CHAPTER clii.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Torquay and Weymouth and Melcombe Regis. A.D. 1930.

[1st August 1930.]

WHEREAS under the provisions of the Public Health Act 1875 the Minister of Health has made certain provisional orders which need 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 Orders of the Minister of Health which are set out in the schedule to this Act are hereby confirmed and shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (Torquay and Weymouth and Melcombe Regis) Act 1930. Short title.

A.D. 1930.

SCHEDULE.

BOROUGH OF TORQUAY.

Torquay Order.

Provisional Order amending the Torquay Order 1910.

WHEREAS the borough of Torquay is an urban district of which the mayor aldermen and burgesses acting by the council are the local authority within the meaning of the Public Health Act 1875;

And whereas by section 12 of the Torquay Harbour and District Act 1886 the Torquay local board were empowered to purchase by agreement land to an extent not exceeding one acre for the purpose of erecting thereon a town hall and the Torquay Corporation as successors of the local board did in pursuance of that section purchase certain land situate at the junction of Lymington Road and Saint Mary Church Road in the borough;

And whereas by paragraph (3) of article 1 of the Torquay Order 1910 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1910 the Corporation were empowered on a certain portion of the land so purchased (which portion is in that order called "the new town hall site") to provide maintain use and improve any building or accommodation necessary or proper for purposes connected with the business and administrative requirements of the Corporation and of the Borough and for other public or local purposes including meetings and assemblies and for any such purpose to demolish rebuild adapt alter enlarge or improve any existing building on the new town hall site and to provide and maintain conveniences apparatus fittings or furniture for or in connection with any such building or accommodation as aforesaid and by paragraph (4) of that article the Corporation were empowered to authorise for public or local purposes the use of any buildings or accommodation provided by them in pursuance of that article and to let the same for any such purposes;

And whereas upon the land so purchased the Corporation have in pursuance of their powers under the local Act of 1886 the order of 1910 and the Public Libraries Act 1892 erected a town hall and a public library;

A.D. 1930.

Torquay Order.

And whereas the Corporation have applied to the Minister of Health for the issue of a provisional order to alter and amend the local Act of 1886 and the order of 1910 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 1930 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 Borough" means the Borough of Torquay;

"the Corporation" means the mayor aldermen and burgesses of the Borough acting by the council;

"the Minister" means the Minister of Health;

"the local Act" means the Torquay Harbour and District Act 1886;

"the order of 1910" means the Torquay Order 1910;

"the Union Street site" means the land situate in Union Street Torquay containing an area of 889 square yards or thereabouts which is vested in the trustees of the Young Men's Christian Association (Torquay) together with the buildings and premises erected thereon bounded on the west by Union Street on the south by the land purchased by the Corporation in pursuance of their powers under section 12 of the local Act on the east by that land and an accommodation road leading to the back of the town hall and on the north by the accommodation road already referred to.

Power to purchase Union Street site.

3.—(1) In addition to the land which they are authorised to purchase by section 12 of the local Act the Corporation may purchase by agreement and hold the Union Street site for the purpose of extending the new town hall constructed in pursuance of their powers under that section and their public library.

(2) The Corporation may hold the Union Street site subject to existing leases and tenancies of the shops thereon and may grant new tenancies and leases thereof.

Amendment of order of 1910.

4. Paragraphs (3) and (4) of article 1 of the order of 1910 shall apply in relation to the Union Street site as if that site formed part of the new town hall site mentioned in that order and as if the buildings and accommodation on the Union Street site were provided by the Corporation under that article.

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Torquay Order.

Borrowing powers.

5.—(1) The Corporation may with the sanction of the Minister borrow upon the security of the general rate fund and the general rate of the Borough such sums as may from time to time be necessary for the purposes of this order.

(2) The provisions of article 3 and articles 5 to 10 of the order of 1910 shall with the necessary modifications apply to the exercise by the Corporation of the powers conferred upon them by paragraph (1) of this article.

(3) Any moneys borrowed under this article shall be repaid within such period not exceeding sixty years from the date of borrowing as the Minister may prescribe and the period so prescribed shall in respect of any loan sanctioned by the Minister be the prescribed period for the purposes of the Local Loans Act 1875 and the provisions applied by paragraph (2) of this article.

Expenses and receipts.

6. The expenses of the Corporation under this order may be defrayed from the general rate fund and general rate of the Borough and the Corporation shall carry to that fund and rate any moneys arising from the use or letting of lands under the provisions of the order of 1910 which by this order are applied to the Union Street site.

Inquiries and expenses.

7.—(1) The Minister may direct any inquiries to be held by his inspectors which he may deem necessary for the purposes of this order and those inspectors shall for the purposes of any inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

(2) Where the Minister causes any such inquiry 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 Corporation 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 Corporation shall be a debt due to the Crown from the Corporation.

BOROUGH OF WEYMOUTH AND MELCOMBE REGIS.

A.D. 1930.

Provisional Order altering the Weymouth and Melcombe Regis Corporation Act 1914.

Weymouth and Melcombe Regis Order.

WHEREAS the borough of Weymouth and Melcombe Regis is an urban district of which the mayor aldermen and burgesses acting by the council are the urban authority for the purposes of the Public Health Act 1875 and the Weymouth and Melcombe Regis Corporation Act 1914 is in force in the Borough;

And whereas section 5 of the local Act authorised the Weymouth and Melcombe Regis Corporation to make and maintain in the lines or situation and according to the levels shown on the deposited plans and sections in that Act mentioned certain works one of which is in that Act called Work No. 9 and comprises a widening and alteration or reconstruction of the swing bridge known as Weymouth Bridge across the harbour of Weymouth and Melcombe Regis including an increase in the width of the opening span of the bridge and a widening and improvement of the approaches thereto;

And whereas the Weymouth and Melcombe Regis Corporation have applied to the Minister of Health for the issue of a provisional order to amend the local Act in the manner following:

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 as follows:—

Short title and commencement.

1. This order may be cited as the Weymouth and Melcombe Regis Order 1930 and shall come into operation on the date of the Act of Parliament confirming it.

Interpretation.

2. In this order—

"the local Act" means the Weymouth and Melcombe Regis Corporation Act 1914;

"the plans and sections applicable to this order" means the deposited plans and sections mentioned in the local Act so far as they relate to Work No. 9 as amended by the plan and section which were deposited for the purpose of this order in the office of the Minister of Health on the first day of January nineteen hundred and thirty and of which duplicates were on the same day deposited in the office of the Clerk of Parliaments

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Weymouth and Melcombe Regis Order.

House of Lords and in the Committee and Private Bill Office of the House of Commons;

"Work No. 9" means the work so numbered which is described in and authorised by section 5 of the local Act.

Amendment of local Act as to Work No. 9.

3. The local Act shall be amended so that any reference therein to the deposited plans and sections shall so far as it relates to the plans and sections in regard to Work No. 9 be construed as a reference to the plans and sections applicable to this order and the provisions of the local Act so far as they relate to Work No. 9 shall apply and have effect with reference to that work as if the alteration thereof authorised by this order were authorised by the local Act.

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