



CHAPTER lxxvi.

An Act to confirm a Provisional Order of the Minister of Health relating to the City of Norwich. A.D. 1935.
[2nd August 1935.]

WHEREAS under the provisions of the Public Health Act 1875 the Minister of Health has made a Provisional Order which needs confirmation by Parliament : 38 & 39 Vict. c. 55.

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 schedule to this Act is hereby confirmed and shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Norwich) Act 1935. Short title.

A.D. 1935.

SCHEDULE.

*Norwich
Order.*

CITY OF NORWICH.

Provisional order amending certain local Acts.

WHEREAS the lord mayor aldermen and citizens of the city of Norwich acting by the council (in this order called "the corporation") carry on a water undertaking in pursuance of the Norwich Corporation Act 1920 and the Norwich Corporation Act 1933 and supply water within certain limits ;

And whereas the corporation have applied to the Minister of Health for a provisional order to amend the said local Acts 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 Norwich Order 1935 and shall come into operation on the date of the Act of Parliament confirming it.

Interpreta-
tion.

2. In this order unless the context otherwise requires—

" the added areas " means the areas added by this order to the water limits ;

" the appointed day " means the date on which this order comes into operation ;

" the local Acts " means the Norwich Corporation Acts 1920 and 1933 ;

" the Minister " means the Minister of Health ;

" the rural council " means the rural district council of Forehoe and Henstead ; and

" the water limits " means the limits within which the corporation are authorised to supply water by the Norwich Corporation Act 1920.

[25 & 26 GEO. 5.] *Ministry of Health* [Ch. lxxvi.]
Provisional Order Confirmation (Norwich) Act, 1935.

3.—(1) The water limits shall be extended so as to include the areas specified in the schedule to this order. A.D. 1935.

(2) Subject to the provisions of this order the corporation for the purposes of the supply of water within the added areas may exercise the powers which they are authorised to exercise by the local Acts and shall be subject to the obligations to which they are subject under the local Acts. *Norwich Order.* Extension of existing water limits.

(3) The provisions of the local Acts shall subject to such modifications as may be necessary extend to the added areas.

4.—(1) If after the expiration of five years from the appointed day the corporation are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of the local Acts to any parish or part of a parish by this order included within the limits of supply the council of the rural district in which the parish or part of a parish is comprised may provide a supply in accordance with the provisions of the Public Health Act 1875. Power of council to supply water if corporation fail to supply.

(2) If any difference shall arise between the corporation and the council of a rural district as to the sufficiency of the supply of water by the corporation to any part of the added areas that difference shall be settled by an arbitrator to be appointed on the application of either party by the Minister.

5. Section 31 of the Norwich Corporation Act 1920 shall have effect in its application to the added areas as if in subsection (1) of that section the word "ten" were substituted for the words "seven and a half." Charges for supply of water in added areas.

6. At any time after the first day of April nineteen hundred and thirty-eight the Minister may if he thinks fit from time to time on the application of the corporation or of the council of any rural district having jurisdiction within the added areas by order vary either by way of increase or decrease the maximum rates and charges for the supply of water in the added areas which the corporation are authorised to charge: Revision of water rates and charges.

Provided that in the absence of exceptional reasons the Minister shall not alter the maximum rates and charges more often than once in any period of five years.

7. As from the appointed day the waterworks provided by the rural council under the Public Health Act 1875 in the parish of Costessey and any rights in connection therewith shall be transferred to and vested in the corporation for the purposes of their water undertaking and the corporation may use and employ the same for the purpose of taking intercepting impounding and supplying water. Transfer of waterworks.

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Provisional Order Confirmation (Norwich) Act, 1935.

A.D. 1935.

—
*Norwich
Order.*

Transfer of
outstanding
loan.

8.—(1) The liability for the repayment of so much of the sum of seven hundred and twenty-five pounds borrowed by the rural council under a sanction of the Minister dated the thirteenth day of July nineteen hundred and twenty-eight for the purpose of the provision of the waterworks mentioned in section 7 of this order and for the costs and expenses incurred in such borrowing as immediately before the appointed day is lawfully owing and for the payment of interest thereon shall by virtue of this order be transferred to and attached to the corporation as from the appointed day :

Provided that the corporation shall not be liable to repay any part of the said sum of seven hundred and twenty-five pounds or interest thereon which shall have accrued due prior to the appointed day.

(2) So much of the sum borrowed by the rural council as aforesaid as immediately before the appointed day is owing and charged upon funds or rates of the rural council shall be charged upon the revenues of the corporation.

(3) The borrowed money to which this section applies shall together with the interest to accrue due thereon be repaid by the corporation within the respective periods for which the loans in respect of which the borrowed money is owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

(4) Any mortgage which has been granted by the rural council in respect of the borrowed money the liability for the repayment of which is transferred to the corporation by this section shall henceforward take effect in all respects as a mortgage by the corporation of their revenues to secure so much of the debt as is transferred and the interest thereon.

Purchase of
additional
waterworks
by agree-
ment.

9. In addition to the waterworks mentioned in section 7 of this order the corporation may by agreement purchase take on lease acquire and hold such further waterworks in use on the appointed day in the parish of Costessey as they may require for the purposes of their water undertaking and may use and employ the same for the purpose of taking intercepting impounding and supplying water.