

**CHAPTER xcix.**

An Act to authorise the Mid-Glamorgan Water Board to construct further waterworks to confirm existing works and for other purposes. A.D. 1925.

[7th August 1925.]

WHEREAS the Mid-Glamorgan Water Board (in this Act called "the Board") were by the Mid-Glamorgan Water Act 1920 (in this Act called "the Act of 1920") incorporated with a common seal for the purposes of acquiring certain water undertakings and of supplying water within the limits of that Act :

And whereas by section 32 of the Act of 1920 it was provided that within a period of five years from the first day of August one thousand nine hundred and twenty the Board should take such steps as might be necessary for the purpose of procuring a supplemental supply of water from sources outside the coalfield and should if necessary within such period promote a Bill in Parliament to give them power to carry out a scheme for that purpose :

And whereas by the Mid-Glamorgan Water Act 1921 (in this Act called "the Act of 1921") the Board acquired the water undertaking of the Bridgend (Glamorganshire) Gas and Water Company Limited (in this Act called "the Bridgend Company") and the limits for the supply of water by the Board were extended to include the area within which that company were supplying water :

A.D. 1925.

And whereas the undertaking of the Bridgend Company included two pumping stations at some of the Schwyll Springs which are situate outside the coalfield and in the parish of St. Bride's Major in the rural district of Penybont and by section 21 of the Act of 1921 it was provided that the acquisition under that Act by the Board of the water undertaking of the Bridgend Company should not ipso facto be deemed to relieve the Board from the obligations imposed upon them by section 32 of the Act of 1920 but that nothing in the said section 21 should prejudice or affect the position of the Board in regard to such obligations :

And whereas the Schwyll Springs are not being fully utilised by the works acquired by the Board under the Act of 1921 and a larger supply of water sufficient to meet the obligations imposed on the Board by section 32 of the Act of 1920 can be obtained from those springs by the construction of further works and from the Pwllwy Springs in the parish of Llansannor in the rural district of Cowbridge all which sources of water supply are outside the coalfield and it is expedient that the Board be authorised to develop those sources of supply and to construct further works as in this Act provided :

And whereas limestone suitable for use in carrying on the undertaking of the Board is to be found in or under lands adjoining the Schwyll Springs and it is expedient that the Board be authorised to search for dig quarry and use the same accordingly :

And whereas in order to meet the growing demand for water within their limits of supply the Board have without statutory authority constructed certain works and are thereby taking water from certain unnamed springs in the Fairy Glen in the parish of Llangeinor in the urban district of Ogmere and Garw and it is expedient that the construction of those works and the taking of the water of those springs be confirmed subject to the limitations in this Act provided :

And whereas the limits within which the Board supply water comprise a large rural area and it is expedient that the Board be empowered to supply water therein by means of stand pipes and to have and enjoy the rights of a rural sanitary authority to recover water rates and water rents in respect of such supplies under section 9 of the Public Health (Water) Act 1878 :

A.D. 1925.
—

And whereas it is expedient that the Board be empowered to construct the other works in this Act described and that the other provisions in this Act contained be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas an estimate has been prepared by the Board of the cost of constructing the works by this Act authorised including the amount necessary for the purchase of lands in connection therewith and such estimate amounts to the sum of one hundred and twenty-one thousand five hundred pounds :

And whereas the works included in such estimate are permanent works and it is expedient that the cost thereof be spread over a term of years :

And whereas pursuant to section 91 of the Act of 1920 an absolute majority of the whole number of the Board at a meeting held on the seventeenth day of November one thousand nine hundred and twenty-four after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the *Western Mail* and the *South Wales News* being two newspapers published or circulating in the districts of the constituent authorities of the Board such notice being in addition to the ordinary notices required for summoning such meeting resolved that the costs and expenses of and incidental to the promotion of the Bill for this Act be charged upon and paid out of the revenues of the Board :

And whereas at a further meeting of the Board held in pursuance of a similar notice on the fifth day of January one thousand nine hundred and twenty-five being not less than fourteen days after the deposit of the Bill in Parliament the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Board and has received the approval of the Ministry of Health :

And whereas plans and sections showing the lines and levels of the works by this Act authorised (other than Work No. 14A) and a book of reference 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

A.D. 1925. powers of this Act were duly deposited with the clerk of the peace for the county of Glamorgan and are hereinafter respectively referred to as the deposited plans sections and book of reference :

And whereas a plan and section showing the line situation and levels of the aqueduct conduit or line or lines of pipes (Work No. 14A) by this Act authorised (such plan showing also the lands which the Board may acquire under the powers of this Act for the purposes of the said aqueduct conduit or line or lines of pipes) and a book of reference to the said plan containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of all such lands and describing the same were in the month of March one thousand nine hundred and twenty-five deposited with the said clerk of the peace :

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say) :—

Short title.

1.—(1) This Act may be cited as the Mid-Glamorgan Water Act 1925.

(2) This Act and the Mid-Glamorgan Water Act 1920 and the Mid-Glamorgan Water Act 1921 may be cited together as the Mid-Glamorgan Water Acts 1920 to 1925.

Incorporation of Acts.

2. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act and for the purposes of such incorporated Acts this Act shall be deemed to be the special Act within the meaning of any such Acts and "the undertakers" "the promoters of the undertaking" and "the company" where used in those Acts shall mean the Board (that is to say) :—

(1) The provisions of the Waterworks Clauses Act 1847 with respect to the following matters (that is to say) :—

The construction of the waterworks ;

The construction of works for the accommodation of lands adjoining the waterworks ;

A.D. 1925,

Mines;

The breaking up of streets for the purpose of laying pipes;

The provision for guarding against fouling the water of the undertakers;

The recovery of damages not specially provided for and of penalties and the determination of any other matter referred to justices or to the sheriff;

Access to the special Act :

- (2) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845); and
- (3) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of land near the railway during the construction thereof and in such provisions for the purposes of this Act "the railway" and "the work" mean the works authorised by this Act and "the centre of the railway" means in the case of the pumping stations and reservoir the boundaries of those works respectively and in the case of the other works the centres of such works respectively.

3. The several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall in this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction and the expressions "the clerk" "statutory borrowing powers" and "the revenues of the Board" have the respective meanings assigned thereto by the Act of 1920 And—

Interpreta-
tion.

"The originally deposited plans and sections" means the plans and sections deposited in relation to the Bill for this Act with the clerk of the peace for the county of Glamorgan in the month of November one thousand nine hundred and twenty-four;

"The amended deposited plan and section" means the plan and section deposited in relation to the Bill for this Act with the said clerk of the

A.D. 1925.

peace in the month of March one thousand nine hundred and twenty-five;

“The deposited plans and sections” means the originally deposited plans and sections or the amended deposited plan and section as the case may require;

“The deposited book of reference” means the book of reference to the originally deposited plans or to the amended deposited plan as the case may require.

Power to
make works.

4.—(1) Subject to the provisions of this Act the Board may wholly in the county of Glamorgan and in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference make and maintain the following works shown on the deposited plans and sections (that is to say):—

In the rural district of Cowbridge—

Work No. 1 An aqueduct conduit or line or lines of pipes with intakes in the parish of Llansannor commencing in the Pwllwy Springs and terminating in the pumping station (Work No. 2);

Work No. 2 A pumping station in the same parish in the enclosure numbered 305 on the $\frac{1}{2500}$ Ordnance map Glamorgan sheet XLI. 15 (1919 edition);

Work No. 3 An aqueduct conduit or line or lines of pipes commencing in the said parish of Llansannor in the pumping station (Work No. 2) and terminating in the parish of Llanblethian in the road leading from Llansannor to Cowbridge at its junction with the road leading from Llanharry to Cowbridge;

Work No. 4 An aqueduct conduit or line or lines of pipes commencing in the parish of Llanblethian in the road leading from Cowbridge to Llanharry at a point near Newforest House and terminating in the parish of Llansannor in the service reservoir (Work No. 5);

Work No. 5 A service reservoir in the parish of Llansannor in the enclosure numbered 127 on

the said map of that parish Glamorgan sheet XLI. 7; A.D. 1925.

Work No. 6 An aqueduct conduit or line or lines of pipes in the parish of Llansannor commencing in the service reservoir (Work No. 5) and terminating in the road leading from Llanharry to Cowbridge at a point near the south-eastern corner of the enclosure numbered 123 on the last-mentioned map;

Work No. 7 An aqueduct conduit or line or lines of pipes in the parish of Llansannor commencing in the service reservoir (Work No. 5) and terminating in the public road leading from Llansannor to Llanharry at a point near the northernmost point of enclosure numbered 225 on the said map of the said parish Glamorgan sheet XLI. 11.

In the rural district of Penybont—

Work No. 8 A well and pumping station in the parish of St. Bride's Major in the enclosure numbered 24 on the $\frac{1}{2500}$ Ordnance map Glamorgan sheet XL. 15 (1919 edition) of that parish;

Work No. 9 A cut in and diversion of the River Ewenny commencing at a point near the northernmost corner of the enclosure numbered 66 on the said map Glamorgan sheet XL. 15 of the parish of St. Bride's Major and terminating at the boundary in the said river of the parishes of Merthyr Mawr and St. Bride's Major at a point near the south-western corner of the enclosure numbered 356 on the $\frac{1}{2500}$ Ordnance map Glamorgan sheet XL. 15 (1919 edition) of the parish of Merthyr Mawr;

Work No. 10 A cut in and diversion of the tail race of the existing water power pumping station of the Board in the parish of St. Bride's Major commencing by a junction with the cut and river diversion (Work No. 9) at a point 150 yards or thereabouts measured in a north-westerly direction from the engine house at the Schwyll pumping station of the Board and terminating in the said tail race at a point 88 yards

A.D. 1925.

or thereabouts measured in a westerly direction from the existing water power pumping station of the Board;

Work No. 11 An embankment commencing in the parish of St. Bride's Major passing through the parish of Merthyr Mawr and terminating in the parish of St. Bride's Major and half encircling a portion of the River Ewenny and the Schwyll Springs near the existing Schwyll pumping station of the Board;

Work No. 12 A collecting tank in the parishes of St. Bride's Major and Merthyr Mawr to be formed by lining the bed and banks of the River Ewenny between the points of commencement and termination of the embankment (Work No. 11);

Work No. 13 An aqueduct conduit or line or lines of pipes with intakes in the parish of St. Bride's Major commencing in the collecting tank (Work No. 12) and terminating in the pumping station (Work No. 8).

In the rural district of Penybont and the urban district of Bridgend—

Work No. 14 An aqueduct conduit or line or lines of pipes (being part of the aqueduct conduit or line or lines of pipes (Work No. 14) shown on the original deposited plans) commencing in the rural district of Penybont in the pumping station (Work No. 8) in the parish of St. Bride's Major and passing through that parish and the parishes of Merthyr Mawr and Ewenny in the same rural district into and terminating in the urban district of Bridgend at the point of commencement of the aqueduct conduit or line or lines of pipes (Work No. 14A).

In the urban district of Bridgend—

Work No. 14A An aqueduct conduit or line or lines of pipes wholly in the urban district of Bridgend commencing in the county road between Bridgend and Llantrisant by a junction with the line or lines of pipes (Work No. 14) at a point 17 yards or thereabouts measured in an easterly

direction from the bridge carrying the Great Western (Vale of Glamorgan) Railway (Coity Branch) over the said road and terminating in the enclosure numbered 192 on the $\frac{1}{2500}$ Ordnance map Glamorgan sheet XL. 8 (1919 edition) of the parish of Bridgend by a junction with the aqueduct conduit or line or lines of pipes (Work No. 14B) at a point 20 yards or thereabouts measured in a north-westerly direction from the southernmost corner of the said enclosure and 7 yards or thereabouts in an easterly direction from the railway boundary fence;

A.D. 1925.

Work No. 14B An aqueduct conduit or line or lines of pipes (being other part of the aqueduct conduit or line or lines of pipes (Work No. 14) shown on the original deposited plans) commencing at the point of termination of the said aqueduct conduit or line or lines of pipes (Work No. 14A) and terminating in the urban district of Bridgend at a point in Coity Road near the bridge over the said Great Western Railway;

Work No. 15 An aqueduct conduit or line or lines of pipes commencing by a junction with the aqueduct conduit or line or lines of pipes (Work No. 14A) in the accommodation road numbered 132 on the before-mentioned Ordnance map of the parish of Bridgend at a point 6 yards or thereabouts measured in an easterly direction from the north-eastern corner of the enclosure numbered 131 on the said Ordnance map and terminating in the accommodation road numbered 257 on the said map Glamorgan sheet XL. 7 of the said parish at the eastern extremity of the bridge carrying that road over the Great Western Railway (main line).

(2) The Board may also in or under the lands delineated on the deposited plans and numbered 2 in the parish of Merthyr Mawr and numbered 4 5 16 17 18 19 and 20 in the parish of St. Bride's Major and in or under the portion of the road from Ogmores to Bridgend which separates some of the last-mentioned lands from the remainder thereof make and maintain all such adits bores drifts shafts tunnels and underground works as may be necessary or convenient for taking or intercepting

A.D. 1925. — water by means of the well and pumping station (Work No. 8) by this Act authorised.

(3) In addition to the foregoing works the Board may upon any of the lands delineated on the deposited plans make and maintain all such buildings machinery works and apparatus of whatever character (except adits bores drifts shafts and tunnels for taking or intercepting water) as may be necessary or convenient in connection with or subsidiary to the before-mentioned works or any of them but nothing in this subsection shall exonerate the Board from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Diversion of
footpaths.

5.—(1) The Board shall before constructing Works No. 9 No. 10 No. 11 and No. 12 by this Act authorised make and stop up and cause to be discontinued the footpaths and portions of footpaths shown on the deposited plans for those works as intended to be made and stopped up and discontinued respectively but no footpath shall be stopped up under the provisions of this section until the new footpath has been completed to the satisfaction of the authority or person chargeable with the maintenance and repair of the existing footpath for which the same is substituted and is open for public use or in case of difference between the Board and such authority or person until two justices shall have certified that the new footpath has been completed to their satisfaction and is open for public use.

(2) As from the completion of each new footpath to the satisfaction of the authority or person chargeable with the maintenance and repair of the existing footpath for which the same is substituted or as from the date of the said certificate in respect of that footpath as the case may be all rights of way over or along the portion of the last-mentioned existing footpath shall be extinguished and the Board may subject to the provisions of section 18 (Undertakers not entitled to mines unless previously purchased) of the Waterworks Clauses Act 1847 appropriate and use for the purposes of this Act the site of the portion of footpath stopped up Provided that the Board shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses

Acts with reference to the taking of lands otherwise than by agreement. A.D. 1925.

(3) As from the completion of each new footpath the same shall be maintained and repaired by the authority or person who but for the passing of this Act would be chargeable with the maintenance and repair of the existing footpath for which the same is substituted.

6. In the construction of the works and footpaths by this Act authorised the Board may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent. Provided that except for the purpose of crossing over a stream or railway no part of the aqueducts conduits or lines of pipes shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections. Limits of deviation.

7. If the works by this Act authorised are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to such of those works or so much thereof respectively as shall then be completed. Provided that subject to the restrictions and provisions of this Act the Board may at any time after the expiration of the said period lay down additional lines of pipes and alter enlarge extend and renew the adits bores drifts shafts and tunnels which they are by this Act authorised to make and their mains pipes and other works as they may think expedient to provide for the requirements of their water supply. Period for completion of works.

8. The construction by the Board in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference of the works already constructed in the Fairy Glen in this section mentioned is hereby sanctioned and confirmed and such works and the lands and the easements and rights in lands which the Board have already acquired for the purposes of or in connection with those works may subject to the provisions of this Act be held by the Board in addition to the other lands Confirmation of Fairy Glen works.

A.D. 1925. and works which they are authorised to acquire and hold construct and use for the purposes of their water undertaking.

The works in this section referred to are the following works situate in the parish of Llangeinor in the urban district of Ogmere and Garw in the county of Glamorgan (that is to say):—

Work No. 16 The aqueduct conduit and lines of pipes with intakes in the enclosure numbered 237 on the $\frac{1}{2500}$ Ordnance map Glamorgan sheet XXVI. 12 (1918 edition) of the parish of Llangeinor commencing in springs situated 200 yards or thereabouts measured in a south-easterly direction from the southern corner of enclosure numbered 177 on that map and 42 yards or thereabouts measured in a north-westerly direction from the south-western corner of the enclosure numbered 220 on the same map and terminating in the tank (Work No. 17);

Work No. 17 The covered tank in the said enclosure numbered 237 and adjacent to the north-western corner of the said enclosure numbered 220;

Work No. 18 The aqueduct conduit and line of pipes commencing in the tank (Work No. 17) and terminating in and at the western end of Coronation Road:

Provided that the Board shall remove the aqueduct conduit and lines of pipes with intakes (Work No. 16) by this Act authorised within twelve months from the passing of this Act.

Power to
take waters.

9. Subject to the provisions of this Act the Board may collect impound take use divert and appropriate for the purposes of their undertaking and waterworks the waters of the Pwllwy Springs the Schwyll Springs and the northernmost of the unnamed springs in the Fairy Glen aforesaid which are intercepted by Work No. 16 by this Act sanctioned and confirmed and the collection impounding taking user diversion and appropriation of the waters of the last-described spring which the Board have already effected for the purposes of their undertaking is hereby sanctioned and confirmed:

Provided that from and after the expiration of twelve months from the passing of this Act the Board shall cease to collect impound take use divert or appropriate any of the waters of the said springs in the Fairy Glen.

A.D. 1925.

10.—(1) All water supplied by the Board for domestic purposes after the expiration of one year and two years respectively from the passing of this Act from the sources of supply acquired by the Board on the Ogwr Fawr River and Nantymoel from the Ogmore Valley Water Company Limited and on Nanty Gelliwern and Nant Hir from the Garw Water Company under the Act of 1920 shall be so chlorinated or otherwise efficiently treated as to ensure that the same be fit for domestic use.

Treatment
of water.

(2) All water supplied by the Board for domestic purposes from the well and pumping station Work No. 8 by this Act authorised shall be so softened and filtered and then chlorinated or otherwise treated as to ensure that the same be fit for domestic use :

Provided that no water shall be taken for supply from this source if and so long as Work No. 12 by this Act authorised or the land lying within Work No. 11 by this Act authorised is flooded with sea water.

(3) The Board shall if the Minister of Health so requires treat all water supplied for domestic purposes from the Pwllwy Springs by chlorination or otherwise so as to render the water fit for domestic use.

11. The Board shall construct and maintain a pumping station which will enable water from the Schwyll Springs to be pumped into the Llangeinor reservoir and thence (if and when rendered necessary by insufficiency of supply from the upper sources) into the higher parts of the Ogwr Fawr Valley within the limits of supply of the Board.

Security for
supply to
higher
districts.

12. The right acquired by the Board from the Ogmore Valley Water Company Limited of taking intercepting and impounding water from the Ogwr Fawr River and Nantymoel shall be limited to the abstraction of water by means of an intake pipe on each of those streams having an internal diameter of not more than six inches.

Limiting
existing
sources of
supply.

A.D. 1925.

Power to
quarry.

13. Subject to the provisions of this Act the Board may from time to time search for dig work and obtain by excavations and quarryings the quarries strata seams beds of limestone and other minerals in under or upon any lands acquired by agreement and not exceeding two acres in extent and may carry away and use the same for the purposes of their undertaking and in so doing may erect construct maintain and work on those lands such kilns tramways machinery apparatus works and buildings as may be convenient.

Power to
acquire
lands.

14. Subject to the provisions and for the purposes of this Act the Board may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Board may
acquire
easements
for access.

15. The Board may in lieu of acquiring the lands numbered on the deposited plans 3 4 5 6 7 8 9 in the parish of Llansannor and 2 in the parish of Llanblethian acquire such easements only in or over any of such lands as they may require for the purpose of giving access to Works No. 1 and No. 2 by this Act authorised and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts and the Board shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements have the same rights to use the said lands at all times as if this Act had not passed.

Period for
compulsory
purchase of
lands.

16. The powers of the Board for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Incorporation of sections of Act of 1920.

17. The following sections of the Act of 1920 are incorporated with this Act and shall extend and apply in regard to the works and lands authorised to be executed and taken under this Act as if those sections with the necessary modifications were set forth in this Act namely:—

Section 35 (Application of Waterworks Clauses Act 1847 to aqueducts &c.);

- Section 36 (For protection of Postmaster-General); A.D. 1925.
- Section 39 (Power to agree as to drainage of lands &c.);
- Section 43 (Owners may be required to sell parts only of certain lands and buildings);
- Section 44 (Provisions as to disputed compensation);
- Section 45 (Board may acquire easements only in certain cases);
- Section 46 (Persons under disability may grant easements &c.);
- Section 69 (Reinstatement of roads);
- Section 70 (For the protection of Great Western and Taff Vale Railway Companies):

Provided that section 43 in its application to this Act shall be read and have effect as if the First Schedule to this Act had been appended thereto in addition to the First Schedule to that Act:

Provided that section 44 in its application to this Act shall be read and have effect as if the twentieth day of November one thousand nine hundred and twenty-four were therein mentioned instead of the first day of January one thousand nine hundred and twenty.

18. For the further protection of the Great Western Railway Company (hereinafter in this section referred to as "the company") the following provision shall unless otherwise agreed between the company and the Board apply and have effect (that is to say):—

For further protection of Great Western Railway Company.

Notwithstanding anything in this Act contained or shown on the deposited plans the Board shall not construct any portion of Work No. 14 between the south-eastern boundary of the field or enclosure numbered on the said plans 20 in the parish of Ewenny and the northernmost boundary of the field or enclosure numbered thereon 38 in the said parish at a less distance than twenty feet from the easternmost boundary fence of the railway of the company.

A.D. 1925.
—
For protec-
tion of
Colonel J. I.
D. Nicholl
and trustees
of Merthyr
Mawr
Settled
Estates.

19. For the protection of Lieutenant-Colonel John Iltyd Dillwyn Nicholl the tenant for life and of Henry Fleetwood Fuller and the Reverend Donald Fitzherbert Campbell or other the trustees for the time being under the will of the late John Cole Nicholl of the Merthyr Mawr Settled Estates and their sequels in estate or other the owner or owners of the Merthyr Mawr Estate (all of whom are in this section referred to as "the owner") the following provisions shall notwithstanding anything in this Act contained and unless otherwise agreed in writing between the owner and the Board apply and have effect (that is to say):—

(1) The Board shall not under or in pursuance of the powers of this Act without the consent in writing of the owner enter upon take or use (except as in this section provided) the lands numbered on the deposited plans 17 to 28 inclusive in the parish of St. Bride's Major but the Board shall be entitled to purchase and take and the owner shall sell and grant to the Board—

(a) such rights easements and privileges upon in or under the lands numbered as aforesaid 19 21 23 to 28 as shall be necessary for the purpose of laying and maintaining therein not more than two lines of pipes of such diameter as the Board may require; and

(b) such rights easements and privileges upon in or under the lands numbered 20 as aforesaid as the Board may require for the purpose of laying and maintaining not more than two lines of pipes of such diameter as aforesaid and of driving constructing and maintaining such adits bores drifts shafts tunnels and underground works as the Board may deem necessary or convenient for taking or intercepting water for the purposes of their undertaking by means of the well and pumping station Work No. 8 by this Act authorised:

(2) The Board shall not erect—

(a) any building or other erection of a greater height than 30 feet except a chimney shaft or stack on the lands numbered on the

deposited plans 16 in the parish of St. Bride's Major; or A.D. 1925.

(b) any permanent building above the level of the ground on the lands numbered on the same plans 20 in the same parish :

- (3) The Board shall not without the consent in writing of the owner erect any dwelling-house upon any part of the Merthyr Mawr Estate which the Board may purchase and take under or in pursuance of the powers of this Act :
- (4) Subject to the reasonable user by the Board for the purpose of their undertaking of any land forming part of the Merthyr Mawr Estate which may be purchased and taken by the Board or in respect of which the Board may acquire any right easement or privilege under or in pursuance of the provisions of this Act and without restriction to such user all sporting rights over such land shall be reserved to the owner :
- (5) Any difference which may arise between the owner and the Board other than any difference as to the compensation to be paid by the Board to the owner shall be determined by a single arbitrator to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject thereto the provisions of the Arbitration Act 1889 shall apply :
- (6) The provisions of this section shall be in addition to and not in derogation from any existing agreement entered into by the Board and the owner and any other provisions of this Act or any Act incorporated therewith which may enure to the benefit of the owner.

20. The works constructed by the Board except Works No. 9 and No. 10 and the lands and easements acquired by them for the purposes of the undertaking under the powers of this Act shall so long as the same respectively are vested in the Board form part of their undertaking.

New works to form part of undertaking of Board.

A D. 1925.

Alteration
of Ogmores
Fishery
District.

21.—(1) As from the completion of Works No. 9 No. 10 and No. 11 by this Act authorised the limits of the River Ogmores and of the Fishery district of the River Ogmores and of the jurisdiction of the Ogmores Fishery Board shall be altered:—

(a) by the exclusion therefrom of (i) the portion of the River Ewenny and of the tail race of the existing water power pumping station of the Board by this Act authorised to be diverted (ii) Work No. 11 by this Act authorised and (iii) the lands springs and waters situate between the last-mentioned work and the road from Ogmores to Bridgend; and

(b) by the inclusion therein of Works No. 9 and No. 10 by this Act authorised and of the waters flowing into or along the same.

(2) As from the completion of Works No. 9 and No. 10 aforesaid the banks thereof and the footbridge over Work No. 9 shall be maintained and repaired by the persons who at the passing of this Act are chargeable with the maintenance and repair of the banks of the portions of the River Ewenny and of the tail race aforesaid by this Act authorised to be diverted and of the existing footbridge over that portion of the River Ewenny.

Alteration
of River
Thaw drain-
age area.

22. The lands acquired by the Board for the purposes of Works No. 1 and No. 2 by this Act authorised shall as from the date of such acquisition and so long as such lands are held by the Board be excluded from the River Thaw drainage area and the jurisdiction of the River Thaw Drainage Board and the River Thaw Drainage Order 1913 shall be read and construed accordingly.

Powers in
relation to
standpipes
in rural
parishes.

23. The Board may erect and maintain standpipes on any land belonging to them and on any land in respect of which a right for the purpose is acquired by them by agreement and with the consent of the road authority on and at the side of any road within the limits of supply and with respect to the recovery of water rates or water rents for the use of any such standpipes which they may so erect and maintain the Board shall have and may exercise the powers of a rural sanitary authority who provides

standpipes under section 9 (Rating for water supply by standpipes) of the Public Health (Water) Act 1878: A.D. 1925. —

24. Section 61 (Supply to houses partly used for trade &c.) of the Act of 1920 shall be read and have effect and shall be deemed always to have had effect as if instead of the words "the rateable value thereof" the words "the gross estimated rental thereof" had always been inserted therein. Amendment of section 61 of Act of 1920.

25. Where water supplied for domestic purposes is used for washing carriages or motor cars or for other purposes in premises where carriages or motor cars are kept for private use the Board may if a hose-pipe or other similar apparatus is used charge any additional sum not exceeding one pound per annum and (where a carriage and a motor car or more than one carriage or motor car are ordinarily kept) a further sum not exceeding ten shillings per annum for each vehicle beyond the first and any sum chargeable under the provisions of this section shall be paid in advance and be recoverable in all respects with and as the water rate. Charges for hose-pipes.

26. When several houses or parts of houses in the occupation of several persons are supplied by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Board in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the engineer of the Board. Maintenance of common pipe.

27.—(1) If in the opinion of the Board any waste of water or injury or risk of injury to person or property is caused or likely to be caused by reason of any injury to or defect in any communication pipe which the Board are not under obligation to maintain it shall be lawful for the Board to enter the premises on which such communication pipe is situate and execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do. Power to Board to repair communication pipes.

(2) If any injury to or defect in the communication pipe shall have been found the expenses incurred by the Board for the purpose of ascertaining the cause of injury or defect and executing the repairs (including the expenses

A.D. 1925.

of breaking up filling in reinstating and making good any road pavement or soil for those purposes) shall be recoverable by the Board from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier in like manner as the water rates in respect of the premises are recoverable.

(3) Except in case of emergency the Board shall not under the powers of this section enter into any private premises unless they shall have given to the owner and occupier of such premises not less than twenty-four hours' previous notice of their intention so to enter.

Register of
meter to be
primâ facie
evidence.

28. Where the Board supply water by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed and in respect of which any water rate or rent is charged and sought to be recovered by the Board. Provided that if the Board and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

Cisterns to
be provided
for high-
level
supplies.

29. The Board may require that any dwelling-house erected at the passing of this Act and not fitted on the seventeenth day of December one thousand nine hundred and twenty-four with a water pipe above the ground floor and any new dwelling-house erected after the passing of this Act and (in each case) situate on land at a higher level than fifty feet below the service reservoir from which a supply of water is furnished by them to such dwelling-house shall be provided with a cistern or cisterns capable of containing a total quantity of water sufficient to provide an adequate supply for such dwelling-house for a period of forty-eight hours and the Board shall not be required to supply any such existing dwelling-house at a greater pressure than is sufficient to reach the ground floor or any such new dwelling-house until the same is provided with a cistern in conformity with the requirements of this section.

30. The provisions of section 35 of the Waterworks Clauses Act 1847 shall in their application to the Board be read and construed as if the one-tenth part of the expense of providing and laying down pipes mentioned in that section were one-seventh part of such expense and as if the period of three years mentioned in that section were five years.

A.D. 1925.

—
Amendment
of section 35
of Water-
works
Clauses Act
1847.

31. Every person who shall wilfully (without the consent of the Board) or negligently close or shut off any valve cock or other work or apparatus belonging to the Board whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Board) be liable to a penalty not exceeding five pounds and the Board may in addition thereto recover the amount of any damage by them sustained. Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe.

Penalty for
closing
valves and
apparatus.

32. Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of a supply of water by the Board who shall without the authority of the Board turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Board and provided or available for the purpose of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly.

Penalty for
opening
valves &c.

33. The period limited by section 30 of the Act of 1920 for the completion of Works No. 43 No. 44 No. 45 No. 49 No. 50 and No. 51 is hereby extended for a period of three years from the first day of January one thousand nine hundred and twenty-six.

Extending
period for
completing
certain
works.

34.—(1) The Board may from time to time borrow at interest (in addition to any moneys which they are now authorised to borrow) for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all moneys so borrowed within the respective

Power to
borrow.

A.D. 1925. periods mentioned in the third column of the said table (namely) :—

(1)	(2)	(3)
Purpose.	Amount.	Period.
(a) For the purchase of lands and for and in connection with the construction of the works (other than the pumps and engines) by this Act authorised.	£ 108,620	Sixty years from the date or dates of borrowing.
(b) For the pumps and engines by this Act authorised.	12,880	Fifteen years from the date or dates of borrowing.
(c) For the purchase of lands and for the construction of service reservoirs filters and filter-houses and other works required for the purposes of subsection (1) of the section of this Act of which the marginal note is "Treatment of water."	13,500	Thirty years from the date or dates of borrowing.
(d) For additional mains and service reservoirs.	20,000	Forty years from the date or dates of borrowing.
(e) For further working capital - -	2,000	Ten years from the date or dates of borrowing.
(f) For paying the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The Board may also with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act including further working capital and any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister of Health.

(3) In order to secure the repayment of the moneys borrowed or re-borrowed under this Act and the payment of interest thereon the Board may mortgage or charge the revenues of the Board.

The above-mentioned respective periods shall be deemed to be prescribed periods within the meaning of the sections of the Act of 1920 applied by the next succeeding section and such repayment shall be made either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking

fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within one year or when the money is repaid by half-yearly instalments within six months of the date of borrowing. A.D. 1925.

35. The undermentioned sections of the Act of 1920 (that is to say):— Financial provisions of Act of 1920 to apply.

- Section 73 (Mode of raising money);
- Section 74 (Provisions of Public Health Act 1875 as to mortgages to apply);
- Section 76 (Sinking fund);
- Section 78 (Protection of lender from inquiry);
- Section 80 (Appointment of receiver);
- Section 81 (Power to reborrow);
- Section 85 (Application of money borrowed);

shall apply and have effect *mutatis mutandis* to and in relation to the borrowing and other provisions of this Act:

Provided that section 74 shall be read and have effect as if the same had been expressed to be made subject to the provisions of the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes."

36.—(1) Where the Board have for the time being any statutory borrowing powers they may for the purpose of exercising such powers grant mortgages in pursuance of the provisions of this section. Power to use one form of mortgage for all purposes.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the common seal of the Board and may be made in the form contained in the Second Schedule to this Act or to the like effect.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing powers or in the dates of the respective mortgages or on any other ground whatsoever and shall also

A.D. 1925. rank equally with all other securities granted by the Board at any time after the date of the first grant of a mortgage under this section.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Board.

(5) Nothing in this section contained shall alter or affect the obligations of the Board to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods and by the means within and by which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section contained shall alter or affect the obligations of the Board to provide for the payment of interest upon the sums secured by mortgages granted under this section.

(7) There shall be kept at the office of the clerk a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed.

Every such register shall be open to inspection by any mortgagee or other person entitled to any mortgage granted under this section during office hours at the said office without fee or reward and the clerk or other the person having the custody of the same refusing to allow such inspection shall be liable to a fine not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his estate rights and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in the Second Schedule to this Act or to the like effect and shall not contain any recital trust power or proviso whatsoever.

(9) There shall be kept at the office of the clerk a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom

A.D. 1925.

or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Board shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his estate rights and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby.

(11) If the clerk wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a fine not exceeding twenty pounds.

37. It shall not be obligatory on the Board to receive or register any transfer assignment certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any security granted or issued by the Board (except securities issued under the Local Loans Act 1875) except upon the production to and temporary deposit with the clerk of the security or the certificate thereof for the purpose of the endorsement thereon of a memorandum of such transmission or the issue of a new security or certificate thereof and in case of the issue of a new security or certificate for the purpose of cancellation of the security or certificate so deposited.

Evidence of transfer or transmission of securities.

38. Where more persons than one are registered as joint holders of any mortgage debenture or stock of the Board any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Board or the clerk by any other of them.

Interest on mortgages debenture or stock held jointly.

39. If any moneys are payable to a mortgagee debenture holder or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Board.

Receipt in case of persons not sui juris.

A.D. 1925

—
Power to
constituent
authorities
to lend
money to
Board.

40. Any constituent authority may with the consent of the Ministry of Health lend to the Board such sum or sums on such terms and conditions and in such form as may be agreed between the Board and the constituent authority :

Provided that the consent of the Ministry of Health shall not be necessary in any case in which a constituent authority proposes to lend to the Board any sum or sums of money for any period not exceeding twelve months.

Power to
Board to
lend money
temporarily
to constitu-
ent autho-
rities.

41. The Board may from time to time lend for any period not exceeding twelve months to any constituent authority any sum of money which is not for the time being required for the purpose for which it was raised and the same shall be lent on such terms and conditions and in such form as may be agreed between the constituent authority and the Board.

Return to
Minister of
Health with
respect to
repayment
of debt.

42.—(1) The clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Board under any statutory borrowing powers.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by a statutory declaration of the clerk or other the chief accounting officer of the Board and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Board have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing powers or by the Minister in virtue thereof to

be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Board shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

A.D. 1925.

(4) The provisions of this section shall extend and apply to any annual returns required to be made to the Minister with regard to the repayment of debt by any provisions of any local Act or Provisional Order confirmed by Parliament applicable to the Board notwithstanding anything contrary to or inconsistent therewith in any such Act or Order.

43.—(1) Paragraph (2) of Part I. of the First Schedule to the Act of 1920 is hereby repealed but without prejudice to anything done thereunder.

As to ap-
pointment
of Board by
constituent
authorities.

(2) Each constituent authority shall at a meeting to be held in the month of April in each year appoint such members as may be necessary in order to bring the number of members appointed by them up to the number of members of the Board whom they are by the Act of 1920 authorised to appoint to hold office for such period not being less than one year nor more than three years as they may determine.

44. Section 57 (Notice to be given of contracts to the amount of £100 or upwards) of the Commissioners Clauses Act 1847 shall cease to apply to the Board and to be incorporated with the Act of 1920.

Exclusion of
section 57 of
Commis-
sioners
Clauses Act
1847.

45. The undermentioned sections of the Act of 1920 and the Act of 1921 (that is to say):—

Miscellane-
ous provi-
sions of Acts
of 1920 and
1921 to
apply.

Act of 1920—

- Section 96 (Inquiries by Ministry of Health);
- Section 98 (Judges not disqualified);
- Section 99 (Several sums in one summons or warrant);
- Section 100 (Recovery of penalties &c);

A.D. 1925.

- Section 101 (Recovery of demands);
 Section 102 (Application of penalties);
 Section 103 (Authentication and service of notices &c.):

Act of 1921—

Section 27 (Inquiries by Ministry of Health);
 shall extend and apply to the exercise of the powers of this Act as if the same were re-enacted in this Act.

Saving
rights of
duchy of
Lancaster.

46.—(1) Nothing contained in this Act shall extend or operate to authorise the Board to take use enter upon or in any manner interfere with any land soil water or hereditaments or any land parcel of any manor or any manorial rights or any other rights of whatsoever description belonging to His Majesty in right of His duchy of Lancaster without the consent in writing of the chancellor for the time being of the said duchy first had and obtained (which consent the said chancellor is hereby authorised to give) or take away prejudice or diminish any estate right privilege power or authority vested in or enjoyed or exerciseable by His Majesty His heirs or successors in right of His said duchy.

(2) For the purposes of the application of the Waterworks Clauses Act 1847 the prescribed distance referred to in section 22 of that Act shall in respect of the mines and minerals belonging to His Majesty in right of His said duchy be one hundred yards.

Costs of Act.

47. All costs charges and expenses of and incident to the preparing for and obtaining and passing of this Act or otherwise in relation thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Board and may be paid out of the revenues of the Board or out of moneys to be borrowed under this Act for the purpose.

The SCHEDULES referred to in the
foregoing Act.

A.D. 1925.

FIRST SCHEDULE.

Describing properties whereof portions only may be taken.

Parish.	Numbers on deposited Plans.		
-----	-----		
St. Bride's Major - - -	26.		
Ewenny - - - - -	29	43.	
Bridgend - - - - -	2	8	9.

SECOND SCHEDULE.

FORM OF MORTGAGE.

MID-GLAMORGAN WATER BOARD.

By virtue of the Mid-Glamorgan Water Act 1925 and of other their powers in that behalf them enabling the Mid-Glamorgan Water Board (hereinafter referred to as "the Board") in consideration of the sum of pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the Board by _____ of (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Board (which expression includes the revenues of the Board from time to time arising from any land undertaking or other property for the time being of the Board and the rates or contributions leviable by or on the order or precept of the Board) as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said revenues. To hold unto the mortgagee [his] executors administrators and assigns from the

A.D. 1925.

day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of _____ per centum per annum from the _____ day of _____ one thousand nine hundred and _____ until the payment of the principal sum such interest to be paid half-yearly on the _____ day of _____ and the _____ day of _____ in each year And it is hereby agreed that the principal sum shall be repaid at the offices of the Board [(subject as hereinafter provided) on the _____ day of _____ one thousand nine hundred and _____ by _____]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon between the Board and the mortgagee and mentioned in an endorsement to be made hereon under the hand of the chairman and the clerk of the Board for the time being and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Board have caused their common seal to be hereunto affixed this _____ day of _____ one thousand nine hundred and _____

Chairman.

Clerk.

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named _____ consenting the within-mentioned time for repayment of the within-mentioned principal sum of _____ is hereby extended to the _____ day of _____ one thousand nine hundred and _____ and the interest to be paid thereon on _____ day of _____ one thousand nine hundred and _____ is hereby declared to be at the rate of _____ per centum per annum.

Dated this _____ day of _____ one thousand nine hundred and _____

FORM OF TRANSFER OF MORTGAGE.

A.D. 1925.

I [the within-named]
[of]
in consideration of the sum of pounds
paid to me by of (here-
inafter referred to as "the transferee") do hereby transfer to
the transferee [his] executors administrators and assigns [the
within-written security] [the mortgage number of
the revenues of the Mid-Glamorgan Water Board bearing date
the day of]
and all my right and interest under the same subject to the
several conditions on which I hold the same at the time of the
execution hereof and I the transferee for myself my executors
administrators and assigns do hereby agree to take the said
mortgage security subject to the same conditions.

Dated this day of one
thousand nine hundred and

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of
Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C. 2; 28, Abingdon Street, London, S.W. 1;
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
or 120, George Street, Edinburgh;
or through any Bookseller.

