

[1 & 2 GEO. 6.] *Ministry of Health* [Ch. viii.]
Provisional Order Confirmation (Halifax) Act, 1938.



CHAPTER viii.

An Act to confirm a Provisional Order of the Minister of Health relating to the county borough of Halifax. A.D. 1938.
[30th March 1938.]

WHEREAS under the provisions of the Local Government Act 1933 the Minister of Health has made a provisional order which needs confirmation by Parliament: 23 & 24 Geo. 5. c. 51.

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 order of the Minister of Health which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Halifax) Act 1938. Short title.

A.D. 1938.

SCHEDULE.

COUNTY BOROUGH OF HALIFAX.

Provisional order to enable the council of the county borough of Halifax to purchase certain lands compulsorily.

WHEREAS the mayor aldermen and burgesses of the county borough of Halifax acting by the council (in this order referred to as "the corporation") require to purchase the lands described in the schedule to this order for the purposes of street improvements and the provision of municipal offices and in pursuance of section 160 of the Local Government Act 1933 have requested the Minister of Health to make a provisional order empowering them to purchase the said lands compulsorily:

Now therefore the Minister of Health in pursuance of the powers given to him by section 160 of the Local Government Act 1933 and of all other powers enabling him in that behalf hereby orders as follows:—

1.—(1) This order may be cited as the Halifax (Acquisition of land) Order 1937 and shall come into operation on the date of the Act of Parliament confirming it.

(2) In the schedule to this order "the deposited plan" means the plan which was deposited for the purposes of this order in the office of the Minister of Health on the twenty-sixth day of October nineteen hundred and thirty-six of which duplicates were on the same day deposited in the office of the Clerk of the Parliaments House of Lords and in the Committee and Private Bill Office of the House of Commons.

2. Subject to the provisions of and for the purposes recited in this order the corporation may purchase compulsorily the lands described in the schedule to this order.

3.—(1) Subject to the modifications set out in the next succeeding subsection the provisions of—

(a) the Lands Clauses Acts (except section 92 and sections 127 to 132 of the Lands Clauses Consolidation Act 1845);
and

(b) sections 77 to 85 of the Railways Clauses Consolidation Act 1845;

are hereby incorporated in this order and the provisions of those Acts shall apply accordingly.

Short title
commence-
ment and
interpreta-
tion.

Powers of
compulsory
purchase.

Incorpora-
tion of Acts.

8 & 9 Vict.
c. 18.

8 & 9 Vict.
c. 20.

[1 & 2 GEO. 6.] *Ministry of Health* [Ch. viii.]
Provisional Order Confirmation (Halifax) Act, 1938.

(2) (a) Section 85 of the Lands Clauses Consolidation Act 1845 shall have effect as if the words "with two sufficient sureties to be approved of by two justices in case the parties differ" were omitted therefrom; and A.D. 1938.

(b) in lieu of section 92 of the Lands Clauses Consolidation Act 1845 the following provisions shall have effect:—

"No person shall be required to sell a part only of any house building or manufactory or of any land which forms part of a park or garden belonging to a house if he is willing and able to sell the whole of the house building manufactory park or garden unless the tribunal by whom compensation is to be assessed determine that in the case of a house building or manufactory such part as is proposed to be taken can be taken without material detriment to the house building or manufactory or in the case of a park or garden that such part as aforesaid can be taken without seriously affecting the amenity or convenience of the house and if the tribunal so determine compensation shall be awarded in respect of the severance of the part so proposed to be taken in addition to the value of that part and thereupon the person interested shall be required to sell to the local authority that part of the house building manufactory park or garden."

A.D. 1938.

SCHEDULE.

PARISH AND COUNTY BOROUGH OF HALIFAX IN THE COUNTY OF YORK WEST RIDING.

Number on deposited plan.	Description of property.	Owners or reputed owners.	Lessees or reputed lessees.	Occupiers or reputed occupiers (other than tenants for a month or less period than a month).
1	Wholesale and retail warehouse and covered yard.	Edward Welbourne Lyon Thomas Walmsley Lyon.	-	Edward Welbourne Lyon Thomas Walmsley Lyon.
2	Business premises and covered passage.	Herbert Barker	Miss Annie Paling	Miss Annie Paling.
3	Yard steps 2 waterclosets petroleum store place and ashes place.	The same	-	Miss Annie Paling Longworth Rannard & Co. Ltd.
4	Warehouse workroom and store rooms.	The same	Longworth Rannard & Co. Ltd.	Longworth Rannard & Co. Ltd.
5	Covered passage billiards room and private commercial hotel (part of).	Executors of James Thornton deceased (viz.) :— Mrs. Mary Ann Thornton John Moulding Thornton.	-	Mrs. Annie Eliza Brearley.

[1 & 2 GEO. 6.] *Ministry of Health* [Ch. viii.]
Provisional Order Confirmation (Halifax) Act, 1938.

A.D. 1938.

6	Private commercial hotel (part of) yard stock room show room ashes place and covered passage.	Executors of David Pohlman deceased (viz.) :— Charles Edward Fox John Richard Fox.	.	.	.	The same.
7	Shop warehouse yard and steps.	Lewis Fitton Tordoff Harold William Tordoff Maurice Crossley Tordoff (trading as Thomas Smith & Co.).	.	.	.	Lewis Fitton Tordoff Harold William Tordoff Maurice Crossley Tordoff (trading as Thomas Smith & Co.).
8	Shop show rooms and work-room.	Herbert Lewis Lees James Frederick Lees (trading as Jonathan Farrar & Sons).	.	.	.	Herbert Lewis Lees James Frederick Lees (trading as Jonathan Farrar & Sons).
9	Shop and store rooms . . .	John Stoddart	John Stoddart.
10	Shop store rooms and work-room.	Executors of George Swift deceased (viz.) :— Mrs. Mary Hannah Swift George Booth Swift Phylis Claire Verity.	.	Arthur Naylor	.	Arthur Naylor.
11	House shops workroom and store rooms.	The same	.	.	.	Irvine Hitchen Miss Mona Hitchen.
12	Shop	The same	.	—	.	—

A.D. 1938.

SCHEDULE—continued.

Number on deposited plan.	Description of property.	Owners or reputed owners.	Lessees or reputed lessees.	Occupiers or reputed occupiers (other than tenants for a month or less period than a month).
13	Private street	Herbert Lewis Lees James Frederick Lees John Stoddart Executors of George Swift deceased (viz.) :— Mrs. Mary Hannah Swift George Booth Swift Phylis Claire Verity Trustee of James Priestley deceased (viz.) :— Walter James Walshaw.	-	Herbert Lewis Lees James Frederick Lees John Stoddart Arthur Naylor Irvine Hitchen Miss Mona Hitchen.
14	3 waterclosets and 2 ashes places.	The same	-	The same.
15	House	Trustee of James Priestley deceased (viz.) :— Walter James Walshaw.	-	-
16	House and wash kitchen	The same	-	-
17	House steps and wash kitchen	The same	-	-
18	House and shop and steps	The same	-	-
19	House shop and wash kitchen	The same	-	-
20	House and steps	The same	-	-
21	House and wash kitchen	The same	-	-
22	House	The same	-	-

[1 & 2 GEO. 6.] *Ministry of Health* [Ch. viii.]
Provisional Order Confirmation (Halifax) Act, 1938.

23	Private street	Trustee of James Priestley deceased (viz.) :— Walter James Walshaw Thomas Ramsden & Son Ltd. The same	—	—
24	4 waterclosets and 2 ashes places.	Thomas Ramsden & Son Ltd.	—	—
25	House and steps	The same	—	—
26	House steps and wash kitchen	The same	—	—
27	House and steps	The same	—	—
28	House steps and wash kitchen	The same	—	—
29	Shop and step	The same	—	—
30	Office or shop and step	The same	—	—
31	House steps and wash kitchen	The same	—	—
32	House and steps	The same	—	—
33	House steps and wash kitchen	The same	—	—
34	House and steps	The same	—	—
35	Private street	Thomas Ramsden & Son Ltd. Richard Whitaker & Sons Ltd. The same	—	—
36	4 waterclosets and 2 ashes places.	Richard Whitaker & Sons Ltd.	—	—
37	House and steps	The same	—	—
38	House steps and wash kitchen	The same	—	—
39	House and steps	The same	—	—
40	House steps and wash kitchen	The same	—	—
41	House	The same	—	—
42	House	The same	—	—
43	House steps and wash kitchen	The same	—	—
44	House and steps	The same	—	—
45	House and steps	The same	—	—
46	House steps wash kitchen and scullery.	The same	—	—
47	Private street	The same	Norman Collins (trading as John Holdsworth).	—

A.D. 1938.

A.D. 1938.

SCHEDULE—continued.

Number on deposited plan.	Description of property.	Owners or reputed owners.	Lessees or reputed lessees.	Occupiers or reputed occupiers (other than tenants for a month or less period than a month).
48	3 waterclosets and ashes place.	Richard Whitaker & Sons Ltd.	—	—
49	3 store places	The same	-	Norman Collins (trading as John Holdsworth).
50	Shop	The same	—	—
51	Public-house steps yard 2 waterclosets wash kitchen and wall.	The same	—	—
52	Covered passage yard steps watercloset and ashes place.	The same	—	—
53	Shop and work rooms	The same	—	—
54	Workshop	B. Hirst & Sons Ltd.	-	B. Hirst & Sons Ltd.
55	House	Halifax Industrial Society Ltd.	-	—
56	Garage stables store places mess rooms 4 waterclosets 2 middens passage covered yard petroleum store walls and steps.	The same	-	Halifax Industrial Society Ltd.
57	Private street and wall	The same	-	Halifax Industrial Society Ltd.

Provisional Order Confirmation (Halifax) Act, 1938.

58	Store place and workshop -	The same	-	-	-	Halifax Industrial Society Ltd.
59	Garages workshops store place and steps.	The same	-	-	-	Harry Broadbent (trading as D. Smith & Co.).
60	Covered passage passage yard and steps.	Halifax Industrial Society Ltd.	-	-	-	Halifax Industrial Society Ltd.
61	Warehouse (part of) -	The Halifax Farmers' Trading Association Ltd.	-	-	-	The Halifax Farmers' Trading Association Ltd.
62	Stable haylofts and garage -	The same	-	-	-	The same.
63	Workshop - - -	Halifax Industrial Society Ltd.	-	-	-	Harry Broadbent (trading as D. Smith & Co.).
64	Store places workshop and watercloset.	Samuel Webster & Sons Ltd.	-	-	-	Samuel Webster & Sons Ltd.

Printed by EYRE AND SPOTTISWOODE LIMITED

FOR

SIR WILLIAM RICHARD CODLING, 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 2;
26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;

80 Chichester Street, Belfast;
or through any bookseller

Price 4d. net

A.D. 1938.