

ELIZABETH II



1965 CHAPTER xvi

An Act to confirm a Provisional Order relating to the urban district of Melton Mowbray.

[5th August 1965]

WHEREAS under the provisions of the Public Health 1875 c. 55.
Act 1875, the Public Health Act 1936 and the Food and 1936 c. 49.
Drugs Act 1955 the Minister of Housing and Local 1955 c. 16.
Government has made a Provisional Order which needs con-
firmation by Parliament:

Be it therefore enacted by the Queen'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 Housing and Local Government Confirmation of order in which is set out in the schedule to this Act is hereby confirmed of order in and shall have full validity and force. schedule.

2. This Act may be cited as the Ministry of Housing and Local Short title.
Government Provisional Order Confirmation (Melton Mowbray)
Act 1965.

SCHEDULE

URBAN DISTRICT OF MELTON MOWBRAY

Provisional Order altering a Local Act and confirming Acts

The Minister of Housing and Local Government, on the application of the council of the urban district of Melton Mowbray and in exercise of his powers under sections 297 and 303 of the Public Health Act 1875, section 317 of the Public Health Act 1936 and section 131 of the Food and Drugs Act 1955, and of all other powers enabling him in that behalf, hereby orders as follows:—

1875 c. 55.
 1936 c. 49.
 1955 c. 16.

Citation and commencement.

1. This order may be cited as the Melton Mowbray Order 1965 and shall come into operation on the date of the Act of Parliament confirming it.

Interpretation.

2. In this order—

“the council” means the council of the urban district of Melton Mowbray;

“the markets undertaking” means the markets undertaking for the time being of the council;

1869 c. xxvii.

“the Act of 1869” means the Melton Mowbray Cattle Market, &c. Act 1869;

1907 c. clxi.

“the order of 1907” means the Melton Mowbray Order 1907 which was confirmed by the Local Government Board’s Provisional Orders Confirmation (No. 11) Act 1907;

1921 c. xcvi.

“the order of 1921” means the Melton Mowbray Order 1921 which was confirmed by the Ministry of Health Provisional Orders Confirmation (No. 8) Act 1921.

Reserve fund for markets undertaking.

3. The Act of 1869 as altered by the order of 1907 and the order of 1921 shall be further altered so that the following provisions shall have effect:—

(1) The Council may if they think fit provide a reserve fund in respect of the markets undertaking by setting aside from the revenue thereof such an amount as they may from time to time think reasonable and investing the same in any securities in which trustees are for the time being authorised by law to invest trust funds until the fund so provided amounts to the maximum reserve fund for the time being prescribed by the council.

(2) The reserve fund provided under this article shall be applicable—

(a) in making good any deficiency at any time happening in the income of the council from the markets undertaking; or

(b) in meeting any extraordinary claim or demand at any time arising against the council in respect of that undertaking; or

- (c) in or towards the cost of providing, renewing, improving or extending any buildings, works, machinery, plant or conveniences of that undertaking, or otherwise for the benefit thereof;

and so that if the fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(3) Resort may be had to a reserve fund provided under this article although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

(4) Any income arising from the investment or use of the moneys in the reserve fund shall be carried to and form part of the general rate fund of the council, and an amount equivalent to such income shall be credited to the reserve fund.

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