

Worcester Corporation Act 1964

CHAPTER xxii

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ELIZABETH II



1964 CHAPTER xxii

An Act to exclude statutory provisions relating to a hop market from application to certain lands in the city of Worcester; and for other purposes. [16th July 1964]

WHEREAS—

(1) The city of Worcester (in this Act called " the city ") is a county borough under the local government and management of the mayor, aldermen and citizens of the city (in this Act called " the Corporation "):

(2) The Guardians of the Poor of Worcester (in this Act called " the guardians ") who were incorporated by the Act 2 & 3 Anne c. 8 erected a workhouse on lands purchased by them in the Foregate and Sansome Street in the city:

(3) By the Act 4 Geo. 2 c. 25 the guardians and their successors were empowered and required to hold and keep a public market for the buying and selling of hops only at, in or near the said

workhouse and by the Act 32 Geo. 3 c. 99 it was enacted that the said hop market and certain buildings and premises should be used as a hop market for ever and that the guardians should and might have and keep the said hop market and set, let, manage and improve the said buildings and premises belonging thereto:

(4) Section 57 of the Worcester Corporation Act, 1926 confirmed the transfer by the guardians to the Corporation of the said hop market and all the rights, powers, estates, property and liabilities then vested in or imposed on the guardians by the following local Acts, namely, 2 & 3 Anne c. 8, 3 Geo. 2 c. 23, 4 Geo. 2 c. 25 and 32 Geo. 3 c. 99:

(5) It is expedient that the Corporation should have power to sell, lease or otherwise dispose of the land, buildings and premises to which the said local Acts apply and that the same may be developed and used for purposes other than as a hop market:

(6) It is expedient that the other provisions contained in this Act should be enacted:

(7) The purposes of this Act cannot be effected without the authority of Parliament:

(8) A plan showing the lands, buildings and premises referred to in the said Act 32 Geo. 3 c. 99 was in November, 1963, deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the town clerk of the city:

(9) In relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act, 1933, have been observed.

23 & 24 Geo. 5 c. 51.

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen'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:—

Short and collective titles.

1.—(1) This Act may be cited as the Worcester Corporation Act 1964.

(2) The Worcester Corporation Acts, 1885 to 1951, and this Act may together be cited as the Worcester Corporation Acts, 1885 to 1964.

Interpretation.

2. In this Act unless the subject or context otherwise requires—

" the city " means the city of Worcester;

" the committee " means the committee appointed under subsection (3) of section 4 (Application of proceeds of sale or disposal of specified lands) of this Act;

" the Corporation " means the mayor, aldermen and citizens of the city;

" the council " means the council of the city;

" the hop market enactments " means the enactments mentioned in the schedule to this Act;

" needy persons " means persons who by reason of poverty, sickness or infirmity whether young or old are in need of financial assistance, care or attention;

" the specified lands " means the lands shown on the plan referred to in the preamble to this Act and thereon coloured pink.

Hop market enactments not to prevent development, etc. of specified lands.

3.—(1) Nothing in the hop market enactments shall prevent the Corporation or any other person from selling, leasing or otherwise disposing of the whole or any part of the specified lands or developing the same or using the same for any purpose other than as a hop market.

(2) Any powers or duties required or authorised by the hop market enactments to be exercised or performed on the whole or any part of the specified lands (howsoever described) may be exercised or performed on or at any other land or premises in the city to which the hop market may be lawfully removed.

Application of proceeds of sale or disposal of specified lands.

4.—(1) Any capital money received by the Corporation in respect of the selling, leasing or otherwise disposing of the whole or any part of the specified lands shall be invested or applied in the purchase, improvement and adaptation of land of any tenure or the purchase, provision, improvement and adaptation of any buildings which in the opinion of the committee can conveniently be used for the benefit of needy persons in the city.

(2) Any rents received by the Corporation in respect of the leasing of the whole or any part of the specified lands and any income received by the Corporation in respect of the specified lands and the income from any investments made under subsection (1) of this section shall be held on trust to apply the same for the benefit either of the needy persons of the city generally or of such needy persons for the time being resident in the city as the committee may select for the purpose and in such manner and in such shares as the committee may consider most advantageous to the persons benefiting.

(3) (*a*) As soon as may be after the passing of this Act the council shall appoint a committee for the purposes of this section who shall exercise and perform the functions conferred upon them by this section and may from time to time submit a report of their proceedings to the council.

(*b*) The committee may include persons who are not members of the council:

Provided that at least two-thirds of the members of the committee shall be members of the council.

(*c*) The number of members of the committee and their term of office shall be fixed by the council.

(*d*) Every member of the committee who at the time of his appointment was a member of the council shall, upon ceasing to be a member of the council, also cease to be a member of the committee:

Provided that for the purposes of this subsection a member of the council shall not be deemed to have ceased by reason of retirement to be a member of the council if he has been re-elected a member thereof not later than the day of his retirement.

Costs of Act.

5.—(1) The costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act shall be paid by the Corporation.

(2) The Corporation shall have power without the consent of any sanctioning authority to borrow the sum requisite for the payment of the said costs, charges and expenses and shall repay all moneys so borrowed within such period as the Corporation may determine not exceeding five years from the date of borrowing.

(3) The provisions of Part IX of the Local Government Act, 1933, so far as they are not inconsistent with this Act shall extend and apply to money borrowed under this section as if it were borrowed under the said Part IX and the period fixed under this section for the repayment of the money borrowed shall as respects that money be the fixed period for the purpose of the said Part IX.

SCHEDULE

THE HOP MARKET ENACTMENTS

The Act 2 & 3 Anne c. 8 intituled "An Act for the erecting a Workhouse in the City of Worcester, and for setting the Poor on Work there".

The Act 3 Geo. 2 c. 23 intituled "An Act for amending and making more effectual an Act made in the Second and Third Years of the Reign of the late Queen Anne, intituled 'An Act for the erecting a Workhouse in the City of Worcester, and for setting the Poor on Work there'".

The Act 4 Geo. 2 c. 25 intituled "An Act for confirming an Agreement lately entered into between the Mayor, Aldermen, and Citizens of the City of Worcester, and the Guardians of the Poor of the said City, for continuing the Hop Market of the said City in the Workhouse there; and for vesting the Right of the said Mayor, Aldermen, and Citizens, of keeping a Hop Market in the said City, in the Guardians of the Poor of the said City, and their Successors for ever".

The Act 32 Geo. 3 c. 99 intituled "An Act for the better Relief and Employment of the Poor of the several Parishes within the City of Worcester, and of the Parishes of Saint Martin and Saint Clement, which are Part within the City of Worcester, and Part within the County of Worcester, and for providing a Burial Ground for the Use of such Parishes".

Section 57 (Confirmation of transfer of property of Hopmarket Guardians to Corporation) of the Worcester Corporation Act, 1926. 16 & 17 Geo. 5 c. xcvii.

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