



CHAPTER i.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Cardiff Gateshead Newcastle-upon-Tyne and Uxbridge. A.D. 1929. —

[26th July 1929.]

WHEREAS 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. 3) Act 1929. Short title.

A.D. 1929.

SCHEDULE.

CITY OF CARDIFF.

*Cardiff
Order.*

Provisional Order altering or amending certain local Acts.

WHEREAS the City of Cardiff is an urban district of which the lord mayor aldermen and citizens 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 certain local Acts including the Cardiff Improvement Act 1875 and the Cardiff Corporation Act 1920 are in force in the City;

And whereas by sections 75 80 and 81 of the local Act of 1875 provision was made with regard to the acquisition of land required by the Corporation for the purposes of that Act and the Corporation were empowered to lay out for building purposes all or any part of any lands vested in them at the passing of that Act or acquired by them under that Act which might not be required for the purposes for which they were acquired;

And whereas by section 144 of the local Act of 1920 provision was made with regard to the borrowing of money by the Corporation;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order to alter or amend the said local Acts in the manner following:

Now therefore the Minister of Health in pursuance of the powers given to him by section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows:—

Short title
and com-
mencement.

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

Interpreta-
tion.

2. In this Order unless the context otherwise requires—

"The City" means the City of Cardiff.

"The Minister" means the Minister of Health.

Further
powers for
acquisition
of land.

3.—(1) The Corporation may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable they should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the City notwithstanding that the land may not immediately be required by them.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this article shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan or an appropriate part of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this article shall be payable out of the general rate fund and general rate of the City.

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—
Cardiff
Order.

(3) The Corporation may so far as they consider necessary apply, subject to the approval of the Minister any capital moneys received by them on the resale or exchange of or by leasing any lands acquired under the authority of this article in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either—

- (a) in or towards the extinguishment of any loan raised by them under this Order such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister ;
or
- (b) in such other manner as may be approved by the Minister.

4.—(1) Subject to the consent of the Minister the powers conferred by this article may be exercised by the Corporation in relation to any lands acquired by them whether before or after the date of this Order under any public general or local Act or Provisional Order confirmed by Parliament (including this Order) where those lands are not required for the purposes for which they were acquired and it appears to the Corporation and the Minister to be desirable that those powers shall be exercised for the development of the lands—

Power to develop lands acquired by Corporation.

- (a) The Corporation may lay out and develop the lands and may thereon erect and maintain houses shops offices warehouses and other buildings and construct sewer pave flag channel and kerb streets roads and ways ; and
- (b) The Corporation may grant any easements rights or privileges in under or over any such lands and may pull down and remove any house or other building situate on any such lands and use or dispose of the materials thereof.

(2) The Corporation may also sell or lease for any period not exceeding 99 years or exchange or otherwise dispose of any houses shops offices warehouses or buildings erected or situate on any such lands and subject to such terms conditions and restrictions as they may think fit including conditions and restrictions as to the buildings to be erected and the use to which such buildings may be put.

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Provisional Orders Confirmation (No. 3) Act, 1929.

A.D. 1929.

—
*Cardiff
Order.*

(3) The provisions of this article shall be in addition to and not in derogation of any other powers vested in or exercisable by the Corporation.

(4) Notwithstanding the foregoing provisions of this article the Corporation shall not under the powers of this article—

(a) lay out or develop any lands or erect on any lands any houses shops offices warehouses or other buildings in any manner which infringes any then existing legal right of any owner lessee or occupier of adjoining lands; or

(b) except with the consent of the Minister sell lease or dispose of any such houses or other buildings except at the best price or on the best terms which can reasonably be obtained but nothing in this paragraph shall require a purchaser or lessee from the Corporation to inquire whether the consent of the Minister is necessary or has been obtained.

(5) Nothing in this article shall extend to any lands acquired by the Corporation under the Housing Act 1925 or any enactment repealed by that Act.

Power to
reinstate
owners of
property.

5. The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired by the Corporation under the provisions of any public general or local Act or Provisional Order confirmed by Parliament (including this Order) with respect to the reinstatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

Borrowing
powers.

6. The purposes of this Order shall be deemed to be purposes of the Cardiff Corporation Act 1920 for which the Corporation with the consent of the Minister may borrow money under subsection (2) of section 144 of that Act.

Application
of capital
money.

7. Any capital money received by the Corporation 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.

Inquiries
and
expenses.

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. A.D. 1929.

(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.

—
Cardiff
Order.

COUNTY BOROUGH OF GATESHEAD.

*Provisional Order for partially repealing altering
and amending certain local Acts.*

Gateshead
Order.

WHEREAS the Borough of Gateshead is an urban sanitary 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 local Acts mentioned in the Schedule to this Order are in force in the Borough;

And whereas the Corporation wish to regulate by means of byelaws with respect to new streets and buildings made under the Public Health Acts 1875 to 1925 certain matters which now are regulated by provisions of the local Acts;

And whereas other provisions of the local Acts deal with matters which are the subject of enactments in the Public Health Acts 1875 to 1925;

And whereas section 102 of the Gateshead Corporation Act 1903 regulates the position of entrances to dwelling-houses section 107 of that Act regulates the construction of ovens to be used by bakers and furnaces to be used by tradesmen and artificers and section 117 of that Act restricts the laying out of streets without intersecting streets;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order partially to repeal alter or amend the local Acts 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

[Ch. i.] *Ministry of Health* [20 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1929.

A.D. 1929. 1875 and of any other powers in that behalf hereby orders as follows:—

Gateshead Order.

Short title and commencement.

1. This Order may be cited as the Gateshead Order 1929 and shall come into operation on the first day of June nineteen hundred and twenty-nine.

Partial repeal of local Acts.

2. The local Acts mentioned in the Schedule to this Order are hereby repealed to the extent specified in the third column of that Schedule.

Power to make byelaws.

3.—(1) The Corporation may make byelaws—

- (a) For prescribing in what position the entrances to dwelling-houses shall be placed;
- (b) With respect to the construction and thickness of the walls of ovens and furnaces and of walls adjacent to ovens and furnaces; and
- (c) For requiring in connection with the laying out of new streets intersecting streets at such intervals as the byelaws may determine.

(2) The provisions with respect to byelaws contained in sections 182 to 185 of the Public Health Act 1875 and any enactment amending those sections shall subject to such modifications as may be necessary apply to byelaws from time to time made by the Corporation under this article.

SCHEDULE.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
54 Geo. III c. cix.	An Act for cleansing lighting and otherwise improving certain streets and places within and near the Town and Borough of Gateshead in the County of Durham.	Section 41 (Regulation as to conveying water from the roofs of houses fronting the streets).

[20 GEO. 5.] *Ministry of Health* [Ch. i.]
Provisional Orders Confirmation (No. 3) Act, 1929.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
30 & 31 Vict. c. lxxxiii.	The Gateshead Improvement Act 1867.	Section 2 so far as it incorporates with that Act section 33 sections 35 to 43 sections 64 and 65 and sections 109 to 112 of the Towns Improvement Clauses Act 1847. Section 29 (Power to order buildings to be provided with water-closets). Section 61 (Printed copies of bye-laws to be evidence).
3 Edw. 7. c. colii.	The Gateshead Corporation Act 1903.	Section 75 (Regulation of pails and tubs for privies &c.). Section 87 (Improper construction or repair of watercloset or drain). Section 89 (Reconstruction of drains). Section 102 (Houses to have front entrances). Section 106 (Height of buildings). Section 107 (Ovens and furnaces to have protecting walls). Section 109 (Courts &c. to be flagged). Section 114 (Power to name and alter names of streets names to be put up and houses to be numbered &c.). Section 117 (Intersecting streets). Section 119 (Continuation of existing streets to be deemed new streets).

A.D. 1929.

Gateshead Order.

CITY OF NEWCASTLE-UPON-TYNE.

Provisional Order amending certain local Acts and a Provisional Order.

Newcastle-upon-Tyne Order.

WHEREAS the City of Newcastle-upon-Tyne is an urban district of which the lord mayor aldermen and citizens acting by the council (in this Order called "the Corporation") are the local authority for the purposes of the Public Health Act 1875;

And whereas by the Newcastle-upon-Tyne Corporation Loans Act 1882 the Corporation were empowered to exercise

[Ch. i.] *Ministry of Health* [20 GEO. 5.]
Provisional Orders Confirmation (No. 3) Act, 1929.

A.D. 1929. any statutory borrowing power by the creation and issue of irredeemable stock;

—
Newcastle-upon-Tyne Order.

And whereas in pursuance of section 64 of the Newcastle-upon-Tyne Tramways and Improvement Act 1899 the Corporation established the Newcastle-upon-Tyne Corporation Consolidated Loans Fund (Number 1) for the payment of dividends on corporation irredeemable stock and for the purchase and extinction of such stock and for the payment of interest on moneys borrowed on mortgage under that Act for the purchase of such stock and for the repayment of such moneys;

And whereas by the Newcastle-upon-Tyne Order 1913 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1913 the yearly sum which the Corporation were directed to pay into the consolidated loans fund (Number 1) for the purchase and extinction of corporation irredeemable stock and the repayment of moneys borrowed on mortgage for the purchase of such stock was reduced to one thousand four hundred and forty-seven pounds or such other sum as might be approved or directed by the Local Government Board;

And whereas on the thirtieth day of November nineteen hundred and twenty-eight the amount of corporation irredeemable stock which was unredeemed was one hundred and fifteen thousand seven hundred and three pounds eight shillings and threepence of three and a half per cent. stock and on the same day the capital of the consolidated loans fund (Number 1) consisted of securities in which the Corporation had invested the sum of one hundred and thirty-nine thousand four hundred and eighty-one pounds three shillings and eleven pence;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order to alter or amend the Acts of 1882 and 1899 and the Order of 1913 in the manner following :

Now therefore the Minister of Health in pursuance of the powers given to him by sections 297 and 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows :—

Short title and commencement.

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

Interpretation.

2. In this Order unless the context otherwise requires—

“Statutory borrowing power” has the meaning assigned to it by subsection (2) of section 2 of the Newcastle-upon-Tyne Corporation Loans Act 1882;

“The Loans Fund (Number 1)” means the Newcastle-upon-Tyne Corporation Consolidated Loans Fund (Number 1);

“The Minister” means the Minister of Health;

“The Order of 1913” means the Newcastle-upon-Tyne Order 1913.

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—
Newcastle-upon-Tyne
Order.

3.—(1) Whenever the market value of the securities in which the Loans Fund (Number 1) is invested shall exceed the nominal amount of Newcastle-upon-Tyne irredeemable stock then outstanding the Corporation may realise such of those securities as will produce a sum not exceeding the amount of the excess and shall apply the net proceeds of the sale to one of the purposes authorised by this article. Power to apply to other purposes surplus of Loans Fund (Number 1).

(2) Any sum appropriated by the Corporation under the authority of this Order shall cease to form part of the Loans Fund (Number 1) and shall be applied either—

(a) in or towards the extinguishment of any loan raised by the Corporation under any statutory borrowing power such application being in addition to and not in substitution for any other mode of extinguishment except to such extent and upon such terms as may be approved by the Minister; or

(b) to any other capital purpose which may be approved by the Minister.

(3) Any sum appropriated by the Corporation under this Order shall not be subject to the conditions on advances imposed by article 3 of the Order of 1913.

(4) Nothing in this Order shall affect the power of the Minister under subsection (5) of section sixty-five of the Newcastle-upon-Tyne Tramways and Improvement Act 1899 to require the Corporation in the circumstances mentioned in that subsection to pay further sums into the Loans Fund (Number 1).

4.—(1) The Minister may direct any inquiries to be held by his inspectors which he may deem necessary with reference to the Loans Fund (Number 1) and such inspectors shall for the purposes of any inquiry have all such powers as they have for the purpose 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 the costs incurred by the Minister in relation to that inquiry (including such sum not exceeding five guineas a day as the

A.D. 1929. 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.

—
Newcastle-upon-Tyne Order.

URBAN DISTRICT OF UXBRIDGE.

Uxbridge (Acquisition of Lands) Order.

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

WHEREAS the Urban District Council of Uxbridge require to purchase and take the lands described in the Schedule to this Order for the purposes of widening opening enlarging or otherwise improving Cricket Field Road in the Urban District of Uxbridge :

Now therefore the Minister of Health in pursuance of the powers given to him by section 176 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that the following provisions shall have effect that is to say :—

Compulsory powers of purchase.

1. The Urban District Council of Uxbridge 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.

Short title and commencement.

2. This Order may be cited as the Uxbridge (Acquisition of Lands) Order 1929 and shall come into operation on the date of the Act of Parliament confirming it.

SCHEDULE.

A.D. 1929.

Uxbridge
(Acquisition
of Lands)
Order.

Parish of HILLINGDON WEST Urban District of UXBRIDGE
County of MIDDLESEX.

No. on Deposited Plan.	Description of Property.	Owner or Reputed Owner.	Lessees or Reputed Lessees.	Occupiers.
1	Messuage or dwelling-house shop yard with small garage or outhouse and premises known as No. 6 Vine Street coloured pink on the deposited plan and containing 6 poles 12 sq. yards or thereabouts.	Mrs. Eva Schwartz.	The Uxbridge and District Billposting Company Limited.	The Uxbridge and District Billposting Company Limited. Percy Vass Charles Edward Willis.

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