



**CHAPTER xv.**

An Act to empower the Corporation of Northampton to construct additional waterworks to make better provision with regard to their water undertaking and for other purposes. A.D. 1913.  
[4th July 1913.]

**W**HEREAS by the Northampton Corporation Waterworks Acts 1861 to 1884 and the Northampton Order 1907 the mayor aldermen and burgesses of the borough of Northampton acting by the council (in this Act called "the Corporation") are empowered to supply and are supplying water within the county borough of Northampton and other places all in the county of Northampton:

And whereas the supply of water from the existing waterworks of the Corporation is inadequate to meet the present and growing demands of the inhabitants within the limits for the supply of water by the Corporation and it is expedient that they should be empowered to make and maintain the additional waterworks and other works by this Act authorised and to supply water in the areas in which such works are situate:

And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which they are by this Act authorised to borrow money and such estimates are as follows:—

For and in connection with the construction of the waterworks authorised by this Act and the purchase of lands therefor and for the protection of the waters to be collected thereby -	£ 190,000
For and in connection with the construction of the sewage works and sewers authorised by this Act and the purchase of lands therefor	- . . 3,000
[Price 1s. 9d.]	A 1

[Ch. xv.] *Northampton Corporation Water* [3 & 4 GEO. 5.]  
*Act, 1913.*

A.D. 1913.

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

And whereas it is expedient that the other provisions contained in this Act should be enacted :

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

And whereas plans and sections showing the lines and levels of the works authorised by this Act and a book of reference to the plans containing the names of the owners or reputed owners and lessees or reputed lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Northampton which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the promotion of the Bill has received the approval of the Local Government Board :

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 and  
collective  
titles.

1. This Act may be cited as the Northampton Corporation Water Act 1913 and the Northampton Corporation Waterworks Acts 1861 to 1884 the Northampton Order 1907 and this Act may be cited together as the Northampton Corporation Water Acts and Order 1861 to 1913.

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 (namely) :—

(1) The Waterworks Clauses Acts 1847 and 1863 except—

(A) The words “with the consent in writing of  
“the owner or reputed owner of any such house or  
“of the agent of such owner” in section 44 of the  
Waterworks Clauses Act 1847 ;

(B) Sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts: A.D. 1913.

- (2) The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845:
- (3) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and in such provisions for the purposes of this Act "the railway" means the works by this Act authorised and "the centre of the railway" means the boundaries of the reservoirs and the centres of the aqueducts and sewers respectively.

3. In this Act unless the subject or context otherwise requires the several words and expressions to which by the Acts wholly or partially incorporated with this Act and by the Public Health Acts meanings are assigned shall have the same respective meanings And— Interpretation.

"The borough" means the county borough of Northampton;

"The waterworks" means the waterworks by this Act authorised;

"The water undertaking" means the water undertaking of the Corporation for the time being authorised;

"The limits of supply" means the area within which the Corporation are for the time being authorised to supply water;

"The district fund" and "the general district rate" mean respectively the district fund and the general district rate of the borough;

"The Public Health Acts" means the Public Health Act 1875 and any Act amending the same;

"The Act of 1861" means the Northampton Waterworks Act 1861;

"The Act of 1884" means the Northampton Corporation Waterworks Act 1884; and

"The Act of 1911" means the Northampton Corporation Act 1911.

A.D. 1913.

Extension of limits for supply of water.

4. From and after the passing of this Act the limits for the supply of water by the Corporation shall be extended so as to include the parishes of Guilsborough Coton and Hollowell in the rural district of Brixworth and the Corporation shall have and may exercise within the said limits as extended all and the like powers privileges and authorities for and in relation to the supply of water and shall be subject to all and the like duties liabilities and obligations in respect thereof as they have may exercise and are subject to within the present limits for the supply of water by the Corporation and the provisions of the Northampton Corporation Waterworks Acts 1861 to 1884<sup>†</sup> and of this Act shall extend and apply accordingly throughout the limits of supply.

Power to local authority &c. to supply water in case Corporation fail to supply.

5. If after the expiration of ten years from the passing of this Act the Corporation are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of this Act in the area by this Act included within the limits of supply the local authority of that area may provide a supply in accordance with the provisions of the Public Health Act 1875 or the local authority or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such area not sufficiently supplied by the Corporation and for the repeal of the powers of the Corporation in that behalf.

If any difference shall arise between the Corporation and any such local authority company body or person as to the sufficiency of the supply of water in any part of such area such difference shall be settled by an arbitrator to be appointed on the application of either party by the Local Government Board.

Power to construct waterworks.

6. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated upon the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the following waterworks and may enter upon take and use all or any of the lands delineated on the deposited plans relating thereto and described in the deposited book of reference (that is to say):—

Work No. 1 An impounding reservoir (to be called the Hollowell Reservoir) situate in the parishes of Guilsborough and Hollowell to be formed by means of a dam or embankment across the valley of the Stowe Brook

through a point thereon four hundred and thirty-six yards or thereabouts measured in a north-westerly direction from the bridge carrying the public road over the Stowe Brook at Hollowell and extending in a north-westerly direction up the valley of the Stowe Brook to a point at or near the bridge which carries Crow Lane over the Stowe Brook : A.D. 1913.

Work No. 2 An aqueduct (No. 1) consisting of one or more conduits or lines of pipes commencing at a point in or under the dam or embankment by this Act authorised one hundred yards or thereabouts east of the Stowe Brook and terminating at the north-east side of the pure water tank of the Corporation in the parish of Ravensthorpe :

Work No. 3 An aqueduct (No. 2) consisting of one or more conduits or lines of pipes commencing by a junction with the existing pipes of the Corporation at or near the engine-house of the Corporation in the parish of Ravensthorpe and terminating at the east side of the Boughton Service Reservoir of the Corporation :

Work No. 4 A service reservoir (to be called Boughton Service Reservoir No. 2 Reservoir) adjoining the existing Boughton Service Reservoir on the north-west west and south-west sides thereof :

Work No. 5 An aqueduct (No. 3) consisting of one or more conduits or lines of pipes and a tunnel commencing in the parish of Ravensthorpe at the existing sand-well of the Corporation and terminating in the parish of Hollowell at the Stowe Brook in the field or enclosure numbered 94 on the  $\frac{1}{2500}$  Ordnance map of that parish (second edition 1900) sheet XXX—15 at a point thirty-three yards or thereabouts measured in a north-westerly direction from the east corner of the said field or enclosure.

In addition to the foregoing works the Corporation may upon the said lands make and maintain all dams walls embankments piers bridges roads ways fences wells tanks water-towers cisterns basins filters filter-beds sluices gauges bye-washes waste weirs waste-water channels overflows meters inlet works outfalls discharge pipes shafts tunnels adits aqueducts culverts cuts catchwaters channels conduits mains pipes stand-pipes junctions hydrants washouts valves chambers drains telegraphs telephones engines apparatus roadways tramroads approaches buildings houses works and conveniences connected with the

[Ch. xv.] *Northampton Corporation Waters* [3 & 4 GEO. 5.]  
*Act, 1913.*

A.D. 1913. hereinbefore described works or any of them or incidental thereto or necessary for obtaining conducting controlling storing intercepting filtering cleansing repairing maintaining or managing the same.

For protection of London and North Western Railway Company.

7. In constructing Work No. 3 (Aqueduct No. 2) by this Act authorised the Corporation shall carry the said Aqueduct No. 2 where it passes under the level crossing of the London and North Western Railway at Boughton through the existing culvert under that railway and the provisions of section 33 (For the protection of the London and North Western Railway Company) of the Act of 1884 shall so far as applicable extend and apply to the said Work No. 3 (Aqueduct No. 2).

Power to take waters.

8. Subject to the provisions of this Act the Corporation may collect impound take use divert and appropriate for the purposes of their waterworks at and above the embankment or dam of the Hollowell Reservoir the waters of the Stowe Brook and all such springs streams and waters as may be intercepted by the waterworks.

As to compensation water.

9.—(1) Until the date of the completion of the Hollowell Reservoir the Corporation may take from the Stowe Brook any water they may require subject to the following restrictions:—

(A) They shall place a gauge-weir across the said brook at or near the proposed intake through an aperture in which one hundred thousand gallons of water shall be allowed to pass and flow down the brook every working day of twenty-four hours:

(B) On any such day during such time as the flow of water in the said brook shall be less than at the rate of one hundred thousand gallons per day of twenty-four hours the Corporation shall not be entitled to draw any water therefrom but during such time as the flow is in excess of such rate the Corporation may take all or such part of the excess as they may require.

(2) After the said reservoir is completed the following provisions shall apply:—

(A) The Corporation shall during every working day of twenty-four hours discharge or deliver into the Stowe Brook at a point therein situate not more than two hundred yards below the foot of the embankment of

the reservoir and at the point of termination of the aqueduct (No. 3) (Work No. 5) by this Act authorised or either of them not less in the aggregate than one hundred thousand gallons of water in a continuous flow: A.D. 1913.

(B) For the purpose of measuring the quantity of water to be so discharged or delivered into the Stowe Brook the Corporation shall erect and maintain at a point on the said brook below the said reservoir not more than two hundred yards from the foot of the embankment thereof and at the point of termination of the aqueduct (No. 3) (Work No. 5) by this Act authorised proper and suitable measuring gauges over or through which the said compensation water shall flow and the same shall be open to the inspection and examination of all persons interested therein and of any person appointed by the Board of Agriculture and Fisheries or the Board of Conservators of the Ouse and Nene Fishery District.

(3) In case of any neglect on the part of the Corporation to maintain such gauges in a state of efficiency and in case of any other neglect by or in consequence of which the said quantities of compensation water shall not so flow the Corporation shall for every day on which such neglect occurs forfeit and pay to each of the persons (including the Board of Agriculture and Fisheries and the Board of Conservators of the Ouse and Nene Fishery District) affected thereby who may sue for and recover the same the sum of five pounds and shall in addition make compensation for any loss damage or injury sustained by such occupiers or any of them.

(4) If any difference arises between the Corporation and any person so interested with respect to the construction or use of such gauges or the state of repair or condition thereof such difference shall be referred to the arbitration of an engineer to be nominated (unless otherwise agreed) on the application of either of them by the Board of Trade.

(5) The provisions of this section shall be accepted and taken by all persons interested as full compensation for all water of the Stowe Brook which the Corporation can divert collect impound or appropriate by means of the waterworks.

[Ch. xv.] *Northampton Corporation Water* [3 & 4 GEO. 5.]  
*Act, 1913.*

A.D. 1913.

Limiting  
powers of  
Corporation  
to abstract  
water.

**10.** The Corporation shall not construct any works for taking or intercepting water from any lands acquired by them in connection with their water undertaking unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament but nothing in this Act shall prevent the Corporation from sinking wells upon or intercepting water from any such lands for the supply of any buildings thereon which cannot be supplied with water from any existing reservoir of the Corporation or from carrying out or executing any works or agreement for the execution of works for facilitating the collection and taking of any water which by the Acts and Order relating to the water undertaking the Corporation are empowered to collect and take.

Power to  
stop up foot-  
paths.

**11.** Subject to the provisions of this Act the Corporation may stop up—

(A) So much of the footpath in the parish of Guilsborough leading from Guilsborough to the Welford main road as lies between the west corner of the field or enclosure numbered 200 on the  $\frac{1}{2500}$  Ordnance map of that parish (second edition 1900) sheet XXX—10 and the said main road:

(B) The footpaths in the parish of Hollowell leading from the village of Hollowell to and into the field or enclosure numbered 50 on the  $\frac{1}{2500}$  Ordnance map of that parish (second edition 1900) sheet XXX—10:

Provided that such stopping up of any such footpaths or portion of footpath shall not take place unless the Corporation are owners in possession of all lands on both sides thereof except so far as the owners lessees and occupiers of such lands may otherwise agree and from and after such stopping up all rights of way over or along the footpaths and portion of footpath authorised to be stopped up shall be extinguished and the Corporation may appropriate and use for the purposes of the water undertaking the sites and soil of the footpaths and portion of footpath so stopped up:

Provided that the Corporation 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.



**12.** Subject to the provisions of this Act the Corporation may enter upon take and use for the purposes of sewage disposal works and purposes connected therewith the lands following (that is to say):—

A.D. 1913.  
Acquisition of lands for sewage purposes.

- (A) Certain lands in the parish of Guilsborough six acres or thereabouts in extent being the site of the existing Guilsborough Sewage Farm and the lands situated on the north-east side of and adjoining the same:
- (B) Certain lands in the parish of Cold Ashby three acres or thereabouts in extent being the site of the existing Cold Ashby Sewage Farm and the lands situated at the south-eastern corner of the field or enclosure numbered 111 on the  $\frac{1}{2500}$  Ordnance map of that parish (second edition 1900) sheet XXX—1 and adjoining the said sewage farm:

And they may erect make provide lay down and maintain on such lands such bacteria-beds screens filter-beds tanks embankments buildings junctions sewers drains outfalls overflows weirs sluices culverts conduits channels engines pumps works conveniences and other sewerage works as they think requisite for the purposes aforesaid.

**13.** The following provisions with respect to the purification and disposal of the sewage of the parishes of Guilsborough and Cold Ashby capable of being drained by gravitation into the existing Guilsborough and Cold Ashby sewage works of the Brixworth Rural District Council (in this section referred to as "the council") shall unless otherwise agreed between the Corporation and the council apply and have effect:—

Provisions as to sewage of Guilsborough and Cold Ashby.

- (1) From and after the expiration of six months' notice by the Corporation to the council the existing sewage works of the council at Guilsborough and Cold Ashby respectively shall be maintained and managed by the Corporation:
- (2) The Corporation shall prior to the first filling of the impounding reservoir by this Act authorised construct and bring into use new or improved sewage disposal works on the lands (A) and (B) respectively referred to in the section of this Act whereof the marginal note is "Acquisition of lands for sewage purposes":

A.D. 1913.

- (3) From and after the date at which such sewage disposal works are brought into use the Corporation shall construct maintain and manage all such works as may be necessary for the efficient purification and disposal of the sewage to be from time to time dealt with thereat:
- (4) From and after the expiration of the notice aforesaid the council shall pay to the Corporation such annual sum as may be agreed or in case of difference settled by an arbitrator appointed by the Local Government Board as representing from time to time the annual cost which it would have been necessary for the council to incur had they continued to purify and dispose of the said sewage and the impounding reservoir by this Act authorised had not been constructed:
- (5) The Corporation and the council may enter into and carry into effect contracts and agreements with reference to any of the matters aforesaid and for the removal of any of the said works from any of the lands hereinbefore referred to to other lands which may be provided by the Corporation within the district of the council.

Power to  
construct  
sewers.

14. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated upon the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the following works and may enter upon take and use all or any of the lands delineated on the deposited plans relating thereto and described in the deposited book of reference (that is to say):—

A sewer or effluent drain (No. 1) commencing in the parish of Guilsborough in the field or enclosure numbered 167 on the  $\frac{1}{2500}$  Ordnance map of that parish (second edition 1900) sheet XXX—10 at a point one hundred and sixty yards or thereabouts measured in a westerly direction from the south-east corner thereof and terminating in the parish of Hollowell at the brook course in the field or enclosure numbered 43 on the  $\frac{1}{2500}$  Ordnance map of that parish (second edition 1900) sheet XXX—10 at a point one

hundred and ten yards or thereabouts below the dam or embankment of the intended Hollowell Reservoir: A.D. 1913.

A sewer (No. 2) commencing in the parish of Cold Ashby by a junction with the existing sewer of the Brixworth Rural District Council at a point thirty yards or thereabouts measured in a southerly direction from the north-east corner of the field or enclosure numbered 130 on the  $\frac{1}{2500}$  Ordnance map of the said parish (second edition 1900) sheet XXX—1 and terminating in the said parish at the north-west side of the existing Cold Ashby sewage farm:

Together with all necessary sewers drains outfalls overflows weirs sluices culverts conduits channels gauges syphons machinery shafts works and conveniences connected therewith.

**15.** In the construction of the works authorised by this Act the Corporation 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 not exceeding five feet upwards and to any extent downwards Provided as follows:— Limits of deviation.

The Corporation shall not construct any embankment or dam of the impounding reservoir by this Act authorised of a greater height above the general surface of the ground than that shown on the deposited sections in respect of the corresponding embankment or dam and three feet in addition:

Except for the purposes of crossing over a stream or railway no part of the aqueducts or sewers shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

**16.** If the works by this Act authorised and delineated on the deposited plans are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof respectively or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed Provided that the Corporation may extend enlarge alter reconstruct renew or remove any of their works and plant and in Period for completion of works.

A.D. 1913. the case of the aqueducts or lines of pipes or sewers authorised by this Act lay down additional lines of pipes or sewers to form part of such aqueducts or sewers as the case may be as and when occasion may require.

Application of Waterworks Clauses Act 1847 to aqueducts discharge-pipes and telephones.

17. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down erection and maintenance in any streets or roads of the aqueducts and sewers authorised by this Act and of any discharge-pipes telephone or telegraph posts wires conductors or apparatus which the Corporation may and which they are hereby authorised to erect or lay down for the purposes of the water undertaking.

For protection of Postmaster-General.

18. No telephone or telegraph posts wires conductors or apparatus erected laid down made or maintained under the authority of this Act shall be used for transmitting telegrams which are within the exclusive privilege conferred on the Postmaster-General by the Telegraph Act 1869.

Works to form part of water undertaking.

19. The works by this Act authorised shall for all purposes be deemed part of the water undertaking.

Period for compulsory purchase of lands.

20. The powers of the Corporation for the compulsory purchase of lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

Corporation may acquire easements only in certain cases.

21.—(1) The Corporation may in lieu of acquiring any lands for the purposes of the works authorised by this Act where the same are intended to be constructed underground acquire such easements only in such lands as they may require for such purposes 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.

(2) As regards any lands in respect of which the Corporation have acquired easements only under the provisions of this section the Corporation 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 and cultivate the said lands at all times as if this Act had not passed.

(3) Provided always that nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision. A.D. 1913.

**22.**—(1) In addition to any land vested in the Corporation or which they are authorised to purchase the Corporation may from time to time by agreement purchase take on lease and hold such further quantities of land within the drainage areas of any of their waterworks as they may deem expedient in order to protect the streams communicating therewith against nuisance pollution fouling contamination or discolouration and such further quantities of land within or outside the said drainage areas as they may require to exchange for any lands within the said drainage areas which it is expedient to acquire for the purposes aforesaid and such lands shall not be deemed to be superfluous lands within the meaning of this Act or the Lands Clauses Acts respectively and the purchase of any such lands prior to the passing of this Act is hereby sanctioned and confirmed For the purposes of section 3 of the Housing of the Working Classes Act 1903 any such last-mentioned lands shall be deemed to have been acquired under the powers of this section. Power to purchase additional lands by agreement and exercise powers for protection of waterworks.

(2) The Corporation may also for other purposes of the water undertaking purchase take on lease and acquire by agreement and hold any other lands not exceeding three hundred acres and the purchase of any such lands prior to the passing of this Act is hereby sanctioned and confirmed Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor erect any buildings thereon except offices and dwellings for persons in their employment in connection with the water undertaking and such buildings and works as may be incident to or connected with the water undertaking.

(3) The Corporation may in and upon the lands acquired and held by them under subsection (1) of this section construct and lay down drains sewers watercourses catchpits and other works and conveniences necessary or proper for the purpose of

A.D. 1913: intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Corporation are empowered to take from being polluted and the Corporation may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

(4) The Corporation may make and carry into effect agreements with the owners lessees or occupiers of any lands with reference to the execution by the Corporation, or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters which the Corporation are for the time being authorised to take.

Accommoda-  
tion for  
workmen  
employed on  
construction  
of works.

**23.**—(1) The Corporation shall erect fit up and maintain or provide—

(A) Such huts or buildings for the accommodation of the workmen employed in and about the construction of the works authorised by this Act;

(B) Such hospital accommodation for the treatment of cases of sickness or accident among such workmen including accommodation for dealing with infectious diseases;

as shall be reasonably necessary having regard to the accommodation available in the neighbourhood of or conveniently accessible from the said works and shall provide and maintain proper and sufficient sanitary accommodation in connection with every such building and hospital.

(2) The Corporation shall pay all reasonable costs and expenses incurred in respect of the medical and surgical treatment of any workman employed on the construction of the said works who is treated in any hospital accommodation provided by them except in so far as such costs and expenses are payable under the provisions of the National Insurance Act 1911 or otherwise.

(3) The medical officer of health of the county council of the county of Northampton (in this section called "the county

council") shall be entitled at any time to enter into and inspect and examine any accommodation afforded under this section in order to ascertain whether overcrowding exists therein and whether proper and sufficient sanitary arrangements are provided. A.D. 1913.

(4) The Corporation shall give such officer all facilities and information which he requires for the purpose of the performance of his duties including the right to enter upon the said works and any person obstructing such officer in the performance of his duty under this section shall be liable on summary conviction to a fine not exceeding forty shillings.

(5) If at any time it appears to the county council that the Corporation have failed to afford or maintain accommodation in accordance with subsection (1) of this section the Corporation shall afford and maintain such accommodation as the county council may require. Provided that if within fourteen days after the receipt of notice of any requirement of the county council under this subsection the Corporation give notice to the county council that they dispute the reasonableness of any such requirement the difference shall be determined by the Local Government Board on the application of either of the parties to the difference and the Local Government Board may make such requirements (if any) in variation of the requirements of the county council as they may think fit.

(6) If the Corporation fail to afford and maintain accommodation in accordance with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a further daily penalty not exceeding five pounds for every day on which the offence is continued after conviction and such penalties may be recovered by the county council.

(7) Any expenses incurred by the county council in carrying out the provisions of this section shall be repaid to the county council by the Corporation and shall be recoverable as a debt due from the Corporation to the county council.

(8) The Corporation shall pay to the Local Government Board any expenses incurred by that Board under this section including a sum not exceeding three guineas a day for the services of any inspector in connection with any local inquiry or investigation which they may consider necessary in the exercise of their powers under subsection (5) of this section and the expenses of any witnesses summoned by the inspector.

A.D. 1913.

Dwelling-  
houses for  
persons in  
Corpora-  
tion's em-  
ployment.

**24.** The Corporation may purchase or take on lease dwelling-houses for persons employed by them for the purposes of the water undertaking and may erect and maintain dwelling-houses for such persons upon any lands for the time being belonging to the Corporation for the purposes of the said undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for the purposes of the said undertaking.

Reservation  
of water  
rights on  
sale.

**25.** The Corporation on selling or otherwise disposing of any lands acquired for or in connection with the water undertaking and not required for that purpose may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Byelaws for  
preventing  
pollution of  
water.

**26.**—(1) The Corporation may make byelaws for preventing the pollution fouling or contamination of the waters which they are authorised to take for the purposes of any of their waterworks and may by such byelaws prescribe the construction maintenance and use of proper drains sewers and works and make provision for the prevention of any act or thing tending to pollution of the water.

(2) The byelaws made under this section shall be in force within the areas from or through which the said waters flow or within so much of those areas as may be defined in the byelaws.

(3) The provisions with respect to byelaws contained in sections 182 to 185 of the Public Health Act 1875 shall apply to byelaws made by the Corporation under this section.

(4) All byelaws made under this section shall be subject to the approval of the council of every district comprising any part of the area within which it is proposed that they shall be in force Provided that such consent shall not be necessary where in the opinion of the Local Government Board it has been unreasonably withheld.

(5) The Corporation shall pay compensation to the owners of and other persons interested in any lands in respect of which



[3 & 4 GEO. 5.] *Northampton Corporation Water* . [Ch. xv.]  
*Act, 1913.*

byelaws shall be made under the provisions of this section whose legal rights shall be injuriously affected by the restrictions imposed by such byelaws and such compensation shall be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889. A.D. 1913.

**27.**—(1) For the purpose of constructing enlarging extending repairing cleansing or examining the aqueducts reservoirs and other waterworks of the Corporation the Corporation may cause the water in such works or any of them to be temporarily discharged into any available stream or watercourse. Temporary discharge of water into streams.

(2) In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by the exercise of such power the amount of compensation to be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

**28.** The Corporation may on all or any of the lands for the time being held by them in connection with the water undertaking execute for the purposes of or in connection with the said undertaking any of the works (other than wells and works for taking and intercepting water) and exercise any of the powers mentioned in or conferred by section 12 of the Waterworks Clauses Act 1847. Provided that the Corporation shall not under the powers of this section create or permit the creation or continuance of any nuisance on any such lands purchased or taken on lease nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or in connection with the water undertaking. As to exercise of powers of section 12 of Waterworks Clauses Act 1847.

**29.** Subject to the provisions of this Act the Corporation shall have and may exercise the powers which a local authority would have under section 54 of the Public Health Act 1875 with respect to the carrying of water mains within and without their district and for the purposes thereof the limits of supply shall be deemed to be the district. Powers in relation to water mains.

**30.** The Corporation may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Acts 1847 and 1863 shall apply as if the street were a street within the meaning of those Acts: Power to lay pipes in streets not dedicated to public use.

[Ch. xv.] *Northampton Corporation Water* [3 & 4 GEO. 5.]  
*Act, 1913.*

A.D. 1913. Provided that nothing in this section contained shall apply to any existing street belonging to and forming the approach to any station or depôt of the Midland Railway Company except with the consent of that company first being obtained nor shall the Corporation in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street.

For protec-  
tion of  
Grand Junc-  
tion Canal  
Company.

**31.** In the exercise of the powers of the sections of this Act whereof the marginal notes respectively are "Power to purchase additional lands by agreement and exercise powers for protection of waterworks" "Powers in relation to water mains" and "Power to lay pipes in streets not dedicated to public use" the Corporation shall not without the previous consent in writing of the company of proprietors of the Grand Junction Canal lay or place any main pipe aqueduct sewer drain watercourse post wire conductor or other work or apparatus in under through over or across the canal of the said company or the towing-path thereof or other property of the said company.

Detection of  
waste.

**32.** Subject to the provisions of the Waterworks Clauses Act 1847 the Corporation may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Corporation and stop-cocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose break up and interfere temporarily with public and private streets roads lanes footways courts passages tramways gas or water pipes electric and other lines wires and apparatus:

Provided that the Corporation shall not break up or interfere with any electric lines wires or apparatus of the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

As to com-  
munication  
pipes.

**33.** For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 to maintain any pipe or apparatus the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

**34.** 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 Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the water engineer of the Corporation.

A.D. 1913.  
Maintenance  
of common  
pipe.

**35.**—(1) The Corporation may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (in this section referred to as “water fittings”) to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

Byelaws for  
preventing  
waste &c. of  
water.

(2) Such byelaws shall apply only in the case of premises to which the Corporation are bound to afford and do in fact afford or are prepared on demand to afford a constant supply and the provisions with respect to byelaws contained in sections 182 to 185 of the Public Health Act 1875 shall apply to all byelaws so made.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Corporation may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Corporation as the water rates in respect of the premises are recoverable.

(4) As from the date at which such byelaws shall come into operation section 61 (For preventing fouling of water) and section 62 (Persons using water for waterclosets to provide cisterns &c.) of the Act of 1861 shall be and the same are hereby repealed but without prejudice to anything which may have been done thereunder.

A.D. 1913.

As to supply  
of water for  
motor  
vehicles.

**36.** A supply of water by the Corporation for domestic use or for domestic purposes shall not include a supply of water for the use of motor vehicles or for washing the same if a hose-pipe or similar apparatus be used but the Corporation shall if required be bound to afford such a supply by meter if and so long only as such supply would not interfere with the supply of water for domestic purposes within the limits of supply.

Corporation  
not bound  
to supply  
several  
houses by  
one pipe.

**37.** The Corporation shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

Contracts for  
supplying  
water in  
bulk.

**38.** The Corporation may enter into and carry into effect agreements with any local authority company or persons for the supply of water beyond the limits of supply to any such authority company or persons respectively in bulk for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed upon Provided that such supply shall not be given except with the consent of any authority company or person supplying water under parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of supply Provided also that nothing in this section shall authorise the Corporation to lay any mains beyond the limits of supply.

Notice of  
discontinu-  
ance.

**39.** A notice to the Corporation from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Corporation or be given personally by the consumer at such office.

Power to  
supply  
fittings.

**40.—**(1) Section 56 (Power to let meters) of the Act of 1861 is hereby repealed but without prejudice to anything which may have been done thereunder.

(2) The Corporation may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns meters and other fittings as are required or permitted by their regulations and may provide all materials and work necessary or proper in that behalf and the reasonable charges

of the Corporation in providing such materials and executing such work shall be paid by the person requiring the same.

A.D. 1913.

(3) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Corporation as the actual owners thereof:

Provided as follows:—

(A) The Corporation shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this section in connection therewith including interest upon any moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed:

(B) Every sum charged by the Corporation in respect of provision of such fittings or repairing the fixing or removal thereof shall be clearly stated in every demand note delivered by the Corporation to the consumer:

(C) The total sums expended and received by the Corporation in connection with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the water undertaking for such year.

**41.** Before any person connects or disconnects any meter by means of which any of the water of the Corporation is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Corporation of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Corporation and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Notice to  
Corporation  
of connect-  
ing or dis-  
connecting  
meters.

A.D. 1913.  
Injuring  
meters &c.

**42.** Section 54 (Penalty for injury to and fraudulent use of meters) of the Act of 1861 is hereby repealed but without prejudice to anything which may have been done thereunder and every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Corporation or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Corporation shall (without prejudice to any other right or remedy for the protection of the Corporation) be liable to a fine not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage by them sustained :

And in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Corporation or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Corporation the Corporation may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for insuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Corporation by the person so offending and may be recovered by them as water rates are recoverable. The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Corporation when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be *prima facie* evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Power to  
remove  
meters and  
fittings.

**43.** The Corporation by their agents or workmen after forty-eight hours' notice in writing under the hand of the manager of the water undertaking or some other officer of the Corporation to the occupier or if there be no occupier then to the owner or

lessee of any house building or land in which any pipe meter or fitting belonging to the Corporation is laid or fixed and through or in which the supply of water is from any cause other than the default of the Corporation discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal. A.D. 1913.

44. Where the Corporation 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 Corporation. Provided that if the Corporation 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. Register of meter to be *primâ facie* evidence.

45. Any notice to be served on a person supplied with water shall be sufficiently authenticated by the signature of the manager of the water undertaking or some other duly authorised officer of the Corporation being affixed thereto in writing or by a stamp or if it be a notice to pay any charge in respect of a supply of water by the name of the collector of the Corporation being affixed thereto in print or by a stamp and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises. Form and service of notice by Corporation.

46.—(1) Any urban or rural district council the district under whose jurisdiction is in whole or in part within the limits of supply may give and enter into any guarantee or contract for securing payment to the Corporation of such periodical or other Guarantees by district councils.

[Ch. xv.] *Northampton Corporation Water* [3 & 4 GEO. 5.]  
*Act, 1913.*

A.D. 1913. sum or sums at such time or times in such manner and subject to such stipulations as may be agreed by and between such council and the Corporation for the purpose of or with respect to the providing or laying down by the Corporation of any main pipe or works for the supply within any part of such district which is within the limits of supply by means of such main pipe or works.

(2) The giving of such guarantee and the performance of any contract in relation thereto shall be deemed to be a purpose for which under the provisions of any general Act relating to the powers of such council they may incur expenditure and any such council may raise in like manner as money may be raised under the provisions of any such general Act any money which may become payable to the Corporation under this section.

Several sums  
in one sum-  
mons.

47. Where the payment of more than one sum by any person is due under this Act or any of the Acts or the Order relating to the water undertaking any summons or warrant issued for the purposes of such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Repeal of cer-  
tain provisions  
of Act of 1861.

48. The second proviso to section 50 and sections 52 57 58 63 to 70 and 72 to 82 of the Act of 1861 are hereby repealed.

Amendment  
of 10 & 11  
Vict. s. 44.

49. From and after the passing of this Act section 44 of the Waterworks Clauses Act 1847 shall for the purposes of its incorporation with the Northampton Corporation Waterworks Acts 1861 to 1884 have effect as if the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" were omitted therefrom.

Power to  
borrow and  
repayment of  
borrowed  
moneys.

50.—(1) The Corporation may in addition to any moneys which they are now authorised to borrow or which they may be authorised to borrow under the provisions of the Public Health Acts or any public general Act borrow at interest for the purposes set forth in the first column of the following table on the security of the revenue of the water undertaking and the district fund and general district rate any sums not exceeding the respective sums set forth in the second column thereof and all moneys borrowed under the powers of this subsection shall be repaid within the respective periods set forth in the third column of the said table (that is to say):—



A.D. 1913.

Purpose.	Amount.	Period for Repayment.
(A) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	5 years from the passing of this Act.
(B) For the construction of the reservoirs by this Act authorised and the purchase of lands for the waterworks and for the protection of the waters to be collected thereby.	£141,139	60 years from the date or dates of borrowing.
(C) For the construction of the aqueducts by this Act authorised.	£48,861	50 years from the date or dates of borrowing.
(D) For the purchase of lands for and for the construction of the sewage works and sewers by this Act authorised.	£3,000	55 years from the date or dates of borrowing.

Provided that it shall not be obligatory upon the Corporation to commence the repayment (by sinking fund or otherwise) of any moneys to be borrowed under this Act for the purposes (B) and (C) until the completion of the impounding reservoir by this Act authorised or until the expiration of ten years from the passing of this Act whichever shall first happen.

(2) The Corporation may also with the sanction of the Local Government Board borrow on the said security or such other security as that Board may prescribe such further moneys as the Corporation may require for any of the purposes of this Act and all moneys borrowed under the powers of this subsection shall be repaid within such periods not exceeding sixty years as the said Board may sanction.

(3) Such repayments shall be made either—

By equal yearly or half-yearly instalments of principal or of principal and interest combined or partly by one of those methods and partly by the other;

Or by means of a sinking fund;

Or partly by such instalments and partly by a sinking fund.

(4) The provisions of this section shall not limit the powers conferred upon the Corporation by section 103 (Power to use one form of mortgage for all purposes) of the Act of 1911.

**51.** The provisions contained in the sections of the Acts of 1884 and 1911 the numbers and marginal notes of which are set forth in this section are hereby incorporated with this Act and

Incorporation of certain provisions of Acts

[Ch. xv.] *Northampton Corporation Water* [3 & 4 GEO. 5.]  
*Act, 1913.*

A.D. 1913. this Act shall be read and construed as if those provisions had  
of 1884 and 1911. been expressly re-enacted herein (that is to say):—

Act of 1884—

Section 24 (Application of revenue); and

Section 25 (Deficiency in water account):

Act of 1911—

Section 40 (Persons under disability may grant easements &c.);

Section 43 (Power to retain sell &c. lands);

Section 46 (Costs of arbitration &c. in certain cases);

Section 93 (Certain provisions of Public Health Act as to borrowing not to apply);

Section 94 (Provisions of Public Health Act as to mortgages to apply);

Section 95 (Sinking fund);

Section 96 (Power to borrow under Local Loans Act 1875);

Section 98 (Appointment of receiver);

Section 100 (Audit of accounts);

Section 105 (Application of money borrowed);

Section 106 (Corporation not to regard trusts);

Section 107 (Protection of lender from necessity of inquiry);

Section 109 (Application of moneys arising from sale of lands &c.);

Section 120 (Recovery of penalties &c.);

Section 124 (Application of penalties);

Section 126 (Inquiries by Local Government Board or Board of Trade); and

Section 131 (Judges not disqualified).

Expenses of  
execution of  
Act.

52. All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made may be defrayed out of the district fund and general district rate.

[3 & 4 GEO. 5.] *Northampton Corporation Water* [Ch. xv.]  
*Act, 1913.*

53. The costs charges and expenses preliminary to and of A.D. 1913.  
and incidental to the preparing applying for obtaining and Costs of Act.  
passing of this Act as taxed and ascertained by the taxing  
officer of the House of Lords or of the House of Commons shall  
be paid by the Corporation - out of the revenue of the water  
undertaking or out of the district fund or out of both of them in  
such proportions as the Corporation may by resolution determine  
or out of the money to be borrowed under this Act for that  
purpose.

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Printed by EYRE and SPOTTISWOODE, Ltd.,

FOR

FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

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