

Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act, 1958

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CHAPTER xxxix

An Act to authorise the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Joint Committee to construct additional waterworks and to acquire lands to confer further powers upon the Committee and for other purposes. [23rd July 1958.]

WHEREAS—

(1) By the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Acts and Orders 1870 to 1954 the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Joint Committee (hereinafter referred to as "the Committee") are authorised to construct certain waterworks and to supply water within an area in the county palatine of Lancaster in the county palatine of Chester and in the county of York including the boroughs of Ashton-under-Lyne Stalybridge Dukinfield and Mossley the urban district of Audenshaw and parts of the borough of Oldham and the urban districts of Saddleworth Droylsden and Failsworth:

(2) With a view to ensuring that the Committee shall be and continue to be in a position to meet the demands made upon them for the supply of water it is expedient that the Committee should be empowered to construct the new works described in this Act and to abstract water by means thereof and to acquire lands for the purpose thereof:

(3) By section 26 (Compensation water in respect of Greenfield Brook) of the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1870 (hereinafter referred to as "the Act of 1870") the Committee are required to discharge into the

Greenfield Brook at some convenient point within one hundred yards down its course from the foot of the embankment of the Yeoman Hey Reservoir authorised by that Act two hundred and seven cubic feet of water per minute on the days and during the hours in that Act mentioned:

(4) By section 27 (Compensation water as to Chew Brook) of the Act of 1870 the Committee are required to discharge into the Greenfield Brook at the said point below the Yeoman Hey Reservoir one hundred and forty-seven cubic feet of water per minute on the days and during the hours in that Act mentioned and by section 28 (Further compensation water as to Chew Brook) of the Act of 1870 the Committee are required to discharge into the said Greenfield Brook at the said point below the Yeoman Hey Reservoir a further one hundred and fifty-nine cubic feet of water per minute on the days and during the hours therein mentioned:

(5) The provisions of the said section 28 of the Act of 1870 have not been implemented by the Committee and having regard to the works proposed to be constructed as in this Act described it is expedient that the obligations of the Committee in regard to the discharge of compensation water into the Greenfield Brook should be varied as mentioned in this Act:

(6) Estimates have been prepared for the purpose hereinafter mentioned and such estimates are as follows:—

For the construction of the works authorised	
by this Act	£1,585,000

(7) The works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years:

(8) It is expedient to empower the corporations of Ashton-under-Lyne Stalybridge Dukinfield and Mossley and the urban district council of Audenshaw to borrow moneys for the said purpose as provided by this Act:

(9) It is expedient that the other powers contained in this Act should be conferred and that the other provisions of this Act should be enacted:

(10) The objects of this Act cannot be attained without the authority of Parliament:

(11) Plans and sections showing the lines situations and levels of the works authorised by this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act have been duly deposited with the clerk of the county council of the administrative county of the West Riding

of the county of York which plans sections and book of reference are in this Act respectively referred to as the deposited plans the deposited sections and the deposited book of reference:

May it therefore please Your Majesty that it may be enacted and be it 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:—

PART I

PRELIMINARY

1.—(1) This Act may be cited as the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1958. Short and collective titles.

(2) The Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Acts 1870 to 1931 and this Act may be cited together as the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Acts 1870 to 1958.

(3) The Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Acts and Orders 1870 to 1954 and this Act may be cited together as the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Acts and Orders 1870 to 1958.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Works.

Part III.—Lands.

Part IV.—Supply of water.

Part V.—Financial provisions.

Part VI.—Miscellaneous.

Division of Act into Parts.

3. The following enactments (so far as the same are applicable for the purposes of and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act:— Incorporation of Acts.

(1) The Lands Clauses Acts with the following exceptions and modifications:—

(a) Section 92 sections 127 to 133 and sections 150 and 151 of the Lands Clauses Consolidation Act 1845 and section 5 of the Lands Clauses Consolidation Acts Amendment Act 1860 are not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be sufficient without the addition of the sureties mentioned in that section;

PART I
—cont.

(c) The expression “the promoters of the undertaking” shall be construed to mean the Committee:

- (2) Section 16 of the Railways Clauses Consolidation Act 1845 and the provisions of that Act with respect to the temporary occupation of lands near the railway during the construction thereof:

Provided that—

(a) for the purposes of the said provisions the expression “the railway” shall be construed to mean the works authorised by this Act the expression “the centre of the railway” shall be construed to mean the centre line of the dam of the Dove Stone Reservoir (Work No. 1) and the expression “the company” shall be construed to mean the Committee;

(b) any electrical works or apparatus erected or constructed under the said section 16 (as incorporated by this section) shall be so erected or constructed and so maintained and used as to prevent interference with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line:

- (3) Section 2 of the Third Schedule to the Water Act 1945 in addition to the provisions of the said Third Schedule applied to the undertaking generally and incorporated by section 28 (Incorporation of provisions of Third Schedule to Water Act 1945) of this Act:

Provided that the said section 2 as so incorporated shall have effect as if for the words “the plans submitted to the Minister” there were substituted the words “the deposited plans” and for the words “the said plans” there were substituted the words “the deposited sections”.

Interpretation. 4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Third Schedule to the Water Act 1945 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

(2) In this Act unless the subject or context otherwise requires the following expressions have the meanings hereby respectively assigned to them:—

“the combining authorities” means the respective mayors aldermen and burgesses of the boroughs of Ashton-under-Lyne Stalybridge Dukinfield and Mossley and the urban district council of Audenshaw;

“ the Committee ” means the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Joint Committee;

“ enactment ” includes any enactment in this Act or in the Third Schedule to the Water Act 1945 or in any general or local Act and any order byelaw or regulation from time to time in force within the limits within which the Committee are for the time being authorised to supply water;

“ the existing reservoirs ” means the existing reservoirs of the Committee known as the Chew Reservoir the Yeoman Hey Reservoir and the Greenfield Reservoir respectively;

“ the Lands Clauses Acts ” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 by Part V of the Town and Country Planning Act 1947 by the Lands Tribunal Act 1949 by the Town and Country Planning Act 1954 and by this Act;

“ magistrates’ court ” has the same meaning as in the Magistrates’ Courts Act 1952;

“ the Minister ” means the Minister of Housing and Local Government;

“ the tribunal ” means the Lands Tribunal;

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

“ the urban district ” means the urban district of Saddleworth;

“ the undertaking ” means the undertaking for the time being of the Committee;

“ the West Riding ” and “ the West Riding Council ” mean respectively the administrative county of the West Riding of the county of York and the county council of that county;

and any Act included in the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Acts 1870 to 1931 is referred to in this Act as the Act of the year in which it was passed by Parliament.

(3) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

(4) Unless the context otherwise requires any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Act.

PART II

WORKS

Power to
construct
works.

5.—(1) Subject to the provisions of this Act the Committee may make and maintain in the lines and situations and according to the levels shown on the deposited plans and sections and upon the lands delineated on those plans and described in the deposited book of reference the following works in the urban district:—

Work No. 1 An impounding reservoir (to be called “the Dove Stone Reservoir”) to be formed by means of an embankment or dam across the Greenfield Brook and the Chew Brook (at or near the confluence thereof) commencing in the enclosure numbered 47 on the 1/2500 Ordnance map of Yorkshire (West Riding) sheet CCLXXI.14 (edition of 1932) and terminating in the enclosures numbered 11 and 84 on the same sheet;

Work No. 2 A pumping station to be situate at or near the downstream foot of the embankment forming the reservoir (Work No. 1) and a delivery main therefrom terminating at the embankment of the Yeoman Hey Reservoir of the Committee in enclosure numbered 998 on the 1/2500 Ordnance map of Yorkshire (West Riding) sheet CCLXXI.10 (edition of 1932);

Work No. 3 An aqueduct or line or lines of pipes (being a diversion of an existing aqueduct or line or lines of pipes of the Committee) commencing by a junction with the said existing lines of pipes in enclosure numbered 61 on the Ordnance map of Yorkshire (West Riding) sheet CCLXXI.10 (edition of 1932) and terminating by a junction with the said existing lines of pipes in enclosure numbered 40 on the 1/2500 Ordnance map of Yorkshire (West Riding) sheet CCLXXI.14 (edition of 1932);

Work No. 4 A road diversion commencing by a junction with the road known as Bank Lane in enclosure numbered 40 on the 1/2500 Ordnance map of Yorkshire (West Riding) sheet CCLXXI.14 (edition of 1932) and terminating by a junction with the road known as Bradbury’s Lane in enclosure numbered 21 on the same sheet.

(2) The road diversion (Work No. 4) shall upon the completion thereof be a road repairable by the inhabitants at large.

Period for
completion
of works.

6. If the works authorised by this Act and shown upon the deposited plans and sections are not completed within a period of fifteen years from the passing of this Act then as from the expiration of that period the powers granted by this Act for the

making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed:

PART II
—cont.

Provided that subject to the provisions of this Act the Committee may extend enlarge alter reconstruct renew or remove any of the said works (with the exception of Work No. 4) as and when occasion may require.

7.—(1) The Committee may stop up the public highways or portions thereof in the urban district shown on the deposited plans as intended to be stopped up and thereupon all rights of way over or along the said highways or portions thereof shall be extinguished: Power to stop up highways.

Provided that such highways or portions thereof shall not be stopped up (except temporarily under section 8 (Temporary stoppage of highways) of this Act) unless the Committee are owners in possession of all lands on both sides thereof except so far as the owners lessees and occupiers of those lands otherwise agree.

(2) Notwithstanding anything in subsection (1) of this section the Committee shall not stop up (except temporarily under the said section 8)—

(a) the public highway between the points marked "A" and "B" and "B" and "C" on the deposited plans until the substituted footpath between the points marked "A" and "C" on the deposited plans has been constructed and is properly completed;

(b) the public highway between the points marked "D" and "E" and "E" and "F" on the deposited plans until the substituted footpath between the points marked "D" and "F" on the deposited plans has been constructed and is properly completed.

(3) In this section the expression "properly completed" means completed to the satisfaction of the highway authority responsible for the maintenance of the existing public highway and open for public use or in case of difference between the Committee and the highway authority completed to the satisfaction of the Minister of Transport and Civil Aviation and open for public use.

8.—(1) The Committee during and for the purpose of the execution of the works authorised by this Act may temporarily stop up divert and interfere with any public highway and may for any reasonable time divert the traffic therefrom and prevent all persons other than those bona fide going to or from any land house or building approached from such highway from passing along and using the same. Temporary stoppage of highways.

PART II
—cont.

(2) The Committee shall provide reasonable access for foot-passengers bona fide going to or from any such land house or building.

(3) The exercise by the Committee of the powers conferred by this section in relation to any highway shall not prejudice or affect the right of the Postmaster-General—

(a) to maintain inspect repair renew or remove any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by him which may for the time being be under in upon over along or across that highway; or

(b) for the purpose of such maintenance inspection repair renewal or removal to enter upon or break open that highway.

(4) The Committee shall not exercise the powers of subsection (1) of this section without the consent of the highway authority but such consent shall not be unreasonably withheld and any question whether such consent is or is not unreasonably withheld shall be determined by the Minister of Transport and Civil Aviation.

Works to
form part of
undertaking.

9. The works authorised by this Act (except the road diversion (Work No. 4)) shall for all purposes be deemed part of the undertaking.

For protection
of West
Riding County
Council and
Saddleworth
Urban District
Council.

10. For the protection of the West Riding Council and the urban council the following provisions shall unless otherwise agreed in writing between the West Riding Council or the urban council (as the case may be) and the Committee apply and have effect:—

(1) In this section—

“ the county road ” means the portion of the county road known as the Greenfield and Shepley Lane Road county road (A.635) adjacent to the limits of deviation shown on the deposited plans;

“ the diversion ” means the road diversion (Work No. 4):

(2) The embankment or dam across the Greenfield Brook and the Chew Brook required for the purposes of the Dove Stone Reservoir (Work No. 1) shall be of earth construction:

(3) In constructing the Dove Stone Reservoir (Work No. 1) the Committee shall not interfere with the county road without the consent of the West Riding Council which consent shall not be unreasonably withheld and may be given on such conditions as the West Riding Council may reasonably impose:

- (4) If in the opinion of the West Riding Council it shall be reasonably necessary to carry out any protective works to maintain the stability of the county road in consequence of the construction of the Dove Stone Reservoir (Work No. 1) all expenses reasonably incurred by the West Riding Council in carrying out such protective works shall be repaid to them by the Committee:
- (5) (a) Not less than twenty-eight days before commencing to carry out the diversion the Committee shall submit to the urban council for their reasonable approval plans sections specifications and particulars of the works proposed;
(b) If the urban council do not within twenty-eight days after the submission to them of any such plans sections specifications and particulars intimate in writing to the Committee any objection thereto or make any requirement with reference thereto they shall be deemed to have approved thereof:
- (6) The Committee shall not carry out the diversion otherwise than in accordance with such plans sections specifications and particulars as may be so approved or if such approval be refused as may be settled by arbitration and the diversion shall be carried out in consultation with the surveyor of the urban council (if after reasonable notice from the Committee he shall choose to attend) and to his reasonable satisfaction:
- (7) If any difference arises between the West Riding Council or the urban council (as the case may be) and the Committee under the provisions of this section such difference shall be referred to and determined by an arbitrator to be agreed between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1950 shall apply to any such reference.

11. For the protection of the North Western Gas Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the Committee and the board apply and have effect:—

For protection of North Western Gas Board.

- (1) In this section unless the subject or context otherwise requires—

"apparatus" means pipes and other apparatus belonging to or maintained by the board and includes any works constructed for the lodging therein of apparatus;

“ in ” in a context referring to apparatus includes under over across along or upon;

“ position ” includes depth:

- (2) Notwithstanding anything in this Act or shown on the deposited plans the Committee shall not under the powers of this Act acquire compulsorily any apparatus situate in a highway:
- (3) Whenever by virtue of the provisions of section 5 (Power to construct works) and section 7 (Power to stop up highways) of this Act any highway or part of a highway in which any apparatus is situate is stopped up or diverted the board may and if reasonably so required by the Committee shall—
 - (i) remove the apparatus and relay or replace the same in the highway (if any) substituted for the highway or part of a highway so stopped up or diverted or in such other position as the board may reasonably determine; or
 - (ii) provide and lay or place other apparatus in such substituted highway or in such other position as aforesaid in lieu of such existing apparatus:
- (4) Whenever by reason or in consequence of the exercise by the Committee of the powers of the said sections 5 or 7 any apparatus (other than apparatus for which new apparatus has been substituted at the expense of the Committee under the provisions of this section) is rendered derelict useless or unnecessary the Committee shall pay to the board such a sum as may be agreed between the Committee and the board or as failing agreement between them may be determined by arbitration to be the value of the apparatus so rendered derelict useless or unnecessary and such apparatus shall upon such payment become the property of the Committee:
- (5) The Committee shall repay to the board the reasonable expense incurred by the board of or in connection with the removal and relaying or replacing of any apparatus and the provision and laying or placing of any new apparatus under the provisions of paragraph (3) of this section and the reasonable costs of and incidental to—
 - (i) the cutting off of any apparatus from any other apparatus; and
 - (ii) any other work or thing rendered reasonably necessary in consequence of any such operations as are referred to in this paragraph:

Provided that subsections (3) and (4) of section 23 of the Public Utilities Street Works Act 1950 (which imposes limitations on undertakers' rights to payment) shall so far as applicable extend and apply to any payment to be made by the Committee under this paragraph as if the works hereinbefore in this paragraph mentioned were such undertakers' works as are referred to in the said subsection (3) and as if in that subsection for the words " specified as so necessary in a specification of the works settled under Part I of the Fourth Schedule to this Act or agreed so to be by the promoting authority " there were substituted the words " agreed or settled by arbitration under section 11 (For protection of North Western Gas Board) of the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1958 ":

- (6) Notwithstanding the temporary stopping up diversion or interference with any highway under the powers of section 8 (Temporary stoppage of highways) of this Act the board their officers servants and agents shall be at liberty at all times to execute and do all such works and things in upon or under any such highway as may be necessary for inspecting repairing maintaining renewing or removing any apparatus:
- (7) (a) Any difference which may arise between the Committee and the board under this section shall be referred to and determined by an arbitrator to be agreed between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1950 shall apply to any such reference;
- (b) In settling any difference under this section the arbitrator shall have regard to any duty or obligation the board may be under in respect of any apparatus and may if he thinks fit require the Committee to execute any temporary or other works so as to avoid so far as may be reasonably possible interference with any purpose for which the apparatus is used.

12. For the protection of the board the following provisions shall unless otherwise agreed in writing between the Committee and the board apply and have effect:—

For protection of North Western Electricity Board.

- (1) In this section—

“ the board ” means the North Western Electricity Board;

PART II
—cont.

“ apparatus ” means electric lines or works (as respectively defined in the Electricity Supply Acts 1882 to 1936) belonging to or lawfully laid or erected by the board (not being apparatus in respect of which the relations between the Committee and the board are regulated by the provisions of Part III of the Public Utilities Street Works Act 1950);

“ adequate alternative apparatus ” means alternative apparatus adequate to enable the undertakers to fulfil their statutory functions in a manner not less efficient than previously;

“ in ” in a context referring to apparatus or alternative apparatus in land includes a reference to apparatus or alternative apparatus under over or upon land:

- (2) Notwithstanding anything in this Act or shown on the deposited plans the Committee shall not acquire any apparatus under the powers of this Act otherwise than by agreement:
- (3) If the Committee in the exercise of the powers of this Act acquire any interest in any lands in which any apparatus is placed—
 - (a) that apparatus shall not be removed under this section; and
 - (b) any right of the board to maintain repair renew or inspect that apparatus in those lands shall not be extinguished;until adequate alternative apparatus shall have been constructed with all reasonable dispatch and be in operation to the reasonable satisfaction of the board:
- (4) If the Committee for a purpose connected with the construction of any work authorised by this Act require the removal of any apparatus placed in or under any lands acquired held appropriated or used under this Act and shall give to the board written notice of such requirement or if in consequence of the exercise of any of the powers of this Act the board shall reasonably require to remove any apparatus the Committee shall afford to the board the necessary facilities and rights for the construction of alternative apparatus in other lands of the Committee and thereafter for the maintenance repair renewal and inspection of such apparatus:

Provided that if the alternative apparatus or any part thereof is to be constructed elsewhere than in other lands of the Committee and the Committee are unable to

afford such facilities and rights as aforesaid in the lands in which the alternative apparatus or such part thereof is to be constructed the board shall on receipt of a written notice to that effect from the Committee forthwith use their best endeavours to obtain the necessary facilities and rights in such last-mentioned lands:

PART II
—cont.

- (5) (a) Any alternative apparatus to be constructed in lands of the Committee in pursuance of this section shall be constructed in such manner and in such line or situation as may be agreed between the board and the Committee or in default of agreement settled by arbitration;
- (b) The board shall after the alternative apparatus to be provided or constructed shall have been agreed or settled by arbitration as aforesaid and after the grant to the board of any such facilities and rights as are referred to in the immediately preceding paragraph proceed with all reasonable dispatch to construct and bring into operation the alternative apparatus and thereafter to remove any apparatus required by the Committee to be removed under the provisions of this section:
- (6) Where in accordance with the provisions of this section the Committee afford to the board facilities and rights for the construction maintenance repair renewal and inspection in lands of the Committee of alternative apparatus in substitution for apparatus to be removed as aforesaid those facilities and rights shall be granted upon such terms and conditions as may be agreed between the Committee and the board or in default of agreement determined by arbitration:

Provided that if the facilities and rights to be afforded by the Committee in respect of any alternative apparatus and the terms and conditions subject to which the same are to be granted are in the opinion of the arbitrator less favourable on the whole to the board than the facilities and rights enjoyed by them in respect of the apparatus to be removed and the terms and conditions to which those facilities and rights are subject the arbitrator shall make such provision for the payment of compensation by the Committee to the board in respect thereof as shall appear to him to be reasonable having regard to all the circumstances of the particular case:

- (7) (a) The Committee shall pay to the board the costs charges and expenses reasonably incurred by the board in or in connection with the removal of any apparatus or the construction of any new apparatus that may be

PART II
—cont.

required in consequence of the execution by the Committee of the powers of this Act less the value of any apparatus removed in pursuance of the provisions of this section (such value being calculated after removal):

Provided that if the board construct apparatus of better type or of greater capacity than the existing apparatus of the board the board shall bear such proportion of the cost of such construction as represents the amount by which such cost exceeds the cost which would have been incurred if the type or capacity of the apparatus so constructed had been the same as those of the existing apparatus;

- (b) The Committee shall also make compensation to the board for any damage caused to any apparatus (other than apparatus the repair of which is not reasonably necessary in view of its intended removal in accordance with the provisions of this section) in consequence of the exercise by the Committee of the powers of this Act:
- (8) Nothing contained in section 8 (Temporary stoppage of highways) of this Act or done thereunder shall take away prejudice or affect any rights or powers of the board in or in relation to any apparatus in any highway affected by the exercise of any of the powers of that section and notwithstanding anything therein contained the board their officers engineers and workmen shall be at liberty at all times to execute and do all such works and things in upon or under any such highway as may be necessary for inspecting repairing maintaining renewing or removing any such apparatus:
- (9) Any difference arising between the Committee and the board under this section shall be referred to and determined by an arbitrator to be agreed between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1950 shall apply to any such reference.

Power to
take waters.

13. Subject to the provisions of this Act the Committee may collect intercept abstract impound take use divert and appropriate for the purposes of the undertaking the waters of the Chew Brook and the Greenfield Brook and such of the several feeders and tributaries thereof and other streams springs and waters as can be taken and intercepted by means of the existing reservoirs and the Dove Stone Reservoir (Work No. 1).

14.—(1) Notwithstanding the repeal of sections 26 to 34 of the Act of 1870 the following provisions shall have effect until the completion of the Dove Stone Reservoir (Work No. 1) and until the Committee shall commence to impound thereby the waters of any stream authorised to be impounded:—

PART II
—cont.

Compensation
water.

(a) The Committee shall continue to cause to flow and to be discharged into the Greenfield Brook the quantities of water provided for by section 26 (Compensation water in respect of Greenfield Brook) and section 27 (Compensation water as to Chew Brook) respectively of the Act of 1870:

Provided that such quantities of water as aforesaid (which amount to one million two hundred and fifty thousand gallons per day) shall from the passing of this Act be discharged during every day of twenty-four hours reckoned from midnight in a uniform and continuous flow and for the purposes of gauging such discharge the Committee shall maintain in good order the existing gauge constructed by them in pursuance of section 31 (Gauges to be erected) of the Act of 1870;

(b) The Committee shall be entitled to take from any stream to be impounded by the Dove Stone Reservoir (Work No. 1) such water as they may require:

Provided that before taking any water from any such stream under the provisions of this paragraph the Committee shall on an approved site on the Chew Brook at or near the confluence of the Greenfield Brook and the Chew Brook construct an approved automatically recording gauge to gauge the flow of the Chew Brook and while the flow of water through or over the gauge is less than the prescribed flow they shall not take any water under the provisions of this paragraph.

(2) The provisions of section 10 of the Third Schedule to the Water Act 1945 are hereby incorporated with this section and shall apply (in addition to the provisions of the said Third Schedule applied to the undertaking generally and incorporated by section 28 (Incorporation of provisions of Third Schedule to Water Act 1945) of this Act) subject to the following modifications:—

(a) subsections (1) (3) and (6) shall be omitted;

(b) in paragraph (a) of subsection (4) after the word "aforesaid" there shall be inserted the words "or as is referred to in subsection (1) of section 14 (Compensation water) of the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1958";

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PART II
—cont.

(c) in paragraph (b) of subsection (4) for the words “ subsection (1) or subsection (3) of this section ” there shall be substituted the words “ section 14 (Compensation water) of the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1958 ”.

(3) (a) The prescribed flow for the purposes of subsection (1) of this section shall be one hundred and forty-five thousand eight hundred gallons per hour.

(b) The prescribed quantity of compensation water to be discharged into the Chew Brook for the purposes of subsection (2) of section 10 of the Third Schedule to the Water Act 1945 shall be three million gallons.

(c) The prescribed limits for the purposes of the said subsection (2) shall be the confluence of the Greenfield Brook and the Chew Brook and a point two hundred yards downstream thereof.

(4) The provisions of this section shall be accepted and taken by all persons interested as full compensation for all water which the Committee can collect intercept abstract impound take use divert or appropriate by means of the existing reservoirs and by means of the Dove Stone Reservoir (Work No. 1) or by means of the works authorised by the Act of 1870 or otherwise except in respect of any lands situate between the foot of the embankment of the Dove Stone Reservoir (Work No. 1) and the point of discharge approved for the purposes of subsection (2) of section 10 of the Third Schedule to the Water Act 1945 as incorporated by this section.

For protection
of Robert
Fletcher & Son
Limited.

15. For the protection of Robert Fletcher & Son Limited their successors and assigns (in this section referred to as “ the company ”) the following provisions shall unless otherwise agreed between the company and the Committee apply and have effect:—

(1) In this section—

“ the signed plan ” means the plan signed in quadruplicate by the Right Honourable the Lord Saltoun the chairman of the committee of the House of Lords to whom the Bill for this Act was referred of which plan one copy has been deposited in the office of the Clerk of the Parliaments in the House of Lords one copy in the Private Bill Office of the House of Commons one copy at the principal office of the Committee and one copy at the registered office of the company;

“ Worthington Springs ” means the springs and other waters situated in or upon the lands shown hatched pink and hatched green on the signed plan:

also give notice of such intention by advertisement in a newspaper circulating in the district in which such dipping or washing place is situate and shall also provide and maintain in the nearest convenient and available situation another suitable dipping or washing place and also a suitable folding place in the vicinity thereof.

PART II
—cont.

(2) Any person aggrieved by any prohibition issued by the Committee under this section may within three months after the issue thereof appeal to a magistrates' court held for the petty sessional division in which the prohibition is to take effect provided that he gives not less than fourteen days' notice of the appeal and the grounds thereof to the Committee.

(3) On any such appeal the court shall have power to cancel the prohibition or to allow the prohibition unconditionally or subject to such conditions as to the area within which it shall take effect or as to the provision and maintenance of another suitable dipping or washing place or otherwise as it may think fit.

(4) A notice given under this section shall state the right of appeal to a magistrates' court and the time within which such an appeal may be brought.

PART III LANDS

17.—(1) Subject to the provisions of this Act the Committee may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for the purpose of the works authorised by this Act and other the purposes of the undertaking. Power to acquire lands.

(2) The powers of the Committee for the compulsory purchase of land under this section shall cease after the expiration of three years from the first day of October nineteen hundred and fifty-eight.

18.—(1) If any omission misstatement or wrong description of any land or of the owner lessee or occupier of any land is found to have been made on the deposited plans or in the deposited book of reference the Committee after giving ten days' notice to the owner lessee and occupier of the land in question may apply to two justices having jurisdiction in the West Riding for the correction thereof. Correction of errors in deposited plans and book of reference.

(2) If on any such application it appears to the justices that the omission misstatement or wrong description arose from mistake the justices shall certify the fact accordingly and shall in their certificate state the particulars of the omission or in what respect any matter is misstated or wrongly described.

(3) Any such certificate shall be deposited with the clerk of the West Riding Council and a copy thereof shall be deposited

PART III
—cont.

with the clerk of the urban council and thereupon the deposited plans and the deposited book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Committee to take the land and execute the works in accordance with the certificate.

(4) Any certificate or copy deposited under this section with any person shall be kept by him with the other documents to which it relates.

Acquisition of
part only of
certain
properties.

19.—(1) For the purposes of this Act the following provisions of this section shall have effect in substitution for section 92 of the Lands Clauses Consolidation Act 1845.

(2) No person shall be required to sell a part only of any house building or factory or of a park or garden belonging to a house if he is willing and able to sell the whole of the house building factory park or garden unless the tribunal determines—

(a) in the case of a house building or factory that such part as is proposed to be taken can be taken without material detriment to the house building or factory; or

(b) in the case of a park or garden that such part as aforesaid can be taken without seriously affecting the amenity or convenience of the house to which it belongs.

(3) If the tribunal determines as aforesaid compensation shall be awarded in respect of any loss due to the severance of the part proposed to be taken in addition to the value of that part and thereupon the person interested shall be required to sell to the Committee that part of the house building factory park or garden.

Power to
expedite entry.

20. At any time after serving a notice to treat in respect of any land that may be acquired compulsorily under this Act but not less than one month after giving the owner and occupier of the land notice of their intention to exercise the powers of this section the Committee may enter on and take possession of the land or such part thereof as is specified in the last-mentioned notice without previous consent and without compliance with sections 84 to 90 of the Lands Clauses Consolidation Act 1845:

Provided that the Committee shall pay the like compensation for land of which possession is taken under this section and the like interest on the compensation awarded as would have been payable if the provisions of those sections had been complied with.

Power to
enter for
survey or
valuation.

21. Any person acting on behalf of the Committee and duly authorised by the secretary of the Committee may at all reasonable times enter on any land that the Committee are authorised by this Act to acquire compulsorily for the purpose of surveying or valuing the land:

Provided that no land shall be entered under this section unless the Committee not less than twenty-four hours before the first entry and not less than twelve hours before any subsequent entry have given notice to the owner and occupier of the land.

PART III
—cont.

22. In determining any question of disputed compensation or purchase money in respect of land acquired under this Act the tribunal shall not take into account—

Disregard of recent improvements and interests.

(a) any improvement or alteration made or building erected after the fifth day of December nineteen hundred and fifty-seven; or

(b) any interest in the land created after the said date;

which in the opinion of the tribunal was not reasonably necessary and was made erected or created with a view to obtaining or increasing the compensation or purchase money.

23.—(1) In lieu of acquiring any land that may be acquired under this Act the Committee may for the purposes of constructing using and maintaining so much of the works authorised by this Act as will be constructed underground and doing anything necessary in connection therewith acquire such easements and rights in that land as they may require for those purposes.

Power to acquire easements only.

(2) Accordingly the Committee may give notice to treat in respect of any such easement or right describing the nature thereof and the provisions of the Lands Clauses Acts shall apply in relation to the acquisition of such easements and rights as if they were lands within the meaning of those Acts.

(3) Where the Committee have acquired an easement or right only in any land under this section—

(a) they shall not be required or (except by agreement or during the execution of the said works) entitled to fence off or sever that land from the adjoining land;

(b) the owner or occupier of the land for the time being shall subject to the easement or right have the same right to use the land as if this Act had not been passed.

(4) If in his particulars of claim the owner of any land in respect of which notice to treat for an easement or right is given under this section requires the Committee to acquire the land the Committee shall not be entitled under this section to acquire the easement or right unless the tribunal determines that the easement or right can be granted without material detriment to the land or in the case of a park or garden belonging to a house without seriously affecting the amenity or convenience of the house:

Provided that nothing in this subsection shall apply to land forming part of a street.

PART III
—cont.

(5) A notice to treat given under this section shall be endorsed with notice of the effect of subsection (4) of this section.

Agreements
with
adjoining
owners.

24.—(1) The Committee may enter into and carry into effect agreements with any person being the owner of or interested in any land abutting on any portion either of the works authorised by this Act or of land that may be acquired under this Act with respect to the sale by the Committee to him of any land.

(2) The Committee may accept as satisfaction of the whole or any part of the consideration for any such sale the grant by the purchaser of any land required by the Committee for the purposes of this Act or any easement or right so required.

Power to
reinstate
owners or
occupiers of
property.

25.—(1) The Committee may enter into and carry into effect an agreement or arrangement with the owner or occupier of any land acquired under this Act with respect to his reinstatement elsewhere.

(2) Any such agreement may provide for the exchange of land and for that purpose the Committee may pay or receive money for equality of exchange.

PART IV

SUPPLY OF WATER

Cutting off
communication
pipes to
prevent waste
of water.

26. Where any dwelling-house building or other premises is or are demolished or appears or appear to the Committee to be uninhabitable or in the case of premises other than a dwelling-house remain unoccupied for a period of not less than one month and the Committee have reason to think that waste of water is occurring or is likely to occur they may notwithstanding anything in section 38 of the Water Act 1945 cut off the communication pipe by which water was supplied to such dwelling-house building or other premises:

Provided that in any case where the Committee think that waste is likely to occur and for that reason propose to cut off a communication pipe by which water was supplied to any dwelling-house building or other premises which appears or appear to them to be uninhabitable or to premises which have remained unoccupied for the period aforesaid they shall give notice of their intention to do so to the owner of the dwelling-house building or premises and if within one week of the receipt of such notice the owner satisfies the Committee that reasonable steps are being taken to render habitable the dwelling-house building or premises or that the premises will be occupied within a reasonable period as the case may be the Committee shall not cut off the communication pipe but may take such other action as they may consider necessary to prevent waste of water.

27.—(1) Where the owner (not being the occupier) of any premises is liable for the payment of the rates chargeable by the Committee for a supply of water thereto for domestic purposes such owner shall from time to time within twenty-one days after demand in writing by the Committee deliver to the Committee a list of the occupiers of the premises in respect of which he is so liable and such particulars with respect to the periods for which any of those premises have been unoccupied as the Committee may require for the purpose of enabling them to determine what amount is properly due from the owner in respect of such rates.

PART IV
—cont.
Information to be supplied by owners of premises in certain cases.

(2) If any such owner refuses or neglects to comply with the provisions of this section or knowingly delivers to the Committee particulars which are untrue in any material respect he shall in respect of each offence be liable on summary conviction to a fine not exceeding five pounds.

28.—(1) From and after the passing of this Act—

(a) the following provisions of the Third Schedule to the Water Act 1945 shall apply to the undertaking and be incorporated with each of the local Acts and Orders relating to the undertaking that is to say Part I sections 3 to 6 and 8 and 9 of Part II Part IV section 21 of Part V Parts VI to XI sections 60 to 65 and 67 to 70 of Part XIII Part XIV and Part XVI;

Incorporation of provisions of Third Schedule to Water Act 1945.

(b) the provisions of the Waterworks Clauses Acts 1847 and 1863 (except sections 69 to 73 of the Waterworks Clauses Act 1847) shall cease to apply to the undertaking and to be incorporated with the said local Acts and Orders:

Provided that—

(i) the provisions of the Third Schedule to the Water Act 1945 specified in the first column of the First Schedule to this Act as so applied and incorporated by this section shall have effect subject to the modifications specified in the second column of the said First Schedule; and

(ii) for the purpose of the application of the provisions of the Third Schedule to the Water Act 1945 as so applied and incorporated by this section the whole of any service pipe provided for the purpose of affording a supply to any premises for extinguishing fires therein or provided for the purpose of affording a standby supply shall be deemed to be a supply pipe and no part thereof shall be deemed to constitute a communication pipe.

(2) Any telephone telegraph posts wires conductors and apparatus constructed laid down or erected under the Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks

PART IV
—cont.

Acts and Orders 1870 to 1954 shall be deemed to have been laid or erected under section 5 of the Third Schedule to the Water Act 1945 and any meters covers boxes or other apparatus affixed under section 7 (Meters in streets to measure water or detect waste) of the Act of 1931 shall be deemed to have been affixed under section 70 of the Third Schedule to the Water Act 1945.

PART V.

FINANCIAL PROVISIONS

Contributions to capital.

29. The combining authorities shall respectively contribute in the proportions set out in the schedule to the Act of 1931 for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of the said table:—

(1)	(2)
Purpose	Amount
(a) The purchase of lands for the works authorised by this Act (hereafter in this Act referred to as " Purpose No. 1 ")	The sum requisite.
(b) The construction of the Dove Stone Reservoir (Work No. 1) (hereafter in this Act referred to as " Purpose No. 2 ")	£1,540,000.
(c) The construction of Works Nos. 2 3 and 4 (except pumping machinery) (hereafter in this Act referred to as " Purpose No. 3 ")	£40,000.
(d) The construction of pumping machinery forming part of Work No. 2 (hereafter in this Act referred to as " Purpose No. 4 ")	£5,000.
(e) The payment out of capital of interest on moneys borrowed for and in connection with the purchase of lands for and the construction of the works authorised by this Act until the completion and first filling of the Dove Stone Reservoir (Work No. 1) or until the expiration of five years from the date or dates of borrowing whichever shall first happen (hereafter in this Act referred to as " Purpose No. 5 ")	The sum requisite.
(f) The payment of the costs charges and expenses of this Act (hereafter in this Act referred to as " Purpose No. 6 ")	The sum requisite.

Power to combining authorities to borrow.

30.—(1) Each of the combining authorities shall have power in addition and without prejudice to their powers of borrowing under the Local Government Act 1933 from time to time to borrow without the consent of any sanctioning authority such sums as may be necessary to make their respective contributions

under section 29 (Contributions to capital) of this Act and shall repay all moneys so borrowed within such periods from the date or dates of borrowing as they may determine not exceeding—

PART V
—cont.

- (a) as to moneys borrowed for Purpose No. 1 and Purpose No. 2 sixty years;
- (b) as to moneys borrowed for Purpose No. 3 fifty years;
- (c) as to moneys borrowed for Purpose No. 4 fifteen years;
- (d) as to moneys borrowed for Purpose No. 5 in relation to Purpose No. 1 and Purpose No. 2 sixty years in relation to Purpose No. 3 fifty years and in relation to Purpose No. 4 fifteen years;
- (e) as to moneys borrowed for Purpose No. 6 five years:

Provided that if the combining authorities so resolve they shall not commence the repayment (by sinking fund or otherwise) of any moneys to be borrowed under this Act for Purpose No. 1 Purpose No. 2 Purpose No. 3 and Purpose No. 4 until the completion and first filling of the Dove Stone Reservoir (Work No. 1) or until the expiration of five years from the date or dates of borrowing whichever shall first happen.

(2) The provisions of Part IX of the Local Government Act 1933 so far as such provisions are not inconsistent with this Act shall extend and apply to money borrowed under this section as if it were borrowed under the said Part IX and the period fixed under this section for the repayment of any moneys borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

31. Notwithstanding anything in this Act or in any Act wholly or partially incorporated therewith the combining authorities may pay interest on any moneys borrowed under this Act for Purpose No. 1 Purpose No. 2 Purpose No. 3 and Purpose No. 4 out of moneys borrowed under this Act for Purpose No. 5 but only until the completion and first filling of the Dove Stone Reservoir (Work No. 1) or until the expiration of five years from the date or dates of borrowing whichever shall first happen.

Payment of interest on moneys borrowed until completion of works.

32. It shall not be lawful to exercise the powers of borrowing conferred by this Act (other than the powers of borrowing to pay the costs charges and expenses of this Act) otherwise than in compliance with the provisions of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Saving for powers of Treasury.

33. The Committee may pay as establishment expenses—

Payment of certain expenses.

(1) the reasonable expenses incurred by the Committee in connection with all or any of the following:—

- (a) the public opening of works of the Committee or of works from which the Committee may be entitled to a supply of water;

PART V
—cont.

- (b) visits by members officers or employees of the Committee to the works or premises of other water undertakers;
 - (c) the entertainment of representatives of—
 - (i) any of the combining authorities; or
 - (ii) other authorities or bodies visiting the works or premises of the Committee;
- (2) reasonable subscriptions whether annually or otherwise to the funds of any scientific or other society or body (not carrying on business for profit) which or the members of which are engaged in investigations or the keeping of records of use or value to water undertakers and the reasonable expenses of the attendance of any members or officers of the Committee at conferences or meetings of such societies or bodies and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings.

PART VI

MISCELLANEOUS

For
preservation of
scenery and
amenities.

34.—(1) In the construction and maintenance of the works authorised by this Act the Committee shall have regard to—

- (a) the preservation for the public of the natural beauty of the area in which the works are situate and the enjoyment thereof by the public; and
- (b) the conservation of flora and fauna and geological or physiographical features of special scientific interest therein.

(2) For the purpose of securing the foregoing provisions of this section but without prejudice to the generality thereof the Committee shall—

- (a) after consultation with the National Parks Commission appoint a landscape consultant whom the Committee shall consult generally in connection with their duties under paragraph (a) of subsection (1) of this section and on questions affecting amenity in or in connection with or arising out of the carrying out or doing under the powers of this Act of any operations or things in connection with such works including the following:—
 - (i) the disposal of spoil or waste material;
 - (ii) the reinstatement or restoration of land;
 - (iii) the planting and felling of trees and the planting of bushes and other plants;
- (b) consult with the National Parks Commission with respect to the design and external appearance of any

dam and the situation design and external appearance of any aqueduct building or bridge constructed in connection with such works or of any wall embankment or fence forming part of or constructed in connection with any such aqueduct building or bridge; and

(c) send to the National Parks Commission copies of any recommendations of the said landscape consultant made to the Committee in pursuance of his functions under paragraph (a) of this subsection.

(3) For the purpose aforesaid the Committee shall—

(a) without prejudice to anything in the Town and Country Planning Act 1947 consult with the local planning authority as to—

(i) the design and external appearance of any dam and the situation design and external appearance of any building bridge wall embankment (other than any embankment to be constructed in connection with any dam) road or fence to be constructed in connection with such works under this Act; and

(ii) the carrying out of quarrying operations or the manner and method of disposing of any spoil or waste material resulting from the carrying out of any operation in connection with such works under this Act;

(b) send to the local planning authority copies of any recommendations of the said landscape consultant made to them with regard to any of the matters referred to in paragraph (a) of this subsection and shall comply with such reasonable requirements as the local planning authority shall make—

(i) for the purpose of rendering any such dam building bridge wall embankment road fence spoil or waste material as inconspicuous as possible; or

(ii) with regard to the carrying out of quarrying operations or the disposal of any such spoil or waste material;

including as respects any purpose mentioned in sub-paragraph (i) of paragraph (b) of this subsection requirements as to the laying of turf the sowing of grass seed and the planting of trees bushes or plants:

Provided that before making any requirement with regard to the disposal of spoil or waste material the local planning authority shall consult with the Minister of Agriculture Fisheries and Food.

(4) Within six months after the completion of any of the works authorised by this Act or such longer period as the local

PART VI
—cont.

planning authority may agree the Committee shall remove or to the reasonable satisfaction of the local planning authority demolish or otherwise dispose of all temporary buildings and structures erected for the purposes of or in connection with the construction of such works which are not required for the purposes of or in connection with the construction of other such works and shall remove all surplus materials plant machinery and appliances provided or erected in connection therewith which are not so required and shall so far as is reasonably practicable to the like satisfaction restore and make good the surface of the ground on which any such temporary buildings and structures or any such surplus materials plant machinery and appliances as aforesaid have been placed.

(5) If any question shall arise as to the reasonableness of any requirements which the local planning authority may make under subsection (3) or subsection (4) of this section the question shall be referred to and determined by the Minister whose decision shall be final.

Repeal and
amendment of
enactments.

35.—(1) The enactments specified in the first column of the Second Schedule to this Act are hereby repealed to the extent specified in the second column of the said Second Schedule.

(2) As from the passing of this Act the enactment specified in the first column of the Third Schedule to this Act shall have effect subject to the amendments specified in the second column of the said Third Schedule.

Saving for
town and
country
planning.

36. This Act shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act.

Costs of Act.

37. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Committee either out of the revenue of the undertaking or if the Committee so decide out of capital to be contributed by the combining authorities in pursuance of section 29 (Contributions to capital) of this Act.

SCHEDULES

FIRST SCHEDULE

Section 28.

MODIFICATION OF PROVISIONS OF THE THIRD SCHEDULE TO THE WATER ACT 1945 APPLIED AND INCORPORATED

Provisions	Modifications
Section 12 (Map of underground works to be prepared and kept up to date)	For the words "within six months after the first occasion" in subsection (1) there shall be substituted the words "within three years after the first occasion".
Section 39 (Duty of undertakers as respects constant supply and pressure)	For the words "to the top of the top-most storey" in subsection (1) there shall be substituted the words "to an altitude of thirty-five feet above the ground level".
Section 43 (Power to break open streets forming boundary of limits of supply)	After the words "and removing" there shall be inserted the words "mains and".
Section 60 (Power to require provision of cisterns in certain cases)	For subsection (1) there shall be substituted the following subsection:— " (1) The undertakers may require that any house or building supplied by them shall be provided to the satisfaction of the undertakers with a cistern having a ball and stop-cock fitted on the pipe conveying water to it." In subsection (2) for the words "his building" there shall be substituted the words "his house or building" and for the words "the building" there shall be substituted the words "the house or building".
Section 64 (Penalty for waste &c. of water by non-repair of water fittings)	The modifications specified in the schedule to the Local Government (Miscellaneous Provisions) Act 1953.

SECOND SCHEDULE

ENACTMENTS REPEALED

Enactment	Extent of repeal
Act of 1870—	
Section 23 (Power to take additional lands by agreement)	The whole section.
Section 26 (Compensation water in respect of Greenfield Brook)	The whole section.
Section 27 (Compensation water as to Chew Brook)	The whole section.
Section 28 (Further compensation water as to Chew Brook)	The whole section.
Section 29 (As to supply of compensation water)	The whole section.
Section 30 (Definition of working days) ...	The whole section.
Section 31 (Gauges to be erected) ...	The whole section.
Section 32 (As to Corporation of Stockport)	The whole section.
Section 33 (Water supply to be compensation to mill owners &c.)	The whole section.
Section 34 (Penalty on failure to supply the stipulated quantity of water)	The whole section.
Section 74 (Provisions respecting constant pressure)	The whole section.
Section 75 (Level at which supply compulsory)	The whole section.
Section 76 (Water for other than domestic purposes)	The whole section.
Section 93 (Proof of byelaws) ...	The whole section.
Section 94 (Recovery of sums due) ...	The whole section.
Section 96 (Regulations for preventing waste &c. of water)	The whole section.
Section 98 (Notice of discontinuance) ...	The whole section.
In the Fourth Schedule—	
Section 27 (Penalty on failure to supply the stipulated quantity of water) of the Ashton-under-Lyne and Stalybridge (Corporations) Waterworks Act 1864	The words "such respective penalties to be recovered in the manner in which penalties not otherwise provided for are recovered by the Waterworks Clauses Act 1847".
Act of 1892—	
Section 10 (Occupier may pay water rent where owner fails to do so)	The whole section.
Section 11 (Application of section 44 of Waterworks Clauses Act 1847)	The whole section.
Section 12 (Cisterns to be provided in certain cases)	The whole section.
Section 13 (Notice to Joint Committee of connecting or disconnecting meters)	The whole section.
Act of 1907—	
Section 6 (Provisions of Waterworks Clauses Act to apply)	The whole section.
Section 14 (Byelaws for preventing pollution &c. of water)	The whole section.

Enactment	Extent of repeal	2ND SCH. —cont.
Section 15 (Application of provisions of Public Health Act as to waterworks)	Subsection (2).	
Section 17 (For protection of main roads and bridges of west riding of Yorkshire)	The whole section.	
Section 20 (For protection of county council of west riding of Yorkshire)	The whole section.	
Section 27 (Authentication and service of notices &c.)	The whole section.	
Act of 1931—		
Section 4 (Application of Waterworks Clauses Act 1847)	The whole section.	
Section 6 (Power to provide water tanks under streets)	The whole section.	
Section 7 (Meters in streets to measure water or detect waste)	The whole section.	
Section 8 (Power to lay pipes in private streets)	The whole section.	
Section 11 (Amendment of section 35 of Waterworks Clauses Act 1847)	The whole section.	
Section 16 (Extension of power to inspect premises)	The whole section.	
Section 18 (Separate communication pipes may be required)	The whole section.	
Section 19 (As to communication pipes) ...	The whole section.	
Section 20 (Power to Committee to repair communication pipes)	The whole section.	
Section 21 (Committee to connect communication pipes with mains)	The whole section.	
Section 22 (Power to sell meters)	The whole section.	
Section 23 (Injuring meters &c.)	The whole section.	
Section 25 (Power to supply water fittings)	The whole section.	
Section 26 (Penalty for interfering with valves &c.)	The whole section.	
Section 27 (Penalty for closing valves and apparatus)	The whole section.	
Section 47 (Inquiries by Minister of Health)	The whole section.	
Section 48 (Judges not disqualified) ...	The whole section.	
Section 49 (Contents of summons &c.) ...	The whole section.	

THIRD SCHEDULE

Section 35.

ENACTMENT AMENDED

Enactment	Amendment
Act of 1907— Section 11 (Purchase of land and further powers for the protection of water)	For the words “ the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes ” in subsection (2) there shall be substituted the words “ Part VI of the Third Schedule to the Water Act 1945 ”.

Ch. xxxix *Ashton-under-Lyne Stalybridge* 6 & 7 ELIZ. 2
and Dukinfield (District) Waterworks Act, 1958

Table of Statutes referred to in this Act

Short title	Session and chapter
Lands Clauses Consolidation Act 1845 ...	8 & 9 Vict. c. 18.
Railways Clauses Consolidation Act 1845	8 & 9 Vict. c. 20.
Waterworks Clauses Act 1847	10 & 11 Vict. c. 17.
Lands Clauses Consolidation Acts Amend- ment Act 1860	23 & 24 Vict. c. 106.
Waterworks Clauses Act 1863	26 & 27 Vict. c. 93.
Ashton-under-Lyne and Stalybridge (Cor- porations) Waterworks Act 1864	27 & 28 Vict. c. xlvii.
Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1870	33 & 34 Vict. c. cxxxi.
Telegraph Act 1878	41 & 42 Vict. c. 76.
Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1892	55 & 56 Vict. c. cxx.
Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1907	7 Edw. 7 c. xcii.
Acquisition of Land (Assessment of Compensation) Act 1919	9 & 10 Geo. 5 c. 57.
Ashton-under-Lyne Stalybridge and Dukinfield (District) Waterworks Act 1931	21 & 22 Geo. 5 c. xcvi.
Local Government Act 1933	23 & 24 Geo. 5 c. 51.
Water Act 1945	8 & 9 Geo. 6 c. 42.
Borrowing (Control and Guarantees) Act 1946	9 & 10 Geo. 6 c. 58.
Town and Country Planning Act 1947 ...	10 & 11 Geo. 6 c. 51.
Lands Tribunal Act 1949	12 & 13 Geo. 6 c. 42.
Arbitration Act 1950	14 Geo. 6 c. 27.
Public Utilities Street Works Act 1950 ...	14 Geo. 6 c. 39.
Magistrates' Courts Act 1952	15 & 16 Geo. 6 & 1 Eliz. 2 c. 55.
Local Government (Miscellaneous Pro- visions) Act 1953	1 & 2 Eliz. 2 c. 26.
Town and Country Planning Act 1954 ...	2 & 3 Eliz. 2 c. 72.

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