

11 & 12 GEO. 6.

*Ministry of Health  
Provisional Order Confirmation  
(Macclesfield) Act, 1948.*

Ch. xxix.



CHAPTER xxix.

An Act to confirm a Provisional Order of the Minister of Health relating to the borough of Macclesfield.

[30th July 1948.]

**W**HEREAS under the provisions of the Public Health Act 38 & 39 Vict. 1875 the Minister of Health has made a Provisional Order <sup>c. 55.</sup> which needs 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 Order of the Minister of Health which is set out in the Order in schedule to this Act is hereby confirmed and shall have full <sup>schedule con-</sup> validity and force. <sub>firm.</sub>

2. This Act may be cited as the Ministry of Health Provisional Short title. Order Confirmation (Macclesfield) Act 1948.

## SCHEDULE.

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### BOROUGH OF MACCLESFIELD.

#### *Provisional Order altering a local Act.*

WHEREAS the mayor aldermen and burgesses of the borough of Macclesfield acting by the council (in this order called "the corporation") are the local authority for the purposes of the Public Health Act 1875:

And whereas under various powers conferred on them the Corporation have established and hold markets and fairs in the said borough:

And whereas by section 41 of the Macclesfield Borough Waterworks Act 1849 (in this order called "the local Act") the Corporation are empowered from time to time to demand and take from any person occupying or using any ground building stall stand shamble pen or place in any existing or future place for holding any market or fair or bringing into any such market or fair any cattle or animals or other marketable commodities articles matters or things specified in the schedule to the local Act such stallages rents payments and tolls as the Corporation shall from time to time appoint not exceeding the stallages rents payments and tolls specified in the said schedule and the Corporation are desirous of substituting new stallages rents payments and tolls for the stallages rents payments and tolls specified as aforesaid:

And whereas the Corporation have applied to the Minister of Health (in this Order called "the Minister") for the issue of a Provisional Order to alter the local Act for the purposes aforesaid:

Now therefore the Minister 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 commencement. 1. This Order may be cited as the Macclesfield Order 1948 and shall come into operation on the date of the Act of Parliament confirming it.

Alteration of tolls. 2.—(1) The schedule to the local Act shall be amended as follows:—

(a) the words in the said schedule from "And for the following articles" to "Where exceeding 90 feet in depth per foot . . . 10s. 0" shall be repealed;

(b) where in the said schedule a daily toll stallage or payment per superficial foot is authorised to be taken there shall be substituted the following:—

For stalls provided with framework to take a cover	1½d. per superficial foot.
For flat stalls comprising boards and trestles ...	1¼d. per superficial foot.
For uncovered space on the surface of the ground ...	1d. per superficial foot.

(c) under the heading "Tolls to be taken in the cattle market and fair" the following shall be substituted for the last four items:—

	s.	d.
For every bull ox cow heifer or steer ...	0	4
For every calf ... ..	0	2
For every score of sheep or lambs ... ..	3	4
For every score of pigs ... ..	3	4

(2) The Corporation may with the sanction of the Secretary of State from time to time alter or add to the tolls mentioned in the said schedule as amended by this order and any such altered tolls shall as from the date on which they come into operation be substituted for the corresponding tolls respectively payable under the said schedule.

3.—(1) The corporation may (if they think fit) provide a reserve fund in respect of the markets undertaking by setting aside such an amount as they may from time to time think reasonable and investing the same in statutory securities and accumulating the same until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation in respect of the undertaking which fund shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for the payment of the cost of renewing any part of the buildings or works forming part thereof or for any extension of the said buildings or works or otherwise for the benefit of the undertaking and so that if that 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.

Reserve fund for markets undertaking.

(2) Resort may be had to a reserve fund under the foregoing provisions although such fund may not at any time have reached or may have been reduced below the prescribed maximum.

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