

[20 & 21 GEO. 5.] *Ministry of Health* [Ch. cxlviii.]  
*Provisional Orders Confirmation (Great Torrington  
Minehead and Taf Fechan Water Supply Board) Act, 1930.*



## CHAPTER cxlviii.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Great Torrington Minehead and the Taf Fechan Water Supply Board. A.D. 1930.  
[1st August 1930.]

**W**HEREAS under the provisions of the Public Health Act 1875 the Minister of Health has made certain provisional orders which need confirmation by Parliament : 38 & 39 Vict. c. 55.

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The Orders of the Minister of Health which as amended are set out in the schedule to this Act are hereby confirmed and shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (Great Torrington Minehead and Taf Fechan Water Supply Board) Act 1930. Short title.

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SCHEDULE.

BOROUGH OF GREAT TORRINGTON.

*Great  
Torrington  
Order.*

*Provisional Order partially repealing and altering  
a local Act.*

WHEREAS the borough of Great Torrington is an urban district of which the mayor aldermen and burgesses acting by the council (in this order referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875 and by and subject to the provisions of the local Act 5 & 6 Vict. c. xxii. the Corporation are authorised to hold a market in the borough ;

And whereas by the local Act the Corporation are empowered in connection with the market to demand and take stallages rents and tolls not exceeding the sums specified in the last schedule to that Act ;

And whereas the Corporation have applied to the Minister of Health for the issue of a provisional order partially to repeal and alter the local Act in the manner following :

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

Commence-  
ment and  
short title.

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

Interpreta-  
tion.

2. In this order—

" the Act of 1875 " means the Public Health Act 1875 ;

" the borough " means the borough of Great Torrington ;

" the commencement of this order " means the day on which this order comes into operation ;

" the local Act " means the Act 5 & 6 Vict. c. xxii. ;

" the market of the borough " means the market which the Corporation are authorised by the local Act to hold in the borough ; and

" the Minister " means the Minister of Health.

Public  
Health Act  
1875 to  
apply to  
market.

3. Subject to the provisions of this order and to the unrepealed provisions of the local Act the market of the borough shall be deemed to have been established and provided and to be held under the Act of 1875.

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4.—(1) The Corporation may demand and receive such tolls stallages and rents from persons—

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- (a) selling or offering or exposing for sale animals or marketable commodities in the market of the Borough;
- (b) using or occupying shops stalls standings or other conveniences in the market of the borough or frequenting that market; or
- (c) using any weighing house or place or any weights measures scales or machines in the market of the borough;

—  
*Great  
 Torrington  
 Order.*

Tolls  
 stallages and  
 rents.

as the Corporation may from time to time with the approval of the Minister prescribe in a table of tolls stallages and rents (in this article called a "table of tolls").

(2) One month at least before applying for the Minister's approval to a table of tolls under this article the Corporation shall cause notice of their intention so to apply to be exhibited on some conspicuous part of the market of the borough and to be advertised in one or more of the newspapers circulating in the borough.

(3) Any such notice shall contain a statement as to the place at which a copy of the table of tolls may during ordinary office hours be inspected and as to the manner in which any objection to the table of tolls should be made.

(4) Within six months after the commencement of this order the Corporation shall submit to the Minister for his approval a table of tolls in substitution for the stallages rents and tolls specified in the last schedule to the local Act.

(5) As from the day on which the first table of tolls approved by the Minister under this order comes into operation any reference in an unrepealed provision of the local Act to the last schedule to that Act shall be read as a reference to the table or tables of tolls stallages and rents approved by the Minister which for the time being may be in force.

5.—(1) The Corporation may borrow on the security of the general rate fund and general rate of the borough the sum of six hundred and thirty-three pounds for the purpose of replacing moneys which have been temporarily applied by the Corporation in the discharge of bonds given by them under the local Act.

Borrowing  
 power in  
 respect of  
 repaid bonds  
 given under  
 local Act.

(2) The sum so borrowed by the Corporation—

- (a) shall be repaid by them within twenty years from the date of borrowing; and
- (b) shall be deemed to have been borrowed with the sanction of the Minister under the Act of 1875 and the provisions of that Act as amended by any enactment shall apply accordingly.

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—  
*Great  
Torrington  
Order.*

Return to  
Minister as  
to repay-  
ment of  
debt.

6.—(1) The town clerk of the borough shall comply with any request made to him by the Minister for a return showing the provision made for the repayment of the loan authorised by this order.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by a statutory declaration of the town clerk or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and if the town clerk shall fail to make a return verified as aforesaid he shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making and verifying of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister either from a return made under this article or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by the Act in pursuance of which the moneys are raised or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum specified in the order (not exceeding the amount in respect of which default has been made) shall be paid or applied in the manner and by the date in the order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

Inquiries and  
expenses.

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

(2) Where the Minister causes any such inquiry as aforesaid to be held the costs incurred by him in relation to that inquiry (including such reasonable sum not exceeding five guineas a day as the Minister may determine for the services of any inspector or officer of the Minister engaged in the inquiry) shall be paid by the Corporation and the Minister may certify the amount of the costs so incurred and any sum so certified and directed by him to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

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8.—(1) As from the commencement of this order the local Act shall be repealed to the extent shown in the second column of part I of the schedule to this order.

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—  
*Great  
 Torrington  
 Order.*

(2) As from the day on which the first table of stallages rents and tolls approved by the Minister under this order comes into operation the local Act shall be repealed to the extent shown in the second column of part II of the schedule to this order.

Repeal.

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SCHEDULE.

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PART I.

ENACTMENTS REPEALED AS FROM THE COMMENCEMENT  
 OF THIS ORDER.

Session and  
 Chapter.

Extent of Repeal.

5 & 6 Vict. c. xxii. Sections 3 to 46 section 47 from "the boundaries" to the end of the section sections 48 to 53 sections 64 66 67 sections 69 to 81 and schedules A B C D to the Act.

PART II.

ENACTMENTS REPEALED AS FROM THE DAY ON WHICH THE FIRST  
 TABLE OF STALLAGES RENTS AND TOLLS APPROVED BY THE  
 MINISTER COMES INTO OPERATION.

Session and  
 Chapter.

Extent of Repeal.

5 & 6 Vict. c. xxii. Sections 56 to 63 and the last schedule to the Act.

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URBAN DISTRICT OF MINEHEAD.

*Minehead  
Order.*

*Provisional Order amending a local Act.*

WHEREAS the urban district council of Minehead are the local authority within the meaning of the Public Health Act 1875 for the urban district of Minehead and under the provisions of the Minehead Urban District Council Act 1904 the Council carry on a water undertaking and supply water within certain limits;

And whereas by section 23 of the local Act of 1904 the rates which the Council are authorised to charge for the supply of water for domestic purposes are prescribed and by sections 26 and 30 the price for the supply by the Council of water by measure is limited to one shilling and sixpence per thousand gallons;

And whereas the Council have applied to the Minister of Health for the issue of a provisional order to amend the local Act in the manner following:

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

Short title  
and com-  
mencement.

1. This order may be cited as the Minehead Order 1930 and shall come into operation on the twenty-ninth day of September nineteen hundred and thirty.

Interpreta-  
tion.

2. In this order unless the context otherwise requires—

“the Council” means the urban district council of Minehead;

“the local Act” means the Minehead Urban District Council Act 1904;

“the Minister” means the Minister of Health; and

“the water limits” means the limits within which the Council are authorised by section 17 of the local Act to supply water.

Rates for  
domestic  
supplies.

3. Section 23 of the local Act shall be amended as follows:—

(1) The words from “Where the rateable value” to “six per centum on such rateable value” are hereby repealed and the following provision shall be substituted for the portion of the section so repealed:—

“Where the net annual value of the premises so supplied with water shall not exceed five pounds at a rate not exceeding twopence per week:

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“Where such net annual value shall exceed five pounds and shall not exceed ten pounds at a rate not exceeding threepence per week :

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“Where such net annual value shall exceed ten pounds at a rate not exceeding two shillings and threepence for each complete pound of the net annual value.”

—  
*Minehead  
Order.*

(2) The words from “Nothing in this section” to the end of the section are hereby repealed.

(3) In the unrepealed portions of the section references to net annual value shall be substituted for references to rateable value.

4. Sections 26 and 30 of the local Act shall be amended by the substitution in the proviso to each section of the words “two shillings and sixpence per thousand gallons” for the words “one shilling and sixpence per thousand gallons.”

Prices for  
supply of  
water by  
measure.

5.—(1) On the application of the Council or of the council of any district wholly or in part within the water limits or of twenty consumers within the water limits the Minister may from time to time by order vary the rates sums and prices for the supply of water which the Council are by the local Act and this order authorised to charge.

Revision of  
rates and  
charges.

(2) Before making an order under this article the Minister shall require the Council to give such public notice of the application for the order as he may consider best adapted for informing water consumers of the application and as to the manner in which any objection to the application may be made.

(3) As soon as practicable after an order is made under this article the Council shall cause the order to be published in two successive weeks in one or more local newspapers circulating throughout the water limits.

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

Inquiries by  
Minister of  
Health.

(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 Minister may determine for the services of any inspector or officer of the Minister engaged in the inquiry) shall be paid by the Council 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 Council shall be a debt due to the Crown from the Council.

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DISTRICT OF THE TAF FECHAN WATER  
SUPPLY BOARD.

*Taf Fechan  
Order.*

*Provisional Order amending the Taf Fechan Water  
Order 1928.*

WHEREAS by the local Acts mentioned in the schedule to this order the Taf Fechan Water Supply Board were authorised to supply water in bulk to the constituent authorities of the Board and to borrow money for the purposes of their water undertaking;

And whereas by the Taf Fechan Water Order 1928 which was confirmed by the Ministry of Health Provisional Orders Confirmation (No. 3) Act 1928 the Board were authorised to borrow during each of the years ending the thirty-first day of March nineteen hundred and twenty-nine and the thirty-first day of March nineteen hundred and thirty respectively certain additional sums for the payment of interest on moneys borrowed by them under the local Acts;

And whereas the Board have applied to the Minister of Health for the issue of a provisional order to amend the order of 1928 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 titles  
and com-  
mencement.

1.—(1) This order may be cited as the Taf Fechan Water Order 1930 and this order and the Taf Fechan Water Order 1928 may be cited together as the Taf Fechan Water Orders 1928 and 1930.

(2) This order shall come into operation on the date of the Act of Parliament confirming it.

Amendment  
of order of  
1928.

2. Article 1 of the Taf Fechan Water Order 1928 shall be amended by the insertion in paragraph (1) of that article after the words " of those years " of the words " and during the period " of six months ending on the thirtieth day of September nineteen hundred and thirty a sum or sums not exceeding a total of " eight thousand seven hundred and fifty pounds."



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SCHEDULE.

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Session and Chapter.	Short title.	<i>Taf Fechan Order.</i>
11 & 12 Geo. 5. c. lxxxix.	- The Taf Fechan Water Supply Act 1921.	
14 & 15 Geo. 5. c. xci.	- The Taf Fechan Water Supply Act 1924.	
16 & 17 Geo. 5. c. xxxiii.	- The Taf Fechan Water Supply Act 1926.	

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