



CHAPTER xxiv.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Yeovil. A.D. 1929.
[10th May 1929.]

WHEREAS under the provisions of the Local Government Act 1888 and the Public Health Act 1875 the Minister of Health has made certain Orders which as amended are set out in the schedule hereto : 51 & 52
Vict. c. 41.
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 as amended and 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 (Yeovil Extension and Water) Act 1929. Short title.

[Ch. xxiv.] *Ministry of Health* [19 & 20 GEO. 5.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929.

SCHEDULE.

BOROUGH OF YEOVIL.

*Yeovil
(Extension)
Order.*

Provisional Order extending a Borough.

WHEREAS by virtue of section 54 of the Local Government Act 1888 the Minister of Health is empowered to make a Provisional Order for altering the boundary of any borough;

And whereas the existing Borough of Yeovil in the administrative county of Somerset is a borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the mayor aldermen and burgesses of the Borough of Yeovil and act by the council of the Borough which now consists of the mayor (who is also a councillor) six aldermen and seventeen other councillors and the Borough is for the purpose of the election of councillors divided into four wards;

And whereas the Borough has a separate commission of the peace;

And whereas in pursuance of the Education Act 1921 the council of the Borough are the local education authority for the purposes of elementary education;

And whereas the Borough is coextensive with the Parish of Yeovil and is an urban district under the jurisdiction of the mayor aldermen and burgesses acting by the council;

And whereas the Parishes of Preston Phueknett and Yeovil Without immediately adjoin the Borough and the Parish of East Coker adjoins the Parish of Yeovil Without and all those Parishes are contributory places in the Rural District of Yeovil:

Now therefore the Minister of Health in pursuance of the powers given to him by sections 54 and 59 of the Local Government Act 1888 and of all other powers enabling him in that behalf hereby orders as follows:—

PART I.

PRELIMINARY.

Short title.

1. This Order may be cited as the Yeovil (Extension) Order 1929.

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*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

2. In this Order unless the context otherwise requires—
- A.D. 1929.
- “ Existing ” in relation to any area altered by this Order means existing immediately before the appointed day;
- “ The Act of 1888 ” and “ the Act of 1894 ” mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- “ The added areas ” means the added part of East Coker the added part of Preston Plucknett and the added parts of Yeovil Without;
- “ The added part of East Coker ” means that part of the existing Parish of East Coker which is coloured green on the borough maps;
- “ The added part of Preston Plucknett ” means that part of the existing Parish of Preston Plucknett which is coloured yellow on the borough maps;
- “ The added parts of Yeovil Without ” means those parts of the existing Parish of Yeovil Without which are coloured blue on the borough maps;
- “ The appointed day ” means the Thirty-first day of March Nineteen hundred and thirty;
- “ The Borough ” means the existing Borough of Yeovil as extended by this Order;
- “ The borough maps ” means the duplicate maps marked “ Map of the Borough of Yeovil as extended by the Yeovil (Extension) Order 1929 ” and sealed with the official seal of the Minister;
- “ The Corporation ” means as the context requires the mayor aldermen and burgesses of the existing Borough or of the Borough acting by the council;
- “ The County ” and “ the County Council ” mean respectively the administrative county of Somerset and the county council of that county;
- “ The excluded part of East Coker ” and “ the excluded parts of Yeovil Without ” mean respectively those parts of the existing parish of the same name which are not by this Order added to the existing Borough;
- “ The excluded (grey) part of Preston Plucknett ” and “ the excluded (brown) part of Preston Plucknett ” mean respectively those parts of the existing Parish of Preston Plucknett which are coloured grey and brown on the borough maps and are not by this Order added to the existing Borough;
- “ The Minister ” means the Minister of Health;
- “ The Municipal Corporations Acts ” means the Municipal Corporations Act 1882 and the Acts amending and

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*Yeovil
(Extension)
Order.*

Interpre-
tation.

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extending that Act and the Borough Councillors (Alteration of Number) Act 1925;

“The Parish of Brympton” “the Parish of East Coker” “the Parish of West Coker” “the Parish of Yeovil” and “the Parish of Yeovil Without” mean respectively each of those parishes as altered by this Order;

“The Rural District” and “the Rural Council” mean respectively the Rural District of Yeovil and the Rural District Council of Yeovil;

“The ward maps” means the duplicate maps marked “Map of the wards of the Borough of Yeovil as extended by the Yeovil (Extension) Order 1929” and sealed with the official seal of the Minister.

Provision as to Sunday.

3. Where the day on which anything by this Order required to be done falls on a Sunday that thing shall be done on the following day.

Commencement of Order.

4. Save as otherwise expressly provided this Order shall come into operation on the Thirty-first day of March Nineteen hundred and thirty :

Provided that for the purposes of—

- (a) the alteration or re-arrangement of any register of electors made under the Representation of the People Acts;
- (b) the division of the Borough into wards and all proceedings preliminary or relating to any election to be held in March Nineteen hundred and thirty for any area affected by this Order;
- (c) the proceedings preliminary to the reduction of the number of parish councillors for the Parish of Yeovil Without; and
- (d) the alteration of valuation lists to take effect on the appointed day or the preparation of any estimate of the produce of a penny rate or precept to be made in respect of the financial year commencing on the First day of April Nineteen hundred and thirty

this Order shall operate from the date of the Act of Parliament confirming this Order.

PART II.

ALTERATIONS OF BOUNDARY.

Extension of Borough.

5.—(1) The boundary of the existing Borough the area of which is coloured pink on the borough maps shall be altered so as to include in addition to that area so much of the Rural

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District as comprises the added part of East Coker the added part of Preston Plucknett and the added parts of Yeovil Without. A.D. 1929.

(2) The boundary of the Borough shall be that shown by the red line on the borough maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the Borough. *Yeovil (Extension) Order.*

6.—(1) The added areas shall be separated from the existing parishes of which they form part and shall be amalgamated with the existing Parish of Yeovil. *Alterations of parishes.*

(2) The excluded (grey) part of Preston Plucknett shall be amalgamated with the existing Parish of Brympton.

(3) The excluded (brown) part of Preston Plucknett shall be amalgamated with the existing Parish of West Coker.

(4) The Parish of Preston Plucknett shall cease to exist.

7.—(1) One of the borough maps and one of the ward maps shall be deposited in the office of the Minister and the duplicate of each map shall be deposited by the town clerk of the existing Borough at his office. *Deposit and copies of borough and ward maps.*

(2) Copies of the borough map deposited with the town clerk certified by him to be true shall be sent by him within one month after the date of the Act of Parliament confirming this Order to the clerk to the County Council the clerk to the Rural Council the Board of Inland Revenue the Commissioners of Customs and Excise the Registrar-General the Board of Trade the Minister of Transport the Minister of Agriculture and Fisheries and the Electricity Commissioners.

(3) Copies of the ward map deposited with the town clerk and certified by him to be true shall be sent by him within the period mentioned in paragraph (2) of this article to the clerk to the County Council the Registrar-General and the Minister of Agriculture and Fisheries.

8.—(1) Copies of or extracts from the borough map deposited with the town clerk and certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of the map so far as it relates to the boundary of the Borough. *Copies of borough map to be evidence.*

(2) The borough map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(3) All fees so received shall be carried to the general rate fund of the Borough.

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PART. III.

PROVISIONS CONSEQUENT ON EXTENSION OF BOROUGH.

*Yeovil
(Extension)
Order.*

Number of
councillors
and alder-
men.

Municipal
wards and
existing
councillors

9. Subject to the provisions of the Municipal Corporations Acts the number of councillors of the Borough shall continue to be eighteen and the number of aldermen of the Borough shall continue to be six.

10.—(1) Subject to the provisions of the Municipal Corporations Acts the following provisions shall have effect :—

(a) For the purposes of the election of councillors the Borough shall be divided into the five wards mentioned in column 1 of the First Schedule to this Order and the wards shall be designated by the names appearing in that column ;

(b) Each ward shall comprise that portion of the Borough which is indicated by a separate colour and distinguished by the name of the ward on the ward maps ;

(c) The number of councillors to be elected for each ward shall be the number specified in column 2 of the First Schedule to this Order opposite the name of the ward in column 1 of that Schedule.

(2) Notwithstanding anything in the Municipal Corporations Acts the number of councillors to be elected for a ward of the Borough may continue to be a number which is not divisible by three.

County and
Borough
Councils
(Qualifica-
tion) Act 1914.

11. For the purposes of the application to the Borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the Borough.

Continuance
in office of
mayor
aldermen
and coun-
cillors.

12.—(1) Notwithstanding any enactment to the contrary the following provisions shall have effect with regard to the persons who at the passing of the Act confirming this Order are the mayor aldermen and councillors of the existing Borough :—

(a) The mayor shall continue in office as mayor until a successor elected at the first meeting of the council of the Borough has accepted office ;

(b) Such of those persons as are aldermen shall continue in office as aldermen until the First day of April Nineteen hundred and thirty but shall then go out of office ;

(c) Such of those persons as are councillors shall continue in office as councillors until the Twenty-fifth day of March Nineteen hundred and thirty but shall then go out of office ;

(d) Every such person shall unless disqualified be eligible for election as a councillor of the Borough on that day.

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(2) If after the passing of the Act confirming this Order any casual vacancy shall occur among the aldermen or councillors of the existing Borough the vacancy shall not be filled.

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Order.*

13. The first election of councillors for the Borough shall be held in March Nineteen hundred and thirty and the first election of aldermen in April of the same year and the following provisions shall apply to the elections :—

Election of
aldermen
and coun-
cillors in
1930.

- (1) The mayor and the town clerk of the existing Borough or such other persons as the Secretary of State may appoint shall perform the duties devolving upon a mayor and town clerk respectively under the Municipal Corporations Acts and the mayor shall be the returning officer at the election for all the wards but may appoint some other person to act as returning officer at the election for any of the wards;
- (2) Eighteen councillors shall be elected on the Twenty-fifth day of March and six aldermen shall be elected on the First day of April and the councillors shall come into office on the appointed day.

14.—(1) At the first meeting of the council of the Borough a mayor shall be elected who shall hold office until a successor elected on the Ninth day of November Nineteen hundred and thirty has accepted office.

Election of
mayor in
1930.

(2) The first business to be transacted at the first meeting of the council of the Borough shall be the election of a mayor.

15.—(1) One-third of the councillors of the Borough shall retire on the First day of November in each of the years 1931 1932 and 1933 and the number of councillors for each ward of the Borough who are to retire on that day in each of those years shall be the number specified in column 3 of the First Schedule to this Order opposite the name of the ward in column 1 of that Schedule.

Retirement
of councillors
and alder-
man elected
in 1930.

(2) The councillors who are to retire in each of the years aforesaid shall be determined according to their places on the poll at the election of councillors directed by this Order those who were lowest on the poll retiring first.

(3) The aldermen elected in the year Nineteen hundred and thirty in pursuance of this Order shall retire as follows :—

- (a) the three aldermen elected by the smallest number of votes on the Ninth day of November Nineteen hundred and thirty-two;
- (b) The remaining three aldermen on the Ninth day of November Nineteen hundred and thirty-five.

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(4) If for any reason it is doubtful which of the councillors or aldermen as the case may be ought to retire on a date mentioned in this article the question shall be determined at the first or second meeting of the council of the Borough by lot conducted under the direction of the person presiding at that meeting.

First
meeting of
Borough
Council.

16.—(1) The first meeting of the council of the Borough shall be held on the First day of April Nineteen hundred and thirty or on such other day as the Minister may appoint and such meeting shall not be in substitution for one of the quarterly meetings of the council.

(2) If in pursuance of this article a day shall be appointed by the Minister for the first meeting of the council of the Borough that day shall be substituted for the First day of April Nineteen hundred and thirty in the foregoing provisions of this Part of this Order.

(3) The council of the Borough shall at the first meeting assign aldermen to act until the quarterly meeting of the council in November following as returning officers at elections for the wards of the Borough.

County
electoral
divisions.

17. For the purpose of the election of county councillors—

(1) The added areas shall be separated from the electoral divisions of which they form part;

(2) The Borough shall continue to be divided into two electoral divisions;

(3) The Yeovil Borough (North and East) Electoral Division shall comprise the North and East Wards of the Borough constituted by this Order;

(4) The Yeovil Borough (South West and Preston) Electoral Division shall comprise the South West and Preston Wards of the Borough constituted by this Order; and

(5) The excluded (brown) part of Preston Plucknett shall be separated from the Stoke Electoral Division and shall be added to the Coker Electoral Division.

Allocation
and
continuance
of county
councillors.

18.—(1) The county councillor who immediately before the appointed day represents the existing Yeovil Borough (South and West) Electoral Division of the County shall be deemed to have been elected for and shall represent the Yeovil Borough (South West and Preston) Electoral Division of the County.

(2) Subject to the foregoing provision of this article any person who immediately before the appointed day represents as a county councillor any existing electoral division of the county which comprises an area affected by this Order shall be deemed to have been elected to represent that electoral division of the

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county which bears the same name as the electoral division altered by this Order. A.D. 1929.

(3) Any county councillor continued in office by this article shall retire from office on the day on which he would have retired if this Order had not been made. *Yeovil (Extension) Order.*

19.—(1) The powers and duties of the justices of the peace appointed for the existing Borough and of the clerk to those justices shall extend to and apply throughout the Borough. *Jurisdiction powers and duties of borough justices extended.*

(2) The added areas shall cease to form part of any petty sessional division of the County :

Provided that—

(a) every person committing an offence in any of the added areas prior to the appointed day shall be tried and dealt with as if this Order had not been made :

(b) every proceeding which prior to the appointed day has been begun by or is pending before any justice in relation to any matter arising in or concerning any of the added areas may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

20. Subject to the provisions of this Order all property immediately before the appointed day vested in the Corporation for the benefit of the existing Borough (not being property held on any charitable trust) shall by virtue of this Order be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which immediately before that day are exercisable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing Borough shall on that day attach to them in respect of the Borough. *Corporation property liabilities &c.*

21.—(1) So much of any sums borrowed by the Corporation as immediately before the appointed day are owing and charged upon a fund or rate of the existing Borough or the revenues of the existing Borough shall be charged upon the corresponding fund or rate of the Borough or the revenues of the Borough. *Mortgage debts of Corporation.*

(2) All borrowed moneys to which this article applies with the interest thereon shall 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.

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Partial
repeal of
local Acts
and con-
firmation
Act.

Extension of
local Acts
and Orders
relating to
existing
Borough.

22. Sections 10 to 20 sections 23 to 25 and section 27 of the Borough of Yeovil Extension and Improvement Act 1854 so much of the Local Government Board's Provisional Orders Confirmation (Aysgarth Union &c.) Act 1879 as relates to the Borough of Yeovil Order thereby confirmed and Part V. (Increase of council) of the Yeovil Corporation Act 1920 are hereby repealed.

23.—(1) Subject to the provisions of this Order the provisions of—

- (a) the local Acts and of the confirmation Acts specified in the Second Schedule to this Order so far as the last-mentioned Acts respectively relate to the Provisional Orders specified in that Schedule;
- (b) any other local Act or Provisional Order duly confirmed and affecting the existing Borough or the Corporation (including any such local Act or Provisional Order passed or confirmed during the present session of Parliament); and
- (c) any order affecting the existing Borough or the Corporation which has effect as if enacted by Parliament;

as the same respectively are in force within the existing Borough immediately before the appointed day shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof.

(2) Nothing in this Order shall alter the area for the supply of gas water or electricity by the Corporation or any other local authority or by any company under any local Act or any Provisional Order confirmed by Parliament or under any Special Order or shall prejudice or affect the existing rights and powers of any such local authority or company under any such Act or Order.

Adoptive
Acts.

24.—(1) The provisions of—

- (a) the Infectious Disease (Prevention) Act 1890;
- (b) the Public Health Acts Amendment Act 1890; and
- (c) the Public Libraries Acts 1892 to 1919;

shall be in force within and apply to the Borough as if the same had been adopted for the Borough.

(2) Such of the provisions of the Public Health Act 1925 as are in force immediately before the appointed day within the existing Borough by virtue of an adoption by the Corporation of those provisions shall be in force within and apply to the Borough.

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(3) The provisions of any adoptive Act in force within the added areas or any part thereof shall subject to the provisions of this article cease to be in force within and apply to any part of the added areas.

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*Yeovil
(Extension)
Order.*

(4) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in paragraph (1) of this article which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added areas and any order under the Infectious Disease (Notification) Act 1889 in force immediately before that day within the added areas shall cease to be in force within those areas.

25. For the purposes of the Notification of Births Acts 1907 and 1915 and the Maternity and Child Welfare Act 1918 the Corporation shall be the authority for the Borough to the exclusion of the County Council.

Corporation
to be local
authority for
maternity child
welfare &c.

26.—(1) The Burial Acts 1852 to 1906 shall be in force within and apply to the Borough and the Parish of Yeovil Without and the added areas shall be excluded from any other burial area in which those Acts are in force.

Alteration of
area of
Yeovil Joint
Burial Com-
mittee.

(2) The Yeovil and Yeovil Without Joint Burial Committee who act for the existing Borough and the existing Parish of Yeovil Without shall be deemed to have been appointed for the Borough and for the Parish of Yeovil Without and the number of members of the joint burial committee appointed by the Corporation shall be increased by one.

(3) At a meeting to be held in the month of April Nineteen hundred and thirty the Corporation shall appoint a person from among the councillors representing the Preston Ward of the Borough who shall thereupon become the additional member of the joint burial committee authorised by this article.

(4) Any person appointed a member of the joint burial committee in pursuance of this article shall retire from office on the day of retirement of the other members of the joint burial committee appointed by the Corporation.

(5) Subject to an adjustment under this Order all property and liabilities under the Burial Acts 1852 to 1906 which immediately before the appointed day are held by or attach to the Corporation and the Parish Council of Yeovil Without on behalf of the existing Borough and the existing Parish of Yeovil Without shall be held by or attach to those authorities on behalf of the Borough and the Parish of Yeovil Without.

(6) Any table of fees and charges in force in respect of any existing burial ground maintained by the joint burial committee shall extend and apply to inhabitants of the burial area as extended by this Order as such table applies to inhabitants of the existing burial area.

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(7) Nothing in this Order shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day in relation to any such burial ground.

(8) Nothing in this Order shall prejudicially affect any right privilege authority or duty which immediately before the appointed day is exerciseable by or attaches to any incumbent or sexton under the Burial Acts.

Orders
under Public
Health Acts
Amendment
Act 1907 or
Public
Health Act
1925.

27. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925 :—

- (1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing Borough any parts or sections of either of those Acts shall have effect as if any reference in that order to the existing Borough extended and applied to the Borough and as if the said parts or sections were accordingly declared to be in force within the Borough;
- (2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added areas;
- (3) The provisions of any order made before the appointed day and declaring to be in force within the added areas any parts or sections of either of those Acts shall cease to apply to the added areas and the parts or sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force within the added areas.

Urban
powers &c.
in excluded
parts of
Parishes.

28. All the powers duties and liabilities of an urban authority and all the powers in relation to the chargeability of expenses with which the Rural Council are invested in pursuance of any order made by the Local Government Board or the Minister under the Public Health Acts 1875 to 1925 in respect of any existing parish which is altered but not abolished by this Order shall be deemed to vest in and attach to the Rural Council in respect of that parish as so altered.

Orders
under s. 33
of Act of
1894.

29.—(1) Subject to the provisions of the Rating and Valuation Act 1925 the orders under section 33 of the Act of 1894 made by the Local Government Board on the Twentieth day of November and the Twenty-fourth day of November Eighteen hundred and ninety-six shall have effect as if any reference therein to the existing Borough extended and applied to the

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Borough and save as provided in this article as if any reference therein applicable to the existing Parish of Yeovil extended and applied to the Parish of Yeovil.

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*Yeovil
(Extension)
Order.*

(2) Nothing in this article shall be deemed to alter any reference to the Parish of Yeovil in the said order of the Twenty-fourth day of November Eighteen hundred and ninety-six which relates to charities.

30. Any order made under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1928 and in force immediately before the appointed day in any area affected by this Order shall subject to the provisions of those Acts remain in force and apply to the area to which it then applied.

Orders under
Shop Hours
Act 1904 or
Shops Acts
1912 to 1928.

31.—(1) All byelaws made by the Corporation or by the Rural Council and confirmed by the Minister or his predecessors or which if made after the date of this Order would be subject to the Minister's confirmation which are in force within the existing Borough or within the added areas immediately before the appointed day—

Byelaws
regulations
scales of
charges &c.

(a) if made before the First day of January Nineteen hundred and nineteen shall continue to apply to the existing Borough or to the added areas as the case may be for one year after the appointed day (unless previously repealed or altered by byelaws made by the Corporation) but shall on the expiration of the period aforesaid cease to be in force within any part of the Borough;

(b) if made on or after the First day of January Nineteen hundred and nineteen shall continue to apply to the existing Borough or to the added areas as the case may be until repealed or altered by byelaws made by the Corporation.

(2) Subject to paragraph (1) of this article all byelaws made by the Corporation or by the watch committee of the Corporation and in force immediately before the appointed day within the existing Borough shall extend and apply to the Borough until repealed or altered by further byelaws.

(3) All byelaws made by the County Council or by the standing joint committee of the County and in force immediately before the appointed day within the added areas shall in so far as byelaws to the like effect could be made by the Corporation cease to be in force within the added areas.

(4) In their application to the added areas any byelaws made by the Rural Council shall have effect as if they had been made by the Corporation and as if the added areas were referred to therein.

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(5) Any proceedings which if this Order had not been made might have been taken for any offence within the added areas committed before the appointed day against—

(a) any byelaws of the Rural Council; or

(b) any byelaws of the County Council or the standing joint committee which by virtue of this article cease to apply to the added areas;

may be taken by the Corporation as if the Corporation had been substituted therein for the Rural Council the County Council or the standing joint committee as the case may require and as if the byelaws of the County Council or the standing joint committee had remained in force.

(6) In this article "byelaws" includes any regulation rule scale of charges list of tolls or table of fees or payments and any reference to byelaws made by the Corporation or by the Rural Council shall be read as including a reference to byelaws made by the predecessors of the Corporation or the Rural Council as the case may require.

Public
elementary
schools.

32. For the purposes and subject to the provisions of the Education Act 1921—

(a) The furniture fittings books and apparatus belonging to the County Council of any public elementary school which is situate within the added areas shall by virtue of this Order be transferred to and vest in the Corporation as the local education authority for all the estate and interest therein of the County Council as the local education authority;

(b) All contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the County Council in respect exclusively of any public elementary school within the added areas or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school within those areas shall by virtue of this Order enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority;

(c) Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this article;

(d) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary school which is situate within the added areas or of the furniture fittings or apparatus transferred to and

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vested in the Corporation by virtue of this Order as will be owing immediately before the appointed day and the liability for the payment of interest on that part of any such loan shall by virtue of this Order be transferred and attach to the Corporation as the local education authority and so much of any such loan as will then be owing shall be charged on the general rate fund and general rate of the Borough and shall be repaid by the Corporation within the period if any for which that part of the loan was originally sanctioned or within which that part of the loan is otherwise required to be repaid or is made repayable.

A.D. 1929.

—
*Yeovil
(Extension)
Order.*

33. Any manager of any public elementary school within the added areas who was appointed by the County Council or by a parish council shall vacate office on the appointed day.

School
managers.

34. Any reference to the existing Borough in the agreement made on the fourth day of November Nineteen hundred and twenty-four between the County Council and the Corporation as to the exercise by the Corporation of the powers of the County Council under section 107 of the Education Act 1921 and section 6 of the Unemployment Insurance Act 1923 and any reference to the existing Borough in any scheme approved by the Board of Education and the Minister of Labour under those enactments shall be read as references to the Borough.

Adaptation
of agreement
or scheme
made under
11 & 12 Geo.
5. c. 51 s.107
and 13 & 14
Geo. 5. c. 2
s. 6.

35. Subject to the provisions of this Order—

- (1) The Rural Council shall cease to exercise any powers or discharge any duties within the added areas;
- (2) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation exclusively to one of the added areas or any portion of one of the added areas shall by virtue of this Order be transferred to and vest in the Corporation as the urban authority for the execution of the Public Health Acts 1875 to 1925;
- (3) For the purposes of paragraph (2) of this article the sewers and sewage disposal works of the Rural Council which are situate within the added part of Preston Plucknett shall be deemed to be property vested in that Council in relation exclusively to the added part of Preston Plucknett and any liabilities attaching to the Rural Council in respect of those sewers and sewage disposal works shall be deemed to be liabilities attaching to that Council in relation exclusively to the added part of Preston Plucknett;

Cesser of
jurisdiction
of Rural
Council and
property &c.

[Ch. xxiv.] *Ministry of Health* [19 & 20 GEO. 5.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929.

—
*Yeovil
(Extension)
Order.*

(4) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation to one of the added areas or any portion of one of the added areas conjointly with any other area shall be a matter for adjustment under this Order.

Housing
Schemes of
Rural
Council.

36.—(1) Notwithstanding anything in this Order or in the Housing Act 1925 the estate or interest of the Rural Council in such of the houses provided by that Council under the Rural Housing Schemes as are situate within the added areas and all liabilities with respect to such houses shall unless the Corporation and the Rural Council otherwise agree continue to vest in and attach to the Rural Council.

(2) The Corporation and the Rural Council may provide for the transfer to the Corporation of all or any of the houses referred to in paragraph (1) of this article and for the adjustment under this Order of any rights liabilities obligations and property attaching to or vested in the Rural Council in relation to the Rural Housing Schemes.

(3) In this article "the Rural Housing Schemes" means the housing schemes of the Rural Council formulated for the Rural District under Part III. of the Housing of the Working Classes Act 1890 or under the Housing Town Planning &c. Act 1919 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 and the Housing Act 1925.

Parish
Council
of Preston
Plucknett
Dissolution
powers &c.

37.—(1) The Parish Council of Preston Plucknett shall cease to exist and shall liquidate as far as practicable before the appointed day all current debts and liabilities incurred by them.

(2) Subject to the provisions of this Order any powers or duties vested in or imposed on the Parish Council of Preston Plucknett shall so far as regards the added part of Preston Plucknett be vested in or imposed on the Corporation.

(3) The property and liabilities of the Parish Council of Preston Plucknett shall by virtue of this Order be transferred to and vest in or attach to the Corporation but shall be a matter for adjustment under this Order.

Parish
councillors
for Yeovil
Without
to be
reduced to
five.

38.—(1) The Parish Council of the existing Parish of Yeovil Without at a meeting held in March Nineteen hundred and thirty shall by a majority of votes or in the case of an equality of votes by the casting vote of the chairman select from their number two persons who shall on the appointed day retire from the office of parish councillor for the existing Parish :

Provided that as far as practicable each of the persons so selected shall be a parish councillor whose qualification as a parish councillor arose in respect of the added parts of Yeovil Without.

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xxiv.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

(2) The five parish councillors of the existing Parish of Yeovil Without who remain in office shall be deemed to have been elected as and shall be the Parish Council of the Parish of Yeovil Without.

A.D. 1929.
—
*Yeovil
(Extension)
Order.*

(3) At the next ordinary election of parish councillors and at subsequent elections five parish councillors shall be elected for the Parish of Yeovil Without.

(4) If after the passing of the Act confirming this Order any casual vacancy shall occur among the parish councillors for the existing Parish of Yeovil Without and the filling of the vacancy would cause the number of parish councillors to exceed five the vacancy shall not be filled and the number of persons to be selected under paragraph (1) of this article for retirement on the appointed day shall be reduced accordingly.

39.—(1) The Parish Council of each of the existing Parishes of East Coker and West Coker shall be deemed to have been elected as and shall be the Parish Council of that Parish as altered by this Order.

Parish
Councils of
East Coker
and West
Coker and
representa-
tive body for
Brympton.

(2) The representative body constituted under the Overseers Order 1927 for the existing Parish of Brympton shall be deemed to have been appointed for the Parish of Brympton.

40.—(1) Subject to the provisions of this Order any powers or duties vested in or imposed on the Parish Councils of the existing Parish of East Coker and the existing Parish of Yeovil Without (in this article called "the continuing Parish Councils") shall so far as regards the added part of East Coker and the added parts of Yeovil Without be vested in or imposed on the Corporation.

Powers
property &c.
of East Coker
and Yeovil
Without
Parish
Councils.

(2) Any property or liabilities held or incurred by either of the continuing Parish Councils in relation exclusively to the added part of East Coker or the added parts of Yeovil Without or any portion of one of those added parts shall by virtue of this Order be transferred to and vest in or attach to the Corporation.

(3) Any property or liabilities held or incurred by either of the continuing Parish Councils in relation to the added part of East Coker or the added parts of Yeovil Without or any portion of one of those added parts conjointly with any other area shall be a matter for adjustment under this Order.

PART IV.

RATING AND VALUATION.

41.—(1) On an application made in writing at any time between the passing of the Act of Parliament confirming this Order and the First day of January Nineteen hundred and thirty by—

Differential
rating in
added areas.

(a) the Rural Council; or

[Ch. xxiv.] *Ministry of Health* [19 & 20 GEO. 5.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929.

—
*Yeovil
(Extension)
Order.*

(b) the Parish Council of East Coker the Parish Council of Preston Plucknett or the Parish Council of Yeovil Without;

the Minister may order that the total amount in the pound of the general rate or rates to be levied by the Corporation for the purpose of meeting their own expenditure upon any rateable hereditament situate in the part of the Borough which comprises one of the added areas shall in each year be less than the total amount in the pound of the general rate or rates to be levied by the Corporation for the purpose of meeting their own expenditure in the same year upon any hereditament within the part of the Borough which comprises the existing Borough by such sum or sums in the pound and for such period commencing on the appointed day as may seem equitable to the Minister after considering any representations made to him by the Corporation.

(2) An order under this article may provide for the allowance to owners or occupiers of such of the rateable hereditaments within an added area as are included in class (3) of the hereditaments specified in column (1) of Part II. of the Second Schedule to the Rating and Valuation Act 1925 of relief from rates under this article to such less extent than the relief from rates allowed by the order to owners or occupiers of other rateable hereditaments within the added area as the Minister may consider equitable.

(3) Any relief from a general rate afforded in pursuance of this article shall be specified in all demand notes for rates issued to ratepayers of the added area to which the relief extends and the net amount in the pound of the rate shall be distinguished.

Assessment
areas and
committees.

42. The County of Somerset (Assessment Areas and Assessment Committees) Scheme 1926 as approved by the Minister on the Twenty-third day of November Nineteen hundred and twenty-six shall be read and have effect as if for references therein to the Borough of Yeovil and the Yeovil Town Council there were substituted references to that Borough as extended by this Order and the Town Council thereof and as if for references to the Rural District of Yeovil and the Yeovil Rural District Council there were substituted references to the Rural District as altered by this Order and the Council thereof.

Deduction
in ascertain-
ing rateable
value of
tithes rail-
ways canals
&c.

43. For the purposes of all valuation lists of the Borough under the Rating and Valuation Act 1925 the amount of the deduction to be made under paragraph (c) of subsection (1) of section 22 of that Act from the net annual value of such rateable hereditaments within the added areas as are included in class (3) of the hereditaments specified in column (1) of Part II. of the Second Schedule to that Act shall be 33 per cent. and such adjustments of the value of those hereditaments shall be made by the Corporation as may be necessary to give effect to the provisions of this article.

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xxiv.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

44.—(1) The valuation list of the existing Borough and the portions of the valuation list of the existing Rural District which relate to hereditaments within the added areas shall subject to such adjustments of the rateable value of those hereditaments as are required by the preceding article of this Order together form the valuation list of the Borough as from the First day of April Nineteen hundred and thirty.

A.D. 1929.
—
*Yeovil
(Extension)
Order.*
Valuation
lists.

(2) The remaining portions of the valuation list of the existing Rural District shall be the valuation list of the Rural District :

Provided that the division of the valuation list of the existing Rural District which relates to hereditaments within the existing Parish of Preston Plucknett shall be further altered as follows :—

- (a) the portion which relates to hereditaments within the excluded (grey) part of Preston Plucknett shall be transferred to the division relating to the Parish of Brympton;
- (b) the portion which relates to hereditaments within the excluded (brown) part of Preston Plucknett shall be transferred to the division relating to the Parish of West Coker.

45.—(1) Notwithstanding the alterations of area effected by this Order all precepts made in respect of a financial period commencing before the appointed day shall be as valid in law as if this Order had not been made.

Precepts and
arrears of
rates.

(2) All rates not collected immediately before the appointed day in respect of hereditaments within any of the added areas shall be collected and recovered by the Rural Council as the rating authority or by the proper officer of that Council.

(3) Any rates so collected and recovered shall be a matter for adjustment under this Order.

PART V.

OFFICERS.

46. In this Part of this Order unless the context otherwise requires—

Meaning in
this Part of
“ local
authority ”
and
“ officer.”

“ Local authority ” means a local authority as defined in section 3 of the Local Government and other Officers’ Superannuation Act 1922 and includes the standing joint committee of a county;

“ Officer ” includes a servant and any person whose remuneration is paid by a local authority and any teacher employed in a public elementary school which is maintained by a local education authority.

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*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

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*Yeovil
(Extension)
Order.*

Officers of
Corporation
continued.

Compensa-
tion to
existing
officers.

Determina-
tion of com-
pensation.

47. The town clerk and all other officers of the Corporation of the existing Borough who hold office immediately before the appointed day shall continue to be the town clerk and officers of the Corporation of the Borough and shall hold their offices by the same tenure as before that day.

48.—(1) Every officer in office on the date of the Act of Parliament confirming this Order who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office by determination of his appointment or by diminution or loss of fees salary or emoluments (and for whose compensation no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

(2) Any officer whose services are dispensed with or whose fees salary or emoluments are reduced within five years after the appointed day because his services are not required or his duties are diminished in consequence of this Order and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Order.

49.—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Order regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed the limit therein mentioned.

(2) Any compensation payable under this Order to any officer shall be paid out of the general rate fund of the Borough and the provisions of section 120 of the Act of 1888 shall apply subject to the following and any necessary modifications:—

(a) Any reference in that section to the county council shall be construed as a reference to the Corporation and in subsection (7) of that section for the words "the same or any other county council" there shall be substituted the words "the council of any county or county borough or under any district council" and there shall be added to the subsection the words "For the purposes of this subsection a teacher in a public elementary school maintained but not provided by a council shall be deemed to hold an office under the council";

(b) References in that section to "the passing of this Act" shall be construed as references to the date on which the abolition of office takes effect or the direct pecuniary loss commences as the case may be; and

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xxiv.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

(c) The expression in subsection (1) of that section "the
" Acts and rules relating to Her Majesty's Civil
" Service " shall mean the Acts and rules relating to
Her Majesty's Civil Service which were in operation at
the date of the passing of the Act of 1888.

A.D. 1929.

—
*Yeovil
(Extension)
Order.*

(3) All fees or remuneration received and retained by an officer in connection with the preparation of the jurors book or the register of electors under the Representation of the People Acts shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purpose of compensation.

(4) The compensation payable under this Order to an officer who immediately before the appointed day shall hold two or more offices under any local authority or local authorities and who shall have devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices and for the purpose of this paragraph of this article a superintendent registrar registrar of births and deaths or registrar of marriages shall be deemed to hold an office under a local authority.

(5) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty's Forces or the Forces of the Allied or Associated Powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence :

Provided that in the case of an officer who after the Armistice voluntarily extended his term of service with the Forces no period of absence during such extension shall be so reckoned.

(6) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer not holding a temporary appointment add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this Order.

50. No officer shall be entitled to receive compensation under this Order for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss. Compensation and superannuation.

[Ch. xxiv.] *Ministry of Health* [19 & 20 GEO 5.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929.

PART VI.

*Yeovil
(Extension)
Order.*

SUPPLEMENTARY.

Rural
district
councillors.

51.—(1) The person who holds office immediately before the appointed day as the rural district councillor for the existing Parish of Preston Plucknett shall on the appointed day cease to be a rural district councillor.

(2) Any person immediately before the appointed day in office as a rural district councillor for any existing parish which is altered but not abolished by this Order shall on the appointed day become a rural district councillor for that parish as so altered but shall retire from office on the day on which he would have retired from office if this Order had not been made.

Provisions
as to
register of
electors.

52.—(1) If the register of local government electors for any electoral area affected by this Order is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for an electoral division parish or ward or other voting area the Registration Officer of the Parliamentary County of Somerset shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(2) Any additional expense incurred by the Registration Officer which may be solely attributable to an alteration or re-arrangement of an existing register of electors under this article shall be defrayed by the Corporation.

(3) It shall be the duty of the Town Clerk of the Borough and of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the Rural Council for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by the Registration Officer for the purpose of any alteration or re-arrangement authorised by this article.

(4) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Jury service.

53. For the purpose of summoning jurors and of jury service any parish affected by this Order shall be deemed to continue unaltered until a new jurors book relating to the parish as altered shall come into force.

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xxiv.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

54.—(1) The local registrar for the Rural District under the Land Charges Act 1925 and the rules made thereunder shall within fourteen days after the appointed day supply to the local registrar for the Borough an office copy of every entry in the local land charges register relating to any premises situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

A.D. 1929.
—
*Yeovil
(Extension)
Order.*
Local land
charges
registers.

(2) The local registrar for the Borough shall within fourteen days after the receipt of the office copy mentioned in paragraph (1) of this article enter the same with any necessary modifications in the appropriate part of the local land charges register of the Borough.

(3) Until the expiration of one month after the appointed day the following provisions shall have effect in respect of all land within the added areas :—

(a) The local registrar for the Borough shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the Rural District ;

(b) Where application is made for an official search the local registrar for the Borough shall issue free of charge a certificate of official search in the register of the Borough and shall forward to the local registrar for the Rural District the application received by him together with the fees paid in respect thereof ;

(c) The local registrar for the Rural District shall permit and make such searches and furnish such office copies and certificates as he would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Order had not been made ;

(d) Where a local land charge duly registered in the local land charges register of the Rural District is in pursuance of this Order transferred from the register of the Rural District to the register of the Borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the Borough.

55.—(1) Every person who at any time before the appointed day has acquired or who immediately before that day is in the course of acquiring a settlement in any existing parish affected by this Order by reason of residence birth or other qualification

Settlement
of poor.

[Ch. xxiv.] *Ministry of Health* [19 & 20 GEO. 5.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929: in any existing parish or part of an existing parish specified in
column 1 of the Third Schedule to this Order shall be deemed
to have acquired or to be in the course of acquiring thereby a
settlement in the parish denoted by the corresponding number
in column 2 of that Schedule and as if in each case the area
specified in column 1 had always been the parish denoted by the
corresponding number in column 2 of the Schedule or a part of
that parish.

Yeovil
(Extension)
Order.

(2) For the purposes of this article consecutive periods of residence in any portions of an existing parish divided by this Order shall be aggregated and reckoned as continuous residence in that part of the existing parish in which the person was residing immediately before the appointed day.

Adaptation of provisions as to adjustments. 56. For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect—

- (a) As if in subsections (5) (6) and (7) of that section the expression "council" included any authority affected by this Order or by anything done in pursuance of this Order; and
- (b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in subsection (6) of the section that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Minister may sanction; and
- (c) As if the fund or rate specified in any agreement or award of adjustment were substituted for any fund mentioned in the section; and
- (d) As if the following subsection were added to the section :—

"(8) If it is necessary for the purpose of giving effect to any agreement or award of adjustment that a separate rate shall be levied in part only of a parish the agreement or award may authorise such sum to be levied in that part as an additional item of the general rate."

Balances in
accounts of
Rural
Council.

57. Any balance standing on the appointed day in the books of the Rural Council to the credit or debit of any existing parish

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xxiv.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

which is abolished or altered by this Order shall be a matter for adjustment under section 62 of the Act of 1888.

A.D. 1929.

—
*Yeovil
(Extension)
Order.*

58.—(1) All books and documents belonging to the existing Parish of Preston Plucknett and all documents directed by law to be kept with the public books writings and papers of that existing parish (except any book or document relating to ecclesiastical matters) shall be deposited in such custody as the Corporation may direct.

Parish
books and
documents.

(2) Any ratepayer of any existing parish which is abolished or altered by this Order shall at all times have the same right of inspection and of making extracts from the books and documents of that existing parish which he would have had if this Order had not been made.

59.—(1) The accounts of the Parish Council of Preston Plucknett shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Order had not been made.

Audit of
accounts of
Preston
Plucknett
Parish
Council.

(2) Any sum certified by the district auditor to be due from any person at any such audit shall be paid to the treasurer of the Borough and shall if necessary be a matter for adjustment under this Order.

60. Any councillor who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification for being a councillor by reason of the alterations of area made by this Order.

Saving for
qualification
of coun-
cillors.

61.—(1) The agreement made on the ninth day of July Nineteen hundred and twenty-six between the Corporation and the Rural Council as to the drainage of certain houses in Westland Road owned by the Rural Council shall on the appointed day cease to have effect without prejudice however to the recovery of any sum which may be due to either party under the agreement.

Contracts
legal pro-
ceedings &c.

(2) Save as aforesaid no alteration effected by this Order shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Rural Council or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by that Council or their predecessors :

Provided that—

(a) Any action cause of action or proceeding which immediately before the appointed day is pending or

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*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929.

*Yeovil
(Extension)
Order.*

existing by or against the Rural Council in relation exclusively to one of the added areas or any part thereof may be continued prosecuted and enforced by or against the Corporation; and

(b) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by the Rural Council (or their predecessors) in relation exclusively to one of the added areas or any part thereof may be continued and enforced as fully and effectually as if instead of that Council (or their predecessors) the Corporation had been a party thereto.

(3) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Order.

Saving for
main roads
within added
areas.

62. Nothing in this Order shall empower the Corporation to claim under subsection (2) of section 11 of the Act of 1888 to maintain and repair any main road situate within any of the added areas but this article shall not restrict the operation of any enactment which may be passed in substitution for that subsection.

Other
savings.

63. Nothing in this Order shall—

- (1) restrict the powers of the Secretary of State the Minister or the County Council under the Act of 1888 or the Act of 1894;
- (2) affect the powers of the County Council for the division of the parliamentary county into polling districts for parliamentary elections or for the division of the County into polling districts for the election of county councillors or any existing order or scheme for either of those purposes or for naming the polling places at any election;
- (3) affect the ecclesiastical divisions of any parish or prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment; or
- (4) affect the operation of such of the provisions of the Rating and Valuation Act 1925 as have not come into operation.

Order to have
effect subject to
19 Geo. 5. c. 17.

64. This Order shall have effect subject to the provisions of the Local Government Act 1929.

[19 & 20 GEO. 5.] *Ministry of Health* [Ch. xxiv.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

SCHEDULES.

A.D. 1929.

FIRST SCHEDULE.

*Yeovil
(Extension)
Order.*

WARDS OF THE BOROUGH FOR THE ELECTION OF COUNCILLORS.

1. Wards.	2. Number of Councillors for Ward.	3. Retirement of Councillors.		
		1931.	1932.	1933.
North - - - -	4	2	1	1
East - - - -	4	1	1	2
South - - - -	4	2	1	1
West - - - -	4	1	2	1
Preston - - - -	2	-	1	1

SECOND SCHEDULE.

LOCAL ACTS AND CONFIRMATION ACTS EXTENDED TO THE
BOROUGH.

PART I.—LOCAL ACTS.

Session and Chapter.	Short Title.
17 & 18 Vict. c. cxxv.	- The Borough of Yeovil Extension and Improvement Act 1854.
33 & 34 Vict. c. lxxxviii.	- The Yeovil Improvement Act 1870.
59 & 60 Vict. c. clii. -	- The Yeovil Corporation (Waterworks) Act 1896.
61 & 62 Vict. c. xcvii.	- The Yeovil Corporation Act 1898.
10 & 11 Geo. 5. c. cxlvi.	- The Yeovil Corporation Act 1920.

[Ch. xxiv.] *Ministry of Health* [19 & 20 GEO. 5.]
*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929

PART II.—CONFIRMATION ACTS.

*Yeovil
(Extension)
Order.*

Session and Chapter.	Short Title.	Order relating to Yeovil thereby confirmed.
2 Edw. 7. c. lxxxii.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1902.	The Yeovil Order 1902.
3 Edw. 7. c. cxxxvii.	The Local Government Board's Provisional Orders Confirmation (No. 13) Act 1903.	The Yeovil (Extension) Order 1903.

THIRD SCHEDULE.

POOR LAW SETTLEMENTS.

Column 1.	Column 2.
Existing Parish or part of existing Parish.	Parish in which a settlement is to be acquired or in course of acquisition.
1. The existing Parish of Yeovil	1 to 4. The Parish of Yeovil.
2. The added part of East Coker	
3. The added part of Preston Plucknett	
4. The added parts of Yeovil Without	
5. The excluded part of East Coker	5. The Parish of East Coker.
6. The excluded parts of Yeovil Without.	6. The Parish of Yeovil Without.
7. The excluded (grey) part of Preston Plucknett.	7. The Parish of Brympton.
8. The excluded (brown) part of Preston Plucknett.	8. The Parish of West Coker.

BOROUGH OF YEOVIL.

A.D. 1929.

Provisional Order amending certain local Acts.

*Yeovil
(Water)
Order.*

WHEREAS the Borough of Yeovil is an urban district of which the mayor aldermen and burgesses acting by the council are the local authority for the purposes of the Public Health Act 1875 and certain local Acts and Provisional Orders are in force in the Borough;

And whereas by section 7 of the Yeovil Improvement Act 1870 as amended by the Yeovil (Extension) Order 1903 and section 38 of the Yeovil Corporation Act 1920 the Corporation are empowered to supply water within the Borough as it now exists and certain parishes in the Counties of Dorset and Somerset including the Parishes of Preston Plucknett and Yeovil Without in the County of Somerset and Rural District of Yeovil;

And whereas by the Yeovil (Extension) Order 1929 it is proposed that on the Thirty-first day of March Nineteen hundred and thirty a portion of the Rural District of Yeovil including parts of the Parishes of East Coker Preston Plucknett and Yeovil Without should be added to the Borough and that the remaining parts of the Parish of Preston Plucknett should be added to the Parishes of Brympton and West Coker respectively in the same Rural District;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order to amend the local Acts of 1870 and 1920 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 as follows:—

1. This Order may be cited as the Yeovil (Water) Order 1929 and shall come into operation on the Thirty-first day of March Nineteen hundred and thirty.

Short title
and com-
mencement.

2. In this Order unless the context otherwise requires—

Interpreta-
tion.

“Existing” in relation to any area means existing immediately before this Order comes into operation;

“The Act of 1920” means the Yeovil Corporation Act 1920;

“The Borough” means the Borough of Yeovil;

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

“The Rural District” means the Rural District of Yeovil and “the Rural Council” means the Rural District Council of Yeovil;

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*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929.

*Yeovil
(Water)
Order.*

Extension
of water
limits.

“The water limits” means the limits within which the Corporation may supply water under their local Acts and Orders.

3.—(1) The water limits shall be extended so as to include—

(a) that part of the existing Parish of East Coker which is added to the Borough by the Yeovil (Extension) Order 1929;

(b) that part of the existing Parish of West Coker which is described in the Schedule to this Order; and

(c) the whole of the existing Parish of Brympton.

(2) Those parts of the existing Parish of Preston Plucknett which by the Yeovil (Extension) Order 1929 are added to the existing Parish of Brympton and to the existing Parish of West Coker shall continue to be within the water limits.

Application
of local Acts
and Orders
to extended
water limits.

4. All the provisions of the Acts and Orders with respect to the supply of water by the Corporation and otherwise with respect to the water undertaking of the Corporation shall apply and have effect within the water limits as extended by this Order and any reference in any such provision to the existing Borough of Yeovil or to the existing Rural District of Yeovil shall be read as a reference to the Borough or the Rural District as the case may require as altered by the Yeovil (Extension) Order 1929.

Supply by
Corporation
outside limits
where Rural
Council
do not take
supply in
bulk.

5.—(1) If at any time the Rural Council shall give notice to the Corporation that they do not wish to take a supply of water in bulk from the Corporation under section 23 of the Act of 1920 as respects any parish or part of a parish within the Rural District in or through which the works by that Act authorised are made or pass the Corporation may agree with the occupier or owner of any premises situate outside the water limits but within the area to which the notice of the Rural Council relates and within such distance from a water main of the Corporation as the Corporation may consider to be a reasonable distance to supply water to the premises subject to the condition that the connection of the premises with the water main shall be made by and at the expense of that occupier or owner.

(2) Section 53 of the Act of 1920 which regulates the rents and rates to be charged by the Corporation for the supply of water to premises within such of the parishes in the Rural District as are comprised in the water limits shall apply to any supply of water afforded by the Corporation under this article.

For
protection
of Somerset
County
Council.

6. The provisions of section 13 of the Act of 1920 for the protection of the County Council of Somerset shall extend and apply within the water limits as extended by this Order to all water mains pipes and other works of the Corporation for the supply of water (including any replacement of an existing water

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*Provisional Orders Confirmation (Yeovil Extension
and Water) Act, 1929.*

A.D. 1929.

main or other work) as if those mains pipes and other works were the lines of pipes referred to in that section.

*Yeovil
(Water)
Order.*

7. The provisions of section 17 of the Act of 1920 for the protection of the Great Western Railway Company shall extend and apply within the water limits as extended by this Order to all water mains or pipes which the Corporation may commence to lay after this Order has come into operation as if those water mains or pipes were laid under the powers of the Act of 1920 and were works authorised by that Act.

For protec-
tion of Great
Western
Railway
Company.

SCHEDULE.

PORTION OF THE EXISTING PARISH OF WEST COKER INCLUDED
WITHIN THE WATER LIMITS.

So much of the existing Parish of West Coker as is comprised within a line commencing at the point on the common boundary between the existing Parishes of West Coker and East Coker at which that common boundary is intersected by Green Lane and proceeding in a north-westerly direction along the centre of Green Lane to its junction with West Coker Road and continuing in a westerly direction along the centre of West Coker Road to its junction with Gooseacre Lane thence in a northerly direction along the centre of Gooseacre Lane to its junction with Odcombe Road and continuing in a north-westerly direction along the centre of Odcombe Road to its junction with Pound Lane thence in a northerly direction along the centre of Pound Lane to the common boundary between the existing Parishes of West Coker and Brympton thence in an easterly direction along that common boundary and in an easterly and southerly direction along the common boundary between the existing Parishes of West Coker and Preston Plucknett to the point at which that common boundary meets the common boundary between the existing Parishes of West Coker and East Coker thence in a westerly and southerly direction along that common boundary to the point first-mentioned in this Schedule.

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