

[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxxi.]
Provisional Orders Confirmation (Bristol and Leicester)
Act, 1931.



CHAPTER lxxxi.

An Act to confirm certain Provisional Orders of A.D. 1931.
the Minister of Health relating to Bristol —
and Leicester. [31st July 1931.]

WHEREAS under the provisions of the Public 38 & 39 Vict.
Health Act 1875 the Minister of Health has made c. 55.
certain provisional orders which need confirmation by
Parliament:

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 Orders in
set out in the schedule to this Act are hereby confirmed schedule
and shall have full validity and force. confirmed.

2. This Act may be cited as the Ministry of Health Short title.
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SCHEDULE.

CITY OF BRISTOL.

*Bristol
Order.*

Provisional Order altering a local Act.

WHEREAS the city of Bristol is an urban district of which the lord mayor aldermen and burgesses acting by the council are the local authority for the purposes of the Public Health Act 1875;

And whereas a part of certain land known as Durdham Down is by virtue of the Clifton and Durdham Downs (Bristol) Act 1861 and a deed of conveyance made in pursuance thereof vested in the corporation and that land and a part of other land known as Clifton Down are managed and regulated as in that Act provided as a place of public resort and recreation;

And whereas a committee called the Downs Committee consisting of members of the council of the city and members of the Society of Merchant Venturers of the City of Bristol is under section 10 of the said Act constituted for the management of the Downs and is by section 11 of the Act empowered (inter alia) to inclose parts of the Downs for ornamental purposes only and to appropriate portions of the Downs for particular purposes of recreation or exercise;

And whereas the corporation have applied to the Minister of Health for the issue of a provisional order to alter or amend the Act of 1861 in the manner following :

Now therefore the Minister of Health in pursuance of the powers given to him by section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows :—

Short title
and com-
mencement.

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

Interpreta-
tion.

2. In this order—

“ the Act of 1861 ” means the Clifton and Durdham Downs (Bristol) Act 1861;

“ the corporation ” means the lord mayor aldermen and burgesses of the city of Bristol acting by the council;

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“ the deposited plans ” means the plans which were deposited for the purposes of this order in the office of the Minister of Health on the twentieth day of January nineteen hundred and thirty-one and of which duplicates were on the same day deposited in the office of the Clerk of Parliaments House of Lords and in the Committee and Private Bill Office of the House of Commons.

A.D. 1931.
 —
Bristol
Order.

3.—(1) The powers conferred by section 11 of the Act of 1861 on the Downs Committee constituted under section 10 of that Act shall be deemed to include power to appropriate the piece of land forming part of Durdham Down having an area of six hundred square yards or thereabouts which is delineated on the deposited plans and thereon coloured pink for the purposes of the provision of dressing-rooms with washing facilities and sanitary conveniences for the use of persons engaging in games recreation and exercise on Clifton Down and Durdham Down and to inclose such land so far as may be necessary for those purposes.

Provision of
 dressing
 accommoda-
 tion on
 Durdham
 Down.

(2) The corporation may on the part of Durdham Down so appropriated erect provide and maintain for the purposes aforesaid a building or buildings together with all suitable furniture fittings and conveniences and may from time to time alter enlarge and improve the same.

(3) The corporation may make reasonable charges for the use of such building furniture fittings and conveniences and the income arising from such charges shall be applied by the corporation in or towards the expenses incurred by them in connection with their powers under this order.

4.—(1) Section 5 of the Act of 1861 (which enables the corporation to make byelaws for regulating Clifton Down and Durdham Down) shall be deemed to include power to make subject to the provisions of that section byelaws for regulating the use of the building furniture fittings and conveniences provided under this order.

Byelaws.

(2) Section 7 of the Act of 1861 (which makes provision for the detention of offenders) shall not apply to any byelaws made in pursuance of this section but the corporation may by such byelaws provide for the removal from the building provided under this order of any person infringing any such byelaw by any officer of the corporation or constable.

5. Subject to the provisions of this order subsection (2) of section 36 and sections 37 to 40 of the Bristol Corporation (No. 1) Act 1930 (which relate to the borrowing of money with the consent of the Minister of Health and to the defraying of expenses) shall

Borrowing
 and
 expenses.

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A.D. 1931. have effect for the purposes of this order as if the purposes
provisions and powers of this order were purposes provisions
and powers of that Act.

—
Bristol
Order.

Effect of
this order.

6. The provisions of this order shall have effect notwith-
standing anything in the Act of 1861.

CITY OF LEICESTER.

Leicester
(Waterworks)
Order.

Provisional Order amending the Derwent Valley
Water Act 1899.

WHEREAS the city of Leicester 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 unrepealed provisions of the Derwent Valley Water Act
1899 are in force in the city;

And whereas by section 145 of the local Act of 1899 the
corporation of Leicester were authorised to construct inter alia
a reservoir therein referred to as “ (Work No. 11) Stoughton
Service Reservoir ” in the situation and lines and according to the
levels therein mentioned;

And whereas the corporation have applied to the Minister of
Health for the issue of a provisional order to amend the local Act
in the manner following :

Now therefore the Minister of Health in pursuance of the
powers given to him by section 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 Leicester (Waterworks)
Order 1931 and shall come into operation on the date of the Act
of Parliament confirming it.

Interpre-
tation.

2. In this order—

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

“ the local Act ” means the Derwent Valley Water Act
1899;

“ the plan deposited for this order ” means the plan which
was deposited for the purposes of this order in the
office of the Minister of Health on the seventh day of
May nineteen hundred and thirty-one and of which

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duplicates were on the same day deposited in the office of the Clerk of Parliaments House of Lords and in the Committee and Private Bill Office of the House of Commons;

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Order.

“ Work No. 7 ” means (Work No. 7) line of pipes number 2 described in section 145 of the local Act;

“ Work No. 11 ” means (Work No. 11) Stoughton service reservoir described in section 145 of the local Act;

“ Work No. 12 ” means (Work No. 12) Stoughton overflow described in section 145 of the local Act;

“ Work No. 1 ” means the Work No. 1 authorised by this order; and

“ Work No. 2 ” means the Work No. 2 authorised by this order.

3.—(1) Work No. 11 shall not be constructed by the corporation and in section 145 of the local Act the words from “ (Work No. 11) ” to “ Number XXXVIII. 5 ” are hereby repealed.

Alteration of
 reservoir
 authorised
 by local
 Act.

(2) In lieu of the work mentioned in subsection (1) of this section the corporation may upon the land and in the situation shown coloured pink on the plan deposited for this order construct and maintain a service reservoir in the township of Stoughton in the rural district of Billesdon in the county of Leicester situated in the enclosure numbered 122 on the $\frac{1}{2500}$ Leicestershire Ordnance map (1904) number XXXVIII. 1.

4.—(1) The corporation may upon the lands and in the situation and lines shown on the plan deposited for this order construct and maintain the following works in the township of Stoughton aforesaid (that is to say):—

Conse-
 quential
 alterations
 of Work
 No. 7 and
 Work No. 12.

Work No. 1 An aqueduct consisting of one or more lines of pipes commencing in Work No. 7 at a point in Gartree Road opposite the reservoir by this order authorised and terminating in that reservoir;

Work No. 2 A line of pipes commencing in Work No. 12 at a point in Gartree Road opposite the reservoir by this order authorised and terminating in that reservoir.

(2) The works authorised by this section are by this order authorised in lieu of the parts of Work No. 7 and Work No. 12 which the corporation were by the local Act empowered to construct to the south-east of the points of commencement of Work No. 1 and Work No. 2 respectively and those parts of Work No. 7 and Work No. 12 shall not be constructed by the corporation.

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Adaptation
of local Act
to altera-
tions
authorised
by this
order.

5. The provisions of the local Act so far as they relate to Work No. 11 and the parts of Work No. 7 and Work No. 12 in lieu of which Work No. 1 and Work No. 2 are authorised shall apply and have effect with reference to the reservoir authorised by this order to Work No. 1 and to Work No. 2 as if that reservoir and Work No. 1 and Work No. 2 were substituted in section 145 of the local Act for Work No. 11 and the said parts of Work No. 7 and Work No. 12 respectively and for that purpose references in the local Act to the Leicester plans shall subject to the provisions of this order be construed as references in the case of the reservoir authorised by this order to the plan deposited for this order and in the case of Work No. 1 and Work No. 2 to the Leicester plans referred to in the local Act as modified by the plan deposited for this order :

Provided that in the application of section 146 of the local Act to the works authorised by this order the expression " limits of deviation " shall be construed as a reference to the limits defined on the plan deposited for this order by a green dotted line.

Borrowing
powers.

6. The works authorised by this order shall for the purpose of the proviso to section 31 of the Leicester Corporation Act 1921 be deemed to be works which the Corporation may execute in substitution for but being of the same character as works described in and authorised by the local Act.

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