



New Towns Act 1946

1946 CHAPTER 68

9 Public health.

- (1) If the Minister of Health is satisfied that it is expedient, in consequence of the making of an order under section one of this Act, that the area designated by that order as the site of the new town, or any larger area comprising that area, should be constituted a united district for any purpose for which a united district may be constituted under section six of the Public Health Act, 1936, he may make an order under that section constituting that area a united district for that purpose notwithstanding that no application in that behalf is made to him by the local authorities for the districts concerned, or by any of those authorities.
- (2) The Minister of Health may, on an application in that behalf made to him by the development corporation established for the purposes of a new town, by order authorise that corporation to exercise, for the purpose of the sewerage of the area designated under this Act as the site of the new town, any powers exercisable by a local authority under section fifteen of the Public Health Act, 1936 (which relates to the construction of sewers and sewage disposal works); and without prejudice to the provisions of this Act with respect to the acquisition of land by development corporations, any such order may provide for transferring to the development corporation any sewers or sewage disposal works vested in the sewerage authority for any district which comprises the area designated as the site of the new town or any part of that area:

Provided that before making any order under this subsection the Minister of Health shall consult with the council of the county and of the county district in which the new town or any part thereof is situated.

- (3) Any order made under the last foregoing subsection may direct that any of the provisions of the Public Health Acts, 1936 and 1937, relating to sewerage and sewage disposal, or to sewers, drains, cesspools and sanitary conveniences (including the provisions of the Public Health Act, 1936, relating to the payment of compensation, the breaking open of streets and the power to enter on land) shall apply in relation to the area designated as the site of the new town, subject to such modifications as may be specified in the order, as if the development corporation were a local authority as

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defined by those Acts and as if sewers vested in the corporation were public sewers as so defined.

- (4) Where, in pursuance of an order made under subsection (2) this section, sewers or sewage disposal works are constructed by or vested in a development corporation for the purposes of the sewerage of any part of the district of a sewerage authority within the meaning of the Public Health Act, 1936, that authority shall make towards the expenses of the development corporation in the construction or maintenance of the sewers or sewage disposal works contributions of such amount and subject to such conditions as may be agreed upon between that authority and the corporation or as may, in default of such agreement, be determined by the Minister of Health ; and the payment of any such contributions shall be a purpose for which the authority may borrow money.
- (5) Any order made under subsection (2) of this section which provides for transferring to the development corporation sewers or sewage disposal works vested in a sewerage authority may provide for the payment by the corporation to that authority, in consideration of the transfer, of such sum as may be agreed upon between the corporation and that authority or as may, in default of such agreement, be determined by the Minister of Health.