CHAPTER xx.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Denbigh Devon Llandudno Northampton Penrith South Molton Tredegar and East Riding of Yorkshire.

A.D. 1925.

[28th May 1925.]

WHEREAS the Minister of Health has made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act 1875 and the Local Government Act 1888:

38 & 39 Vict. c. 55. 51 & 52 Vict. c. 41.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

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:—

Orders in schedule confirmed.

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.

Short title.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (No. 1) Act 1925.

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A.D. 1925.

SCHEDULE.

COUNTY OF DENBIGH.

County of Denbigh Order.

Provisional Order made in pursuance of Sections 69 (2) *and* 87 *of the Local Government Act* 1888.

WHEREAS by Article 1 of the County of Denbigh Order 1923 (hereinafter referred to as "the Order of 1923") the County Council of the Administrative County of Denbigh were authorised to borrow such sums as might be required to an amount not exceeding in the aggregate the sum of forty thousand pounds in excess of the limit imposed by the provisions of subsection (2) of Section 69 of the Local Government Act 1888 (hereinafter referred to as "the Act");

And whereas the said County Council have made application to the Minister of Health for the issue of a Provisional Order to amend the Order of 1923 in manner hereinafter appearing:

Now therefore the Minister of Health in pursuance of the powers given to him by the Act and of any other powers in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Order of 1923 shall be amended in manner following that is to say:—

Additional borrowing powers.

1. Article 1 of the Order of 1923 shall have effect as if the words "ninety thousand pounds" were therein substituted for the words "forty thousand pounds."

Short title.

2. This Order may be cited as the County of Denbigh Order 1925.

Given under the Official Seal of the Minister of Health this Twenty-sixth day of January One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

COUNTY OF DEVON.

County of Devon Order.

Provisional Order made in pursuance of subsection (2) *of Section* 69 *of the Local Government Act* 1888.

WHEREAS the County Council of the Administrative County of Devon (which Council and County are hereinafter respectively referred to as "the County Council" and "the County") propose to borrow with the consent of the Minister of Health and subject to the provisions of the Local Government Act

1888 (hereinafter referred to as "the Act") certain sums of money which if borrowed will together with the total debt of the County Council after deducting the amount of any sinking fund exceed the amount which the County Council are authorised to borrow under the Act; A.D. 1925. *County of Devon Order.*

And whereas the County Council have made application to the Minister of Health for the issue of a Provisional Order to increase the amount which may be borrowed by the County Council as hereinafter mentioned:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 69 of the Act and of any other powers in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect (that is to say):—

Additional borrowing powers.

1. Subject to and in accordance with the provisions of the Act the County Council may from time to time borrow such sums as may be required to an amount not exceeding in the aggregate the sum of three hundred and fifty thousand pounds in excess of the limit imposed by the provisions of subsection (2) of Section 69 of the Act.

Short title.

2. This Order may be cited as the County of Devon Order 1925.

Given under the Official Seal of the Minister of Health this Fifth day of February One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

URBAN DISTRICT OF LLANDUDNO.

Llandudno Order.

Provisional Order to enable the Urban District Council of Llandudno to put in force the Compulsory Clauses of the Lands Clauses Acts.

WHEREAS the Council of the Urban District of Llandudno (hereinafter referred to as "the Council") require to purchase and take the lands described in the Schedule hereto for the purposes of widening opening enlarging or otherwise improving certain streets in the said District:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 176 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming

A.D. 1925.

Llandudno Order.

this Order the following provisions shall have effect that is to say :—

Compulsory powers of purchase.

1. The Council shall be empowered for the purposes aforesaid to put in force with reference to the lands described in the Schedule hereto (subject to the continuance of existing public rights of highway if any) the powers of the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 with respect to the purchase and taking of lands otherwise than by agreement or any of them.

Short title.

2. This Order may be cited as the Llandudno Order 1925.

The SCHEDULE above referred to.

Parish of Llandudno-cum-Eglwysrhos and Urban District of LLANDUDNO in the County of CARNARVON.

Colour on the deposited Plan.	Description of Lands.	Owners or Reputed Owners.	Occupiers.
Pink -	Portion of Garden of a house known as "Oakfield" and numbered 34 in Queen's Road Llandudno.	Richard Holden of "Oakfield" 34 Queen's Road Llandudno.	Richard Holden of "Oakfield" 34 Queen's Road Llandudno.
Blue -	Portion of Garden of a house known as "Drummond Lodge" in Conway Road Llandudno.	Zachry Brierley of "Drummond Lodge" Conway Road Llandudno.	Zachry Brierley of "Drummond Lodge" Conway Road Llandudno.

The above-mentioned lands are more particularly delineated on a plan (being a copy of the deposited plan) in duplicate sealed with the Official Seal of the Minister of Health and marked "Plan referred to in the Llandudno Order 1925" of which duplicate plan one part is deposited in the offices of the Minister of Health and the other shall be deposited in the offices of the Council within fourteen days from the date of this Order.

Given under the Official Seal of the Minister of Health this Fifteenth day of January One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

BOROUGH OF NORTHAMPTON.

A.D. 1925.

Provisional Order for altering the Northampton Corporation Act 1882.

Northampton Order.

WHEREAS the Borough of Northampton (hereinafter referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the Local Authority for the purposes of the Public Health Act 1875 and the unrepealed provisions of the Northampton Corporation Act 1882 (hereinafter referred to as "the Local Act") as altered by the Northampton Order 1907 are in force in the Borough;

And whereas by Section 48 of the Local Act the lands known as Miller's otherwise Gates' Meadow were appropriated and dedicated for ever as and for a public park and recreation ground;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order to alter or amend the Local Act in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Act shall be amended as follows:—

Appropriation of land for baths and washhouses.

1. Notwithstanding the provisions of the Local Act the Corporation may appropriate an area not exceeding one acre of Miller's Meadow for the purposes of the Baths and Washhouses Acts 1846 to 1899.

Short title.

2. This Order may be cited as the Northampton Order 1925.

Given under the Official Seal of the Minister of Health this Twenty-sixth day of January One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

A.D. 1925.

URBAN DISTRICT OF PENRITH.

Penrith Order.

Provisional Order for altering the Penrith Urban District Council Act 1907.

WHEREAS the Urban District Council of Penrith (hereinafter referred to as "the Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Penrith (hereinafter referred to as "the District") and the unrepealed provisions of the Penrith Urban District Council Act 1907 (hereinafter referred to as "the Local Act") are in force in the District;

And whereas under the Local Act the Council carry on a water undertaking and supply water within certain limits (hereinafter referred to as "the limits of supply") which comprise the District and certain other areas and by Sections 19 and 26 of the said Act the rates which the Council are authorised to charge for the supply of water are prescribed;

And whereas by Section 166 of the Local Act provision was made with regard to any sinking fund which might be formed and maintained by the Council for the repayment of any moneys repayable in accordance with the provisions of that Act and by Section 167 of the said Act certain powers of re-borrowing for the purpose of paying off moneys borrowed by them were conferred on the Council;

And whereas the Council have made application to the Minister of Health for the issue of a Provisional Order to alter or amend the Local Act in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the said Act shall be altered as follows that is to say:—

Amendment of Sections 19 and 26 of Local Act.

1. Sections 19 and 26 of the Local Act shall have effect as if the words "two shillings and sixpence" had been inserted therein instead of the words "one shilling and sixpence."

Supply of water by hose-pipe to stables &c.

2. When water of the Council supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in stables or premises where horses carriages or motor cars are kept the Council may if a hose-pipe or other similar apparatus is used charge such additional sum not exceeding twenty-five shillings per annum as they may prescribe and any sum so charged shall be recoverable in the same manner as water rates.

Penrith Order.

3.—(1) The Minister of Health on the application of the Council may from time to time fix by Order the rates and charges for the supply of water within the limits of supply.

Power of Minister of Health to fix rates &c. for a supply of water.

(2) The Council shall as soon as practicable after an Order is made in pursuance of subdivision (1) of this Article cause the Order to be published in two successive weeks in one or more local newspapers circulating throughout the area included in the limits of supply and the Order shall come into operation on the quarter day next following the date of the last of the said publications.

Alteration of Local Act on operation of new water rates and charges.

4. On and after the date on which any Order made in pursuance of subdivision (1) of Article 3 of this Order comes into operation Sections 19 and 26 of the Local Act (as amended by this Order) shall have effect as if—

(*a*) for the rates specified in those Sections there were substituted the rates and charges fixed by the Order; and

(*b*) such other modifications were made in the said Sections as may be necessary to render the Sections applicable to any premises rates or charges specified in the Order.

Power to supply meters and other fittings.

5.—(1) The Council may if requested by any person supplied or about to be supplied by them with water let for hire or sell to him and fix and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans waterclosets receptacles fittings and appliances (in this Article referred to as "fittings") as are required or permitted by their regulations and may provide all materials and work necessary or proper in that behalf and the reasonable charges of the Council in providing such materials and executing such work shall be paid by the person requiring the same.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Council as the actual owners thereof:

Provided also as follows:—

(*a*) The Council shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this section in connection therewith (including interest upon any

A.D. 1925.

Penrith Order.

moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed) :

(*b*) Every sum charged by the Council in respect of provision of such fittings or repairing fixing or removal thereof shall be clearly stated in every demand note delivered by the Council to the consumer :

(*c*) The total sums expended and received by the Council in each year in connection with the purposes in this section mentioned (including interest and sinking fund) shall be separately shown in the published accounts of the water undertaking of the Council for such year.

Power to break up streets &c.

6.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 or under any other Act relating to the Council to maintain any pipe or apparatus used for the supply of water from the works of the Council the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of Sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(2) The Council may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street within the limits of supply execute such works on behalf of such owner or occupier but subject to any obligations of such owner or occupier in relation to the execution of such works and any expenses incurred by the Council in so doing shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

Powers of Council to repair communication pipes.

7. If it should appear to the Council that by reason of injury to or defect in any communication pipe which the Council are not under obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Council to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Council in executing such repairs shall be recoverable by the Council from the owner :

Provided that except in case of emergency the Council shall not under the powers of this Article enter into any house or private premises unless they shall have given to the owner of such house or premises not less than twenty-four hours previous notice of their intention so to enter.

8. When several houses or parts of houses in the occupation of several persons are supplied with water of the Council by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Council in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the engineer of the Council.

Maintenance of common pipe.

9. Section 166 of the Local Act shall have effect as if the words "or at such other rate as the Minister of Health may from time to time approve" were inserted in subdivision (1) of that Section immediately after the words "three pounds per centum per annum."

Rate of accumulation of annual pay ments to sinking fund.

10.—(1) Section 167 of the Local Act is hereby repealed.

Power to re-borrow.

(2) The Council shall have power—

(*a*) to borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or

(*b*) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Council in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(3) Any moneys borrowed under this Article shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this Article.

(4) The Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(5) The Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(*a*) by instalments or annual payments; or

(*b*) by means of a sinking fund; or

(*c*) out of moneys derived from the sale of land; or

(*d*) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

A.D. 1925.

Penrith Order.

(6) In this Article the expression "statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government Department made or given or to be made or given by authority of any Act of Parliament passed or to be passed.

Short title.

11. This Order may be cited as the Penrith Order 1925.

Given under the Official Seal of the Minister of Health this Twenty-eighth day of January One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

BOROUGH OF SOUTH MOLTON.

South Molton Order.

Provisional Order for partially repealing the South Molton Markets and Improvement Act 1862.

WHEREAS the Borough of South Molton (hereinafter referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875 and the unrepealed provisions of the South Molton Markets and Improvement Act 1862 (hereinafter referred to as "the Local Act") are in force in the Borough;

And whereas Section 4 of the Local Act incorporates certain provisions of the Towns Improvement Clauses Act 1847 (hereinafter referred to as "the Act of 1847") and the Corporation propose to make new byelaws under the Public Health Acts the subject-matter of which will be cognate to the subject-matter of certain of the said provisions of the Act of 1847;

And whereas the Corporation have accordingly made application to the Minister of Health for the issue of a Provisional Order partially to repeal the Local Act in the manner hereinafter set forth:

A.D. 1925.

South Molton Order.

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and of any other powers in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect that is to say :—

Date of operation.

1. This Order shall come into operation on the First day of January One thousand nine hundred and twenty-six or on such earlier date as new byelaws of the Corporation with respect to new streets and buildings shall come into force.

Partial repeal of Local Act.

2. Section 4 of the Local Act shall be repealed in so far as it incorporates the under-mentioned sections of the Act of 1847 namely,—

Section 74 (Waterspouts to be affixed to houses or buildings); and

Section 109 (Party walls to be carried up through roof: walls of buildings and coverings of roofs to be made of incombustible materials).

Short title.

3. This Order may be cited as the South Molton Order 1924.

Given under the Official Seal of the Minister of Health this Thirtieth day of December One thousand nine hundred and twenty-four.

(L.S.) H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

URBAN DISTRICT OF TREDEGAR.

Tredegar Order.

Provisional Order for altering the Tredegar Urban District Council Act 1920.

WHEREAS the Urban District Council of Tredegar (hereinafter referred to as "the Council") are the Local Authority within the meaning of the Public Health Act 1875 for the Urban District of Tredegar (hereinafter referred to as "the District") and the unrepealed provisions of the Tredegar Urban District Council Act 1920 (hereinafter referred to as "the Local Act") are in force in the District;

And whereas by Section 22 of the Local Act a period of five years from the Fourth day of August One thousand nine hundred and twenty was limited for the completion of the works authorised by Part III. of that Act;

A.D. 1925.

Tredegar Order.

And whereas the Council have made application to the Minister of Health for the issue of a Provisional Order to amend the Local Act in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Act shall be amended as follows:—

Extension of time for completion of works.

1. Section 22 of the Local Act shall have effect as if the words "ten years" had been inserted therein instead of the words "five years" as the period limited for the completion of the works authorised by Part III. of that Act.

Power of Minister of Health further to extend period for completion of works.

2. At any time before the expiration of the said period of ten years the Minister of Health on the application of the Council may if he thinks fit by Order extend such period by a further period not exceeding five years and thereupon Section 22 of the Local Act shall have effect accordingly.

Inquiries and expenses.

3.—(1) The Minister of Health may direct an inquiry to be held by his inspectors with reference to any application made under Article 2 of this Order and such inspectors shall for the purposes of such inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

(2) When the Minister causes such an inquiry as aforesaid to be held the costs incurred by the Minister in relation to that inquiry (including such reasonable sum not exceeding five guineas a day as the Minister may determine for the services of any inspector or officer of the Minister engaged in the inquiry) shall be paid by the Council and the Minister may certify the amount of the costs so incurred and any sum so certified and directed by the Minister to be paid by the Council shall be a debt due to the Crown from the Council.

Short title.

4. This Order may be cited as the Tredegar Order 1924.

Given under the Official Seal of the Minister of Health this Thirty-first day of December One thousand nine hundred and twenty-four.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

COUNTY OF THE EAST RIDING OF YORKSHIRE. A.D. 1925.

Provisional Order made in pursuance of subsection (2) of Section 69 of the Local Government Act 1888.

County of the East Riding of Yorkshire Order.

WHEREAS the County Council of the Administrative County of the East Riding of Yorkshire (which Council and County are hereinafter respectively referred to as "the County Council" and "the County") propose to borrow with the consent of the Minister of Health and subject to the provisions of the Local Government Act 1888 (hereinafter referred to as "the Act") certain sums of money which if borrowed will together with the total debt of the County Council after deducting the amount of any sinking fund exceed the amount which the County Council are authorised to borrow under the Act;

And whereas the County Council have made application to the Minister of Health for the issue of a Provisional Order to increase the amount which may be borrowed by the County Council as hereinafter mentioned:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 69 of the Act and of any other powers in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect (that is to say):—

Additional borrowing powers.

1. Subject to and in accordance with the provisions of the Act the County Council may from time to time borrow such sums as may be required to an amount not exceeding in the aggregate the sum of two hundred thousand pounds in excess of the limit imposed by the provisions of subsection (2) of Section 69 of the Act.

Short title.

2. This Order may be cited as the County of the East Riding of Yorkshire Order 1925.

Given under the Official Seal of the Minister of Health this Fourth day of February One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

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