



Ministry of Housing and Local Government Provisional Orders Confirmation (Blackpool and Stourbridge) Act 1968

CHAPTER xxii

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ELIZABETH II



1968 CHAPTER xxii

An Act to confirm Provisional Orders of the Minister of Housing and Local Government relating to the county borough of Blackpool and the borough of Stourbridge. [26th July 1968]

WHEREAS under the provisions of one or more of the Public Health Act 1875, the Public Health Act 1936 and the Food and Drugs Act 1955 the Minister of Housing and Local Government has made the Provisional Orders set forth in the schedule hereto which need confirmation by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, 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 Housing and Local Government which are set out in the Schedule to this Act are hereby confirmed and shall have full validity and force. Confirmation of orders in schedule.
2. This Act may be cited as the Ministry of Housing and Local Government Provisional Orders Confirmation (Blackpool and Stourbridge) Act 1968. Short title.

Section 1.

SCHEDULE

COUNTY BOROUGH OF BLACKPOOL

PROVISIONAL ORDER AMENDING A LOCAL ACT

1901 c. cxxviii.
1924 c. lxxiii.

WHEREAS section 46 of the Blackpool Improvement Act 1901 amended by article 4 of the Blackpool Order 1924 as confirmed by the Ministry of Health Provisional Orders Confirmation (No. 7) 1924 by the substitution of a new subsection for subsection (4) of said section ;

S.I. 1966/563.

And whereas the said article 4 was repealed by article 2(1) of Part I of the Schedule to the Building Regulations (Local Enactment Order 1966 ;

And whereas the said section 46 was not repealed by the said order of 1966 :

1875 c. 55.

Now therefore the Minister of Housing and Local Government, in pursuance of the application of the mayor, aldermen and burgesses of the county borough of Blackpool acting by the council and in exercise 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 makes the following order :—

Citation and commencement.

1. This order may be cited as the Blackpool Order 1968, and shall come into operation on the date of the Act of Parliament confirming it.

Insertion of provision in local Act.

2. In section 46 of the Blackpool Improvement Act 1901 (which relates to any temporary or movable building or structure), in substitution for subsection (4) as originally enacted, there shall be inserted the following subsection :—

“(4) If any such building or structure is commenced erected or set up without such application accompanied by such plan section and specification or after the disapproval of the Corporation or before the expiration of the said fourteen days without such approval or is in any respect not in conformity with any condition attached by the Corporation to their approval or if such building or structure is not removed within the period allowed by the Corporation or any prolongation thereof the person who commenced erected or set up the same or if any such building or structure is not removed within the period allowed by the Corporation or any prolongation thereof the owner or occupier thereof shall for every such offence be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding a like amount and the Corporation may cause the building or structure to be pulled down or removed and any expense incurred by them in and about such pulling down or removal may at their discretion be recovered summarily as a civil debt from the owner of the building or structure or from the person erecting or setting up the same or from the occupier thereof.

Where any such building or structure is pulled down or removed by the Corporation then unless the expenses incurred by the Corporation be repaid to them within fourteen days after

such pulling down or removal the Corporation may sell the materials as they may think proper and shall apply the proceeds of the sale in or towards the payment of the expenses incurred by them in relation to the pulling down or removal and shall pay any balance to the owner of the building or structure."

BOROUGH OF STOURBRIDGE

PROVISIONAL ORDER AMENDING A LOCAL ACT

The Minister of Housing and Local Government, on the application of the mayor, aldermen and burgesses of the borough of Stourbridge acting by the council and in exercise of his powers under section 303 of the Public Health Act 1875, section 317 of the Public Health Act 1875 c. 55. 1936 and section 131 of the Food and Drugs Act 1955 and of all 1936 c. 49. other powers enabling him in that behalf, hereby makes the following 1955 c. 16 (4 & 5 Eliz. 2). order:—

1. This order may be cited as the Stourbridge Order 1968, and shall come into operation on the date of the Act of Parliament confirming it. Citation and commencement.

2. In this order—

Interpretation.

"the Act of 1866" means the Stourbridge Improvement Act 1866 c. clxix. 1866;

"the borough" means the borough of Stourbridge;

"the Corporation" means the mayor, aldermen and burgesses of the borough acting by the council; and

"the Minister" means the Minister of Housing and Local Government.

3. The Corporation may, with the approval of the Minister, from time to time alter or add to the tolls, stallages, rents or sums specified in Schedule (B.) to the Act of 1866 in respect of the markets of the Corporation and any such altered tolls, stallages, rents or sums shall, as from the date on which they come into operation, be substituted for the corresponding tolls, stallages, rents or sums payable under the said Schedule (B.) as so altered. Market tolls, stallages and rents.

(1) The Minister may cause such local inquiry to be held as he may consider necessary for the purpose of any of his functions under this order. Local inquiries.

(2) Subsections (2) to (5) of section 290 of the Local Government Act 1933 (which relate to the giving of evidence at inquiries and the payment of costs) shall apply to inquiries held under this article. 1933 c. 51.

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