

LOCAL GOVERNMENT (SCOTLAND) ACTS.

Alteration of Parish Areas.

ORDER No. XLIII.

PARISHES OF KIRKCALDY, DYSART, ABBOTS-
HALL, AND KINGHORN (NEW PARISH OF
KIRKCALDY AND DYSART).

WHEREAS it was recently represented to me by the Parish Council of Kirkcaldy that I should issue an Order, under section 51 of the Local Government (Scotland) Act, 1889, and section 46 of the Local Government (Scotland) Act 1894, forming the present Parishes of Kirkcaldy, Dysart, and Abbotshall, together with the portion of the Parish of Kinghorn which lies within the Burgh of Kirkcaldy, and also a portion of the Landward part of the last-mentioned Parish specified in the Representation, into one Parish :

And whereas, after consulting the various authorities interested, and causing a local inquiry to be held, I am of opinion that it is expedient to give effect to the said Representation, except in so far as the inclusion in the new Parish of any portion of the Landward part of the Parish of Kinghorn is concerned :

Now, therefore, I, the Right Honourable Alexander Hugh, Lord Balfour of Burleigh, K.T., His Majesty's Secretary for Scotland, do, in virtue of the powers conferred upon me by the Local Government (Scotland) Acts, order and direct as follows :—

1. From and after the third day of December 1901 (hereinafter termed the date of transfer), the portion of the Parish of Kinghorn which lies within the police boundary of the Burgh of Kirkcaldy shall cease to be part of the Parish of Kinghorn, and shall form part of the new Parish constituted by this Order.

2. The now existing Parish of Kirkcaldy, the now existing Parish of Dysart, and the now existing Parish of Abbotshall, along with the aforesaid portion of the Parish of Kinghorn, shall from and after the date of transfer be united into and form one Parish, to be called the Parish of Kirkcaldy and Dysart.

3. The Parish Wards presently existing within the area included in the Parish constituted by this Order shall be held and deemed to be Parish Wards of said new Parish, but that without prejudice to the power of the County Council of Fifeshire, and the Town Councils of Kirkcaldy and Dysart, at any time after the date of this Order to redivide the portions of said new Parish in which they are respectively interested into such and so many Parish Wards as they may respectively, by Order under their seal, determine, and to assign the number of Parish Councillors to be elected by the Parish electors in each Parish Ward, provided always that no alteration of Parish Wards shall have effect at the first election of a Parish Council for said new Parish unless it has been made prior to the 1st day of November next.

4. At the next general election of Parish Councils under the provisions of the Local Government (Scotland) Act, 1894, a Parish Council shall be elected for the Parish constituted by this Order, consisting of such number of Councillors as may, with the approval of the

Local Government Board for Scotland, be fixed by the County Council of Fifeshire and the Town Councils of Kirkcaldy and Dysart at a joint meeting to be held by these three bodies, or by Committees of their number appointed for the purpose, on such day not being more than fourteen days after the date of this Order, and at such place as may be selected by the Clerk to the said County Council, upon whom the duty of summoning said joint meeting is hereby laid. The proportion of Councillors to be elected for the Landward part and for each of the two Burghal parts of said new Parish shall also be determined at said joint meeting; and, failing agreement thereat, the number of Councillors to be elected for said Parish, and the proportions in which they are to be elected by the different parts thereof, shall be fixed by the Local Government Board for Scotland.

5. For the purpose of receiving the Parish Council Register prior to the election of a Parish Council for the Parish constituted by this Order, and summoning the first statutory meeting of the said Parish Council, the Inspector of Poor of the present Parish of Kirkcaldy shall be deemed to be the Inspector of Poor of the Parish constituted by this Order.

6. The Parish Council of Kirkcaldy, the Parish Council of Dysart, and the Parish Council of Abbotshall shall cease and determine, and their whole powers, rights, duties, property, liabilities, debts, officers, and servants shall be transferred to the Parish Council of the Parish constituted by this Order.

7. The Parish Council of the Parish constituted by this Order shall assume responsibility for, and shall relieve the Parish Council of the Parish of Kinghorn of all advances which the last-mentioned body may be called upon to make for or on account of, any pauper whose claim is derived (a) from birth in the portion of the Parish of Kinghorn transferred to the Parish constituted by this Order prior to the date of transfer hereinbefore mentioned, or (b) from residence for the statutory period in the said transferred portion prior to the said date.

8. From and after the date of transfer, there shall be elected for the Landward area of the Parish constituted by this Order one and only one School Board, subject to the provisions following :—

- (1) The School Board shall be elected at such date prior to the date of transfer as shall be fixed by the Scotch Education Department, and in such manner and in accordance with such regulations as the said Department shall determine.
- (2) The School Board so to be elected shall not take office until the date of transfer, and shall hold office only for the unexpired period of office of the now existing School Boards of Kirkcaldy (Landward), and Abbotshall, and Dysart (Landward).
- (3) So soon as the School Board so to be elected shall take office, but not sooner, the said existing School Boards shall cease and determine, and their whole powers, rights, duties, property, liabilities, debts, officers, and servants shall be transferred to the School Board so to be elected.