



## CHAPTER xx.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Leyton Morley Newcastle-upon-Tyne and Tintwistle. A.D. 1929.  
[10th May 1929.]

**W**HEREAS under the provisions of the Public Health Act 1875 the Minister of Health has made certain Orders which are set out in the schedule hereto : 38 & 39 Vict. c. 55.

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 :—

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. Orders in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (No. 4) Act 1929. Short title.

A.D. 1929.

SCHEDULE.

**BOROUGH OF LEYTON.**

*Leyton  
Order.*

*Provisional Order altering and amending a  
Local Act.*

WHEREAS the Borough of Leyton is an urban district of which the mayor aldermen and burgesses acting by the council (in this Order referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875 and the provisions of the Leyton Urban District Council Act 1904 are in force in the Borough;

And whereas under the authority of the confirmation Acts and Orders mentioned in the Schedule to this Order (which empowered the Corporation for the purposes of the improvement of certain streets to purchase and take compulsorily certain land) the Corporation have acquired or propose to acquire certain land within the Borough parts of which will not be required for the widening of streets and are desirous of laying out and developing the surplus land so acquired or to be acquired;

And whereas by section 164 of the local Act of 1904 any lands acquired by the Corporation in pursuance of any powers contained in the Public Health Act 1875 and not required for the purpose for which they were acquired may with the approval of and subject to such conditions as may be imposed by the Minister of Health be retained and used by the Corporation for any other purpose in like manner as if they had been originally acquired for such last-mentioned purpose;

And whereas by section 166 of the local Act the Corporation are authorised to borrow such sums as the Minister of Health may sanction for certain purposes of that Act;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order to alter or 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:—

1. In this Order unless the context otherwise requires—  
"The local Act" means the Leyton Urban District Council Act 1904;  
"The Minister" means the Minister of Health;  
"The Orders" means the Orders mentioned in the Schedule to this Order.

**Interpre-  
tation.**

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xx.]  
*Provisional Orders Confirmation (No. 4) Act, 1929.*

2.—(1) In relation to any land acquired whether before or after the date of this Order by the Corporation under the Leyton Order 1928 which may not be required for the purposes of that Order or as respects that part of the land acquired by the Urban District Council of Leyton under the Leyton Order 1894 which was not required for the purposes of that Order and has not been sold—

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—  
*Leyton  
 Order.*

Power to develop land acquired for street improvements.

- (a) For the purpose of the development of the land the Corporation may upon it erect and maintain houses shops offices warehouses and other like buildings and may sell lease exchange or otherwise dispose of the land and any houses shops offices warehouses or buildings thereon erected upon and subject to such terms conditions and restrictions as they may think fit;
- (b) The Corporation may enter into and carry into effect agreements and arrangements with the owners or occupiers of or other persons interested in the land for the reinstatement of any such owner occupier or other person and for the exchange of land for that purpose and the Corporation may pay or receive money by way of equality of exchange.

(2) The Corporation may grant building leases of any land to which paragraph (1) of this article applies subject to such restrictions and conditions as they may see fit to impose and may grant any easements rights or privileges in under or over such land or any part thereof and may use or dispose of the building or other materials of any houses and premises on any land acquired or appropriated by them which they may deem it necessary or desirable to pull down.

(3) The Corporation may sell exchange or otherwise dispose of any such land and may convey the same subject to any such conditions and restrictions upon its use and as to the buildings to be erected thereon and as to the use to which such buildings may be put as they may think fit.

(4) The Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any such land or any interest therein at a price or rent or for a consideration less than the current market value of such land or interest.

3. Any of the powers conferred on the Corporation by the preceding article of this Order may subject to the consent of the Minister be exercised by the Corporation with respect to any land acquired whether before or after the date of this Order by them under the authority of any public general or local Act or Provisional Order confirmed by Parliament which is not required for the purposes for which the land was acquired.

Application of foregoing provision to other land.

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*Provisional Orders Confirmation (No. 4) Act, 1929.*

*Leyton  
Order.*

Inquiry as to consent of Minister need not be made by purchaser &c.

Power of Corporation to advance money for erection of buildings.

4. Where under this Order the consent of the Minister is required to a sale lease or other disposition of land by the Corporation the person to whom the disposition is to be made shall not be concerned to inquire whether the consent of the Minister to the disposition is necessary or has been obtained by the Corporation.

5.—(1) Where the Corporation sell or let on lease surplus land acquired whether before or after the date of this Order by them under the Orders they may advance money to the purchaser or lessee for the purpose of enabling or assisting him to erect buildings on that land but no advance shall exceed two-thirds of the amount which in the opinion of the Corporation will be the market value of the interest of the purchaser or lessee in the land after the intended building has been erected thereon.

(2) Every such advance shall be repaid with interest at a rate not less than five per centum per annum within such period not exceeding thirty years from the date of the advance as may be agreed upon between the Corporation and the purchaser or lessee.

(3) The repayment of an advance may be made either by equal instalments of principal or by an annuity of principal and interest combined and all payments on account of principal and interest shall be made at such intervals not exceeding half-yearly intervals as may be agreed between the purchaser or lessee and the Corporation.

(4) Any purchaser or lessee to whom an advance has been made may on any of the usual quarter days after one month's written notice to the Corporation and on paying all sums due on account of interest repay to the Corporation the whole of the outstanding principal of the advance or any part thereof amounting to one hundred pounds or a multiple of one hundred pounds (or such less sum as may be provided in the instrument securing the repayment of the advance) and where the repayment is made by an annuity of principal and interest combined the amount so outstanding and the amount by which the annuity will be reduced by the repayment of a part of the advance shall be determined by a table to be annexed to the instrument.

(5) Before making any advance under this article the Corporation shall be satisfied that the repayment to them of the advance is secured by a mortgage of or a charge by way of legal mortgage on the interest of the purchaser or lessee in the land upon which the building is to be erected requiring the purchaser or lessee to keep the building in good repair and insured against fire to the satisfaction of the Corporation and to produce to the Corporation when required by them the receipts for the premiums paid in respect of such insurance.

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xx.]  
*Provisional Orders Confirmation (No. 4) Act, 1929.*

(6) The Corporation or any person authorised by them in writing shall have power at all reasonable times to enter the building for the purpose of ascertaining whether the conditions of this article and of the mortgage or charge by way of legal mortgage are complied with. A.D. 1929.  
—  
*Leyton Order.*

(7) The purchaser or lessee may with the permission of the Corporation (which permission shall not be unreasonably withheld) at any time transfer his interest in the building and the land upon which the building is erected but any such transfer shall be made subject to the provisions of this article.

6. The purposes of this Order shall be deemed to be purposes of the local Act for which the Corporation may subject to the sanction of the Minister borrow money under section 166 of that Act. Borrowing power.

7. Any capital money received by the Corporation in payment or discharge of any advance made by them or in respect of any sale lease or other disposal of houses shops offices warehouses or buildings or the grant of any easements rights or privileges or the disposal of building or other materials under this Order shall be applied for any purpose for which capital money may be applied and which may be approved by the Minister. Application of capital money.

8.—(1) The Minister may direct any inquiries to be held by his inspectors which he may deem necessary with reference to the purposes of this Order and such 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. Inquiries and expenses.

(2) Where the Minister causes any such inquiry to be held with reference to any of the purposes of this Order the costs incurred by the Minister in relation to that inquiry (including such 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.

9. This Order may be cited as the Leyton Order 1929 and shall come into operation on the date of the Act of Parliament confirming it. Short title and commencement.

[Ch. xx.] *Ministry of Health* [19 & 20 GEO. 5.]  
*Provisional Orders Confirmation (No. 4) Act, 1929.*

A.D. 1929.

SCHEDULE.

*Leyton  
Order.*

CONFIRMATION ACTS AND ORDERS RELATING TO STREET  
IMPROVEMENTS.

Session and Chapter.	Short Title.	Order thereby confirmed.
57 & 58 Vict. c. xlvi.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1894.	The Leyton Order 1894.
18 & 19 Geo. 5. c. xviii.	The Ministry of Health Provisional Orders Confirmation (No. 4) Act 1928.	The Leyton Order 1928.

BOROUGH OF MORLEY.

*Morley  
Order.*

*Provisional Order altering the Morley Corporation  
Act 1923.*

WHEREAS the Borough of Morley 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 Morley Corporation Act 1923 is in force in the Borough;

And whereas section 15 of the local Act authorised the Morley Corporation to make and maintain certain works called Work No. 4 and Work No. 5 for the supply by them of water and by section 17 of that Act a period of seven years from the thirty-first day of December nineteen hundred and twenty-two was limited for the completion of those works;

And whereas the Morley 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 in that behalf hereby orders as follows :—

Short title  
and com-  
mencement.

1. This Order may be cited as the Morley Order 1929 and shall come into operation on the date of the Act of Parliament confirming it.



2. In this Order unless the context otherwise requires—

A.D. 1929.

“The Brighouse Corporation” means the mayor aldermen and burgesses of the Borough of Brighouse acting by the council;

*Morley  
Order.*

Interpreta-  
tion.

“The Morley Corporation” means the mayor aldermen and burgesses of the Borough of Morley acting by the council;

“The local Act” means the Morley Corporation Act 1923;

“Work No. 4” means the work so numbered which is described in and authorised by subsection (1) of section 15 of the local Act.

3. Section 17 of the local Act so far as it relates to Work No. 4 shall have effect as if the words “twelve years” had been inserted therein instead of the words “seven years.”

Extension  
of time for  
completion  
of works.

4. Section 21 of the local Act for the protection of the Urban District Council of Elland shall have effect with respect to roads or streets sewers drains gas and water pipes and electricity mains within the Borough of Brighouse which may be interfered with by the Morley Corporation in the construction after the thirty-first day of December nineteen hundred and twenty-nine of Work No. 4 subject to the following modifications :—

For protec-  
tion of  
Brighouse  
Corporation.

- (a) Any reference in that section to the Elland Urban District Council shall be construed as including a reference to the Brighouse Corporation;
- (b) Any reference to the surveyor for the time being of the Elland Urban District Council shall be construed as including a reference to an officer of the Brighouse Corporation duly authorised in that behalf by the Brighouse Corporation;
- (c) Any reference to pipes belonging to the Council shall in the application of the section to the Brighouse Corporation be construed as including a reference to electricity mains.

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CITY OF NEWCASTLE-UPON-TYNE.

*Newcastle-upon-Tyne*  
*(No. 2)*  
*Order.*

*Provisional Order to enable the Newcastle-upon-Tyne Corporation to put in force the compulsory clauses of the Lands Clauses Acts.*

WHEREAS the lord mayor aldermen and citizens of the City of Newcastle-upon-Tyne acting by the council (in this Order called "the Corporation") require to purchase and take the lands described in the Schedule to this Order for the purposes of widening opening enlarging or otherwise improving Pilgrim Street in the City of Newcastle-upon-Tyne :

Now therefore the Minister of Health in pursuance of the powers given to him by section 176 of the Public Health Act 1875 and all other powers enabling him in that behalf hereby orders as follows :—

Compulsory powers of purchase.

1. The Corporation shall be empowered for the purposes aforesaid to put in force with reference to the lands described in the Schedule to this Order (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 and commencement.

2. This Order may be cited as the Newcastle-upon-Tyne (No. 2) Order 1929 and shall come into operation on the date of the Act of Parliament confirming it.

SCHEDULE.

Parish of NEWCASTLE-UPON-TYNE City and County Borough  
of NEWCASTLE-UPON-TYNE.

Colour on deposited plan.	Description of property.	Owner or reputed owner.	Occupier.
Pink	Vacant land - -	Frederick Milburn	Frederick Milburn.



RURAL DISTRICT OF TINTWISTLE.

A.D. 1929.

*Provisional Order to enable the Rural District Council of Tintwistle to put in force the compulsory clauses of the Lands Clauses Acts.*

*Tintwistle Order.*

WHEREAS the Rural District Council of Tintwistle (in this Order referred to as "the Council") require to purchase and take the lands described in the Schedule to this Order for the purposes of widening opening enlarging or otherwise improving Chain Bar Road and constructing a new street in the Rural District of Tintwistle:

Now therefore the Minister of Health in pursuance of the powers given to him by section 176 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows:—

1. The Council shall be empowered for the purposes aforesaid to put in force with reference to the lands described in the Schedule to this Order (subject to the continuance of any 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.

Compulsory powers of purchase.

2. This Order may be cited as the Tintwistle Order 1929 and shall come into operation on the date of the Act of Parliament confirming it.

Short title and commencement.

SCHEDULE.

Parish of HATTERSLEY Rural District of TINTWISTLE  
 County of CHESTER.

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Occupiers.
1	A piece of pasture land on the east side of Chain Bar Road and abutting in part on the south side of Mottram New Road being part of Intake Farm and having an area of about 897 square yards.	Wright Warburton.	Wright Warburton.

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*Tintwistle  
Order.*

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Occupiers.
2	A piece of meadow land on the south-east side of Chain Bar Road being part of Intake Farm and having an area of about 1286 square yards.	Wright Warburton.	Wright Warburton.
3	A piece of pasture land on the west and north-west sides of Chain Bar Road being a part of Intake Farm and having an area of about 1785 square yards.	Ditto	Ditto
4	A piece of pasture land on the west side of Chain Bar Road being a part of Arandale Farm and having an area of about 28 square yards.	James Edward Taylor.	James Edward Taylor.
5	A piece of meadow land on the east side of Chain Bar Road being a part of Arandale Farm and having an area of about 1878 square yards.	Ditto	Ditto
6	A piece of land on the west side of Chain Bar Road being part of yard attached to adjoining house and having an area of about 18 square yards.	Joseph Parkey	Joseph Parkey.
7	A piece of land on the west side of Chain Bar Road being part of yard attached to adjoining house and having an area of about 25 square yards.	Joseph Parkey Sarah Parkey Martha Wright John Parkey.	Joseph Parkey Sarah Parkey Martha Wright John Parkey.
8	A piece of land on the west side of Chain Bar Road formerly garden land and having an area of about 240 square yards.	John Parkey	John Parkey.
9	A piece of meadow land on the south-west side of Chain Bar Road having an area of about 2640 square yards.	Fanshaw Britnor	Fanshaw Britnor.

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xx.]  
*Provisional Orders Confirmation (No. 4) Act, 1929.*

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Occupiers.
10	A piece of pasture land on the south-west side of Chain Bar Road having an area of about 1322 square yards.	Florence Taylor	Florence Taylor.
11	A piece of meadow land on the south-west side of Chain Bar Road having an area of about 2788 square yards.	Executors of Samuel Taylor deceased.	Executors of Samuel Taylor deceased.

A.D. 1929.  
 —  
*Tintwistle Order.*

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