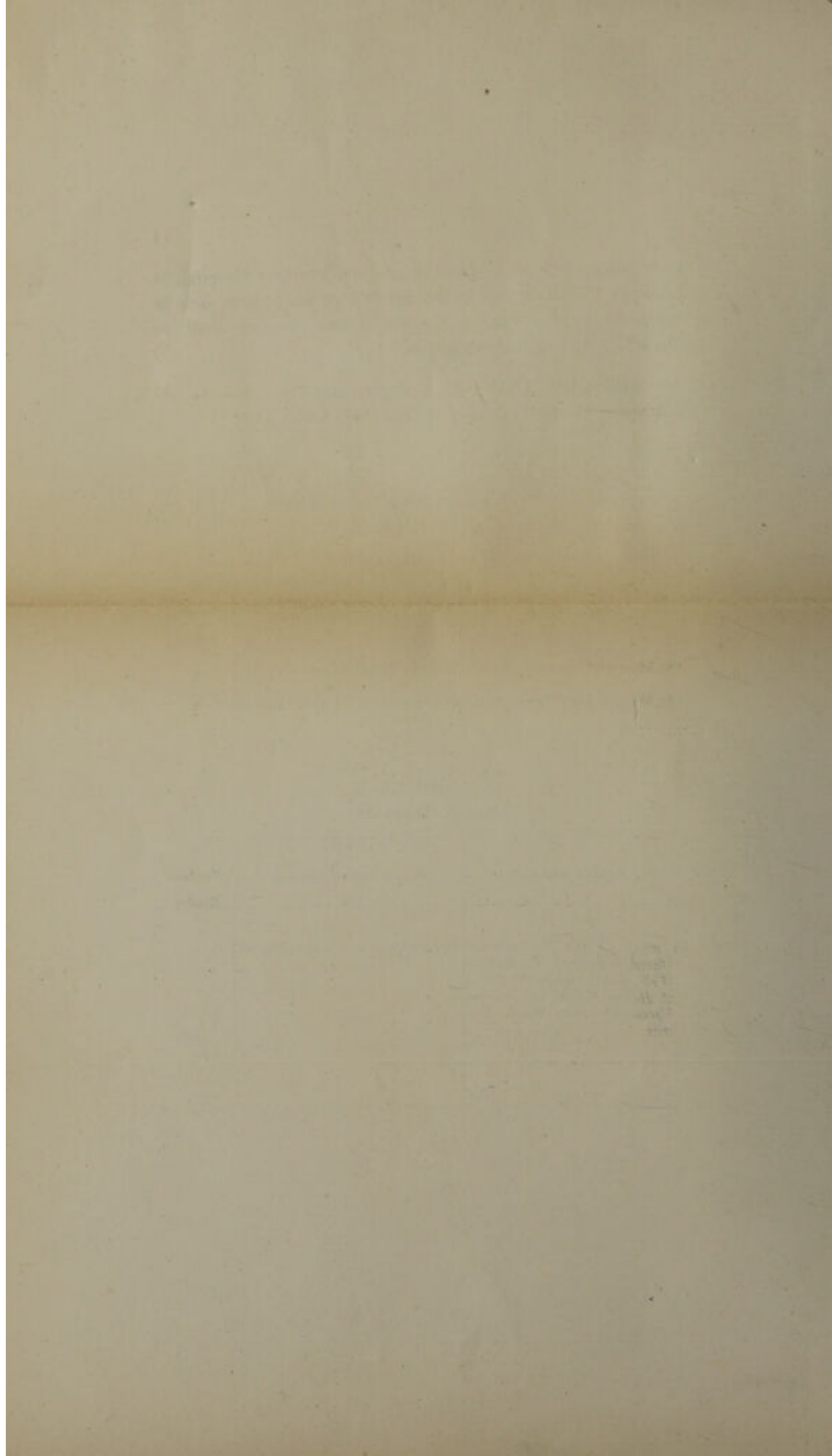
URBAN DISTRICT.

1.	2.	3.
Name of District.	Name of Sanitary Authority.	Members. Number.
The Malvern Urban District	Malvern Urban District Council	5
The Malvern Link Urban District	Malvern Link Urban District Council - - -	3

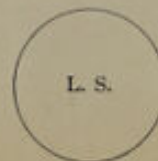
SCHEDULE B.

RURAL DISTRICT.

1.	2.	3.
Name of District.	Name of Sanitary Authority.	Members. Number.
So much of the Ecclesiastical District of <i>Saint Peter's, Malvern Wells</i> , as is situate in the Parish of <i>Hanley Castle</i> and in the <i>Upton-upon-Severn</i> Rural District - - -	<i>Upton-upon-Severn</i> Rural District	1



Given under the Common Seal
of the *Worcestershire* County Council
this 16th day of *March* 1895, in
pursuance of a Resolution passed
on the 11th day of *March* 1895. }



(Signed) J. W. WILLIS BUND
Chairman of the County Council.

