



# Western Valleys (Monmouthshire) Sewerage Board Act 1970

CHAPTER lxxix

## ARRANGEMENT OF SECTIONS

### Section

1. Short and collective titles.
2. Amendment of enactments.
3. Costs of Act.

**ELIZABETH II**



**1970 CHAPTER lxxix**

An Act to confer further powers upon the Western Valleys (Monmouthshire) Sewerage Board; to amend certain local enactments relating to the Board's undertaking; and for other purposes. [17th December 1970]

**W**HEREAS the Western Valleys (Monmouthshire) Sewerage Board (hereinafter referred to as "the Board") were constituted and incorporated by the Western Valleys (Monmouthshire) Sewerage Board Act, 1903 (hereinafter referred to as "the Act of 1903") and by the Act of 1903 and certain 1903 c. ccxlviii. subsequent enactments the Board were authorised to construct works for the disposal of sewage of an area now comprising the urban districts of Abercarn, Abertillery, Ebbw Vale, Nantyglo and Blaina, Risca and Tredegar, the greater part of the urban district of Mynyddislwyn and part of the urban district of Bedwellty in the county of Monmouth:

And whereas section 90 of the Act of 1903, as amended by subsequent enactments, makes provision for the making of contributions by the constituent authorities of the Board for the purpose of meeting certain expenses of the Board:

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And whereas the provisions of the said section 90 are outmoded and inequitable and it is expedient that the said provisions should be amended as in this Act provided:

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

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

1933 c. 51. And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act, 1933, have been observed by the urban district council of Ebbw Vale:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say:—

Short and collective titles.

1.—(1) This Act may be cited as the Western Valleys (Monmouthshire) Sewerage Board Act 1970.

(2) The Western Valleys (Monmouthshire) Sewerage Board Acts and Orders, 1903 to 1966, and this Act may be cited together as the Western Valleys (Monmouthshire) Sewerage Board Acts and Orders 1903 to 1970.

Amendment of enactments. 1903 c. ccxlviii.

2.—(1) For section 90 (Contributions by constituent authorities) of the Western Valleys (Monmouthshire) Sewerage Board Act, 1903, there shall be substituted the following sections:—

“ Common fund.

90.—(1) All the receipts of the Board shall be carried to a common fund and all expenses incurred by the Board shall be defrayed out of that fund.

(2) The Board shall make safe and efficient arrangements for the receipt of moneys paid to them and the issue of moneys payable by them and those arrangements shall be carried out under the supervision of the Treasurer of the Board.

Apportionment of deficiency.

90A.—(1) Twice in each year, that is to say prior to 1st April and 1st October respectively, the Board shall make or cause to be made estimates of their probable income and expenditure on revenue account during the half year beginning on such 1st April or 1st October, as the case may be, making allowances for any estimated credit or debit balance to be brought forward from any previous half year.



(2) If the estimates made under subsection (1) of this section show that expenditure will exceed income the Board may apportion to each constituent authority a sum bearing to the sum required to meet the deficiency the same proportion as the appropriate penny rate product for the constituent district of that authority bears to the sum of those products for all the constituent districts.

(3) For the purposes of this section—

(a) 'the appropriate penny rate product' for any constituent district means the product of a rate of one penny in the pound for that district for the year in respect of which a deficiency is to be apportioned, multiplied by the appropriate factor, as defined by regulations for the time being in force under subsection (3) of section 5 of the Local Government Act, 1966, for the said year 1966 c. 42. as last notified to the constituent authority;

(b) the product of a rate of a penny in the pound for any year shall—

(i) in the case of a constituent district (not being part of the district of a constituent authority) be taken as estimated for the purposes of section 12 of the General Rate Act, 1967; or 1967 c. 9.

(ii) in the case of a constituent district which is part of the district of a constituent authority and for which no estimate is made for the purposes of the said section 12, be taken as estimated by the constituent authority (or, failing provision of an estimate by the authority, by the Board) in accordance with the principles of rules made by the Secretary of State for the Environment and for the time being in force for the purposes of the said section 12.

Precepts.

90B.—(1) The Board shall before each 1st February and 1st August in respect of the half year beginning next thereafter issue a precept to each constituent authority for a sum equal to the amount, if any, apportioned to that authority in pursuance of the last foregoing section.

(2) A precept so issued may require payment thereof by such instalments payable on such dates as may be specified therein.

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1967 c. 9. (3) Any sum mentioned in a precept issued under this section by the Board to any constituent authority shall be a debt due from that authority and may be recovered accordingly, without prejudice however to the right of the Board to exercise any powers conferred on them by section 15 of the General Rate Act, 1967.

1966 c. 42. (4) The Board shall in relation to each constituent district, as soon as may be after the end of each half year, calculate in respect of that half year the difference, if any, between the sum for which a precept was issued to the constituent authority for that district under subsection (1) of this section and the sum which would have been required to be contributed by that authority if the deficiency had been apportioned by reference to the actual product of a rate of a penny in the pound for that constituent district for that year, multiplied by the appropriate factor, as defined by regulations for the time being in force under subsection (3) of section 5 of the Local Government Act, 1966, for that year as notified to the constituent authority with the last notification in the year next following the year in which the precept is due, of the estimate of the Secretary of State for the Environment (under regulations for the time being in force under subsection (1) of the said section 5) of the amount, if any, of the resources element of rate support grant payable to that authority for that year and the Board shall pay to or, as the case may require, recover from the constituent authority concerned the amount shown by the Board's calculation to have been overpaid or underpaid by that authority."

1906 c. clxii. (2) Section 22 (Contributions by Mynyddislwyn Council and application of section 90 of Act of 1903) of the Western Valleys (Monmouthshire) Sewerage Board Act, 1906, and section 23 (Contributions by Bedwellty and Tredegar Councils and application of section 90 of Act of 1903) of the Western Valleys (Monmouthshire) Sewerage Board Act, 1907, are hereby repealed.

Costs of Act. 3.—(1) The costs, charges and expenses of and incidental to preparing, applying for and obtaining this Act (including the costs, charges and expenses of and incidental to the opposition of the constituent authorities of the Board (other than the urban district council of Ebbw Vale) to the Bill for this Act) as taxed by the taxing officer of one of the Houses of Parliament shall be paid by the Western Valleys (Monmouthshire) Sewerage Board out of their common fund or out of moneys to be borrowed by them under the powers of this Act.

(2) The said Board may borrow without the consent of any sanctioning authority the sum requisite for the payment of the amount of the said costs, charges and expenses and they shall repay all moneys so borrowed within such periods as the said Board may determine not exceeding five years from the day of borrowing.

(3) The provisions of Part IX of the Local Government Act, 1933 c. 51. 1933, so far as they are not inconsistent with this Act shall extend and apply to money borrowed under this section as if it were borrowed under the said Part IX and the period fixed by this section for the repayment of the money borrowed shall as respects that money be the period fixed by the said Part IX.

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