CHAPTER xi.

An Act to confirm a Provisional Order of the Minister of Health relating to the borough of Torquay. [18th May 1933.] A.D. 1933.

WHEREAS under the provisions of the Public Health Act 1875 the Minister of Health has made a provisional order which needs confirmation by Parliament: 38 & 39 Vict. c. 55.

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The order of the Minister of Health which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Torquay) Act 1933. Short title.

A.D. 1933.

SCHEDULE.

BOROUGH OF TORQUAY.

Torquay Order.

Provisional Order amending certain local Acts and Provisional Orders.

WHEREAS the mayor aldermen and burgesses of the borough of Torquay acting by the council (in this order called "the corporation") carry on a water undertaking in pursuance of the local Acts and provisional orders mentioned in the first schedule to this order and supply water within certain limits;

And whereas the corporation have applied to the Minister of Health for the issue under the Public Health Act 1875 of a provisional order to amend the local Acts and provisional orders in the manner following:

Now therefore the Minister of Health in pursuance of the powers given to him by sections 297 and 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows:—

Short title and commencement.

1. This order may be cited as the Torquay Order 1933 and shall come into operation on the date of the Act of Parliament confirming it.

Interpretation.

2. In this order unless the context otherwise requires—

"the added areas" means the areas added by this order to the water limits;

"the appointed day" means the date on which this order comes into operation;

"the local Acts and orders" means the local Acts and provisional orders mentioned in the first schedule to this order;

"the Minister" means the Minister of Health;

"the revenues of the corporation" includes the revenues of the corporation from time to time arising from any land undertaking or other property for the time being of the corporation and the rates or contributions leviable by or on the order or precept of the corporation;

"the rural district" means the rural district of Newton Abbot and "the rural council" means the council of that district;

"the water limits" means the limits within which the corporation are authorised to supply water by the local Acts and orders.

Extension of existing water limits.

3.—(1) The water limits shall be extended so as to include the areas mentioned in the second schedule to this order.

(2) The corporation may for the purposes of the supply of water within the added areas exercise the powers which they are authorised to exercise by the local Acts and orders and shall be subject to the obligations to which they are subject under the local Acts and orders.

(3) The provisions of the local Acts and orders shall subject to such modifications as may be necessary extend to the added areas.

Transfer of water mains.

4. As from the appointed day the distribution water mains laid by and vested in the rural council within the added areas shall be transferred to and vested in the corporation.

Transfer of outstanding loans.

5.—(1) The liability for the repayment of so much of the sums of five thousand eight hundred and eighty-four pounds and five hundred pounds borrowed by the rural council under sanctions of the Minister dated respectively the eleventh day of December nineteen hundred and thirty-one and the eighth day of August nineteen hundred and thirty-two for the purpose of the distribution water mains mentioned in section 4 of this order and for the costs and expenses incurred in such borrowing as immediately before the appointed day is owing and for the payment of interest thereon shall by virtue of this order be transferred to and attached to the corporation.

(2) So much of the moneys borrowed by the rural council as aforesaid as immediately before the appointed day is owing and charged upon funds or rates of the rural council shall be charged upon the revenues of the corporation.

(3) The borrowed moneys to which this section applies shall together with the interest to accrue due thereon be repaid by the corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

(4) Nothing in this order shall prejudice or affect any mortgage or other security which has been granted in respect of any borrowed moneys the liability for the repayment of which is transferred to the corporation by this section or the powers of any person entitled under any such mortgage or security to enforce the same as if this order had not been made.

A.D. 1933.

Torquay Order.

SCHEDULES.

FIRST SCHEDULE.

LOCAL ACTS AND PROVISIONAL ORDERS RELATING TO WATER SUPPLY.

Session and chapter.	Short title of Act or Order.
19 & 20 Vict. c. lxxviii.	The Torquay Waterworks Act 1856.
23 & 24 Vict. c. xliv.	The Local Government Supplemental Act 1860 Order relating to the district of the Tormoham Local Board of Health.
29 & 30 Vict. c. cvi.	The Local Government Supplemental (No. 3) Act 1866 Order relating to the district of the Tormoham Local Board of Health.
42 Vict. c. xliii.	The Local Government Board's Provisional Orders Confirmation (Ashton-under-Lyne &c.) Act 1879 Order relating to the Local Government District of Torquay.
46 & 47 Vict. c. lxxxix.	The Local Government Board's Provisional Orders Confirmation (No. 3) Act 1883 Order relating to the Local Government District of Torquay.
60 & 61 Vict. c. xxiii.	The Torquay Corporation Water Act 1897.
3 Edw. 7. c. cvi.	The Torquay Corporation Water Act 1903.
13 & 14 Geo. 5. c. cii.	The Torquay Corporation Act 1923.
17 & 18 Geo. 5. c. lxxxv.	The Torquay Corporation Act 1927.

SECOND SCHEDULE.

AREAS TO BE INCLUDED WITHIN THE WATER LIMITS.

1. The parish of Milber in the urban district of Newton Abbot.

2. That portion of the parish of Kings Kerswell in the rural district of Newton Abbot which is bounded on the north by the road from Moles Cross to Nut Bush Corner on the east by the boundary between the parish of Kings Kerswell and the borough of Torquay on the west by the road from Gallows Gate to Moles Cross and terminating in the south at Gallows Gate.

3. That portion of the parish of Coffinswell in the rural district of Newton Abbot which is bounded on the north by the road leading from Newton Abbot to Haccombe Cross on the east by Blackenway Lane on the south partly by the boundary between the parish of Coffinswell and the parish of Abbots Kerswell and partly by Milber Lane and on the west by the boundary between the parish of Coffinswell and the urban district of Newton Abbot.

4. That portion of the parish of Coffinswell in the rural district of Newton Abbot which is bounded on the north partly by the northern boundary of fields Nos. 102 53 and 50 on the ordnance survey map of Devonshire 1906 edition and partly by the boundary between the parish of Coffinswell and the parish of Haccombe-with-Combe on the east by the boundary between the parish of Coffinswell and the parish of Stoke in Teignhead on the south by the boundary between the parish of Coffinswell and the borough of Torquay and on the west by the western boundary of fields Nos. 321 311 280 276 277 251 250 249 233 200 199 198 172 171 170 169 122 123 124 and 102 on the ordnance survey map of Devonshire 1906 edition.

5. That portion of the parish of Stoke in Teignhead in the rural district of Newton Abbot which is bounded on the north by the boundary between the parish of Stoke in Teignhead and the urban district of Teignmouth on the east by the coast line on the south by the boundary between the parish of Stoke in Teignhead and the borough of Torquay on the west partly by the boundary between the parish of Stoke in Teignhead and the parish of Coffinswell partly by the boundary between the parish of Stoke in Teignhead and the parish of Haccombe-with-Combe and partly by and including fields Nos. 730 567 646 651 652 653 655 640 587 588 589 590 534 533 532 (part) 530 516 440 (part) 439 (part) 400 357 332 329 333 334 236 (part) 230 226 225 223 222 133 and 128 on the ordnance survey map of Devonshire 1905 and 1906 edition.

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WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament.

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