

[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxix.]  
*Provisional Orders Confirmation (St. Helens and York)*  
*Act, 1931.*



## CHAPTER lxxix.

An Act to confirm certain Provisional Orders of the Minister of Health relating to the borough of St. Helens and the city of York. A.D. 1931.

[31st July 1931.]

**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 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 (St. Helens and York) Act 1931. Short title.

[Ch. lxxix.] *Ministry of Health [21 & 22 GEO. 5.]  
Provisional Orders Confirmation (St. Helens and York)  
Act, 1931.*

A.D. 1931.

*St. Helens  
Order.*

SCHEDULE.

BOROUGH OF ST. HELENS.

*Provisional Order amending the St. Helens Corporation  
Act 1911 and repealing in part a confirmation Act.*

WHEREAS the mayor, aldermen and burgesses of the borough of St. Helens acting by the council (in this order referred to as "the corporation") are the local authority for the purposes of the Public Health Act 1875 and the provisions of the St. Helens Corporation Act 1911 are in force in the borough;

And whereas by subsections (1) to (4) of section 92 of the local Act of 1911 as amended by section 2 of the St. Helens Order 1926 which was confirmed by the Ministry of Health Provisional Orders Confirmation (No. 2) Act 1926 provision is made for the compulsory notification of cases of tuberculosis of the lung within the borough and for the cleansing and disinfection of buildings vessels and other structures in order to prevent or check tuberculosis and for the cleansing of articles which have been exposed to infection;

And whereas under section 1 of the St. Helens Order 1926 the provisions previously recited will expire on the thirty-first day of December nineteen hundred and thirty-one and the corporation have applied to the Minister of Health for the issue of a provisional order to continue those provisions in force for a further period;

And whereas the St. Helens Order 1920 which was confirmed by the Ministry of Health Provisional Orders Confirmation (No. 2) Act 1920 is spent:

Now therefore the Minister of Health in pursuance of his powers under 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 St. Helens Order 1931 and the St. Helens Order 1926 and this order may be cited together as the St. Helens Orders 1926 and 1931.



[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxix.]  
*Provisional Orders Confirmation (St. Helens and York)*  
*Act, 1931.*

(2) This order shall come into operation on the date of the Act of Parliament confirming it. A.D. 1931.

2. The provisions of subsections (1) to (4) of section 92 of the St. Helens Corporation Act 1911 as amended by section 2 of the St. Helens Order 1926 shall continue in force within the borough of St. Helens until the thirty-first day of December nineteen hundred and thirty-six. *St. Helens Order.*  
Continuance of certain provisions of local Act of 1911.

3. Before the first day of January nineteen hundred and thirty-two the corporation shall cause public notice of the effect of section 2 of this order to be given by advertisement in newspapers circulating within the borough of St. Helens and otherwise in such manner as the corporation think sufficient. Public notice of effect of section 2 of order.

4. So much of the Ministry of Health Provisional Orders Confirmation (No. 2) Act 1920 as confirms the St. Helens Order 1920 is hereby repealed. Repeal in part of 10 & 11 Geo. 5. c. xlvi.

---

CITY OF YORK.

*Provisional Order partially repealing and amending a local Act and a confirmation Act.* *York Order.*

WHEREAS the city of York is an urban district of which the lord mayor aldermen and citizens acting by the council are the local authority for the purposes of the Public Health Act 1875 and subject to the provisions of the York Extension and Improvement Act 1884 the corporation hold certain markets and fairs in the city;

And whereas the corporation are empowered by section 40 of the local Act by agreement to purchase such lands as they may from time to time require for the purposes of the Act not exceeding ten acres and by section 42 of that Act to grant leases of lands so purchased;

And whereas by sections 160 and 161 of the local Act as amended by articles III and IV of the York Order 1899 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1899 the corporation are empowered in connection with their markets and fairs to demand and take stallages rents sums of money and tolls not exceeding the sums specified in the schedules to the Order of 1899;

And whereas the corporation have applied to the Minister of Health for the issue of a provisional order partially to repeal

[Ch. lxxix.] *Ministry of Health* [21 & 22 GEO. 5.]  
*Provisional Orders Confirmation (St. Helens and York)*  
*Act, 1931.*

A.D. 1931. and amend the local Act and the Order of 1899 in the manner following :  
—

*York Order.*

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 :—

Commence-  
ment and  
short title.

1. This order may be cited as the York Order 1931 and shall come into operation on the date of the Act of Parliament confirming it.

Interpreta-  
tion.

2. In this order—

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

“ the corporation ” means the lord mayor aldermen and citizens of the city of York acting by the council ;

“ the local Act ” means the York Extension and Improvement Act 1884 ;

“ the markets ” means the markets of the corporation ;

“ the fairs ” means the fairs of the corporation ; and

“ the Minister ” means the Minister of Health.

Purchase of  
additional  
lands by  
agreement.

3.—(1) In addition to any lands which they are authorised by section 40 of the local Act to acquire the corporation may with the consent of the Minister by agreement purchase take on lease or otherwise acquire such further lands as they may require for the purposes of the markets and may hold for those purposes any land so acquired.

(2) The corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired in pursuance of the foregoing subsection nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incidental to or connected with the markets :

Provided that the provisions of this subsection shall not apply in respect of lands leased or sold by the corporation.

(3) The provisions of sections 41 42 and 43 of the local Act (which relate to disposal of land) shall apply to any land acquired under this section as they apply to land acquired under that Act.

(4) The purchase by the corporation prior to the commencement of this order of the lands described in the first schedule to this order is hereby confirmed and those lands shall be deemed to have been purchased in pursuance of subsection (1) of this section and any lease of a part thereof granted by the corporation



[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxix.]  
*Provisional Orders Confirmation (St. Helens and York)*  
*Act, 1931.*

prior to the commencement of this order shall be deemed to have been granted in pursuance of section 42 of the local Act. A.D. 1931.

4. The corporation may on any land purchased in pursuance of this order provide in connection with the markets facilities for the lairage of cattle and other livestock. *York Order.*  
 Lairage facilities.

5.—(1) The corporation may demand and receive such tolls stallages rents and charges from persons— Tolls stallages rents and charges.

(a) selling or offering or exposing for sale animals in the markets or fairs or marketable commodities in the markets;

(b) using or occupying shops stalls standings lairage facilities or other conveniences in or connected with the markets or frequenting the markets;

(c) using any weighing house or place or any weights measures scales or machines in the markets;

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

(2) One month at least before applying for the Minister's approval to a table of tolls under this section the corporation shall cause notice of their intention so to apply to be exhibited in some conspicuous place in each of the markets and to be advertised in one or more of the newspapers circulating in the city.

(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 pursuance of this section.

(5) Any reference in the local Act or the provisions of the Markets and Fairs Clauses Act 1847 incorporated therewith to the tolls stallages and rents authorised by the local Act shall be construed as a reference to the tolls stallages rents and charges from time to time authorised under this section and for that purpose charges which are not tolls stallages or rents shall be deemed to be stallages or rents.

6. The purposes of this order shall be deemed to be purposes of the York Corporation Act 1902 for which the corporation are authorised to borrow money under subsection (1) of section 148 of that Act. Borrowing powers.

7.—(1) The Minister may direct any inquiries to be held by his inspectors which he may deem necessary for the purposes Inquiries and expenses.

[Ch. lxxix.] *Ministry of Health* [21 & 22 GEO. 5.]  
*Provisional Orders Confirmation (St. Helens and York)*  
*Act, 1931.*

A.D. 1931. of this order and those inspectors shall for the purposes of any  
— inquiry have all such powers as they have for the purposes of  
*York Order.* inquiries directed by the Minister under the Public Health Act  
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.

Repeal of  
enactments  
prescribing  
tolls &c.

8. As from the day on which the first table of tolls stallages and rents approved by the Minister under this order comes into operation the enactments mentioned in the second schedule to this order shall be repealed to the extent shown in the third column of that schedule.

---

## SCHEDULES.

---

### FIRST SCHEDULE.

---

#### LANDS THE PURCHASE OF WHICH BY THE CORPORATION IS CONFIRMED BY THIS ORDER.

The three farms known as Yew Tree Farm Appletree Farm and Cottage Farm situate in the parish of Heworth Without and the township of Osbaldwick in the rural district of Flaxton in the North Riding of the county of York comprising 354.758 acres or thereabouts and being the enclosures numbered 3 4 9 14 to 18 23 to 25 33 to 36 76 81 84 to 90 93 to 96 99 to 112 114 to 117 127 131 132 and 142 in the township of Osbaldwick and 13 14 149 150 151 154 155 and 156 in the parish of Heworth Without on the 1/2500 Ordnance map (edition 1907).

[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxix.]  
*Provisional Orders Confirmation (St. Helens and York)*  
*Act, 1931.*

SECOND SCHEDULE.

A.D. 1931.

*York Order.*

ENACTMENTS REPEALED.

Session and chapter.	Short title.	Extent of repeal.
47 & 48 Vict. c. ccxxxii.	The York Extension and Improvement Act 1884.	Sections 160 and 161 and the seventh and eighth schedules.
62 & 63 Vict. c. cx.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1899.	Articles III and IV and schedules A and B of the York Order 1899.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:  
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;  
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;  
15, Donegall Square West, Belfast;  
or through any Bookseller.



