



## CHAPTER xxx

An Act to confer further powers upon the Metropolitan Water Board and for other purposes. [14th July 1953.]

**W**HEREAS the Metropolitan Water Board (hereinafter referred to as "the Board") were established by the Metropolis Water Act 1902 and are charged with the duty of supplying water within an area which comprises the whole of the county of London and parts of the counties of Middlesex Surrey Kent Essex and Hertford:

And whereas the Board own and operate certain works in the boroughs of Wood Green and Hornsey in the county of Middlesex which were constructed by the predecessors of the Board under statutory powers:

And whereas certain footpaths cross such works and in order to provide for the more efficient operation of such works and for the protection thereof against pollution it is expedient that the Board should be authorised to divert the said footpaths in manner provided by this Act:

And whereas under the Metropolitan Water Board Act 1932 provision was made for the transfer to the Board of communication pipes together with the liability for the maintenance repair and renewal thereof but by reason of the provisions of that Act certain communication pipes have not been so transferred:

And whereas it is expedient that provision should be made as by this Act provided for the transfer to the Board of such communication pipes as have not been so transferred as aforesaid together with the liability for the maintenance repair and renewal thereof:

And whereas the Board have under the Metropolitan Water Board (Various Powers) Act 1907 and subsequent Acts established a superannuation and provident fund for the payment of superannuation and other benefits to their employees:

And whereas it is expedient that the Board should be entitled to make or receive payment in respect of superannuation or pension allowances or benefits in relation to persons leaving or entering the service of the Board to or from other employment and that the provisions in that behalf contained in this Act should be enacted:

And whereas it is expedient that such further powers should be conferred upon the Board and that such further provisions should be enacted as are contained in this Act:

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

And whereas a plan showing the line of the proposed footpath diversions and showing also the lands which may be appropriated or used under this Act together with a book of reference to such plan containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of all such lands has been deposited with the clerk of the county council of the administrative county of Middlesex and such plan and book of reference are in this Act respectively referred to as the deposited plan and the deposited book of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty and 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. This Act may be cited as the Metropolitan Water Board Act 1953.

Incorporation  
of Lands  
Clauses Acts.

2. The Lands Clauses Acts except sections 127 to 133 of the Lands Clauses Consolidation Act 1845 and the words "with two sufficient sureties to be approved of by two justices in case the parties differ" in section 85 of that Act and except section 5 of the Lands Clauses Consolidation Acts Amendment Act 1860 so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act.

## Interpretation.

3.—(1) The several words and expressions to which by the Acts wholly or partly incorporated with this Act meanings are assigned shall in this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction Provided that in and for the purposes of this Act the expression "the promoters of the undertaking" used in such incorporated Acts shall mean the Board.



(2) In this Act unless the subject or context otherwise requires—

“ the Act of 1902 ” means the Metropolis Water Act 1902 ;

“ the Act of 1932 ” means the Metropolitan Water Board Act 1932 ;

“ the Board ” means the Metropolitan Water Board ;

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

“ the superannuation fund ” means the superannuation fund established by the Board under Part IV (Superannuation Fund) of the Metropolitan Water Board (Various Powers) Act 1907 ;

“ the undertaking ” means the undertaking of the Board as from time to time authorised ;

“ the water fund ” means the water fund established by the Board under the Act of 1902.

4.—(1) The Board may stop up and discontinue the portions of the footpaths in the county of Middlesex hereinafter described (that is to say) :— Power to stop up and divert footpaths.

(a) so much of the footpath in the borough of Wood Green leading from Western Road to Myddelton Road as is situate between the points marked A and C on the deposited plan ; and

(b) so much of the footpath in the boroughs of Wood Green and Hornsey leading from the footpath referred to in the foregoing paragraph (a) to Cross Lane as is situate between the points marked B and D on the deposited plan ;

and may substitute for the said portions of the said existing footpaths a new footpath in the position shown on the deposited plan Provided that—

(i) in constructing the said new footpath the Board may deviate laterally to any extent not exceeding the limits of deviation shown on the deposited plan ; and

(ii) such stopping up shall not take place until either the councils of the boroughs in which the new footpath is situate shall have jointly notified in writing to the Board that the said footpath has been completed to their reasonable satisfaction and is open for use or in the case of difference between the Board and the said councils or either of them until two justices shall have certified that the new footpath has been completed to their satisfaction and is open for public use.

(2) The said new footpath shall be subject to the same public rights of way as the public rights of way to which the said existing footpaths were subject immediately before the passing of this Act.

(3) As from the date of such notification or certificate as the case may be all rights of way over or along the said portions of the said existing footpaths shall be extinguished and the Board may appropriate and use for the purposes of the undertaking the said portions of the said existing footpaths so stopped up so far as the same are bounded on both sides by lands of the Board.

(4) Any person who suffers loss by the extinguishment of any private right of way under this section shall be entitled to be paid by the Board compensation to be determined in case of dispute under and in accordance with the Lands Clauses Acts.

Correction of errors in deposited plan and book of reference.

5.—(1) If any omission misstatement or wrong description of any land or of the owner lessee or occupier of any land is found to have been made on the deposited plan or in the deposited book of reference the Board after giving ten days' notice to the owner lessee and occupier of the land in question may apply to two justices having jurisdiction in the county of Middlesex for the correction thereof.

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

(3) Any such certificate shall be deposited with the clerk of the county council of the said county and a copy thereof shall be deposited with the respective town clerks of the boroughs of Hornsey and Wood Green and thereupon the deposited plan and the deposited book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Board to take and use the land for the purposes of section 4 (Power to stop up and divert footpaths) of this Act in accordance with the certificate.

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

Transfer of certain communication pipes to Board.

6.—(1) As on and from the first day of October one thousand nine hundred and fifty-three so much of every service pipe to which this section applies as constitutes on that day a communication pipe shall be transferred to and belong to the Board and



accordingly as on and from that day the Act of 1932 shall be read and have effect as if—

(i) for the words—

“ the date (if any) after the appointed day on which a stopcock is fitted on such service pipe ” ;

in the definition of “ the date of transfer ” in section 2 (Interpretation) of the Act of 1932 in relation to any such service pipe as is referred to in paragraph (c) of that definition there were substituted the following words:—

“ the date after the appointed day on which a stopcock is fitted on such service pipe or the first day of October one thousand nine hundred and fifty-three (whichever is the earlier) ” ;

(ii) in subsection (2) of section 8 (As to breaking up ground for maintaining supply pipes and laying down &c. communication pipes) of the Act of 1932 the words “ or any subsequent Act ” were inserted therein immediately after the words “ transferred by this Act ” ;

(iii) paragraph (c) of subsection (2) of section 9 (Maintenance of communication pipes and supply pipes) of the Act of 1932 were omitted from that subsection.

(2) This section applies to any service pipe which was laid down on or after the first day of August one thousand nine hundred and thirty-one and before the first day of April one thousand nine hundred and thirty-three on which a stopcock is not or has not been fitted before the first day of October one thousand nine hundred and fifty-three.

(3) For the purposes of this section the expressions “ service pipe ” “ communication pipe ” and “ stopcock ” have the same respective meanings as are assigned to those expressions by the said section 2 of the Act of 1932.

7.—(1) The Board may enter into a contract with any person whereby in consideration of payments by the Board by way of premium or otherwise that person undertakes to pay to the Board such sums as may be provided in the contract in the event of any member of the Board meeting with a personal accident whether fatal or not while he is engaged on the business of the Board. Insurance by Board against accidents to members.

(2) Any sum received by the Board under any such contract shall after deduction of any expenses incurred in the recovery thereof be paid by them to or to the personal representatives of the member of the Board in respect of an accident to whom that sum is received.

(3) The provisions of the Life Assurance Act 1774 shall not apply to any such contract but any such contract shall be deemed for the purposes of the Assurance Companies Acts 1909 to 1946 to be a policy of insurance upon the happening of personal accidents.

Payment of  
transfer values  
etc. by or to  
Board.

8.—(1) Where any person who was a contributor to the superannuation fund becomes employed otherwise than by the Board in any pensionable employment approved by the Commissioners of Inland Revenue for the purpose of this section or a person who was employed otherwise than by the Board in any pensionable employment becomes a contributor to the superannuation fund the Board may make or receive such payment as they think proper by way of transfer value or towards the burden of any pension rights of such person.

(2) Any payment so made or received shall be deemed for all purposes—

(a) in the case of any payment made by the Board to be a contribution by the new employer to the pension fund to which such person becomes a contributor or otherwise for the benefit of the pension rights of such person ;  
or

(b) in the case of any payment received by the Board to be a contribution by the Board to the superannuation fund ;

except to the extent to which the payment represents contributions made by such person to the superannuation fund or to any other pension fund or otherwise for the benefit of his pension rights.

(3) Any sum so paid or received by the Board as aforesaid shall be paid out of or into the superannuation fund.

(4) For the purposes of this section the expressions “ pension fund ” “ pension rights ” and “ pensionable employment ” have the same respective meanings as are assigned to those expressions by section 17 of the Superannuation (Miscellaneous Provisions) Act 1948.

Reserve fund.

9.—(1) The Board may subject to the provisions of this section by appropriating in any year out of the water fund such sums as they think fit form and maintain a reserve fund for the purpose of—

(a) meeting any extraordinary claim or demand which may at any time be made upon them in respect of the undertaking ;

(b) defraying the cost of repairing enlarging or improving any part of the undertaking ;

(c) making good any deficiency in the water fund.



(2) Any sums so appropriated for the formation or maintenance of a reserve fund may from time to time be invested in statutory securities and subject to the provisions of the next following subsection the dividends and interest arising from such securities may also be invested in the same or like securities so as to accumulate at compound interest for the credit of the fund.

(3) Whenever and so long as the amount standing to the credit of the reserve fund amounts to the sum of five hundred thousand pounds no sums shall be appropriated to the reserve fund and the interest and dividends on the reserve fund shall not be invested but shall be paid into the water fund.

(4) The amount which subject to the provisions of the last foregoing subsection may be appropriated by the Board in any year to the formation or maintenance of the reserve fund shall not exceed the sum of two hundred thousand pounds.

(5) In this section "statutory securities" means any securities in which trustees are for the time being authorised by law to invest trust moneys and any mortgages bonds debentures debenture stock stock or other securities created by a local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery.

**10.** For the purposes of section 74 of the Finance Act 1952 (which exempts from stamp duty certain transfers to joint boards of local authorities) the Board shall be deemed to be a joint board consisting exclusively of representatives of local authorities. Application of section 74 of Finance Act 1952.

**11.** The Board may out of the water fund defray expenditure to an amount not exceeding two thousand five hundred pounds in any one year incurred by the Board in or in connection with visits to any works or premises of the Board by members of any scientific or professional or other corporation body institution or association or by any persons or groups of persons authorised or approved by the Board. Expenses in connection with visits by members of public etc. to works of Board.

**12.** As on and from the passing of this Act the Act of 1902 the Metropolitan Water Board (Charges) Act 1921 and the Metropolitan Water Board Act 1939 shall be read and have effect subject to the amendments of those Acts hereinafter in this section contained (that is to say):— Amendment of previous Acts of Board.

- (1) for the words "fifty pounds" wherever they occur in subsections (3) and (4) of section 20 (Provisions as to payments by the water board) of the Act of 1902 there shall be substituted the words "two hundred and fifty pounds";

- (2) for the references in the proviso to sub-paragraph (b) of paragraph (1) of section 8 (As to deficiency or surplus in water fund) of the said Act of 1921 to the sum of two hundred and fifty thousand pounds there shall be substituted references to the sum of five hundred thousand pounds; and
- (3) the words "and shall be countersigned by the clerk or deputy clerk of the Board or by a deputy approved by the Board" shall be omitted from the provisions substituted by section 38 (As to payments to and out of water fund) of the said Act of 1939 for subsection (2) of the said section 20 of the Act of 1902.

Costs of Act.

**13.** All the costs charges and expenses preliminary to and of and incidental to the preparation of and application for and the 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.

*Table of Statutes referred to in this Act*

Short title	Session and chapter
Life Assurance Act 1774 ... ..	14 Geo. 3 c. 48.
Lands Clauses Consolidation Act 1845 ...	8 & 9 Vict. c. 18.
Lands Clauses Consolidation Acts Amendment Act 1860.	23 & 24 Vict. c. 106.
Local Loans Act 1875 ... ..	38 & 39 Vict. c. 83.
Metropolis Water Act 1902 ... ..	2 Edw. 7 c. 41.
Metropolitan Water Board (Various Powers) Act 1907.	7 Edw. 7 c. clxxiv.
Acquisition of Land (Assessment of Compensation) Act 1919.	9 & 10 Geo. 5 c. 57.
Metropolitan Water Board (Charges) Act 1921	11 & 12 Geo. 5 c. xciv.
Metropolitan Water Board Act 1932 ... ..	22 & 23 Geo. 5 c. lxxxv.
Metropolitan Water Board Act 1939 ...	2 & 3 Geo. 6 c. xcvi.
Town and Country Planning Act 1947 ...	10 & 11 Geo. 6 c. 51.
Superannuation (Miscellaneous Provisions) Act 1948.	11 & 12 Geo. 6 c. 33.
Lands Tribunal Act 1949 ... ..	12 13 & 14 Geo. 6 c. 42.
Finance Act 1952 ... ..	15 & 16 Geo. 6 & 1 Eliz. 2 c. 33.

PRINTED BY HENRY GEORGE GORDON WELCH, C.B.E.

Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

Price 9d. net

PRINTED IN GREAT BRITAIN

(78744)



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