



## CHAPTER xi

An Act to make further provision in reference to the supply of water in Kent and in certain parishes in East Sussex to provide for the amalgamation of water undertakings for the transfer of certain of such undertakings and for the formation of joint boards and for other purposes. [27th July 1955.]

### WHEREAS—

(1) In part of the county of Kent there are numerous undertakings for the supply of water including those carried on by the undertakers mentioned in the First Schedule hereto and certain of those undertakings extend into the rural districts of Battle and Uckfield in the administrative county of East Sussex:

(2) In order to secure the proper use and more effective development of water resources and the adequate and more economical provision and a more efficient distribution of water supplies it is expedient and of public and local advantage to make provision for reducing the number of undertakings by amalgamating them and by transferring some of them from the present undertakers to other undertakers and where necessary by the formation of joint boards:

(3) It is expedient that the other provisions contained in this Act should be enacted:

(4) The purposes of this Act cannot be effected without the authority of Parliament:

(5) In relation to the promotion of the Bill for this Act by the county council of the administrative county of Kent the requirements of Part XIII of the Local Government Act 1933 have been observed:

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):—

## PART I

### PRELIMINARY

Short title and commencement.

1.—(1) This Act may be cited as the Kent Water Act 1955.  
(2) Except where otherwise provided and except where the subject or context otherwise requires this Act shall come into operation on the appointed day.

Division of Act into Parts.

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

- Part I.—Preliminary.
- Part II.—Thanet area.
- Part III.—Folkestone and district area.
- Part IV.—Mid Kent area.
- Part V.—Tunbridge Wells area.
- Part VI.—Sevenoaks and Tonbridge area.
- Part VII.—Medway area.
- Part VIII.—Sittingbourne area.
- Part IX.—Sheppey area.
- Part X.—Canterbury and district area.
- Part XI.—General provisions as to boards.
- Part XII.—General provisions as to companies.
- Part XIII.—Miscellaneous.
- Part XIV.—General.

Incorporation of Acts.

3.—(1) The Lands Clauses Acts as amended by subsequent enactments (so far as they 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 with the following exceptions and modification:—

- (a) Sections 127 to 132 of the Lands Clauses Consolidation Act 1845 (which relate to the sale of superfluous lands) and sections 150 and 151 of that Act (which relate to access to the special Act) are not incorporated with this Act;
- (b) The expression “the promoters of the undertaking” shall be construed to mean each of the undertakers.

(2) Each of the boards constituted by this Act shall be deemed to be a local authority within the meaning of the Acquisition of Land (Assessment of Compensation) Act 1919.

(3) The provisions (except Part III (Compensation water) and Part XV (Financial provisions applicable to water companies)) of the Third Schedule to the Water Act 1945 are hereby applied to the undertaking of each of the undertakers for the purposes of Part II (Thanet area) Part VII (Medway area) and Part IX (Sheppey area) of this Act and shall be incorporated with the provisions of this Act in relation to those undertakings.

(4) (a) The following provisions of the Third Schedule to the Act of 1945 are hereby applied to the undertakings to which the Parts of this Act hereinafter mentioned relate and shall be incorporated with the provisions of this Act in relation to those undertakings:—

Subsection (2) of section 19 (Power to lay mains) provided that in the application of that subsection there shall for the words “their powers under this section” be substituted “any powers vested in them”;

Section 25 (Protection for railway companies navigation authorities tramway undertakers etc.);

Section 39 (Duty of undertakers as respects constant supply and pressure);

Section 60 (Power to require provision of cisterns in certain cases);

Section 82 (Power to enter premises);

Section 93 (Protection for works of navigation authorities and for catchment boards and railways); and

Section 94 (Copies of special Act to be kept by undertakers in their office and deposited with certain officers).

(b) The Parts of this Act referred to in the foregoing paragraph of this subsection are—

Part III.—(Folkestone and district area);

Part IV.—(Mid Kent area);

Part V.—(Tunbridge Wells area);

Part VI.—(Sevenoaks and Tonbridge area);

Part X.—(Canterbury and district area):

Provided that section 39 of the said Third Schedule shall not be incorporated with Part III (Folkestone and district area) or with Part X (Canterbury and district area) of this Act.

(5) The following provisions (so far as they are applicable for the purposes and are not inconsistent with the provisions of this

PART I  
—cont.

Act) are hereby incorporated with each of the following Parts of this Act:—

Part III.—(Folkestone and district area);

Part IV.—(Mid Kent area);

Part VI.—(Sevenoaks and Tonbridge area);

Part X.—(Canterbury and district area);

and for the purposes of such incorporation the term “company” where used in those provisions shall mean the company being the undertakers for the purposes of the Part of this Act with which the provisions are incorporated and this Act shall be deemed to be the special Act (namely):—

The Companies Clauses Consolidation Act 1845 except sections 56 to 60 (which relate to the conversion of borrowed money into capital) and the Companies Clauses Act 1863:

Provided that in the application to the undertakers to which the said Parts of this Act apply of the said Act of 1863 section 22 of that Act shall be read as if the words “and to the same amount as” were omitted therefrom:

Provided also that Part IV of the said Act of 1863 (which relates to change of name) shall be incorporated only with Part III of this Act.

**Interpretation.** 4.—(1) An expression to which a meaning is assigned by section 59 (Interpretation) of the Water Act 1945 or by the Third Schedule to that Act has in this Act the meaning so assigned unless there be something in the subject or context repugnant to such construction.

(2) In this Act except where it is otherwise stated or the subject or context otherwise requires—

“the Act of 1933” means the Local Government Act 1933;

“the Act of 1936” means the Public Health Act 1936;

“the Act of 1945” means the Water Act 1945;

“appointed day” means the first day of April nineteen hundred and fifty-six;

“board” means a board constituted by this Act;

“the commission” means the British Transport Commission;

“constituent council” means the County Council and any council empowered by this Act to appoint a member of a board;

“council” means the council of a borough urban district or rural district;

- “the County Council” means the county council of the administrative county of Kent ;
- “enactment” means any Act whether public general or local or any order made thereunder or any provision in any Act or in any such order ;
- “limits of supply” means the limits of supply mentioned in Parts II to X of this Act ;
- “the Minister” means the Minister of Housing and Local Government ;
- “purchasers” means the council board or company to whom an undertaking is by this Act transferred ;
- “the Review Order 1934” and “the Review Order 1935” mean respectively the Kent Review Order 1934 and the County of Kent Review Order 1935 ;
- “share” means share in the share capital of undertakers being a company and includes stock except where a distinction between stock and shares is expressed or implied and “share capital” and “shareholder” shall be construed accordingly ;
- “statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any enactment but does not include the power to borrow by way of temporary loan or overdraft which is conferred by paragraph (a) of subsection 1 of section 215 of the Act of 1933 ;
- “statutory security” means any security, in which trustees are for the time being authorised by law to invest trust moneys and any mortgage bond debenture debenture stock stock or other security 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 or as respects a particular board the securities of that board ;
- “undertakers” means any of the undertakers for the purposes of Parts II to X of this Act ;
- “undertaking” includes part of an undertaking in any case in which part of an undertaking is transferred by this Act and the expression has the following meanings:—
- (a) as regards the undertaking of a company transferred by this Act the expression means the undertaking of that company as existing on the appointed

PART I  
—cont.

day and subject to the provisions of this Act includes—

(i) all the lands buildings waterworks water sources of supply machinery mains pipes meters plant spare parts tools apparatus vehicles stores and furniture ;

(ii) all investments securities funds reserves surplus profits book debts consumers' deposits bank balances and cash ;

(iii) all registers books of account maps plans specifications engineering reports and other documents ;

(iv) all rights powers easements interests privileges and other real and personal property assets and effects then vested in or belonging to the company or to which the company shall then be entitled (whether they shall be in the possession of the company or in that of their solicitors agents resident or consulting engineers or other persons) ;

(v) the benefit of all contracts in force on the appointed day but subject to any obligations of the company thereunder ;

but does not include—

(vi) the directors' minute books and all books and papers relating exclusively to the shareholders in and the constitution of the company which it may be necessary for the company to retain for the purpose of the winding up of the company ;

(vii) any liabilities and obligations in respect of share capital and moneys raised on mortgage or by the creation and issue of debenture stock ;

(viii) such a sum of money as is required to pay any dividends (less income tax) declared by the directors of the company in pursuance of section 148 (Payment of final dividend and interest) of this Act and not paid before the appointed day and any interest (less income tax) on any mortgages or debenture stock which the directors may pay before the appointed day in pursuance of the said section but which has not then been paid ;

(b) the provisions of the foregoing paragraph (a) shall apply to part of a company's undertaking transferred by this Act subject to the following and any other necessary modifications:—

(i) only such lands and other things mentioned in sub-paragraph (i) of the said paragraph (a) as

on the appointed day may be within the area to be comprised in the limits of supply of the body to whom the transfer is made and are used solely for the supply of water within the said limits shall be included in the definition ;

(ii) no investments securities funds reserves surplus profits book debts bank balances and cash shall be included and only such consumers' deposits as are in respect of the supply of water to premises within the said area ;

(iii) no registers books of account maps plans specifications engineering reports and other documents shall be included except those that relate to the said area ;

(iv) the various matters and things referred to in sub-paragraph (iv) and sub-paragraph (v) of paragraph (a) shall be included so far only as they relate to the said part of the undertaking ;

(c) as regards the undertaking of a council transferred by this Act the expression means the water undertaking of that council as existing on the appointed day and subject to the provisions of this Act includes—

(i) all the lands buildings waterworks water sources of supply machinery mains pipes meters plant spare parts tools apparatus vehicles stores furniture and other real and personal property assets and effects rights powers privileges liabilities and obligations held or used by the council for or in relation to their water undertaking immediately before the appointed day or to which they were then subject for or in relation to that undertaking ;

(ii) the benefit of all contracts in force on the appointed day in respect of the said undertaking subject to any obligations thereunder ;

(iii) all registers books of account maps plans specifications engineering reports and other documents relating solely to the said undertaking ;

but does not include—

(iv) any funds money or securities for money of the council whether invested or in hand other than money or securities for money representing the unexpended balance of any sum borrowed by the council for the purposes of their water undertaking and other than money deposited with the council ;  
or

PART I  
—cont.

(v) any liabilities or obligations in respect of any sum borrowed as aforesaid (including a bank overdraft) except as provided by this Act ;

(d) the provisions of the foregoing paragraph (c) shall apply to part of a council's undertaking transferred by this Act subject to the following and any other necessary modifications :—

(i) only such lands and other things mentioned in sub-paragraph (i) of the said paragraph (c) as on the appointed day may be within the area to be comprised in the limits of supply of the body to whom the transfer is made or immediately before that day were used for the purposes of that area and only such rights powers privileges liabilities and obligations as relate to that area shall be included in the definition ;

(ii) no contracts or obligations shall be included in the definition unless they relate to the said area ;

(iii) no registers books of account maps plans specifications engineering reports or other documents shall be included in the definition unless they relate solely to the said area ;

“ year ” means the year commencing on the first day of April and “ half year ” means the half year commencing on the first day of April or the first day of October.

(3) The provisions of subsection (1) of section 295 of the Act of 1933 (which provides as to the doing of things which fall to be done on Sundays and public holidays) shall apply for the purposes of this Act as if for the reference therein to the Act of 1933 there were substituted a reference to this Act.

(4) Except where the context otherwise requires references in this Act to any enactment shall be construed as references to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

## PART II

## THANET AREA

Thanet  
undertakers.

5. On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the Thanet Water Board hereby constituted.

Interpretation  
of Part II.

6. In this Part of this Act unless the subject or context otherwise requires—

“ the board ” means the board constituted by this Part of this Act ;



“ the councils ” means the councils of the boroughs of Margate Ramsgate and Sandwich and the councils of the urban district of Broadstairs and St. Peter’s the rural district of Bridge-Blean and the rural district of Eastry and “ a council ” means any one of those councils ;

“ constituent council ” means the County Council or any one of the councils ;

“ the Westgate Company ” means the Westgate and Birchington Water Company ;

“ the Mid Kent Company ” means the Mid Kent Water Company ;

“ the limits of supply ” means the board’s limits of supply.

7. The board’s limits of supply shall be—

Thanet  
limits.

(a) the borough of Margate ;

(b) the borough of Ramsgate ;

(c) the borough of Sandwich ;

(d) the urban district of Broadstairs and St. Peter’s ;

(e) the parishes of Adisham Bekesbourne Bishopsbourne Bridge Ickham and Well Littlebourne Patixbourne and Wickhambreux in the rural district of Bridge-Blean ; and

(f) the parishes of Acol Ash Goodnestone Minster Monkton Preston St. Nicholas-at-Wade Sarre Staple Stourmouth Wingham and Woodnesborough in the rural district of Eastry and the following parts of parishes in that rural district :—

(i) the parish of Aylesham except so much as lies to the south and south-west of an imaginary line commencing at the point where the centre of the track of the railway from Canterbury to Dover intersects the western boundary of the said parish and rural district where such boundary crosses the railway track at the bridge carrying the road B.2046 between Aylesham Corner and Wingham and running in a south-easterly direction along the centre of the said railway track to a point four hundred and fifty yards south of the bridge situate one hundred and fifty yards or thereabouts south of Aylesham Halt which carries the continuation of the Ackholt Road over the said railway and thereafter in a straight line in a south-westerly direction to a point on the southern boundary of Ackholt Wood where the bridle road from Ackholt to Womenswold intersects the south-western boundary of the said parish ; and

PART II  
—cont.

(ii) the parish of Nonington except so much as lies to the south-east of an imaginary line commencing at the point east of Box Wood where the south-easterly boundary of the said parish crosses the south-eastern boundary of the road from Frogham to Chillenden and running north-eastwards along the south-eastern boundary of that road to the boundary stone near the junction between the said road and the path to Dovergate Cottages.

## Thanet Water Board.

8. There shall be a joint board to be called "the Thanet Water Board" constituted as provided by this Act for the following purposes:—

- (a) the procuring of a supply of water ;
- (b) the acceptance of the transfers of the undertakings of the councils of the boroughs of Margate Ramgate and Sandwich the urban district of Broadstairs and St. Peter's and the rural district of Eastry part of the undertaking of the council of the rural district of Bridge-Blean the undertaking of the Westgate Company and part of the undertaking of the Mid Kent Company ;
- (c) the distribution and supply of water in the limits of supply ;
- (d) the supply of water in bulk within or outside the limits of supply in accordance with section 12 of the Act of 1945 ; and
- (e) the doing of all things necessary for connected with incidental to or consequent upon the powers rights duties capacities and liabilities exercisable by or attaching to the board.

## Constitution of board.

9. The board shall consist of nineteen members who shall be appointed as follows:—

- Two by the County Council ;
- Seven by the council of the borough of Margate ;
- Five by the council of the borough of Ramsgate ;
- One by the council of the borough of Sandwich ;
- Two by the council of the urban district of Broadstairs and St. Peter's ;
- One by the council of the rural district of Bridge-Blean ;
- One by the council of the rural district of Eastry.

## First members of board.

10.—(1) Every constituent council shall at a meeting held before the first day of November nineteen hundred and fifty-five or such later date as the Minister shall allow on the application of any of the constituent councils appoint the number of members of the board to be appointed by them and the clerk of

every constituent council shall forthwith send to the clerk of the County Council the names addresses and descriptions of the members appointed by his council.

PART II  
—cont.

(2) The members of the board appointed in pursuance of this section shall come into office on the first day of November nineteen hundred and fifty-five or so soon thereafter as they are appointed.

(3) The first meeting of the board shall be convened by the clerk of the County Council to be held on such day not being later than the first day of December nineteen hundred and fifty-five and at such place as may be fixed by the chairman of the County Council.

11.—(1) On the appointed day the following undertakings and part of an undertaking shall by virtue of this Act be transferred to and vest in the board (namely):—

Transfer  
of local  
authorities'  
undertakings.

(a) the undertakings of the councils of the boroughs of Ramsgate and Sandwich of the urban district of Broadstairs and St. Peter's and of the rural district of Eastry and subject to the provisions of section 31 (Transfer of Margate undertaking in Womenswold) of this Act the undertaking of the council of the borough of Margate ; and

(b) that part of the undertaking of the council of the rural district of Bridge-Blean which is situated within the limits of supply.

(2) Subject to the provisions of this Act the board shall as consideration for the transfer of each of the undertakings and the part of an undertaking referred to in subsection (1) of this section in the year commencing on the appointed day and in every year thereafter repay to the council from whom the transfer is made the amount which in pursuance of arrangements in force immediately before the appointed day for the redemption of loans and the payment of interest thereon would but for this Act have fallen on or after the appointed day to be debited in the accounts of the undertaking of that council for that year in respect of money borrowed in respect of the undertaking or in the case of the council of the rural district of Bridge-Blean in respect of the said part of their undertaking and in calculating the amount that would have fallen to be debited as aforesaid in respect of any loan account shall be taken of the income earned by any sinking fund established for the redemption of the loan.

(3) Any sum payable under the foregoing provisions of this section shall unless otherwise agreed be paid not later than the day on which the amounts referred to in subsection (2) of this section become payable by the said councils.

PART II  
—cont.

(4) Any payment made by the board under subsection (2) of this section in respect of the liability for the redemption of a loan (or the repayment of an advance) shall be deemed to be a capital payment and any other such payment shall be deemed to be an annual payment.

(5) The board shall also pay to each of the councils referred to in subsection (1) of this section as part of the consideration for the transfer—

- (a) an amount equal to the then current value of all expendable stores which immediately before the appointed day were held on revenue account by that council in respect of their undertaking and which by this Act are transferred to the board ; and
- (b) the amount of any capital expenditure incurred by that council for the purpose of their undertaking or part thereof not defrayed from loan moneys for which statutory borrowing powers could and it is anticipated would but for the transfer have been conferred.

Transfer of  
outstanding  
loans.

12. Notwithstanding the foregoing provisions of this Part of this Act the board may with the consent of the lender agree with a council whose undertaking or part of whose undertaking is by this Act transferred to them for the transfer to the board by that council of the liability in respect of any outstanding loan to that council in respect of their undertaking and from the date upon which any such transfer takes effect all liability in respect of the loan so transferred shall be borne by the board.

Transfer of  
Westgate  
Company's  
undertaking.

13.—(1) On the appointed day the undertaking of the Westgate Company shall by virtue of this Act be transferred to and vest in the board.

(2) The price or consideration to be paid by the board to the Westgate Company for the transfer of their undertaking shall be such sum as may be agreed between that company and the board or as failing agreement shall be determined by arbitration to be the sum which the undertaking of that company might have been expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer.

(3) For the removal of doubts it is hereby declared that for the purpose of calculating the said price or consideration to be paid for the transfer of the undertaking of the Westgate Company the provisions of the next succeeding section shall be deemed to be a contract between the Westgate Company and the board in force on the appointed day.

14. The following provisions for the protection of the South Eastern Gas Board the Eastern Gas Board and the Westgate Company shall unless otherwise agreed between the appropriate gas board and the board apply and have effect:—

PART II  
—cont.

For protection of South Eastern and Eastern gas boards and Westgate Company.

(1) In this section—

“the gas board” means the South Eastern Gas Board;

“transferred officer” has the same meaning as in section 154 (Superannuation and pensions) of this Act;

“the transferred officers of the gas board” means not more than four of such of the officers of the gas board as immediately before the first day of July nineteen hundred and fifty-five rendered any services in connection with the undertaking of the Westgate Company and who as a result of the transfer of that undertaking are not thereafter employed by the gas board:

(2) Notwithstanding anything in this Act the undertaking of the Westgate Company as transferred to the board by section 13 (Transfer of Westgate Company’s undertaking) of this Act shall not include any real or personal property which immediately before the appointed day was held by the gas board notwithstanding that such property might then have been used by the Westgate Company as well as by the gas board:

(3) Any agreement whether in writing or not between the Westgate Company and the gas board or the Eastern Gas Board in force on the appointed day under which administrative or other services or accommodation or office facilities are afforded to the Westgate Company by either of the said gas boards shall cease and determine on that day but without prejudice to any right or liability under that agreement which may be subsisting on that day:

(4) (a) The transferred officers of the gas board shall be two manual workers and two other such officers selected by agreement between the gas board and the board;

(b) Every transferred officer of the gas board shall on the appointed day become an officer of the board and for the purposes of section 152 (Transfer of officers) and of section 153 (Compensation to existing officers) of this Act every such officer shall be deemed to have been employed by the Westgate Company—

(i) wholly or mainly for the purposes of the undertaking of that company;

PART II  
—cont.

- (ii) as from the date on which his employment with the gas board or their predecessors began ;
- (iii) on the same terms and conditions as those on which he was employed by the gas board immediately before the appointed day ;
- (c) The provisions of section 154 (Superannuation and pensions) of this Act shall apply to every transferred officer of the gas board and every such officer shall be deemed to be a transferred officer :
- (5) (a) As soon as reasonably practicable after the appointed day a calculation shall be made of the value as at that day to be attributed to the accrued pension rights (other than pension rights under a contributory scheme) on the one hand of the transferred officers of the gas board and on the other of the seven officers of the gas board who immediately before the appointed day rendered services in connection with the undertaking of the Westgate Company but who after that day remain in the service of the gas board ;
- (b) There shall be paid to the board by the gas board a sum equal to seventy per centum of the first-mentioned valuation and there shall be paid to the gas board by the board a sum equal to thirty per centum of the second-mentioned valuation :
- (6) The board shall be liable for one-half of the amounts paid by the gas board in respect of each year commencing on the appointed day or on any subsequent anniversary thereof by way of pensions to such of the former employees of the gas board or of their predecessors as had rendered any services in connection with the undertaking of the Westgate Company and may have retired before the appointed day :
- (7) (a) Notwithstanding that the Westgate Company were not under any legal obligation to pay pensions to their officers or to the surviving spouses or dependants of such officers any transferred officer of the Westgate Company shall as a term of his employment with the Westgate Company be deemed to have been entitled to the same pension both for himself and for his surviving spouse and dependants as he or they could reasonably expect to have received from the Westgate Company in pursuance of the customary obligation accepted by that company in respect of their employees had the transferred officer remained in their employment until the date on which his employment with the board ceased and such entitlement shall for the purposes of the said section 154 be deemed to be a superannuation right ;

(b) Any question which may arise as to the extent of any such customary obligation shall in default of agreement be referred to and determined by a referee appointed by the Minister:

(8) Any question dispute or difference arising under this section (other than a question dispute or difference arising under subsection (7) of this section or one as to the construction of this section) shall be referred to arbitration but notwithstanding anything in section 163 (Application of Arbitration Act 1950) of this Act the arbitrator shall be appointed in default of agreement between the parties by the President of the Institute of Chartered Accountants in England and Wales.

15.—(1) On the appointed day there shall by virtue of this Act be transferred to and vest in the board that part of the undertaking of the Mid Kent Company which is situated within the limits of supply.

Transfer of part of Mid Kent Company's undertaking.

(2) The price or consideration to be paid by the board to the Mid Kent Company for the transfer of the said part of their undertaking shall be such sum as may be agreed between that company and the board or as failing agreement shall be determined by arbitration to be the sum which that part of the undertaking might have been expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer and in determining that sum due regard shall be had to any loss which the Mid Kent Company may suffer and any additional expense which they will incur by reason of the severance of the said part of their undertaking from the remainder thereof.

16.—(1) During the period of five years from the appointed day the Mid Kent Company shall supply to the board such quantity of water in bulk as the board may require for the supply of that part of the limits of supply which immediately before the date of amalgamation as defined in the Mid Kent Water (No. 3) Order 1953 was within the limits of supply of the East Kent District Water Company:

Supply in bulk by Mid Kent Company.

Provided that if at or after the expiration of three years from the appointed day the Mid Kent Company find that in view of their requirements for the supply of water within their limits of supply they will be unable to supply water in bulk to the board in pursuance of this section without incurring substantial expense in constructing renewing or altering works they may (subject to the terms of any agreement entered into under this section) by not less than six months' notice terminate their obligation to supply water under this section.

PART II  
—cont.

(2) The board and the Mid Kent Company may enter into and carry into effect agreements for and in relation to the supply of water in bulk and the supply of water under subsection (1) of this section shall be upon and subject to such terms and conditions as may be agreed between the board and the Mid Kent Company or as failing agreement may be determined by arbitration.

Thanet  
charges.

17.—(1) For the purposes of Part XII of the Third Schedule to the Act of 1945 in respect of the supply of water by the board—

- (a) the prescribed rate poundage for a supply of water for domestic purposes shall be three shillings in the pound ;
- (b) the prescribed proportion of the net annual value of any premises for the purpose of paragraph (b) of subsection (1) of section 46 of the said schedule shall be three-fourths ;
- (c) the minimum charge for a supply of water for domestic purposes shall be such sum as may from time to time be determined by the board not exceeding one pound five shillings per annum ;
- (d) the additional annual sum chargeable under subsection (1) of section 48 of the said schedule shall be such sum as may from time to time be determined by the board not exceeding three pounds ;
- (e) the maximum charge for a supply of water by meter shall be three shillings per thousand gallons.

(2) (a) Provided that for a period of five years beginning on the appointed day the water rate to be charged in respect of a supply of water for domestic purposes to any premises situated in the areas referred to in paragraph (b) of this subsection shall be less than the water rate charged in respect of a supply of water for domestic purposes to premises situated in any other part of the limits of supply (except in the areas referred to in subsections (3) and (4) of this section) by the following percentages :—

- (i) in the year ending on the thirty-first day of March nineteen hundred and fifty-seven fifteen per centum ;
- (ii) in the year ending on the thirty-first day of March nineteen hundred and fifty-eight twelve per centum ;
- (iii) in the year ending on the thirty-first day of March nineteen hundred and fifty-nine nine per centum ;
- (iv) in the year ending on the thirty-first day of March nineteen hundred and sixty six per centum ;
- (v) in the year ending on the thirty-first day of March nineteen hundred and sixty-one three per centum.



(b) The areas referred to in paragraph (a) of this subsection are—

- (i) the areas which immediately before the appointed day are within the limits of supply of the council of the borough of Ramsgate ;
- (ii) the borough of Sandwich and the area which immediately before the appointed day is within the limits of supply of the council of that borough ;
- (iii) the parish of Wickhambreux in the rural district of Bridge-Blean ;
- (iv) the parishes of Goodnestone St. Nicholas-at-Wade Sarre and Wingham (except the village of Wingham as hereinafter defined) in the rural district of Eastry.

(c) In the parishes of Adisham Goodnestone and Wingham the sum charged for a supply of water by meter shall during the said period of five years be less than the sum charged therefor in any other part of the limits of supply by the percentages mentioned in paragraph (a) of this subsection.

(3) In the parish of Adisham the sum charged for a supply of water for domestic purposes shall be less than the sum charged therefor in any other part of the limits of supply (except in the areas referred to in subsections (2) and (4) of this section) by thirty-three and one-third per centum.

(4) (a) In this subsection the expression “the village of Wingham” means the area coloured pink on the map three copies of which have been signed by Lieutenant-Colonel John Cutts Lockwood the chairman of the committee of the House of Commons to which the Bill for this Act was referred.

(b) The maps hereinbefore referred to have been deposited—  
 one in the office of the Clerk of the Parliaments House of Lords ;  
 one in the Private Bill Office of the House of Commons ;  
 and  
 one in the office of the clerk of the County Council in Maidstone.

(c) In the village of Wingham the sum charged for a supply of water for domestic purposes shall be less than the sum charged therefor in any other part of the limits of supply (except in the areas referred to in subsections (2) and (3) of this section) by forty per centum.

(d) Copies of the map deposited in pursuance of this section in the office of the clerk of the County Council certified by him to be true shall be received in all courts of justice and elsewhere as evidence of the contents of the map.

PART II  
—cont.Existing  
enactments  
Part II.

18. The provisions of Part I and Part II of the Fourth Schedule to this Act shall have effect in respect of the provisions contained in the Acts and Orders relating to the councils and companies whose undertakings are by this Part of this Act transferred to the board.

## PART III

## FOLKESTONE AND DISTRICT AREA

Change of  
name.

19. On the appointed day the name of the Folkestone Waterworks Company shall be changed to “the Folkestone and District Water Company”.

Folkestone  
undertakers.

20. On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the Folkestone and District Water Company.

Interpretation  
of Part III.

21. In this Part of this Act unless the subject or context otherwise requires—

“the company” means until the appointed day the Folkestone Waterworks Company and on and after that day the Folkestone and District Water Company;

“the Folkestone Corporation” means the mayor aldermen and burgesses of the borough of Folkestone;

“the Hythe Corporation” means the mayor aldermen and burgesses of the borough of Hythe;

“the limits of supply” means the company’s limits of supply.

Folkestone  
limits.

22. The company’s limits of supply shall be—

(a) the borough of Folkestone;

(b) the borough of Hythe;

(c) the borough of New Romney;

(d) the borough of Lydd;

(e) the parishes of Alkham and Capel-le-Ferne in the rural district of Dover and so much of the parish of Lydden in that district as lies south and west of an imaginary line drawn parallel to and at a distance of one hundred yards measured in a southerly and westerly direction from the centre line of the main road (A.2) leading from Dover to Canterbury;

(f) so much of the parish of Smeeth in the rural district of East Ashford as immediately before the coming into force of the Review Order 1934 formed part of the parish of Sellindge in the rural district of Elham;

(g) the parishes of Elham Hawkinge Lyminge Lympne Monks Horton Newington Paddlesworth Postling

Saltwood Stanford and Stowting in the rural district of Elham and the parish of Sellindge in that district except so much thereof as immediately before the coming into force of the Review Order 1934 formed part of the parish of Smeeth in the rural district of East Ashford; and

- (h) the parishes of Dymchurch and St. Mary-in-the-Marsh in the rural district of Romney Marsh and so much of the parish of Burmarsh in that district as immediately before the coming into force of the Review Order 1934 formed parts of the parishes of Aldington in the rural district of East Ashford and St. Leonard Hythe in the borough of Hythe.

23.—(1) On the appointed day the undertaking of the Folkestone Corporation and the undertaking of the Hythe Corporation shall by virtue of this Act be transferred to and vest in the company.

Transfer of undertakings of Folkestone and Hythe corporations.

(2) The price or consideration to be paid by the company to the Folkestone Corporation and to the Hythe Corporation for the transfer of their undertaking shall be such sum as may be agreed between the corporation from whom the transfer is made and the company or as failing agreement shall be determined by arbitration to be the amount which the undertaking might have been expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer:

Provided that the said price or consideration shall not be less than—

- (a) the amount of the loans raised by the corporation from whom the transfer is made for the purposes of their undertaking and outstanding on the appointed day less the amount of any sinking fund established for the redemption of that loan;
- (b) the amount of any capital expenditure incurred by that corporation for the purposes of their undertaking not defrayed from loan moneys for which statutory borrowing powers could and it is anticipated would but for the transfer have been conferred; and
- (c) the amount equal to the then current value of all expendable stores which immediately before the appointed day were held on revenue account by that corporation in respect of their undertaking and which by this Act are transferred to the company.

(3) The company on the one hand and the Folkestone Corporation or the Hythe Corporation on the other hand may agree that instead of paying as the said price or consideration a

PART III  
—cont.

sum ascertained in accordance with the foregoing provisions of this section or any part of that sum the company shall for such period as may be agreed make to the corporation such payments as may be equivalent to the said price or consideration or such part thereof.

(4) The Hythe Corporation shall indemnify the company against any claim made against them arising out of the rates and charges levied by the Hythe Corporation before the appointed day which at the time they were levied were not authorised by the enactments mentioned in paragraph (a) of subsection (1) of the next succeeding section.

Folkestone  
charges.

24.—(1) Subject to the provisions of section 40 of the Act of 1945—

(a) The provisions of section 16 (Maximum price of water supplied by agreement except for shipping) and of section 29 (Rate for supply of water for domestic purposes) of the Folkestone Water Act 1898 as amended by the Folkestone Waterworks Company (Modification of Charges) Order 1923 by section 73 (Further modification of certain charges) of the Folkestone Water Act 1939 and by section 3 of the Folkestone Waterworks Company (Water Charges) Order 1953 and of section 35 (Increase of charge in case of high level supplies) of the Folkestone Water Order 1930 shall apply to the supply of water by the company to any premises within the limits of supply other than premises situated in the areas referred to in paragraphs (b) and (c) of this subsection :

Provided that until the order referred to in subsection (2) of this section comes into force the company may charge in respect of a supply of water for domestic purposes to any premises situated within that part of the limits of supply which immediately before the appointed day was within the limits of supply of the Hythe Corporation rates and charges in accordance with section 34 (Rates for supply of water for domestic purposes) of the Hythe Corporation Act 1905 as amended by the Hythe Water (Modification of Charges) Order 1923 and further amended by the Hythe (Water Charges) Order 1949 but not exceeding the rates and charges actually levied by the Hythe Corporation on the thirty-first day of March nineteen hundred and fifty-three ;

(b) The company may charge in respect of a supply of water for domestic purposes to any premises situated within

that part of the limits of supply which was included in the limits of supply of the Elham Valley Water Company Limited prior to the date of transfer mentioned in the Folkestone Water Order 1949 and in the parish of Stowting in the rural district of Elham rates and charges in accordance with section 22 (Rates for supply for domestic purposes) and section 23 (Rates for water-closets and baths) of the Elham Valley Water Order 1904 (which was confirmed by the Water Orders Confirmation Act 1904) as modified by the Elham Valley Water Company Limited (Modification of Charges) Order 1922 and by section 3 of the Folkestone Waterworks Company (Water Charges) Order 1953 and may charge for a supply of water by meter in that part of the limits of supply in accordance with section 26 (Supply of water by meter) of the said Order of 1904 ;

(c) The company may charge in respect of a supply of water for domestic purposes to any premises situated—

(i) within that part of the limits of supply which immediately before the first day of April nineteen hundred and fifty-three was included in the limits of supply of the Littlestone-on-Sea and District Water Company ; and

(ii) within the additional added limits described in Part II of the Second Schedule to the Folkestone Water Order 1953 ;

rates and charges in accordance with section 36 (Rates at which water is to be supplied for domestic purposes) of the Littlestone-on-Sea and District Water Act 1904 as modified by the Littlestone-on-Sea and District Water Company (Modification of Charges) Order 1923 and the Littlestone-on-Sea (Water Charges) Order 1947 and may charge for a supply of water by meter in that part of the limits of supply in accordance with section 38 of the said Act of 1904 as modified by those Orders.

(2) Before the expiration of three years from the date on which the first new valuation lists made under Part III of the Local Government Act 1948 for such rating areas as may be wholly or partly within the limits of supply have come into force the company shall apply to the Minister under either section 32 or section 40 of the Act of 1945 for an order to secure uniformity of charges throughout the limits of supply :

Provided that if all the said valuation lists do not come into force on the same day the period of three years shall be calculated from the date on which the last of the said valuation lists comes into force.

PART III  
—cont.Additional  
Folkestone  
capital.

25.—(1) Subject to the provisions of this section the company may—

- (a) raise additional capital by the creation and issue of new ordinary shares or new preference shares or wholly or partly by one or more of those modes ; and
- (b) borrow additional sums on the mortgage of their undertaking or by the creation and issue of additional debenture stock.

(2) Provided that—

- (a) the amount to be raised or borrowed under the powers of this section including the premiums (if any) obtained on the sale thereof shall not exceed the total of the sums payable by the company as the prices or consideration for the transfer of undertakings transferred to them in pursuance of this Part of this Act ; and
- (b) the amount to be borrowed or raised by the issue of debenture stock under the powers of this section shall not exceed one-half of the amount of additional capital raised by the company by the issue of shares under the powers of this section including the premiums (if any) obtained on the sale thereof.

(3) Part IV (Financial provisions) of the Folkestone Water Order 1953 sections 52 53 54 and 59 of the Folkestone Water Act 1939 as applied by section 34 of the said Order of 1953 and the enactments incorporated with that Order or applied to the undertaking of the company by section 2 of the Order as so incorporated or applied (as the case may be) shall with any necessary modifications extend and apply to the powers of this section as if the additional capital authorised by this section were the additional capital authorised by the said Part IV and the amount to be borrowed or raised by the issue of debenture stock under this section were borrowed or raised as aforesaid (as the case may be) under the said Part IV.

Existing  
enactments  
Part III.

26. The provisions of Part I and Part III of the Fourth Schedule to this Act shall have effect in respect of the provisions contained in the Acts and Orders relating to the company and to the undertakers whose undertakings are by this Part of this Act transferred to the company.

## PART IV

## MID KENT AREA

Mid Kent  
undertakers.

27. On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the Mid Kent Water Company.

28. In this Part of this Act unless the subject or context otherwise requires—

PART IV  
—cont.

“the company” means the Mid Kent Water Company;

Interpretation  
of Part IV.

“the Cranbrook Company” means the Cranbrook District Water Company;

“the limits of supply” means the company’s limits of supply.

29. The company’s limits of supply shall be—

Mid Kent  
limits.

(1) In the county of Kent—

(a) the borough of Tenterden;

(b) so much of the borough of Dover as was added to that borough by the Review Order 1934 or by the Dover Corporation Act 1950;

(c) the following parts of the borough of Maidstone namely:—

(i) so much of the borough as immediately before the coming into force of the Review Order 1934 formed parts of the parishes of Bearstead and Boughton Monchelsea in the rural district of Maidstone and part of the parish of Aylesford in the rural district of Malling; and

(ii) so much of the borough as immediately before the coming into force of the Maidstone (Extension) Order 1954 formed parts of the parishes of Boughton Monchelsea and Otham in the rural district of Maidstone;

(d) so much of the borough of Deal as immediately before the coming into force of the Review Order 1935 comprised the parish of Great Mongeham (except the detached part thereof) and part of the parish of Sholden both in the rural district of Eastry;

(e) so much of the urban district of Ashford as immediately before the coming into force of the Review Order 1934 formed parts of the parishes of Boughton Aluph Kennington Sevington and Wye in the rural district of East Ashford and part of the parish of Kingsnorth in the rural district of West Ashford;

(f) so much of the urban district of Tonbridge as immediately before the coming into force of the Review Order 1934 formed part of the parish of Hadlow in the rural district of Tonbridge;

(g) so much of the urban district of Whitstable as immediately before the coming into force of the Review Order 1934 formed part of the parishes of Dunkirk

PART IV  
—cont—

and Hernhill in the rural district of Swale (except the detached parts of those parishes) and of the parish of Graveney in that district ;

(h) the rural district of West Ashford except so much of the parish of Kingsnorth as immediately before the coming into force of the Review Order 1934 formed part of the urban district of Ashford ;

(i) the parishes of Barham Kingston Upper Hardres Waltham and Womenswold in the rural district of Bridge-Blean and the parish of Petham in that district except so much thereof as is included within the limits of supply of the Canterbury and District Water Company referred to in section 91 (Canterbury limits) of this Act and so much of the parishes of St. Cosmus and St. Damian in the Blean and Harbledown in that district as immediately before the coming into force of the Review Order 1934 formed part of the parish of Dunkirk in the rural district of Swale ;

(j) the rural district of Cranbrook ;

(k) the following parishes and parts of parishes in the rural district of Dartford namely:—

(i) the parishes of Ash-cum-Ridley Hartley and West Kingsdown ;

(ii) so much of the parish of Farningham—

(a) as was added to the limits of supply of the company by the Mid Kent Water Act 1930 ; and

(b) as immediately before the coming into force of the County of Kent (Dartford Rural Parishes) Confirmation Order 1955 (hereinafter referred to as “the Order of 1955”) formed part of the parishes of Fawkham and West Kingsdown ;

(iii) the parish of Fawkham except so much thereof as immediately before the coming into force of the Order of 1955 formed part of the parish of Horton Kirby ;

(iv) so much of the parish of Horton Kirby as immediately before the coming into force of the Order of 1955 formed part of—

(a) so much of the parish of Farningham as was added to the limits of supply of the company by the Mid Kent Water Act 1930 ;

(b) the parish of Fawkham ; and

(c) the parish of Longfield ;



(v) the parish of Longfield except so much thereof as immediately before the coming into force of the Order of 1955 formed parts of the parishes of Darenth Horton Kirby and Southfleet ;

(vi) so much of the parish of Southfleet as immediately before the coming into force of the Order of 1955 formed part of the parish of Longfield ;

(l) the parishes of Coldred Denton East Langdon Guston Hougham Without Ringwould River St. Margaret's at Cliffe Sibertswold Temple Ewell West Langdon Whitfield and Wootton in the rural district of Dover and so much of the parish of Lydden in that district as is not included within the limits of supply of the Folkestone and District Water Company referred to in section 22 (Folkestone limits) of this Act ;

(m) the parishes of Aldington Bilsington Bonnington Boughton Aluph Brabourne Brook Challock Chilham Crundale Eastwell Godmersham Hastingleigh Molash Orlestone Ruckinge Warehorne and Wye in the rural district of East Ashford and the following parts of parishes in that district:—

(i) so much of the parish of Hinxhill as immediately before the coming into force of the Review Order 1934 formed parts of the parishes of Boughton Aluph Eastwell Kennington and Sevington ;

(ii) the parish of Mersham except so much thereof as immediately before the coming into force of the Review Order 1934 formed part of the parish of Willesborough ;

(iii) the parish of Sevington except so much thereof as immediately before the coming into force of the Review Order 1934 formed part of the parish of Willesborough ; and

(iv) the parish of Smeeth except so much thereof as immediately before the coming into force of the Review Order 1934 formed part of the parish of Sellindge in the rural district of Elham ;

(n) the parishes of Eastry Eythorne Northbourne Ripple Sutton Tilmanstone and Worth in the rural district of Eastry the parish of Sholden in that district except so much thereof as immediately before the coming into force of the Review Order 1935 comprised the detached part of the urban district of Walmer and the parts of the parishes of Aylesham and Nonington which are excluded from the limits of supply of the Thanet Water Board by section 7 (Thanet limits) of this Act ;

PART IV  
—cont.

(o) the parishes of Acrise Elmsted Stelling Stelling Minnis and Swingfield in the rural district of Elham and so much of the parish of Sellindge in that district as immediately before the coming into force of the Review Order 1934 formed part of the parish of Smeeth in the rural district of East Ashford ;

(p) the parishes of Bicknor Boughton Malherbe Broomfield Chart Sutton East Sutton Frinsted Harrietsham Headcorn Hollingbourn Hucking Langley Leeds Lenham Otterden Stockbury Sutton Valence Thurnham Ulcombe Wichling and Wormshill in the rural district of Hollingbourn ;

(q) the parishes of Boughton Monchelsea Hunton Linton Marden Nettlestead Otham Staplehurst Teston and Yalding in the rural district of Maidstone and the parish of Bearsted in that district except so much thereof as immediately before the coming into force of the Review Order 1934 formed part of the borough of Maidstone ;

(r) the parishes of Addington Aylesford Birling Borough Green Burham Ditton East Malling East Peckham Ightham Leybourne Mereworth Offham Platt Plaxtol Ryarsh Snodland Stansted Trottiscliffe Wateringbury West Malling West Peckham and Wrotham in the rural district of Malling and so much of the parish of Wouldham in the said rural district as is not included in the limits of supply of the Medway Water Board in pursuance of section 53 (Medway limits) of this Act ;

(s) the parishes of Brenzett Brookland Ivychurch Newchurch Old Romney and Snargate in the rural district of Romney Marsh the parish of Burmarsh in that district except so much thereof as immediately before the coming into force of the Review Order 1934 formed parts of the parishes of Aldington in the rural district of East Ashford and St. Leonard Hythe in the borough of Hythe ;

(t) the parish of Kemsing in the rural district of Sevenoaks ;

(u) the parish of Halling in the rural district of Strood and so much of the parish of Cobham in that district as immediately before the coming into force of the Review Order 1935 formed the parish of Nursted ;

(v) the parishes of Badlesmere Bapchild Borden Boughton-under-Blean Bredgar Buckland Doddington Dunkirk Eastling Goodnestone Graveney Hernhill

Kingsdown Leaveland Lynsted Milsted Newnham  
Norton Rodmersham Selling Stalisfield Stone Teynham  
Throwley Tonge and Tunstall in the rural district of  
Swale and so much of the parishes of Faversham  
Without Luddenham Ospringe and Sheldwich in that  
district as is not included within the limits of supply  
of the Faversham Water Company ;

PART IV  
—cont.

(w) the rural district of Tenterden ; and

(x) the parishes of Brenchley Hadlow Horsmonden  
Lamberhurst and Paddock Wood in the rural district  
of Tonbridge and the parishes of Capel and Pembury  
in that district except so much thereof as is included  
within the limits of supply referred to in section 38  
(Tonbridge Wells limits) of this Act :

(2) In the county of East Sussex—

the parishes of Beckley and Northiam in the rural  
district of Battle.

30.—(1) On the first day of October nineteen hundred and fifty-five the undertaking of the Cranbrook Company shall by virtue of this Act be transferred to and vest in the company.

Transfer of  
Cranbrook  
undertaking.

(2) The price or consideration to be paid by the company to the Cranbrook Company for the transfer of their undertaking shall be such sum as may be agreed between the said companies or as failing agreement shall be determined by arbitration to be the sum which the undertaking might have been expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer.

(3) Within the area comprising so much of the limits of supply as immediately before the first day of October nineteen hundred and fifty-five was within the limits of supply of the Cranbrook Company and in the exercise and discharge of the powers and duties of this Act within that area and otherwise in relation to that area the expression “ the appointed day ” means the said first day of October.

(4) On the appointed day the company shall pay to the partnership firm of Murton Clarke and Murton-Neale as compensation for the loss by that firm of remuneration in connection with the managerial and secretarial appointments held by them in the Cranbrook Company immediately prior to the appointed day a sum equivalent to two and one-half years' purchase of the remuneration paid to the said firm in the year nineteen hundred and fifty-three.

PART IV  
—cont.

(5) In their application to the officers and servants of the Cranbrook Company section 152 (Transfer of officers) and section 154 (Superannuation and pensions) of this Act shall have effect as if for the first day of January nineteen hundred and fifty-six there were substituted the first day of July nineteen hundred and fifty-five.

Transfer of  
Margate  
undertaking in  
Womenswold.

**31.**—(1) On the appointed day there shall by virtue of this Act be transferred to and vest in the company that part of the undertaking of the council of the borough of Margate which is situated within the parish of Womenswold in the rural district of Bridge-Blean except the Snowdown Tank and the main leading therefrom in a north-easterly direction which shall continue to be the property of the Thanet Water Board.

(2) The price or consideration to be paid by the company to the Thanet Water Board for the transfer of the said part of the said undertaking shall be such sum as may be agreed between the company and the said board or as failing agreement shall be determined by arbitration to be the sum which that part of the undertaking might have been expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer and in determining that sum due regard shall be had to any loss which the said council or the said board may suffer and any additional expense which the said board will incur by reason of the severance of the said part of the said undertaking from the remainder thereof.

Application of  
North West  
Kent Joint  
Water Act  
1936 and  
Cuxton Water  
Order 1950.

**32.** On and after the appointed day the North West Kent Joint Water Act 1936 and the Cuxton Water Order 1950 shall continue to apply to the company but subject to the modifications for which provision is made in Part VII (Medway area) of this Act.

Mid Kent  
charges.

**33.** Subject to the provisions of section 40 of the Act of 1945 the following provisions of the Mid Kent Water Act 1898 shall apply in respect of the supply of water by the company to any premises within the limits of supply:—

Section 61 (Rates for supply for domestic purposes) as amended by section 32 of the Mid Kent Water Order 1949;

Section 62 (Rates for water-closets baths &c.) as amended by section 33 (Rates for certain baths) of the Mid Kent and East Kent District Water Act 1913;

Section 64 (Rates for supply by meter in certain cases) as amended by section 33 of the Mid Kent Water Order 1949 ;

PART IV  
—cont.

as such provisions are modified by section 6 (Additional percentage on rates rents and charges) of the Mid Kent Water Order 1920 as amended by section 25 of the Mid Kent Water Act 1930.

34.—(1) Subject to the provisions of this section the company may—

Additional  
Mid Kent  
capital.

(a) raise additional capital by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by one or more of those modes ; and

(b) borrow additional sums on the mortgage of their undertaking or by the creation and issue of additional debenture stock.

(2) Provided that—

(a) the amount to be raised or borrowed under the powers of this section including the premiums (if any) obtained on the sale thereof shall not exceed the total of the sums payable by the company as the price or consideration for or in connection with the transfer of the undertaking transferred to them in pursuance of this Part of this Act ; and

(b) the amount to be borrowed or raised by the issue of debenture stock under the powers of this section shall not exceed one-half of the amount of additional capital raised by the issue of shares or stock under the powers of this section including the premiums (if any) obtained on the sale thereof.

(3) The provisions of—

(a) the North West Kent Joint Water Act 1936 relating to the additional capital which the company were by that Act authorised to raise and to the borrowing of money and the creation of debenture stock by the company (other than section 90 (New shares or stock to be sold by auction or tender)) ; and

(b) section 75 (Sale of stock by auction or tender) of the Third Schedule to the Act of 1945 ;

shall apply to the additional capital to be raised the borrowing of money and the additional debenture stock to be created and issued under the powers of this section and in the said section 75 the word “ stock ” shall include “ shares ”.

35. The provisions of Part I and Part IV of the Fourth Schedule to this Act shall have effect in respect of the provisions contained in the Acts and Orders relating to the company and the Cranbrook Company respectively.

Existing  
enactments  
Part IV.

## PART V

## TUNBRIDGE WELLS AREA

Tunbridge  
Wells  
undertakers.

**36.** On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the mayor aldermen and burgesses of the borough of Royal Tunbridge Wells.

Definitions  
in Part V.

**37.—**(1) In this Part of this Act and in Part V of the Fourth Schedule to this Act unless the subject or context otherwise requires—

“the corporation” means the mayor aldermen and burgesses of the borough of Royal Tunbridge Wells;

“the borough” means the borough of Royal Tunbridge Wells;

“the existing external area” means the area outside the borough which immediately before the appointed day was within the limits of supply of the corporation;

“the Southborough Council” means the Southborough Urban District Council;

“the Tonbridge Council” means the Tonbridge Rural District Council;

“the Sevenoaks Council” means the Sevenoaks Rural District Council; and

“the limits of supply” means the limits of supply of the corporation.

(2) In this Act the undertaking of the Southborough Council shall not include the offices of that council and any premises being a building or erection which is used as a workshop and lies within the curtilage of the said offices and the adjoining yard and buildings.

Tunbridge  
Wells limits.

**38.** The limits of supply of the corporation shall be—

(1) In the county of Kent—

(a) the borough of Royal Tunbridge Wells;

(b) the urban district of Southborough;

(c) the parish of Bidborough in the rural district of Tonbridge the parish of Speldhurst in that district except so much thereof as is within the limits of the Crowborough Water Company and the following parts of parishes in that district (namely):—

(i) so much of the parish of Capel as immediately before the coming into force of the Review Order 1934 formed part of the parish of Tonbridge Rural or part of the urban district of Southborough; and

(ii) so much of the parish of Pembury as lies within a circle having a radius of three miles from

the centre of the western door of the Church of the Holy Trinity in Tunbridge Wells or as immediately before the coming into force of the Review Order 1934 formed part of the parish of Tonbridge Rural ; and

(d) the parish of Penshurst in the rural district of Sevenoaks except so much thereof as is within the limits of supply of the East Surrey Water Company :

(2) In the administrative county of East Sussex—

so much of the parish of Frant in the rural district of Uckfield as is within a circle having a radius of three miles from the centre of the western door of the Church of the Holy Trinity in Tunbridge Wells.

**39.**—(1) On the appointed day the following undertakings and part of an undertaking shall by virtue of this Act be transferred to and vest in the corporation namely:— Transfer of undertakings.

(a) the undertaking of the Southborough Council ;

(b) the undertaking of the Tonbridge Council ;

(c) that part of the undertaking of the Sevenoaks Council which is situated in the part of the parish of Penshurst within the limits of supply.

(2) Subject to the provisions of this Act the corporation shall as consideration for the transfer of each of the undertakings and the part of an undertaking referred to in subsection (1) of this section in the year commencing on the appointed day and in every year thereafter repay to the council from whom the transfer is made the amount which in pursuance of arrangements in force immediately before the appointed day for the redemption of loans and the payment of interest thereon would but for this Act have fallen on or after the appointed day to be debited in the accounts of the undertaking of that council for that year in respect of money borrowed in respect of the undertaking or in the case of the Sevenoaks Council in respect of the said part of their undertaking and in calculating the amount that would have fallen to be debited as aforesaid in respect of any loan account shall be taken of the income earned by any sinking fund established for the redemption of the loan.

(3) Any sum payable under the foregoing provisions of this section shall unless otherwise agreed be paid not later than the day on which the amounts referred to in subsection (2) of this section become payable by the said councils.

(4) Any payment made by the Corporation under subsection (2) of this section in respect of the liability for the redemption of a loan (or the repayment of an advance) shall be deemed to

PART V  
—cont.

be a capital payment and any other such payment shall be deemed to be an annual payment.

(5) The corporation shall also pay to each of the councils referred to in subsection (1) of this section as part of the consideration for the transfer—

- (a) an amount equal to the then current value of all expendable stores which immediately before the appointed day were held on revenue account by that council in respect of their water undertaking and which by this Part of this Act are transferred to the corporation ; and
- (b) the amount of any capital expenditure incurred by that council for the purpose of their undertaking or part thereof not defrayed from loan moneys for which statutory borrowing powers could and it is anticipated would but for the transfer have been conferred.

Transfer of  
outstanding  
loans.

**40.** Notwithstanding the foregoing provisions of this Part of this Act the corporation may with the consent of the lender agree with a council whose undertaking or part of whose undertaking is by this Act transferred to them for the transfer to the corporation by that council of the liability in respect of any outstanding loan to that council in respect of their water undertaking and from the date upon which any such transfer takes effect all liability in respect of the loan so transferred shall be borne by the corporation.

Appointment  
on committee  
by South-  
borough  
Council.

**41.** The Southborough Council may from time to time appoint two members of their council to be members of the water committee appointed by the council of the borough of Royal Tunbridge Wells and the persons so appointed shall have the same rights as persons appointed to a committee in pursuance of subsection (3) of section 85 of the Act of 1933.

Tunbridge  
Wells charges.

**42.—(1)** Subject to the provisions of section 40 of the Act of 1945 the provisions of section 53 (Rates for supply of water for domestic purposes) and section 55 (Composition for water rates for large houses) of the Tunbridge Wells Water Act 1865 as amended by the Royal Tunbridge Wells (Water Charges) Order 1949 shall apply in respect of the supply of water by the corporation to any premises within the limits of supply including the areas within those limits which are without the borough of Royal Tunbridge Wells :

Provided that for the period of five years commencing on the appointed day the corporation may charge in respect of a supply of water for domestic purposes—

- (a) to any premises situate within the existing external area rates and charges exceeding those for the time being



levied by the corporation within the borough by not more than the amount by which the rates and charges levied by the corporation in the existing external area exceeded the rates and charges in the borough on the first day of April nineteen hundred and fifty-four ;

PART V  
—cont.

(b) to any premises situate within the limits of supply which are not in the borough or in the urban district of Southborough or in the existing external area rates and charges exceeding by not more than thirty-three and one-third per centum the rates and charges which the corporation are from time to time authorised to levy within the borough.

(2) For the purposes of the said sections 53 and 55 of the Tunbridge Wells Water Act 1865 the yearly value of a house shall be deemed to be the gross value of the premises which include that house as appearing in the valuation list for the time being in force.

43. The provisions of Part I and Part V of the Fourth Schedule to this Act shall have effect in respect of the provisions contained in the Acts and Orders relating to the corporation.

Existing enactments Part V.

## PART VI

### SEVENOAKS AND TONBRIDGE AREA

44. On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the Sevenoaks and Tonbridge Water Company.

Sevenoaks undertakers.

45. In this Part of this Act unless the subject or context otherwise requires—

Definitions in Part VI.

“ the company ” means the Sevenoaks and Tonbridge Water Company ;

“ the Sevenoaks Council ” means the Sevenoaks Rural District Council ;

“ the limits of supply ” means the limits of supply of the company.

46. The limits of supply of the company shall be—

Sevenoaks limits.

(a) the urban district of Sevenoaks ;

(b) the urban district of Tonbridge as it existed immediately before the coming into force of the Review Order 1934 (except so much thereof as immediately before the coming into force of the Tonbridge Urban District (Extension) Order 1928 confirmed by the Kent (Tonbridge Urban District) Confirmation Order 1928 formed

PART VI  
—cont.

part of the parish of Hadlow) together with so much of the said urban district as immediately before the coming into force of the Review Order 1934 formed part of the parishes of Hildenborough and Tonbridge Rural ;

- (c) the parishes of Dunton Green Leigh Otford Riverhead Seal and Sevenoaks Weald in the rural district of Sevenoaks and the parish of Chevening in that district except so much of that parish as is within the limits of supply of the Metropolitan Water Board ;
- (d) the parish of Hildenborough in the rural district of Tonbridge ; and
- (e) the parish of Shipbourne in the rural district of Malling.

Transfer of  
undertaking.

47.—(1) On the appointed day that part of the undertaking of the Sevenoaks Council which is situated in the parishes of Dunton Green Leigh and Otford and in the part of the parish of Chevening which is situated within the limits of supply shall by virtue of this Act be transferred to and vest in the company.

(2) The price or consideration to be paid by the company to the Sevenoaks Council for the transfer of the said part of their undertaking shall be such sum as may be agreed upon between the company and that council or as failing agreement shall be determined by arbitration to be the amount which the part of the undertaking might have been expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer :

Provided that the said price or consideration shall not be less than—

- (a) the amount of the loan raised by the Sevenoaks Council for the purposes of the said part of their undertaking outstanding on the appointed day less the amount of any sinking fund established for the redemption of that loan ;
- (b) the amount of any capital expenditure incurred by that council for the purposes of the said part of their undertaking not defrayed from loan moneys for which statutory borrowing powers could and it is anticipated would but for the transfer have been conferred ; and
- (c) an amount equal to the then current value of all expendable stores which immediately before the appointed day were held on revenue account by that council in respect of their undertaking and which by this Act are transferred to the company.

(3) The company and the Sevenoaks Council may agree that instead of paying as the said price or consideration a sum

ascertained in accordance with the foregoing provisions of this section or any part of that sum the company shall for such period as may be agreed make to that council such payments as may be equivalent to the said price or consideration or such part thereof.

PART VI  
—cont.

48.—(1) Subject to the provisions of section 40 of the Act of 1945— Sevenoaks charges.

(a) The provisions of section 44 (Rates at which water is to be supplied for domestic purposes) and section 45 (Rates for water-closets and baths) of the Sevenoaks Waterworks Act 1878 as amended by section 22 of the Sevenoaks Water Order 1892 (which was confirmed by the Water Orders Confirmation Act 1892) and as modified by the Sevenoaks Waterworks Company (Modification of Charges) Order 1922 and the Sevenoaks and Tonbridge Water Company (Water Charges) Order 1950 and section 25 (Price of supply by meter) of the Sevenoaks Water Order 1930 as modified by the said Order of 1950 shall apply in respect of the supply of water by the company to any premises within the limits of supply other than premises situated in the area referred to in paragraph (b) of this subsection:

Provided that for a period of five years beginning on the appointed day the company may charge for a supply of water in those areas which immediately before the appointed day were supplied with water by the Sevenoaks Council (other than the parish of Leigh) at the same rates as were charged by that council on the twenty-seventh day of November nineteen hundred and fifty-three ;

(b) The provisions of section 16 (Rates of supply of water for domestic purposes) of the Tonbridge Water Order 1886 (which was confirmed by the Water Orders Confirmation Act 1886) section 23 (Rates for water-closets and baths) and section 24 (Charges for water supplied by measure) of the Tonbridge Water Order 1900 (which was confirmed by the Water Orders Confirmation Act 1900) as modified by the Tonbridge Waterworks Company Limited (Modification of Charges) Order 1922 and the Sevenoaks and Tonbridge Water Company (Water Charges) Order 1950 shall apply in respect of the supply of water by the company to any premises in the area as respects which and to the extent to which they were in force immediately before the appointed day and also in so much of the parish of Leigh as immediately before that day was supplied with water by the Sevenoaks Council.

PART VI  
—cont.

(2) Before the expiration of five years from the appointed day the company shall take such steps as may be open to them to secure an equality of charges in respect of the supply of water throughout the limits of supply.

Additional  
Sevenoaks  
capital.

49.—(1) Subject to the provisions of this section the company may—

- (a) raise additional capital by the issue of further amounts of consolidated ordinary stock or by the creation and issue of new ordinary shares or new preference shares or wholly or partly by one or more of those modes ; and
- (b) borrow additional sums on the mortgage of their undertaking or by the creation and issue of additional debenture stock.

(2) Provided that—

- (a) the amount to be raised or borrowed under the powers of this section including the premiums (if any) obtained on the sale thereof shall not exceed the total of the sums payable by the company as the price or consideration for the transfer of the part of an undertaking transferred to them in pursuance of this Part of this Act ; and
- (b) the amount to be borrowed or raised by the issue of debenture stock under the powers of this section shall not exceed one-half of the amount of additional capital raised by the issue of share capital under the powers of this section including the premiums (if any) obtained on the sale thereof.

(3) The provisions of the Sevenoaks and Tonbridge Water Order 1948 relating to the additional capital which the company were by that Order authorised to raise and to the borrowing of money and to the creation of debenture stock by the company shall apply to the additional capital to be raised the borrowing of money and the additional debenture stock to be created and issued under the powers of this section :

Provided that in the application of the said Order of 1948 for the purposes of this section section 74 of the Third Schedule as applied to the undertaking of the company by section 2 of the Order shall have effect as if the following paragraphs were substituted for paragraph (b) of subsection (1) thereof :—

- “(b) On ordinary capital subscribed for the purpose of paying the price or consideration for the transfer to the company of part of an undertaking transferred to them in pursuance of Part VI of the Kent Water Act 1955 seven per centum ;

- (c) On preference capital subscribed for that purpose six per centum or in the case of such capital entitled by the terms of subscription to a rate of dividend lower than six per centum that lower rate."

PART VI  
—cont.

50. The provisions of Part I and Part VI of the Fourth Schedule to this Act shall have effect in respect of the provisions contained in the Acts and Orders relating to the company.

Existing enactments  
Part VI.

## PART VII

### MEDWAY AREA

51. On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the water board hereby constituted.

Medway  
undertakers.

52. In this Part of this Act unless the subject or context otherwise requires—

Interpretation  
of Part VII.

“the board” means the board constituted by this Part of this Act;

“the councils” means the councils of the city of Rochester and the boroughs of Chatham Gillingham and Gravesend the council of the urban district of Northfleet and the councils of the rural districts of Strood and Swale;

“constituent council” means the County Council or any one of the councils;

“the Chatham Company” means the Chatham and District Water Company;

“the Gravesend Company” means the Gravesend and Milton Waterworks Company;

“the Higham Company” means the Higham and Hundred of Hoo Water Company;

“the limits of supply” means the limits of supply of the board.

53. The limits of supply of the board shall be—

Medway  
limits.

- (a) the borough of Chatham;
- (b) the borough of Gillingham;
- (c) the borough of Gravesend;
- (d) the city of Rochester;
- (e) the urban district of Northfleet;

PART VII  
—cont.

- (f) the parishes of All Hallows Cliffe Cooling Cuxton Frindsbury Extra Higham High Halstow Hoo Isle of Grain Luddesdown Meopham St. Mary Hoo Shorne and Stoke in the rural district of Strood and the parish of Cobham in that district except so much thereof as immediately before the coming into force of the Review Order 1935 formed the parish of Nursted ;
- (g) the parish of Bredhurst in the rural district of Hollingbourn and so much of the parish of Boxley in that district as was added to the limits of supply of the Chatham Company by the Chatham and District Water Order 1952 ;
- (h) the parishes of Hartlip and Upchurch in the rural district of Swale ; and
- (i) so much of the parish of Wouldham in the rural district of Malling as immediately before the first day of April nineteen hundred and five formed the parish of St. Margaret Extra.

Medway  
Water Board.

**54.** There shall be a joint board to be called " the Medway Water Board " constituted as provided by this Act for the following purposes :—

- (a) the procuring of a supply of water ;
- (b) the acceptance of the transfers of the undertaking of the council of the city of Rochester and the undertakings of the Chatham Company the Gravesend Company and the Higham Company ;
- (c) the distribution and supply of water in the limits of supply ;
- (d) the supply of water in bulk within or outside the limits of supply in accordance with section 12 of the Act of 1945 ; and
- (e) the doing of all things necessary for connected with incidental to or consequent upon the powers rights duties capacities and liabilities exercisable by or attaching to the board.

Constitution  
of board.

**55.** The board shall consist of twenty members who shall be appointed as follows :—

- Two by the County Council ;
- Three by the council of the borough of Chatham ;
- Four by the council of the borough of Gillingham ;
- Three by the council of the borough of Gravesend ;
- Three by the council of the city of Rochester ;

Two by the council of the urban district of Northfleet ;  
 Two by the council of the rural district of Strood ;  
 One by the council of the rural district of Swale.

PART VII  
 —cont.

**56.**—(1) Every constituent council shall at a meeting held before the first day of November nineteen hundred and fifty-five or such later date as the Minister shall allow on the application of any of the constituent councils appoint the number of members of the board to be appointed by them and the clerk of every constituent council shall forthwith send to the clerk of the County Council the names addresses and descriptions of the members appointed by his council. First members  
of board.

(2) The members of the board appointed in pursuance of this section shall come into office on the first day of November nineteen hundred and fifty-five or so soon thereafter as they are appointed.

(3) The first meeting of the board shall be convened by the clerk of the County Council to be held on such day not being later than the first day of December nineteen hundred and fifty-five and at such place as may be fixed by the chairman of the County Council.

**57.**—(1) On the appointed day the undertaking of the council of the city of Rochester shall by virtue of this Act be transferred to and vest in the board. Transfer of  
Rochester  
undertaking.

(2) Subject to the provisions of this Act the board shall as consideration for the transfer of the said undertaking in the year commencing on the appointed day and in every year thereafter repay to the said council the amount which in pursuance of arrangements in force immediately before the appointed day for the redemption of loans and the payment of interest thereon would but for this Act have fallen on or after the appointed day to be debited in the accounts of the undertaking of that council for that year in respect of money borrowed in respect of the undertaking and in calculating the amount that would have fallen to be debited as aforesaid in respect of any loan account shall be taken of the income earned by any sinking fund established for the redemption of the loan.

(3) Any sum payable under the foregoing provisions of this section shall unless otherwise agreed be paid not later than the day on which the amounts referred to in subsection (2) of this section become payable by the said council.

(4) Any payment made by the board under subsection (2) of this section in respect of the liability for the redemption of a loan (or the repayment of an advance) shall be deemed to be a capital payment and any other such payment shall be deemed to be an annual payment.

PART VII  
—cont.

(5) The board shall also pay to the said council as part of the consideration for the transfer—

- (a) an amount equal to the then current value of all expendable stores which immediately before the appointed day were held on revenue account by that council in respect of their undertaking and which by this Act are transferred to the board; and
- (b) the amount of any capital expenditure incurred by that council for the purpose of their undertaking not defrayed from loan moneys for which statutory borrowing powers could and it is anticipated would but for the transfer have been conferred.

Transfer of  
outstanding  
loans.

**58.** Notwithstanding the foregoing provisions of this Part of this Act the board may with the consent of the lender agree with the council of the city of Rochester for the transfer to the board by that council of the liability in respect of any outstanding loan to that council in respect of their undertaking and from the date upon which any such transfer takes effect all liability in respect of the loan so transferred shall be borne by the board.

Transfer of  
companies'  
undertakings.

**59.**—(1) On the appointed day the following undertakings shall by virtue of this Act be transferred to and vest in the board:—

- (a) The undertaking of the Chatham Company;
- (b) The undertaking of the Gravesend Company; and
- (c) The undertaking of the Higham Company.

(2) The price or consideration to be paid by the board for the transfer of each of the undertakings under this section shall be such sum as may be agreed between the board and the company from whom the transfer is made or as failing agreement shall be determined by arbitration to be the sum which the undertaking might have been expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer.

Medway  
charges.

**60.**—(1) For the purposes of Part XII of the Third Schedule to the Act of 1945 in respect of the supply of water by the board—

- (a) the prescribed rate poundage for a supply of water for domestic purposes shall be three shillings in the pound;
- (b) the prescribed proportion of the net annual value of any premises for the purpose of paragraph (b) of subsection (1) of section 46 of the said schedule shall be three-fourths;



- (c) the minimum charge for a supply of water for domestic purposes shall be such sum as may from time to time be determined by the board not exceeding one pound five shillings per annum ;
- (d) the additional annual sum chargeable under subsection (1) of section 48 of the said schedule shall be such sum as may from time to time be determined by the board not exceeding three pounds ;
- (e) the maximum charge for a supply of water by meter shall be three shillings per thousand gallons.

(2) Provided that for a period of ten years beginning on the appointed day the charges in respect of a supply of water for domestic purposes shall in the case of premises situated in either of the following areas be less than the charges for a supply of water to premises situated in any other part of the limits of supply :—

- (a) in the area within the existing limits of supply of the Gravesend Company by thirty-three and one-third per centum ; and
- (b) in the part of the city of Rochester comprised in the limits of supply of the council of that city by ten per centum.

(3) On the application of the council of the borough of Gravesend the urban district of Northfleet or the city of Rochester (as the case may be) or of ten persons occupying premises in the areas referred to in paragraph (a) or paragraph (b) of the last foregoing subsection the Minister after considering any representations in reference thereto that may be made by the board may by order extend the said period of ten years and vary the rates that may be charged under that subsection.

61.—(1) In this section and in the next four following sections unless the subject or context otherwise requires—

- “ the Act of 1936 ” means the North West Kent Joint Water Act 1936 ;
- “ the Order of 1950 ” means the Cuxton Water Order 1950 ;
- and

words and expressions to which meanings are assigned by the Act of 1936 or the Order of 1950 as amended by this Act have the same respective meanings.

(2) On and after the appointed day the Act of 1936 and the Order of 1950 shall have effect with the modifications mentioned in this Act and with any necessary consequential modifications.

PART VII  
—cont.

- (3) In section 4 (Interpretation) of the Act of 1936—
- (a) for the definition of “the two companies” there shall be substituted—
- “ ‘the Hartley undertakers’ means the Mid Kent Company and the board”;
- (b) for the definition of “the three companies” there shall be substituted—
- “ ‘the Cuxton undertakers’ means the Mid Kent Company and the board”;
- (c) the definition of “the four companies” shall be omitted;
- (d) for the definition of “the four partners” there shall be substituted—
- “ ‘the four partners’ means the Cuxton undertakers and ‘a partner’ means the Mid Kent Company or the board”;
- (e) for the definition of “the directors” there shall be substituted—
- “ ‘the directors’ means in relation to the Mid Kent Company the directors of that company and in relation to the board the members of the board”.
- (4) Throughout the Act of 1936 and the Order of 1950—
- (a) for any reference to the two companies there shall be substituted a reference to the Hartley undertakers;
- (b) for any reference to the three companies the four companies or the four partners (except in Part XI (Financial provisions relating to the four companies) of the Act of 1936) there shall be substituted a reference to the Cuxton undertakers;
- (c) for any reference to the Gravesend Company the Chatham Company the Higham Company or the Corporation (except in the said Part XI of the Act of 1936) there shall be substituted a reference to the board.
- (5) On the appointed day the following provisions of the Act of 1936 shall cease to have effect:—
- Section 6 (Constitution and appointment of Hartley Committee);
- Subsections (1) and (4) of section 7 (Further provisions with respect to Hartley Committee);
- Subsection (1) of section 8 (Meetings and quorum of Hartley Committee);
- Section 40 (Constitution and appointment of Cuxton Committee);

Subsections (1) and (5) of section 41 (Further provisions with respect to Cuxton Committee) ;

PART VII  
—cont.

Subsections (1) and (3) of section 42 (Meetings and quorum of Cuxton Committee) ;

Section 79 (Temporary stoppage of streets &c.) ; and

Section 103 (For protection of Kent County Council).

(6) Section 21 (Limiting powers of Hartley Committee to abstract water) of the Act of 1936 shall have effect as if at the end thereof there were inserted the words “ or an order under the Water Act 1945 ”.

(7) No act or proceeding of the Hartley Committee or the Cuxton Committee shall be questioned on account of any vacancy in their body or on account of any defect in the appointment of any member thereof or of any deputy of any member.

62.—(1) The Hartley Committee which was established and incorporated by section 5 (Name and incorporation of Hartley Committee) of the Act of 1936 shall continue but shall be constituted as provided by this Act.

Constitution  
and  
proceedings  
of Hartley  
Committee.

(2) The Hartley Committee shall consist of four members of whom two shall represent the Mid Kent Company and two shall represent the board.

(3) The members of the committee shall be appointed once at least in each year those representing the Mid Kent Company being appointed by the directors of that company and those representing the board being appointed by the board. The first members of the committee as reconstituted by this section shall be appointed before the first day of March nineteen hundred and fifty-six and shall hold office for one year and until their successors are appointed.

(4) The directors of the Mid Kent Company and the board may also at any time and from time to time appoint a deputy for any member of the committee appointed by them (being in the case of a deputy appointed by the Mid Kent Company either a director or an officer of that company and in the case of a deputy appointed by the board either a member or an officer of the board) A deputy appointed in pursuance of this subsection while acting in the place of a member shall represent the Mid Kent Company or the board (as the case may be) and shall be entitled to exercise and discharge all the powers and duties of the member for whom he is appointed as deputy and be deemed to be a member of the Hartley Committee.

(5) The directors of the Mid Kent Company and the board may from time to time at their pleasure remove any member of the committee or any deputy appointed by them.

PART VII  
—cont.

(6) The first meeting of the committee constituted as provided by this section shall be convened by the secretary of the Hartley Committee to be held on such day not being later than the fifteenth day of April nineteen hundred and fifty-six and at such place as may be fixed by the said secretary.

(7) The provisions of section 34 (Provision of capital cost of construction of Hartley Joint Works) of the Act of 1936 shall have effect as if the board and their clerk were therein referred to in the place of the Gravesend Company and their secretary.

Contributions  
to cost of  
construction  
of Hartley  
Joint Works.

**63.**—(1) All sums lent by the Gravesend Company before the appointed day in pursuance of section 33 (Contributions by the two companies to cost of construction of Hartley Joint Works) or of section 35 (Provision of funds for working expenses of Hartley Committee) of the Act of 1936 shall be deemed to have been lent by the board.

(2) On and after the appointed day the board shall in the provisions of the said sections 33 and 35 be substituted for the Gravesend Company and shall enjoy all the rights and be subject to all the duties and liabilities of that company under the said sections.

Constitution  
and  
proceedings  
of Cuxton  
Committee.

**64.**—(1) The Cuxton Committee which was established and incorporated by section 39 (Name and incorporation of Cuxton Committee) of the Act of 1936 shall continue but shall be constituted as provided by this Act.

(2) The Cuxton Committee shall consist of six members of whom two shall represent the Mid Kent Company and four shall represent the board.

(3) The members of the committee shall be appointed once at least in each year those representing the Mid Kent Company being appointed by the directors of that company and those representing the board being appointed by the board. The first members of the committee as reconstituted by this section shall be appointed before the first day of March nineteen hundred and fifty-six and shall hold office for one year and until their successors are appointed.

(4) The directors of the Mid Kent Company and the board may also at any time and from time to time appoint a deputy for any member of the committee appointed by them (being in the case of a deputy appointed by the Mid Kent Company either a director or an officer of that company and in the case of a deputy appointed by the board either a member or an officer of the board) A deputy appointed in pursuance of this subsection while acting in the place of a member shall represent

the Mid Kent Company or the board (as the case may be) and shall be entitled to exercise and discharge all the powers and duties of the member for whom he is appointed as deputy and be deemed to be a member of the Cuxton Committee.

PART VII  
—cont.

(5) The directors of the Mid Kent Company and the board may from time to time at their pleasure remove any member of the committee or any deputy appointed by them.

(6) The first meeting of the committee constituted as provided by this section shall be convened by the clerk of the County Council to be held on such day not being later than the fifteenth day of April nineteen hundred and fifty-six and at such place as may be fixed by the chairman of the County Council.

(7) The quorum at all meetings of the Cuxton Committee shall be three members thereof which number shall include one member representing the Mid Kent Company and two members representing the board.

65.—(1) In section 57 of the Act of 1936 (which relates to the contributions to be made by the partners to the cost of construction of Cuxton Joint Works) as extended and applied by section 9 of the Order of 1950 for the proportions therein mentioned there shall be substituted the following:—

Further provisions as to Cuxton Committee.

by the Mid Kent Company seventeen per centum ;

by the board eighty-three per centum.

(2) In section 12 of the Order of 1950 (which prescribes “ the agreed Cuxton reservations ” namely the maximum shares of the partners in the daily yield of the authorised works as defined in the Order of 1950) the following shall be substituted for the shares therein stated namely:—

in the case of the Mid Kent Company seventeen per centum ;

in the case of the board eighty-three per centum.

(3) In subsection (2) of the said section 12 of the Order of 1950 (which indicates the points at which the water is to be delivered to the partners) there shall be substituted for paragraphs (b) (c) and (d) the following paragraph:—

“ (b) to the board into Work No. 11 or Work No. 12 authorised by the Act of 1936 and into the aqueduct conduit or line or lines of pipes authorised by the Rochester Corporation Act 1936 at its point of junction with Work No. 9 authorised by the Act of 1936 at the termination of the last-mentioned work or into any line of pipes terminating at the said point constructed by the corporation or to be constructed by the board ”.

PART VII  
—cont.

(4) For the percentages mentioned in the table contained in section 13 of the Order of 1950 (which relates to expenditure incurred by the Cuxton Committee and chargeable to revenue account) there shall be substituted the following:—

the Mid Kent Company seventeen per centum ;  
the board eighty-three per centum.

(5) The provisions of section 58 (Provision of capital cost of construction of Cuxton Joint Works) of the Act of 1936 and section 10 (Provision of capital cost of construction of new works) and section 11 (Provision of funds for working expenses of Cuxton Committee) of the Order of 1950 shall have effect as if the board and their clerk were therein referred to in the place of the Chatham Company and the Higham Company and their secretaries and of the corporation and their town clerk and—

- (a) all sums lent by the Chatham Company the Higham Company or the corporation before the appointed day in pursuance of the provisions of the said sections 57 and 58 of the Act of 1936 and of sections 9 10 and 11 of the Order of 1950 shall be deemed to have been lent by the board ; and
- (b) on and after the appointed day the board shall in those provisions be substituted for the Chatham Company the Higham Company and the corporation and shall enjoy all the rights and be subject to all the duties and liabilities of those companies and the corporation under the said sections.

For  
protection of  
Rochester  
Bridge.

66.—(1) In this section—

“ the bridge ” means Rochester Bridge and the approaches thereto ; and

“ the wardens and assistants ” means the wardens and assistants of Rochester Bridge in the county of Kent.

(2) Notwithstanding anything in any enactment to the contrary the board shall not enter upon or interfere with the bridge or break up the carriageway and footways over the bridge for the purpose of executing any work therein thereon or thereunder except with the consent of the wardens and assistants in writing and in accordance with such reasonable terms and conditions as the wardens and assistants may determine :

Provided that such consent shall not be unreasonably withheld and any question arising as to whether such consent has been unreasonably withheld or has been given subject to unreasonable terms and conditions shall be referred to and determined by the Minister of Transport and Civil Aviation.

67. The provisions of Part I and Part VII of the Fourth Schedule to this Act shall have effect in respect of the provisions contained in the Acts and Orders relating to the councils and companies whose undertakings are by this Part of this Act transferred to the board.

PART VII  
—cont.  
Existing enactments Part VII.

## PART VIII

### SITTINGBOURNE AREA

68. On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the Sittingbourne and Milton Urban District Council.

Sittingbourne undertakers.

69. In this Part of this Act and in Part VIII of the Fourth Schedule to this Act unless the subject or context otherwise requires—

Definitions in Part VIII.

“ the Sittingbourne Council ” means the Sittingbourne and Milton Urban District Council ;

“ the Swale Council ” means the Swale Rural District Council ;

“ the Mid Kent Company ” means the Mid Kent Water Company ;

“ the limits of supply ” means the limits of supply of the Sittingbourne Council.

70. The limits of supply of the Sittingbourne Council shall be—

Sittingbourne limits.

(a) the urban district of Sittingbourne and Milton ; and

(b) the parishes of Bobbing Iwade Lower Halstow and Newington in the rural district of Swale.

71.—(1) On the appointed day that part of the undertaking of the Mid Kent Company which is situated within the urban district of Sittingbourne and Milton shall by virtue of this Act be transferred to and vest in the Sittingbourne Council.

Transfer of part of Mid Kent undertaking.

(2) The price or consideration to be paid by the Sittingbourne Council to the Mid Kent Company for the transfer of part of their undertaking shall be such sum as may be agreed between that council and that company or as failing agreement shall be determined by arbitration to be the sum which that part of the undertaking of the company might be expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer and in determining that sum due regard shall be had to any loss which the Mid Kent Company may suffer and any additional expense which they will incur by reason of the severance of the said part of their undertaking from the remainder thereof.

## PART VIII

—cont.

Transfer of  
Swale  
undertaking.

**72.**—(1) On the appointed day the undertaking of the Swale Council shall by virtue of this Act be transferred to and vest in the Sittingbourne Council.

(2) Subject to the provisions of this Act the Sittingbourne Council shall as consideration for the transfer of the undertaking of the Swale Council in the year commencing on the appointed day and in every year thereafter repay to that council the amount which in pursuance of arrangements in force immediately before the appointed day for the redemption of loans and the payment of interest thereon would but for this Act have fallen on or after the appointed day to be debited in the accounts of the undertaking of that council in respect of money borrowed in respect of their undertaking and in calculating the amount that would have fallen to be debited as aforesaid in respect of any loan regard shall be had to the income earned by any sinking fund established for the redemption of the loan.

(3) Any sum payable under the foregoing provisions of this section shall unless otherwise agreed be paid not later than the day on which the amounts referred to in subsection (2) of this section become payable by the Swale Council.

(4) Any payment made by the Sittingbourne Council under subsection (2) of this section in respect of the liability for the redemption of a loan (or the repayment of an advance) shall be deemed to be a capital payment and any other such payment shall be deemed to be an annual payment.

(5) The Sittingbourne Council shall also pay to the Swale Council as part of the consideration for the transfer—

(a) an amount equal to the then current value of all expendable stores which immediately before the appointed day were held on revenue account by that council in respect of their undertaking and which by this Act are transferred to the Sittingbourne Council; and

(b) the amount of any capital expenditure incurred by that council for the purpose of their undertaking not defrayed from loan moneys for which statutory borrowing powers could and it is anticipated would but for the transfer have been conferred.

Transfer of  
outstanding  
loans.

**73.** Notwithstanding the foregoing provisions of this Part of this Act the Sittingbourne Council may with the consent of the lender agree with the Swale Council for the transfer to the Sittingbourne Council by the Swale Council of the liability in respect of any outstanding loan to that council in respect of their undertaking and from the date upon which any such transfer takes effect all liability in respect of the loan so transferred shall be borne by the Sittingbourne Council.



74.—(1) Any agreement in force immediately before the appointed day relating to the supply of water by the Chatham and District Water Company to the Swale Rural District Council shall continue in force with the substitution for that Company of the Medway Water Board and for that council of the Sittingbourne Council:

PART VIII  
—cont.

Supply in bulk by Medway Board and as to works in Newington.

Provided that either the Medway Water Board or the Sittingbourne Council may with the consent of the Minister by giving not less than one year's notice to the other terminate the said agreement.

(2) The Medway Water Board and the Sittingbourne Council may enter into and carry into effect further agreements for and in relation to the supply of water in bulk.

(3) Section 6 (Power to undertakers to lay mains and construct service reservoirs in the parish of Newington-next-Sittingbourne) of the Rainham Water Order 1904 shall cease to have effect on the appointed day and on that day the mains and other works provided in pursuance of that section in the parish of Newington in the rural district of Swale shall by virtue of this Act be transferred to and vest in the Sittingbourne Council.

75. The Swale Council may from time to time appoint a member of that council to be a member of any committee appointed by the Sittingbourne Council for any purpose connected with the exercise or discharge of the powers and duties of that council under this Act and otherwise for the purposes of their undertaking and the person so appointed shall have the same rights as a person appointed to a committee in pursuance of subsection (3) of section 85 of the Act of 1933.

Appointment on committee by Swale Council.

76.—(1) For the purposes of Part XII of the Third Schedule to the Act of 1945 in respect of the supply of water by the Sittingbourne Council—

Sittingbourne charges.

- (a) the prescribed rate poundage for a supply of water for domestic purposes shall be three shillings in the pound ;
- (b) the prescribed proportion of the net annual value of any premises for the purpose of paragraph (b) of subsection (1) of section 46 of the said schedule shall be three-fourths ;
- (c) the minimum charge for a supply of water for domestic purposes shall be such sum as may from time to time be determined by the Sittingbourne Council not exceeding one pound five shillings per annum ;
- (d) the additional annual sum chargeable under subsection (1) of section 48 of the said schedule shall be three pounds ;
- (e) the maximum charge for a supply of water by meter shall be three shillings per thousand gallons.

PART VIII  
—cont.

(2) (a) Provided that the Minister may (if he thinks fit) on the application of the Sittingbourne Council before the appointed day and after considering any representations that may be made to him by the Swale Council or by twenty or more consumers of water in that part of the rural district of Swale which is within the limits of supply by order increase all or any of the charges prescribed by the foregoing subsection levied within that part of the rural district of Swale to such extent and for such period as may seem equitable to him.

(b) An order made in pursuance of this subsection may from time to time be amended and the period therein mentioned extended by the Minister after considering any representations that may be made to him by the undertakers or by the Swale Council.

Existing enactments Part VIII.

77. The provisions of Part I and Part VIII of the Fourth Schedule to this Act shall have effect in respect of the provisions relating to the supply of water by the Sittingbourne Council.

## PART IX

## SHEPPEY AREA

Sheppey undertakers.

78. On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the Sheppey Water Board hereby constituted.

Interpretation of Part IX.

79. In this Part of this Act unless the subject or context otherwise requires—

“the board” means the board constituted by this Part of this Act;

“the councils” means the councils of the borough of Queenborough the urban district of Sheerness and the rural district of Sheppey and “a council” means any one of those councils;

“constituent council” means the County Council or any one of the councils;

“the company” means the Sheppey Water Company;

“the limits of supply” means the board’s limits of supply.

Sheppey limits.

80. The limits of supply of the board shall be—

(a) the borough of Queenborough;

(b) the urban district of Sheerness; and

(c) the rural district of Sheppey.

**81.** There shall be a joint board to be called "the Sheppey Water Board" constituted as provided by this Act for the following purposes:—

PART IX  
—cont.  
Sheppey  
Water Board.

- (a) the procuring of a supply of water ;
- (b) the acceptance of the transfer of the undertaking of the company and of the undertakings of the councils ;
- (c) the distribution and supply of water in the limits of supply ;
- (d) the supply of water in bulk within or outside the limits of supply in accordance with section 12 of the Act of 1945 ; and
- (e) the doing of all things necessary for connected with incidental to or consequent upon the powers rights duties capacities and liabilities exercisable by or attaching to the board.

**82.** The board shall consist of twelve members who shall be appointed as follows:—

Constitution  
of board.

- Two by the County Council ;
- Two by the council of the borough of Queenborough ;
- Five by the council of the urban district of Sheerness ;
- Three by the council of the rural district of Sheppey.

**83.**—(1) Every constituent council shall at a meeting held before the first day of November nineteen hundred and fifty-five or such later date as the Minister shall allow on the application of any of the constituent councils appoint the number of members of the board to be appointed by them and the clerk of every constituent council shall forthwith send to the clerk of the County Council the names addresses and descriptions of the members appointed by his council.

First members  
of board.

(2) The members of the board appointed in pursuance of this section shall come into office on the first day of November nineteen hundred and fifty-five or so soon thereafter as they are appointed.

(3) The first meeting of the board shall be convened by the clerk of the County Council to be held on such day not being later than the first day of December nineteen hundred and fifty-five and at such place as may be fixed by the chairman of the County Council.

**84.**—(1) On the appointed day the undertakings of the councils shall by virtue of this Act be transferred to and vest in the board.

Transfer  
of local  
authorities'  
undertakings.

(2) Subject to the provisions of this Act the board shall as consideration for the transfer of each of the councils' undertakings in the year commencing on the appointed day and in

PART IX  
—cont.

reference thereto that may be made by the board may by order extend the said period of five years and vary the rates that may be charged under subsection (2) of this section.

Existing enactments Part IX.

**88.** The provisions of Part I and Part IX of the Fourth Schedule to this Act shall have effect in respect of the provisions contained in the Acts and Orders relating to the company.

## PART X

## CANTERBURY AND DISTRICT AREA

Canterbury undertakers.

**89.** On and after the appointed day the undertakers for the purposes of this Part of this Act shall be the Canterbury and District Water Company.

Interpretation of Part X.

**90.** In this Part of this Act unless the subject or context otherwise requires—

“the company” means the Canterbury and District Water Company;

“the Herne Bay Company” means the Herne Bay Waterworks Company;

“the Whitstable Council” means the Whitstable Urban District Council;

“the Bridge-Blean Council” means the Bridge-Blean Rural District Council;

“the limits of supply” means the company’s limits of supply.

Canterbury limits.

**91.** The company’s limits of supply shall be—

(a) the city of Canterbury;

(b) the urban district of Herne Bay;

(c) the urban district of Whitstable except so much thereof as is included within the limits of supply of the Mid Kent Water Company; and

(d) the parishes of Chartham Chislet Fordwich Hackington Hoath Lower Hardres Sturry Thanington Without and Westbere in the rural district of Bridge-Blean and the following parts of parishes in that rural district:—

(i) the parishes of Harbledown and St. Cosmus and St. Damian in the Blean except so much of those parishes as immediately before the coming into force of the Review Order 1934 formed part of the parish of Dunkirk in the rural district of Swale; and

(ii) so much of the parish of Petham as lies to the east and south-east of an imaginary line drawn down the centre of the portion of the Roman road from Hythe to Canterbury known as Stone Street between a point at the north-east corner of the enclosure numbered 263 in the said parish on the 1/2500 ordnance survey map Kent sheet No. XLVI 15 (third edition 1907) and a point at the south-east corner of the enclosure numbered 231A1 in the said parish on the said map.

PART X  
—cont.

**92.**—(1) On the appointed day the undertaking of the Herne Bay Company shall by virtue of this Act be transferred to and vest in the company. Transfer of Herne Bay undertaking.

(2) The price or consideration to be paid by the company to the Herne Bay Company for the transfer of their undertaking shall be such sum as may be agreed between the said companies or as failing agreement shall be determined by arbitration to be the sum which the undertaking of the Herne Bay Company might be expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer.

(3) For the purposes of this Act the undertaking of the Herne Bay Company shall not include their interest in the premises occupied by them outside their existing limits of supply.

**93.**—(1) On the appointed day the undertaking of the Whitstable Council and that part of the undertaking of the Bridge-Blean Council which is situated within the limits of supply shall by virtue of this Act be transferred to and vest in the company. Transfer of Whitstable undertaking and part of Bridge-Blean undertaking.

(2) The price or consideration to be paid by the company for the transfer of the undertaking or part of the undertaking under this section shall be such sum as may be agreed between the council from whom the transfer is made and the company or as failing agreement shall be determined by arbitration to be the amount which the undertaking or the part of the undertaking might have been expected to realise if it were sold as a going concern on the appointed day in the open market by a willing seller to a willing buyer:

Provided that the said price or consideration shall not be less than—

- (a) the amount of the loan raised by that council for the purposes of the undertaking or part of the undertaking transferred by this section and outstanding on the appointed day less the amount of any sinking fund established for the redemption of that loan;

PART X  
—cont.

- (b) the amount of any capital expenditure incurred by that council for the purposes of their undertaking or part thereof not defrayed from loan moneys for which statutory borrowing powers could and it is anticipated would but for the transfer have been conferred ; and
- (c) the amount equal to the then current value of all expendable stores which immediately before the appointed day were held on revenue account by that council in respect of their undertaking or part thereof and which by this Act are transferred to the company.

(3) The company on the one hand and the Whitstable Council or the Bridge-Blean Council on the other hand may agree that instead of paying as the said price or consideration a sum ascertained in accordance with the foregoing provisions of this section or any part of that sum the company shall for such period as may be agreed make to the council such payments as may be equivalent to the said price or consideration or such part thereof.

Canterbury  
charges.

**94.**—(1) Subject to the provisions of section 40 of the Act of 1945—

- (a) the provisions of section 87 of the Canterbury Gas and Water Act 1866 shall apply with respect to the supply of water by the company to any premises within the limits of supply other than premises situated in the areas referred to in paragraph (b) or in paragraph (c) of this subsection ;
- (b) the provisions contained in section 7 (Rates for supply for domestic purposes) of the Herne Water Order 1883 as modified by the Herne Bay Waterworks Company (Modification of Charges) Order 1922 and of section 4 (As to water rates in the Herne Common area) of the Herne Bay Water Order 1948 shall apply with respect to the supply of water by the company to any premises within the existing limits of supply of the Herne Bay Company ;
- (c) the provisions of section 21 (Rates for supply of water for domestic purposes) section 26 (Supply by meter in certain cases) and section 27 (Supply of water for other than domestic purposes by measure) of the Whitstable Water and Improvement Act 1902 as amended by—
  - (i) the Whitstable Order 1922 (confirmed by the Ministry of Health Provisional Orders Confirmation (No. 9) Act 1922) (but omitting the reference in that order to section 22 of the said Act of 1902) ;
  - (ii) the Whitstable (Scale of Water Charges) Order 1924 except the provisions of that order prescribing charges for water-closets and fixed baths ; and

(iii) the Whitstable (Scale of Water Charges) Order 1941 ;

shall apply with respect to the supply of water by the company to any premises within the existing limits of the Whitstable Council.

PART X  
—cont.

(2) Before the expiration of five years after the appointed day the company shall promote a Bill and endeavour to secure its passing into law to secure an equality of charges in respect of the supply of water throughout the limits of supply :

Provided that on the application of the company and after considering any representations that may be made by the local authorities concerned the Minister may from time to time by order extend the said period of five years.

**95.**—(1) Subject to the provisions of this section the company may—

Additional  
Canterbury  
capital.

- (a) raise additional capital by the creation and issue of new ordinary shares or new preference shares or wholly or partly by one or more of those modes ; and
- (b) borrow additional sums on the mortgage of their undertaking or by the creation and issue of additional debenture stock.

(2) Provided that—

- (a) the amount to be raised or borrowed under the powers of this section including the premiums (if any) obtained on the sale thereof shall not exceed the total of the sums payable by the company as the prices or consideration for the transfer of the undertakings and part of an undertaking transferred to them in pursuance of this Part of this Act ;
- (b) the amount to be borrowed or raised by the issue of debenture stock under the powers of this section shall not exceed one-half of the amount of additional capital raised by the company by the issue of shares under the powers of this section including the premiums (if any) obtained on the sale thereof.

(3) The provisions of the Canterbury and District Water Act 1952 relating to the additional capital which the company were by that Act authorised to raise and to the borrowing of money and the creation of debenture stock by the company shall apply to the additional capital to be raised the borrowing of money and the additional debenture stock to be created and issued under the powers of this section :

Provided that in respect of additional capital to be raised under the powers of this section section 18 (Maximum rates of

PART X  
—cont.

dividend) of the Canterbury and District Water Act 1952 shall have effect with the substitution of “seven per centum” for “five per centum” in paragraph (a) of subsection (1) of that section and of “six per centum” for “five per centum” where first used in paragraph (b) of that subsection.

## Existing enactments Part X.

96. The provisions of Part I and Part X of the Fourth Schedule to this Act shall have effect in respect of the provisions contained in the Acts and Orders relating to the company the Herne Bay Company and the Whitstable Council respectively.

## PART XI

## GENERAL PROVISIONS AS TO BOARDS

## Incorporation of boards.

97. A board constituted by this Act shall be a body corporate by the name given to the board by this Act and shall have perpetual succession and a common seal and power to acquire and hold lands without any licence in mortmain and all other powers and privileges of a body corporate.

## Qualification of members.

98.—(1) Each of the members of a board shall be a member of the constituent council by whom he shall be appointed.

(2) A person who is a member of two or more constituent councils shall not be qualified to represent more than one of them and if the same person shall be appointed a member of the board by more than one constituent council he shall within one month after the second appointment choose under which appointment he will serve and give notice of his choice to the clerk of the board and thereupon the other appointment shall be deemed void and if he fails to give that notice the second and subsequent appointments shall be void.

(3) A member of a board who ceases to be a member of the constituent council by whom he was appointed and a member of the board who becomes disqualified to be a member thereof shall thereupon cease to be a member of the board:

Provided that a member of a board shall not be deemed to have ceased to be a member of the constituent council by whom he was appointed if on or before the day on which he goes out of office he has been re-elected a member of that council.

## Tenure of office and appointment of members.

99.—(1) The date of retirement of the first members of a board shall be the first day of June nineteen hundred and fifty-eight and of members of a board other than the first members thereof the first day of June in every third year thereafter.

(2) (a) Any vacancy other than a casual vacancy in the representation of a constituent council on a board shall be filled by that council at a meeting on or before the date on which the vacancy will occur or as soon thereafter as practicable.



(b) Every member of a board appointed under this subsection shall come into office on the first day of June and shall hold office subject to the provisions of this Act for a period of three years.

PART XI  
—cont.

(3) Whenever after the first appointment a member of a board is appointed the clerk of the constituent council by whom he is appointed shall forthwith send to the clerk of the board the name address and description of the person so appointed.

100. Any member of a board may at any time resign his office as such member by notice in writing delivered to the clerk of the board and his resignation shall take effect upon the receipt of the notice of resignation by the clerk. Resignation of members.

101. When any member of a board resigns his membership becomes disqualified for holding office or vacates his office by absence or otherwise the clerk shall notify the fact to the constituent council by whom the member was appointed. Notice of vacancies.

102.—(1) On any vacancy occurring in the membership of a board owing to a member dying resigning or becoming disqualified or otherwise ceasing to be a member the constituent council by whom he was appointed may at any time after the occurrence of such vacancy appoint another person to be a member of the board in his place but unless the vacancy occurs at the expiration of the term of office of the vacating member the person appointed in his place shall continue in office only so long as the person in whose place he is appointed would have been entitled to continue in office. Casual vacancies.

(2) Provided that when a casual vacancy occurs within six months before the ordinary day for the retirement of members the vacancy may be filled but need not be filled unless the council entitled to make the appointment decide that it should be filled.

103. No act or proceeding of a board shall be questioned on account of any vacancy in their body or on account of any defect in the appointment of any member of the board. Acts not invalidated.

104. The meetings and proceedings of a board shall be conducted in accordance with the rules set forth in the Second Schedule to this Act. Meetings and proceedings.

105. A board may appoint committees composed of their members for the exercise of any functions which in the opinion of the board can be properly exercised by committees but the acts of every such committee shall unless otherwise directed by the board be submitted to the board for approval: Committees.

Provided that a committee so appointed shall not be authorised—

(a) to borrow money;

PART XI  
—cont.

(b) to issue any precept for contributions ; or

(c) to determine the charges to be made for a supply of water.

Power to alter number of members.

**106.** On the application of any of the constituent councils of a board the Minister may after giving notice of the application to the board and to the other constituent councils of the board and considering any objections or representations made by them by order alter the number of members to be appointed by the constituent councils and may by such order alter the total number of members of the board and may make any provisions incidental to or consequential on such alteration.

Appointment and remuneration of officers.

**107.**—(1) Every board shall appoint a clerk an engineer and a treasurer and may appoint such other officers and servants as they think requisite :

Provided that no person who is or within twelve months previously was a member of the board or of any constituent council thereof may be appointed an officer of that board.

(2) A board may pay their clerk engineer treasurer and other officers and servants such reasonable remuneration as they deem expedient and subject to the provisions of section 121 of the Act of 1933 every such clerk engineer treasurer and other officer and servant shall be removable by the board at their pleasure.

Application of general enactments.

**108.** The provisions of section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 and the provisions of the Act of 1933 mentioned in the Third Schedule to this Act shall extend and apply to a board and to the members and officers of a board as if the board were a local authority and as if their limits of supply were their district.

Insurance against accidents to members.

**109.** For the purposes of section 130 (Insurance by local authorities against accidents to members) of the Local Government Act 1948 a person appointed a member of a board by a constituent council shall while he is engaged on the business of the board be deemed to be engaged on the business of the council by whom he is appointed.

Common fund of board.

**110.**—(1) Any expenses incurred by a board shall be defrayed out of a common fund to which all the receipts of the board shall be carried.

(2) All orders for payments from the common fund of a board shall be signed by at least two members of the board and shall be countersigned by the clerk of the board or in his absence or inability by such other officer as the board may authorise for that purpose.

**111.**—(1) (a) For the purpose of defraying the expenses of a board not otherwise provided for precepts may be issued by the board in respect of the year commencing on the appointed day and of every succeeding year to every constituent council except the County Council requiring them to pay a contribution to the common fund based on the proportion which the total rateable value of the hereditaments in their borough or district (or where part only of their borough or district is within the limits of supply the total rateable value of the hereditaments in that part) bears to the total rateable value of the hereditaments in the limits of supply.

PART XI  
—cont:  
Precepts.

(b) For the purposes of this section the rateable value of hereditaments shall be the rateable value thereof on the first day of January before the date upon which the precept is issued by the board.

(2) A precept issued by a board may require the payment of the precept by such instalments payable on such dates as may be specified therein.

(3) Any sum mentioned in a precept issued under this section by a board to any constituent council shall be a debt due from that council and may be recovered accordingly without prejudice however to the right of the board to exercise any powers conferred upon them by section 13 of the Rating and Valuation Act 1925.

(4) Provided that except in pursuance of a resolution passed by a majority of not less than two-thirds of the members of the board (other than the members appointed by the County Council) the precepting powers conferred on the board by this section shall not be exercised in respect of any year in which the rate poundage charged by the board for a supply of water for domestic purposes is less than the prescribed rate poundage except as provided by the following provisions of this Act namely:—

- Subsections (2) (3) and (4) of section 17 (Thanet charges) ;
- Subsections (2) and (3) of section 60 (Medway charges) ; and
- Subsections (2) and (3) of section 87 (Sheppey charges).

**112.** The County Council shall in every year contribute to the expenses incurred by each of the boards the sum of one hundred pounds.

Contributions  
by County  
Council.

**113.**—(1) All moneys received by a board in respect of their undertaking including amounts brought forward from any previous year except—

Application  
of moneys  
received by  
board.

- (a) borrowed money ;
- (b) money arising from the disposal of lands acquired for the purposes of the undertaking ;

PART XI  
—cont.

- (c) other capital money received by them in respect of the undertaking ; and
- (d) any contribution or contributions made to the board by the Minister in pursuance of the Rural Water Supplies and Sewerage Act 1944 or by the County Council in pursuance of that Act or of section 307 of the Act of 1936 towards the expenses incurred or to be incurred by the board on capital account ;

shall be applied by them—

- first in payment of the working and establishment expenses and cost of maintenance of the undertaking including all costs expenses penalties and damages incurred or payable by the board consequent upon any proceedings by or against them or their officers clerks or servants in relation to the undertaking ;
- secondly in payment of the sums payable in pursuance of this Act to a constituent council as consideration for the transfer of their undertaking ;
- thirdly in payment of the interest on moneys borrowed by the board under any statutory borrowing power ;
- fourthly in providing the requisite appropriations or sinking fund payments or instalments in respect of the repayment of moneys borrowed by the board under any statutory borrowing power ;
- fifthly in payment of all other expenses of executing this Act not being expenses properly chargeable to capital ;
- sixthly (if the board think fit) in acquiring any lands or in extending improving and constructing any works for the purpose of the undertaking ;
- seventhly (if the board think fit) in providing working capital ; and
- eighthly (if the board think fit) in setting apart money for a reserve fund formed under the next following section.

(2) Any credit or debit balance remaining in any year including any balance brought forward shall be carried forward to the following year.

(3) All capital moneys received by a board in respect of the disposal of any property forming part of the undertaking shall be applied by them in the reduction of the capital moneys borrowed by them or in such other way as may be approved by the Minister and any such application shall be in addition to and not in substitution for any other mode of extinguishment except to such extent and upon such terms as may be approved by the Minister.

**114.**—(1) A board may subject to the provisions of this section by setting apart in any year out of revenue such sums as they think fit form and maintain a reserve fund for the purpose of meeting any extraordinary claim or demand which may at any time be made upon them or defraying the cost of renewing repairing enlarging or improving any part of the works forming part of the board's undertaking.

PART XI

—cont.

Reserve fund.

(2) Any sums so set apart 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 statutory 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 a sum equal to ten per centum of the capital expenditure theretofore incurred by the board and by the constituent councils upon the board's undertaking no contributions from the revenue of the said undertaking shall be made to the fund and the interest and dividends on the fund shall not be invested but shall be treated as part of the income of the said undertaking.

(4) No contribution shall be made by a board from the revenue of their undertaking to the reserve fund in any year in which they issue a precept under section 111 (Precepts) of this Act.

**115.**—(1) A board may give notice to any person being registered as a holder of any security created or issued by them that they intend to send interest to him by post if he does not object and if such person does not within fourteen days from the receipt of such notice give notice to the board of such objection they may from time to time send by post orders for the payment of interest to the address of such person appearing in the register :

Interest orders  
by post.

Provided that if such person give notice to the board that he desires such orders to be sent to another person at a given address the board may from time to time send the same by post to such other person at such address.

(2) Where more persons than one are registered as joint holders of any such security any one of them may for the purpose of this section be regarded as the holder of the security unless notice in writing to the contrary has been given to the board by any other of them.

(3) The posting by the board of an order for the payment of interest in pursuance of this section shall as respects the liability of the board be equivalent to the delivery of the order to the registered holder of the mortgage.

PART XI  
—cont.

(4) Every order so sent by post shall be deemed to be a cheque and the board shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

## Closing of registers.

**116.**—(1) A board may close their register of mortgages to transfers of mortgages during the whole of the period of thirty days or any shorter consecutive period next before the date on which the interest on the mortgages to which such register relates is payable.

(2) The persons who on the date on which any register is closed to transfers are entered therein as holders of the mortgages to which such register relates shall be entitled to the interest next payable thereon.

## Powers of councils to lend money to board.

**117.** A constituent council of a board may with the consent of the Minister lend to the board any sum which the board are authorised to borrow on such terms and conditions and in such form as may be agreed between the board and the council.

## Accounts and audit.

**118.**—(1) The accounts of a board shall at all reasonable times be open to inspection and transcription without payment by any member of a constituent council of the board or by any officer of any such council authorised by that council for that purpose.

(2) (a) The accounts of a board shall be audited annually.

(b) The board shall by a resolution (in this section referred to as “the initial resolution”) adopt either the system of district audit or the system of professional audit. The initial resolution must be passed not later than two months after the appointed day at a meeting of the board specially convened for the purpose with notice of the object of the meeting of which not less than one month’s previous notice must be given to every member of the board.

(c) The provisions of Part X of the Act of 1933 (other than those of sections 237 and 238) shall *mutatis mutandis* and with all necessary modifications extend and apply to a board as if the board were the council of a borough:

Provided that—

(i) the following paragraph shall be substituted for paragraph (b) of subsection (3) of section 239 of the Act of 1933:—

“(b) no person shall be qualified to be so appointed unless he is a member of one or more of the following bodies:—

the Institute of Chartered Accountants in England and Wales;

the Society of Incorporated Accountants ;  
 the Institute of Chartered Accountants of Scotland ;  
 the Association of Certified and Corporate Accountants ;  
 the Institute of Chartered Accountants in Ireland ;  
 any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of paragraph (a) of subsection (1) of section 161 of the Companies Act 1948 by the Board of Trade ” ; and

PART XI  
 —cont.

(ii) subsection (4) of the said section 239 shall not apply to the initial resolution.

(3) It shall be lawful for a board subject to the consent of the Minister at any time after the expiration of a period of five years from the date of the initial resolution and thereafter from time to time by means of a subsequent resolution passed and confirmed in accordance with subsection (4) of the said section 239 to adopt the other of the two systems which are referred to in the said section 239.

(4) A copy of the abstract of the accounts of a board and of any report to a board made by an auditor shall be sent by the board to each constituent council of the board as soon as may be after completion of the audit.

**119.** Section 74 (Stamp duties (exemption for certain transfers to joint boards or joint committees of local authorities)) of the Finance Act 1952 shall have effect in relation to the transfer by virtue of this Act of the whole or part of an undertaking to a board as if provision for such transfer had been made by an order under the Act of 1945. Exemption from stamp duties.

**120.**—(1) Subject to the provisions of this section a board shall have power to promote or oppose any Bill in Parliament or any statutory order. Power for a board to apply for further powers etc.

(2) The board may pay the costs and expenses of and incidental to the promotion of or opposition to any Bill in Parliament as taxed by the taxing officer of the House of Lords or of the House of Commons out of their revenues as part of their working expenses or out of moneys to be borrowed by the board for the purpose.

(3) A resolution to promote or oppose a Bill under the powers conferred by this section shall not be effective unless passed by a majority of the whole number of the members of the board at a meeting thereof held after ten clear days' notice of the meeting

PART XI  
—cont.

and of the purpose thereof has been given by advertisement in one or more local newspapers circulating in their limits of supply such notice being given in addition to the ordinary notice required to be given for the convening of a meeting of the board.

(4) (a) In the case of the promotion of a Bill the resolution shall be published in one or more local newspapers circulating in the board's limits of supply and shall be submitted to the Minister for his approval and the board shall not proceed with the promotion of the Bill if the Minister notifies them that he disapproves the resolution.

(b) The approval of the Minister shall not be given until the expiration of seven days after the publication of the resolution and in the meantime any local government elector for an area within the board's limits of supply may give notice to the Minister of his objection thereto.

(5) (a) In the case of the promotion of a Bill a further meeting of the board shall be held as soon as may be after the expiration of fourteen days after the Bill has been deposited in Parliament and unless the propriety of the promotion is confirmed by a majority of the whole number of the members of the board at that meeting the board shall take all necessary steps to withdraw the Bill.

(b) Not less than ten clear days before the date of a meeting to be held under this subsection the like notice shall be given in relation thereto as is required to be given in relation to a meeting held under subsection (3) of this section.

As to securities of board.

**121.** For the purposes of the definition of "statutory securities" in section 218 of the Act of 1933 any securities created by the board shall be deemed to be securities created by a local authority.

Application of section 119 of Public Health Act 1936.

**122.** Subject to the provisions of this Act and subject in the exercise of the powers hereinafter mentioned to the restrictions and obligations in regard thereto imposed by the Act of 1936 a board shall have the powers of a local authority under section 119 (Powers and duties of local authority in respect of laying and maintaining water mains) of the Act of 1936 in respect of the carrying of water mains within and without their district and for the purposes of that section any area within which the board are for the time being authorised to supply water shall be deemed to be included in their district.

Dwelling-houses for employees and other buildings.

**123.** A board may purchase or take on lease and maintain houses and buildings for persons in their employment in connection with their undertaking and a board may also erect maintain and let to those persons any houses and buildings upon any land for the time being belonging or leased to the board.



**124.** A board may pay out of their revenues as expenses incurred by them under this Act reasonable expenses in connection with the public opening or inspection of works of the board or works from which the board are entitled to a supply of water.

PART XI  
—cont.

Payment  
of certain  
expenses.

## PART XII

### GENERAL PROVISIONS AS TO COMPANIES

**125.** In this Part of this Act except where it is otherwise stated—

Definitions in  
Part XII.

“the company” means any company from whom an undertaking or part of an undertaking is transferred by this Act;

“the purchasers” means the council board or company to whom the undertaking of the company is by this Act transferred.

**126.** Where the purchasers are a council or a board the price or consideration to be paid to the company for the transfer of their undertaking may by agreement between the purchasers and the company be satisfied in whole or in part by the issue by the purchasers to the company of stock under and in accordance with the provisions of the Act of 1933 and the regulations made thereunder.

Issue of stock  
to company.

**127.** Where the purchasers are another company the price or consideration to be paid to the company for the transfer of their undertaking may by agreement between the purchasers and the company be satisfied in whole or in part by the issue by the purchasers to the company of shares or debenture stock created by the purchasers under their existing powers or under the powers of this Act.

Issue of shares  
or stock by  
purchasing  
company to  
company.

**128.** The receipt in writing of two directors of the company for any money stock or shares or other security paid or delivered to the company shall effectually discharge the purchasers from the sum of money or the amount of the stock or other security or the number of shares which shall be acknowledged therein to have been received and from being bound to see to the application thereof and from being answerable or accountable for the loss misapplication or non-application thereof and if from any cause the purchasers are unable to obtain any such receipt they may lodge the money shares or stock of the purchasers in the Supreme Court in accordance with rules made under section 146 of the Supreme Court of Judicature (Consolidation) Act 1925 and a certificate given in accordance with those rules stating

Receipt for  
consideration.

PART XII  
—cont.

that the money shares or stock has or have been so lodged shall have the same effect for the purposes of this and the next following section as the receipt of two directors of the company.

Evidence of  
transfer.

**129.** The production of a copy of this Act printed by the Queen's Printer duly stamped together with a receipt for the price or consideration for the purchase of the undertaking of the company purporting to be signed by two directors of the company shall (unless it be proved that the price or consideration has not been paid) be conclusive evidence in all courts and proceedings of the transfer of the undertaking of the company to the purchasers and its vesting in them.

Inspection of  
books etc.

**130.** The purchasers before the appointed day and thereafter the company shall be entitled to have access to and take copies of all documents to be handed over to the purchasers so far as they may be necessary for the purpose of enabling the purchasers or the company to execute any of the provisions of this Act and the purchasers shall also be entitled at any time and for the like purpose to have access to and to take copies of all documents to be retained by the company.

Winding up  
and dissolution  
of company.

**131.—(1)** From and after the appointed day the company shall subsist only for the purposes of—

- (a) receiving and recovering the money or securities to which they or the shareholders of the company are entitled under this Act ;
- (b) paying to the holders of any mortgages or debenture stock of the company any interest thereon which in pursuance of section 148 (Payment of final dividend and interest) of this Act the directors have decided to pay but which was not paid before the appointed day ;
- (c) distributing to the shareholders any dividends which although declared in pursuance of the said section 148 were not paid before the appointed day ; and
- (d) winding up their affairs and carrying into effect the purposes of this Act so far as they relate to the company ;

and the directors of the company who are in office at the appointed day and the survivor or survivors of those directors shall continue without re-election to hold office and those directors or the majority of them or (if a liquidator of the company be duly appointed) the liquidator shall have power and authority to take with respect to the company all proceedings necessary for carrying into effect the purposes of this section.

(2) If the number of directors of the company be reduced by death resignation or otherwise below two before the completion of the winding up of the company or the appointment of a liquidator thereof the continuing director shall from time to time appoint a person who immediately prior to the appointed day was a shareholder of the company to fill the vacancy so caused.

(3) As soon as may be after the appointed day the directors of the company or (if a liquidator has been duly appointed) the liquidator shall proceed to wind up the affairs of the company and shall distribute the moneys payable to them by the purchasers and the certificates of securities of the purchasers as the case may require to and among the several persons who on the appointed day are the registered holders of shares mortgages or debenture stock of the company or their respective executors administrators and assigns in accordance with this section.

(4) The directors of the company shall prepare a scheme for the distribution of the money or securities to be distributed to the holders of shares in the company and of mortgages and debenture stock of the company (hereinafter referred to as "the holders") and the following provisions shall have effect:—

(a) The directors shall send by post a copy of the scheme to all the holders at their last known or usual addresses together with a notice summoning a meeting of the holders to consider the scheme at a place and time to be named in the notice the time being not earlier than seven days nor later than twenty-one days after the circulation of the scheme;

(b) The scheme shall be submitted to the meeting for approval:

Provided that unless the scheme is approved by holders representing not less than three-fourths in value of the shares mortgages or debenture stock of each class voting thereat in person or by proxy it shall be referred to an arbitrator to be appointed by the President of the Law Society who shall settle the scheme;

(c) The scheme approved at the meeting or if referred to an arbitrator settled by him shall be binding on all the holders.

(5) In this section the expression "securities" means in relation to the holders of shares in a company or mortgages or debenture stock of a company whose undertaking is transferred to a board or a council the stock issued by that board or council under section 126 of this Act and in relation to the holders of shares in a company or mortgages or debenture stock of a company whose undertaking is transferred to another company the shares or debenture stock issued by that other company under section 127 of this Act.

PART XII  
—cont.

(6) The company shall on publication in a local newspaper circulating in the county of Kent of a notice signed by two or more directors or by the liquidator and certifying that all the provisions of this Act relating to the company have been complied with be dissolved:

Provided that the notice relative to the Cranbrook District Water Company shall also be published in a local newspaper circulating in the administrative county of East Sussex.

(7) In case the directors of the company or the liquidator are for six months after the appointed day unable after diligent inquiry to ascertain the person to whom any money or certificate of securities ought to be paid or delivered or who can give an effectual receipt for it the directors or the liquidator may pay the money or securities into court as if it belonged to a trust of which they or he were trustees or a trustee.

(8) The undertakers to whom the company's undertaking is by this Act transferred shall pay the reasonable costs and expenses incurred in the winding up of the company and the amount of such costs and expenses shall failing agreement be settled by an arbitrator to be appointed by agreement between the company or the liquidator (as the case may be) and the said undertakers or failing agreement by the President of the Law Society.

(9) This section shall not apply to a company a part or parts only of whose undertaking is or are transferred by this Act.

Substituted  
securities to  
be held in  
same rights.

**132.**—(1) Subject to the provisions of this section any sums of money paid to the company or the holders of shares of the company and any shares stock or other security of the purchasers issued to the said holders in pursuance of this Act shall be held in the same rights on the same trusts and subject to the same powers provisions charges and liabilities as those in on or subject to which the said shares of the company were held immediately before the appointed day and so as to give effect to and not to revoke any deed will or other instrument or testamentary or other disposition disposing of or affecting the shares and every such deed will instrument or disposition shall take effect with reference to the whole or a proportionate part (as the case may be) of the sum of money or of the stock or other security of the purchasers.

(2) Any bequest of or any covenant or provision of any deed will or other instrument relating to any specific number of or nominal amount of shares of the company shall be held to apply to the sum of cash or security of the purchasers which under the provisions of this Act is paid or issued in substitution for that specific number or nominal amount of shares of the company.

(3) Trustees executors and administrators and all other holders in any representative or fiduciary capacity and persons under disability may and shall accept the sums of money stock or security of the purchasers so paid or issued to them in pursuance of the provisions of this Act for the shares of the company held by them and may hold dispose of or otherwise deal with them in all respects as they might have held disposed of or otherwise dealt with the shares of the company for which they are substituted.

(4) In this section the word "shares" shall be construed as including debenture stock of the company.

**133.**—(1) The purchasers of the undertaking of each of the companies hereinafter mentioned shall pay to each of the directors of that company who held office on the twenty-seventh day of November nineteen hundred and fifty-three and who continues to hold office until the appointed day a sum equal to seven times the amount received by such director from the company in respect of his fees as such director during the year nineteen hundred and fifty-three. Compensation to directors.

(2) The companies hereinbefore referred to are—

The Cranbrook District Water Company ;

The Higham and Hundred of Hoo Water Company ;

The Sheppey Water Company ;

The Herne Bay Waterworks Company ;

The Gravesend and Milton Waterworks Company ; and

The Chatham and District Water Company.

(3) (a) Any of the purchasers referred to in the foregoing provisions of this section who are companies may if they think fit instead of making payments thereunder issue to the directors shares (either ordinary or preference) the value of which is equivalent to such payments.

(b) Any shares or stock issued under this subsection shall for the purposes of the provisions of this Act authorising the purchasers to raise additional capital be deemed to be part of the price or consideration for the transfer of the undertaking of the company in which the director held office as such.

**134.** The purchasers shall pay to the persons who held office as auditors of the company immediately before the appointed day and who held that office on the first day of January nineteen hundred and fifty-three as compensation for loss of office a sum equal to three times the amount of the fees (not including any amount recovered in addition thereto in respect of disbursements) received by them from the company as such auditors in respect of the year nineteen hundred and fifty-three. Compensation to auditors.

## PART XII

—cont.

Liability for  
customary  
pensions.

**135.**—(1) If notwithstanding that the company may not have been under a legal obligation to pay pensions to their officers or to the surviving spouses or dependants of such officers the company had accepted a customary obligation to pay such pensions every such officer who is a transferred officer (as defined in section 154 (Superannuation and pensions) of this Act) shall as a term of his employment with the company concerned be deemed to have been entitled to the same pension both for himself and for his surviving spouse and dependants as he or they could reasonably be expected to have received from that company in pursuance of the customary obligation accepted by them had the officer remained in their employment until the date on which his employment with the purchasers ceased and such entitlement shall for the purposes of the said section 154 be deemed to be a superannuation right.

(2) The purchasers shall continue any pensions being paid by the company immediately before the appointed day in pursuance of a customary obligation to the former employees of the company or the surviving spouses or dependants of such employees.

(3) Any question which may arise as to the extent of any such customary obligation shall in default of agreement be referred to and determined by a referee appointed by the Minister.

(4) This section shall not apply in respect of the Westgate and Birchington Water Company.

(5) In this section “officer” includes “servant” and any reference to “officers” shall include a reference to any class of officers or servants.

## PART XIII

## MISCELLANEOUS

Assets partly  
used for  
transferred  
undertaking.

**136.**—(1) In any case in which an undertaking or part of an undertaking transferred by virtue of this Act includes—

(a) an asset which is held or used in part for the purposes of the undertaking or the part of an undertaking transferred and in part for other purposes of the transferors ;  
or

(b) an asset which forms part only of a building or other property of the transferors ;

an agreement may before the appointed day be entered into between the transferors and the transferees in relation to that asset and without prejudice to the generality of this provision any such agreement may—

(i) provide for the exclusion of the asset from the transfer ;

- (ii) provide for the inclusion in the transfer of other property of the transferors in connection with which the asset is used ;
- (iii) provide for the joint user of the asset ;
- (iv) provide where necessary for the granting of easements or rights over or in respect of land to be transferred or land to be retained by the transferors ; and
- (v) state the terms and conditions of such agreement (including payments to be made in respect thereof) and (if thought fit) the period for which it shall operate.

(2) Where any such agreement provides for the exclusion of the asset from the transfer or for the joint user of the asset such asset shall not be transferred to the transferees by virtue of this Act.

(3) Where any such agreement provides for the inclusion in the transfer of other property of the transferors in connection with which the said asset is used such property shall on the appointed day or on a date stated in the agreement be transferred to the transferees by virtue of this Act.

(4) In any case in which an undertaking or part of an undertaking transferred by virtue of this Act includes an asset which is held or used partly for the purposes of the part of the undertaking transferred to one transferee and partly for the purposes of the part of the undertaking transferred to another transferee an agreement may before the appointed day be entered into between the two transferees in relation to that asset and without prejudice to the generality of this provision may—

- (a) provide for the joint ownership of the asset ;
- (b) provide for the division of the asset between the transferees ;
- (c) provide for the transfer of the asset to either of the transferees ; and
- (d) state the terms and conditions of such agreement (including payments to be made in respect thereof) ;

and if such an agreement is entered into the said asset shall on the appointed day or on a date stated in the agreement by virtue of this Act be transferred in accordance therewith.

(5) Where under subsection (1) of this section a question has arisen between the transferors and the transferees whether (a) an asset should be excluded from the transfer or (b) there should be included in the transfer other property of the transferors in connection with which the said asset is used or (c) the said asset should be used jointly and the matter has not been

PART XIII  
—cont.

agreed between the transferors and the transferees before the appointed day or where under subsection (4) of this section a question has arisen between two transferees in relation to an asset and the matter has not been agreed between the two transferees before the appointed day the said assets shall not on that day be transferred to the transferees but may be used by the transferees on such terms as may be agreed between the transferors and the transferees or in cases to which subsection (4) of this section applies between the two transferees or failing agreement as may subsequently be determined by arbitration and in such a case—

- (a) if it is afterwards agreed or determined by arbitration that the said asset shall be excluded from the transfer or shall be used jointly by the transferors and the transferees subsection (2) of this section shall apply as if it had been so agreed before the appointed day;
- (b) if it is afterwards agreed or determined by arbitration that the said asset shall be included in the transfer or that there shall be included in the transfer other property of the transferors in connection with which the said asset is used the said asset or such other property (as the case may be) shall accordingly be transferred to the transferees by virtue of this Act on a date stated in such agreement or in the award of the arbitrator (as the case may be);
- (c) in cases to which subsection (4) of this section applies if the transferees afterwards agree in relation to the said asset or if the question is determined by arbitration the said asset shall by virtue of this Act be transferred in such manner as shall have been agreed or determined on a date stated in the agreement or in the award of the arbitrator (as the case may be).

(6) (a) In default of agreement between the transferors and the transferees or in cases to which subsection (4) of this section applies between the two transferees on any matter referred to in this section the question shall be referred to arbitration and the award of the arbitrator may provide for any matter for which an agreement under this section might have provided.

(b) For the purposes of any arbitration under this section in which a local authority or a board are one of the parties the arbitrator unless otherwise agreed shall be appointed by the Minister.

(7) For the purposes of this section “the transferors” means the undertakers from whom and “the transferees” means the undertakers to whom an undertaking or part of an undertaking is by virtue of this Act transferred.



**137.** In any case in which an undertaking is by this Act transferred either from a company to a board or to another company or from a local authority to a company interest shall be paid at the rate of four pounds per centum per annum on the sum agreed or determined in pursuance of this Act to be the price or consideration to be paid for the transfer from the appointed day until the payment of such sum or if stock or shares is or are issued in satisfaction thereof until the date as from which interest on such stock or dividends on such shares (as the case may be) will be payable.

PART XIII  
—cont.

Payment of  
interest.

**138.** If since the thirty-first day of December nineteen hundred and fifty-three any order has been made by the Minister under the Act of 1945 or the Water Act 1948 or under the Defence (General) Regulations 1939 relating to any undertakers whose undertaking or part of whose undertaking is transferred or enlarged by virtue of this Act or relating to or affecting any such undertaking or part of an undertaking or if any such order is made before the appointed day the Minister may make such further order as he may deem necessary or expedient in consequence thereof for amending or revoking the order so made or to be made or amending the relevant provisions of this Act.

Transitory  
amending  
orders.

**139.** The powers of any statutory water undertakers (save in the case of a local authority their powers under Part IV of the Act of 1936) with respect to the supply of water in any area which by this Act is included within the limits of supply of any other such undertakers shall cease and determine on the appointed day.

Cesser of  
powers to  
supply water  
within limits  
of transferred  
undertaking.

**140.**—(1) Notwithstanding the repeal of enactments by this Act a council board or company to whom an undertaking or part of an undertaking is transferred by this Act may—

Exercise of  
existing  
powers.

- (a) maintain repair renew alter enlarge improve extend and use the reservoirs wells boreholes pumping stations mains pipes and other works comprised in that undertaking or that part thereof;
- (b) exercise subject to the provisions of the Act or order whereby the powers are conferred any powers which immediately before the appointed day are vested in or exercisable by the council or company from whom the undertaking or part of an undertaking is transferred for or in connection with the acquisition of land or the execution maintenance repair renewal alteration enlargement improvement extension or use of works; and
- (c) collect impound use divert and appropriate for the purposes of any water undertaking carried on by them

PART XIII  
—cont.

all such streams springs and waters as may be intercepted by means of any of the works referred to in this section and all waters which the council or company from whom the undertaking or part of the undertaking is transferred were entitled to collect impound use divert or appropriate.

(2) The exercise of the powers of this section shall be subject to the provisions of this Act other than the provisions thereof whereby any enactments referred to in subsection (1) of this section are repealed.

Power to lay connecting mains.

**141.**—(1) For the purpose of conveying water from one part of their limits of supply to another part thereof or for the purpose of giving or receiving a supply of water in bulk the undertakers hereinafter mentioned may exercise within and without their limits of supply the powers contained in Part V (Power to lay mains etc.) and Part VI (Breaking open streets etc.) of the Third Schedule to the Act of 1945 and the provisions of those Parts shall apply accordingly.

(2) The undertakers referred to in this section are the Mid Kent Water Company the mayor aldermen and burgesses of the borough of Royal Tunbridge Wells the Sevenoaks and Tonbridge Water Company and the Canterbury and District Water Company.

Arrangements for insuring continuance of supply.

**142.**—(1) In any case in which part only of an undertaking is transferred by virtue of this Act the undertakers from whom and the undertakers to whom it is transferred shall make and carry into effect such arrangements as may be necessary to prevent any discontinuance of the supply of water to the persons entitled to that supply.

(2) The reasonable expense incurred by the undertakers from whom part of the undertaking is transferred in giving effect to the arrangements under this section shall be defrayed by the undertakers to whom it is transferred.

(3) Any question that may occur between the undertakers concerned shall be determined by arbitration.

(4) This section shall come into operation on the date of the passing of this Act.

Power to break open streets forming boundary of limits of supply.

**143.** Where any premises which are within the limits of supply of any undertakers abut on or are situate near to any street which is as to the whole or a part of its width outside those limits the undertakers may for the purpose of supplying water to the owner or occupier of those premises exercise with respect to the whole width of the street the like powers of laying inspecting repairing altering renewing and removing mains and

service pipes with any necessary stopcocks and fittings and of breaking open the street for that purpose as are exercisable by them with respect to streets within the limits of supply subject however to the like conditions and obligations.

PART XIII  
—cont.

**144.** In the application of section 60 (Power to require provision of cisterns in certain cases) of the Third Schedule to the Act of 1945 within an area or part of an area in which a similar provision is in force immediately before the appointed day and which is applicable to houses the erection of which is commenced after a date referred to in that provision the said section 60 shall have effect as if that date were therein mentioned instead of the date on which that section comes into force.

**145.—**(1) Until the appointed day an undertaking to be transferred in pursuance of this Act shall be carried on by the owners thereof (in this section referred to as “the owners”) with due regard to the interests of the purchasers as prospective owners of the undertaking on and after the appointed day and accordingly the owners may incur all such proper expenditure and liabilities as they shall deem necessary for carrying on the undertaking in the ordinary course of business:

Exercise of powers until transfer.

Provided that except with the consent of the purchasers the owners shall not—

- (a) enter into any contract or incur any liability otherwise than in the ordinary course of carrying on the undertaking extending beyond the appointed day or make any unnecessary or exceptional expenditure other than expenditure in respect of necessary legal engineering and accountancy charges incidental to the transfer of the undertaking;
- (b) incur any expenditure on capital account exceeding two hundred and fifty pounds for any one item unless such expenditure is incurred in pursuance of a statutory obligation or with the consent of the Minister;
- (c) in the case of a company increase the remuneration salaries or emoluments of directors auditors officers or servants beyond their usual remuneration salaries or emoluments at the rates operative on the twenty-seventh day of November nineteen hundred and fifty-three or grant any pensions or retiring gratuities;
- (d) in the case of a council increase the remuneration salaries or emoluments of such of their officers or servants as in accordance with the provisions of section 152 (Transfer of officers) of this Act are to become officers or servants of the purchasers (otherwise than in accordance with any contract of service or scale of

PART XIII  
—cont.

remuneration or at the instance of any wages board or joint industrial council or in pursuance of any compulsory arbitration award) beyond their usual remuneration salaries and emoluments at the rate operative on the twenty-seventh day of November nineteen hundred and fifty-three ;

- (e) vary any rates rents or charges which were being demanded or taken by the owners on the first day of January nineteen hundred and fifty-five unless such variation is made with the consent of the Minister :

Provided further that where part only of an undertaking is transferred the foregoing proviso shall apply only to that part and to the area comprised therein.

(2) The consent of the purchasers required by the first proviso to the foregoing subsection shall not be withheld unreasonably and any question as to whether it is withheld unreasonably shall be determined by arbitration the arbitrator unless otherwise agreed being appointed by the President of the Law Society.

(3) If the purchasers are a board any consent required by the proviso to subsection (1) of this section before the first meeting of the board may be given by or on behalf of the County Council.

As to receipts  
and debts to  
appointed day.

**146.**—(1) A council whose undertaking or part of whose undertaking is transferred by this Act shall be entitled to and may recover all rates rents charges profits and sums of money and shall discharge and pay all debts outgoing and liabilities in respect of such undertaking or part thereof which may accrue due up to or shall have accrued due or become payable before the appointed day and the purchasers shall be entitled to and may recover all rates rents charges profits and sums of money and shall discharge and pay all debts outgoing and liabilities in respect of such undertaking or part thereof which may accrue due or become payable on or after that day and where necessary for the purpose of this section all such revenues and outgoing shall be apportioned between the said council and the purchasers :

Provided that so much of the rates rents meter rents or other charges received by any such council and so much of the outgoing discharged by them as is attributable to any period subsequent to the appointed day shall be paid by them to the purchasers or (as the case may be) shall be paid by the purchasers to the said council and so much of such rates rents charges profits and sums of money received by the purchasers in respect of such undertaking or part thereof and so much of the outgoing discharged by them as is attributable to the period prior to the appointed day shall be paid by the purchasers to such council or (as the case may be) shall be repaid to the purchasers by such council.

(2) Any question which may arise under this section between any such council and the purchasers shall be determined by arbitration.

PART XIII  
—cont.

(3) A council whose undertaking or part of whose undertaking is transferred by this Act and the board council or company to whom it is transferred may enter into and carry into effect agreements relating to the matters referred to in this section.

(4) This section shall also apply with any necessary modifications in any case in which a part of an undertaking of a company is transferred by this Act and to the company from whom it is transferred.

**147.**—(1) A board council or company (in this section referred to as “the purchasers”) to whom the undertaking of a company (in this section referred to as “the company”) is transferred by this Act shall pay and discharge all debts and liabilities (other than any liabilities in respect of share capital and moneys raised on mortgage or by the creation and issue of debenture stock of the company in respect of the undertaking so transferred) which are outstanding on the appointed day.

As to transfer  
of a company  
undertaking.

(2) All rates rents charges and other sums and debts at the appointed day due and payable or accruing due and payable to the company shall be payable to and may be collected recovered and enforced by the purchasers in the same manner and with and by the same benefits and processes as those with and by which the company might have collected recovered and enforced them and shall belong to the purchasers for their own benefit.

(3) Any question which may arise under this section between the company and the purchasers shall be determined by arbitration.

(4) The purchasers and the company may enter into and carry into effect agreements relating to the matters referred to in this section.

(5) This section shall not apply in any case in which a part of an undertaking of a company is transferred by this Act.

**148.**—(1) (a) The directors of a company whose undertaking is to be transferred by this Act may without first obtaining the sanction of their company in general meeting declare and pay out of moneys available for the purpose in respect of the period ending on the day immediately preceding the appointed day (being a period of less than fifteen months) dividends (less income tax) at such rates per centum per annum as together with the

Payment of  
final dividend  
and interest.

PART XIII  
—cont.

rate of any dividend already declared in respect of the said period will not exceed—

- (i) in the case of preference shares of the company the preferential rate of dividend per centum per annum attached thereto ;
- (ii) in the case of ordinary shares of the company the authorised rate of dividend per annum.

(b) Any dividends authorised by the foregoing paragraph of this section may be declared before the appointed day and paid either before or after that day.

(c) In this subsection “the authorised rate of dividend per annum” means the rate per annum paid by the company for the period of twelve months last preceding the period in respect of which the dividends are paid under the said paragraph.

(2) The directors of the company may also pay interest at the appropriate rate or rates on any mortgages or debenture stock of the company in respect of any period ending on the day immediately preceding the appointed day for which interest has not previously been paid notwithstanding payment of such interest is not due until after the appointed day.

(3) This section shall not apply to a company a part only of whose undertaking is transferred by this Act.

Levying of  
charges by  
local  
authorities.

**149.**—(1) Any of the following authorities namely :—

- (a) a board ;
- (b) the council of the borough of Royal Tunbridge Wells ;  
and
- (c) the Sittingbourne Urban District Council ;

(each of whom is in this section referred to as “the undertakers”) may enter into and carry into effect agreements with respect to the collection by the council of a borough or district in which water is supplied by the undertakers of the rates and charges which the undertakers are authorised to levy and take for and in connection with the supply of water (other than a supply of water in bulk) and any agreement under this section may with respect to the whole or any part of such rates and charges provide that the council with whom the agreement is made may levy and recover such rates and charges as though they were payable to them and not to the undertakers.

(2) A council authorised to levy and recover rates and charges in pursuance of subsection (1) of this section shall have the same powers as the undertakers for such purpose.

(3) A council with whom an agreement is made under this section shall be entitled to receive in every year from the undertakers a sum equal to five per centum of the rates and charges collected by them in that year or such other sum as may be agreed in respect of the cost incurred by them.

PART XIII  
—cont.

(4) Any such rates and charges may be collected by the council with whom the agreement is made together with the general rate of their borough or district and—

(a) for the collection and recovery of such rates or charges the council shall have the same powers as they have for the collection and recovery of the general rate; and

(b) the same books and forms of demand note and receipt may be used for the general rate and such rates or charges.

**150.** For the purposes of section 3 of the Third Schedule to the Act of 1945 and for the purposes of any corresponding provision in any Act or order relating to the undertakings transferred by this Act works which are comprised in the undertakings so transferred and any works carried out under the powers of section 140 (Exercise of existing powers) of this Act shall be deemed to be situate upon lands which are specified in this Act.

As to restriction on works for abstraction of water.

**151.** Any question which may arise under this Act as to the payments to be made by purchasers (being a board or a council) to a council whose undertaking is by this Act transferred to them shall be determined by an arbitrator to be appointed by agreement between the parties or in default of agreement by the President of the Institute of Municipal Treasurers and Accountants (Incorporated).

As to payments by purchasers to councils.

**152.—**(1) Every officer or servant who immediately before the first day of January nineteen hundred and fifty-six is in the service of a council or a company whose undertaking or part of whose undertaking is transferred by this Act and who is wholly or mainly employed for the purposes of that undertaking or that part of an undertaking shall on the appointed day become an officer or servant of the council company or board to whom such undertaking or part of an undertaking is by this Act transferred and shall hold his office or situation by the same tenure and on the same conditions as if this Act has not been passed and while performing analogous duties to those which he was required to perform immediately before the first day of January nineteen hundred and fifty-six shall receive not less salary or remuneration than the salary or remuneration to which he would have been entitled if this Act had not been passed:

Transfer of officers.

Provided that the purchasers shall not be required to take into their service any officer or servant whose contract of service

PART XIII  
—cont.

with the council or company was entered into after the twenty-seventh day of November nineteen hundred and fifty-three unless such contract was entered into to replace an officer or servant who had left the service of the council or company and contained exactly similar terms and conditions as the contract with that officer or servant or unless such contract was entered into with the consent of the purchasers.

(2) A council may employ an officer or servant transferred to them in pursuance of this section in the discharge of such of their functions as they may think proper including functions not necessarily connected with their water undertaking and every such officer or servant shall perform such duties in relation to those functions as may be directed by the council.

Compensation  
to existing  
officers.

**153.**—(1) Every existing officer of any undertakers whose undertaking or part of whose undertaking is transferred by this Act who suffers loss of employment or diminution of emoluments which is attributable to the passing of this Act shall be entitled to have his case considered for the payment of compensation by the undertakers of the undertaking to which the first-mentioned undertaking or part thereof is transferred such compensation to be determined in accordance with the provisions of the schedule to the Local Government (Compensation) Regulations 1948 and subject to the provisions of this section those regulations shall apply accordingly with any modifications which the Minister may by order consider it necessary or expedient to make for the purpose of the application of the said regulations to compensation under this Act.

(2) For the purpose of this section and the said regulations as applied thereby—

(a) the expression “existing officer” means a person who immediately before the passing of this Act devoted the whole of his time and had devoted the whole of his time for a period of not less than eight years previously after attaining the age of eighteen years without a break of more than twelve months at any one time either—

(i) to any of the following employments or to two or more or to any combination of such employments namely:—

(A) employment under the Crown or in the local government service; or

(B) employment in the service of a statutory water company or statutory water companies in Great Britain; or



(c) employment by any authority or body for the purposes of the Crown or of local government or of statutory water companies in Great Britain ; or

(d) employment under any officer engaged in any such employment as aforesaid for the purposes of the functions of the employing authority or body ; or

(ii) partly to any such employment as aforesaid or to two or more or to any combination of such employments and partly to—

(A) employment as a superintendent registrar or registrar of births and deaths or as a registrar of marriages or as a person designated by a local authority to act as a deputy superintendent registrar or registrar of births and deaths ; or

(B) war service as defined by the said regulations undertaken on ceasing to follow any of the employments mentioned in paragraph (i) of this subsection or any combination thereof ; and

(b) the expression “ service ” includes service with statutory water undertakers and such war service as aforesaid.

(3) Nothing in this section or in the said regulations as applied thereby shall entitle a person to have his case considered for the payment of compensation unless—

(a) the cause of the claim arises not later than ten years after the passing of this Act ;

(b) the claim is made not later than two years after the date on which the cause of claim arises ; and

(c) the other conditions prescribed by paragraph (b) of regulation 5 of the said regulations are fulfilled.

**154.**—(1) In this section the expression “ transferred officer ” means an officer or servant who—

Super-  
annuation  
and pensions.

(a) immediately before the first day of January nineteen hundred and fifty-six is in the service of a council or a company whose undertaking or part of whose undertaking is transferred by this Act and who is wholly or mainly employed for the purposes of that undertaking ; and

(b) on or within three months after the appointed day becomes an officer or servant of the board council or company to whom such undertaking or part of an undertaking is by this Act transferred.

PART XIII  
—cont.

(2) Subject to the provisions of this section transferred officers shall be afforded by the purchasers superannuation rights not less favourable than those enjoyed by them immediately before the appointed day.

(3) Each board or council to which an undertaking or part of an undertaking is by this Act transferred shall in respect of transferred officers who are servants and who immediately before the appointed day were enjoying superannuation rights under the Local Government Superannuation Acts 1937 and 1953 (hereafter in this section referred to as "the Superannuation Acts") be deemed to have passed a statutory resolution as defined by section 40 of the Local Government Superannuation Act 1937 for the purposes of subsection (2) of section 3 of that Act and any such transferred officer shall be deemed to belong to a class or description of persons specified therein to be contributory employees of the board or council to which he has been transferred.

(4) Each board or council as aforesaid shall as respects transferred officers who immediately before the appointed day had any superannuation rights otherwise than under the Superannuation Acts or who before the appointed day had no superannuation rights make a scheme to be approved by the Minister to provide the extent to which previous employment with the undertaking from which such officer had been transferred shall be reckonable for the purpose of entitlement to or calculating the amount of any superannuation benefit (including a return of contributions) under the Superannuation Acts.

(5) A transferred officer of a board or council as aforesaid who immediately before the appointed day had any superannuation rights otherwise than under the Superannuation Acts may by notice served on such board or council within six months after the approval of a scheme made by the board or council under subsection (4) of this section elect to retain those rights and in that case he shall not acquire any superannuation rights under the Superannuation Acts.

(6) For the purposes of subsection (4) of this section any fund maintained or moneys held for the purposes of satisfying any superannuation rights otherwise than under the Superannuation Acts in respect of transferred officers shall to such extent as it is not required to satisfy the rights of those officers who give the notice referred to in the last preceding subsection be applied towards securing rights in respect of the reckoning of the previous employment aforesaid of the transferred officers who had been participants in such fund before becoming transferred officers.

**155.**—(1) Undertakers being either a council or a board shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time to borrow without the consent of any sanctioning authority for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of that table and they shall repay all moneys so borrowed within such periods as they may determine not exceeding those respectively mentioned in the third column of the table:—

PART XIII

—cont.

Borrowing  
powers.

(1) Purpose	(2) Amount	(3) Period for repayment
(a) For the payment of the price or consideration for the transfer to them of an undertaking or part of an undertaking under this Act (other than a payment to be made half-yearly or yearly).	The sum requisite	Forty years from the date or dates of borrowing.
(b) For the payment of any sum payable by them under this Act in respect of expendable stores.	The sum requisite	Ten years from the date or dates of borrowing.
(c) For working capital in the case of the Thanet Water Board.	£25,000	Ten years from the date or dates of borrowing.
(d) For working capital in the case of the Medway Water Board.	£40,000	Ten years from the date or dates of borrowing.
(e) For working capital in the case of the Sheppey Water Board.	£7,500	Ten years from the date or dates of borrowing.
(f) For working capital in any other case	£15,000	Ten years from the date or dates of borrowing.
(g) For the payment of the sum payable by them to the County Council in pursuance of section 170 (Costs of Act) of this Act.	The sum requisite	Five years from the appointed day.

(2) The provisions of Part IX of the Act of 1933 so far as they are not inconsistent with this Act shall extend and apply to money borrowed under subsection (1) of this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

PART XIII  
—cont.

(3) The purposes for which undertakers being either a council or a board may borrow money in pursuance of the Act of 1933 shall include the provision of further working capital.

Saving for powers of Treasury.

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

## PART XIV

## GENERAL

Continuance of proceedings.

157. Nothing in this Act shall release discharge or suspend any action arbitration or other proceeding which shall be pending by or against any company, or council whose undertaking is transferred by this Act in relation to that undertaking or to which any such company or council in relation as aforesaid shall be a party on the appointed day and any such action arbitration or other proceeding save so far as it relates to any tortious act of any servant of any company or council may be maintained prosecuted or continued by or in favour of or against the purchasers.

Saving of agreements etc.

158.—(1) All sales conveyances grants assurances deeds contracts bonds and agreements affecting the undertaking of any company or council whose undertaking is transferred by this Act and in force on the appointed day shall on and from that day be as binding and of as full force in every respect against or in favour of the purchasers and may be enforced as fully and effectually as if instead of the company or council the purchasers had been a party thereto or bound thereby or entitled to the benefit thereof:

Provided that no sale conveyance grant assurance deed contract bond or agreement made or entered into by any such company or council after the date of the passing of this Act shall be binding on or of any force or effect against or in favour of the purchasers unless it is made or entered into with the consent in writing of the purchasers or having been made or entered into without such consent it is subsequently ratified in writing by the purchasers.

(2) If any of the documents referred to in subsection (1) of this section relates to—

(a) an undertaking which by this Act is transferred to two or more purchasers; or

(b) to an undertaking part only of which is by this Act transferred ;

PART XIV  
--cont.

such modifications and adjustments shall be made therein as may be necessary or desirable and as shall be agreed between the company or council from whom the undertaking or part of an undertaking is transferred and the purchasers concerned or as failing agreement shall be determined by arbitration.

**159.** If in any case of a transfer to or vesting in a company board or council by or by virtue of the provisions of this Act of the undertaking or part of the undertaking of another company or council the total amount or value of the consideration for the transfer or vesting (including any liabilities or debts which form part of that consideration) is not ascertained on or before the date of transfer or vesting the date of the ascertainment of that amount or value shall for the purpose of section 12 of the Finance Act 1895 (which relates to stamp duty in cases of property vested by Act of Parliament) be treated as the date of the vesting of the property transferred or vested by or by virtue of this Act.

Dates for  
ascertainment  
of stamp duty.

**160.** All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against any company or council whose undertaking is transferred by this Act shall in so far as they relate to their undertaking on and after the appointed day be admitted in evidence in respect of the same or the like matter for or against the purchasers.

Books to  
remain  
evidence.

**161.** Purchasers shall be entitled to inspect and at their own expense to obtain copies of all registers books maps plans specifications engineering reports and other documents not transferred by virtue of this Act which relate to any undertaking or part of an undertaking transferred to them by virtue of this Act.

Inspection  
etc. of  
documents.

**162.—(1)** In any case in which—

(i) the undertakers for the purposes of any of the Parts II to X of this Act are the operating undertakers within the meaning of section 26 (Requirements as to undertakers' works which are likely to affect other undertakers' apparatus) of the Act of 1950 in respect of undertakers' works relating to apparatus for the purpose of their water undertaking or are the owning undertakers within the meaning of that section in respect of such apparatus ; and

Modification  
of section 26  
of Public  
Utilities Street  
Works Act  
1950.

(ii) either the Central Electricity Authority the South Eastern Electricity Board or the South Eastern Gas Board are the owning undertakers or (as the case may be) the operating undertakers ;

PART XIV  
—cont.

the said section 26 shall be modified as follows:—

- (a) The notice to be given under subsection (2) of the said section by the operating undertakers to the owning undertakers shall be accompanied by plans sections and particulars of the works;
- (b) The said notice shall be given not less than seven days before the works are commenced;
- (c) Any question which may arise under the said section as modified by this section between the operating undertakers and the owning undertakers shall be determined by arbitration in accordance with section 31 (Arbitration) of the Act of 1950 and the proviso to subsection (2) of that section shall not apply.

(2) In this section “the Act of 1950” means the Public Utilities Street Works Act 1950 and any expressions to which meanings are assigned by that Act have the same respective meanings.

Application of  
Arbitration  
Act 1950.

**163.**—(1) Where under this Act any question difference or dispute is to be referred to an arbitrator or to arbitration (other than questions differences or disputes to which the provisions of the Lands Clauses Acts apply) then unless other provision is made the reference shall be to a single arbitrator to be agreed upon between the parties to the question difference or dispute or in default of such agreement appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1950 shall apply to any such arbitration.

(2) An arbitrator agreed upon or appointed for the purposes of this Act may (if he thinks fit) be assisted by a financial assessor.

Application of  
provisions of  
Act of 1945.

**164.** The following sections of the Act of 1945 shall so far as applicable and with any necessary modifications have effect as if they were re-enacted in this Act and in terms made applicable thereto (that is to say):—

- Section 49 (Inquiries by Ministers);
- Section 50 (Power to revoke and vary orders);
- Section 54 (Notices etc. to be in writing);
- Section 55 (Authentication of documents);
- Section 56 (Service of notices etc.).

For  
protection of  
Postmaster-  
General.

**165.**—(1) Notwithstanding anything contained in this Act or in any enactment or order but without prejudice to any provision for the protection or benefit of the Postmaster-General

or his telegraphic lines contained in any enactment or order for the time being in force—

- (a) Undertakers shall not alter or interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the enactments numbered (1) to (8) contained in section 7 of the Telegraph Act 1878 ;
- (b) Any electrical works or apparatus constructed erected laid down maintained or used by undertakers shall be so constructed erected or laid down and so maintained and used as to prevent interference with any telegraphic line belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line ;
- (c) The provisions for the protection of the Postmaster-General and his telegraphic lines which are contained in the Electricity (Supply) Acts 1882 to 1936 as amended by the Electricity Act 1947 and in the schedule to the Electric Lighting (Clauses) Act 1899 shall so far as applicable extend and apply to any electric lines or apparatus belonging to or used by undertakers at any time laid down or erected in under or over any street or highway or other land for the purpose of transmitting electrical energy ;
- (d) Wires posts conductors or other apparatus belonging to or used by undertakers shall not be used in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869 or be installed or worked in contravention of the provisions of the Wireless Telegraphy Act 1949.

(2) In this section “ telegraphic line ” has the same meaning as in the Telegraph Act 1878 and “ electric line ” has the same meaning as in the Electric Lighting Act 1882.

**166.** For the protection of the British Transport Commission the following provisions shall unless otherwise agreed in writing between the commission and the undertakers concerned apply and have effect :—

For protection  
of the British  
Transport  
Commission.

- (1) The repeal by this Act of the enactments referred to in the first column of the Fifth Schedule to this Act shall not prejudice or affect any rights powers duties or obligations conferred or imposed by those enactments (so far as the same are in force immediately before the appointed day) in relation to any works or apparatus constructed placed or laid before the appointed day across along over under or so as to affect any railway works lands or property of the commission :

PART XIV  
—cont.

(2) As from the appointed day the said rights powers duties and obligations shall be deemed to be the rights powers duties and obligations of the commission on the one hand and of the undertakers concerned on the other hand:

(3) In this section “the undertakers concerned” means in relation to the enactments respectively referred to in the first column of the said Fifth Schedule the undertakers respectively referred to in the second column of the said Fifth Schedule.

For protection of electricity undertakers.

**167.** Nothing in this Act or in any other enactment applying to undertakers shall extend to or authorise any interference with any works (within the meaning of the Electricity (Supply) Acts 1882 to 1936) of the Central Electricity Authority or the South Eastern Electricity Board to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with the provisions of that section and of sections 17 and 18 of the schedule to the Electric Lighting (Clauses) Act 1899 and such provisions shall be deemed for the purposes of this section to extend to and include any works of such authority or board (as the case may be) placed upon or above ground.

Saving for town and country planning.

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

Crown rights.

**169.** Nothing in this Act or in any repeal effected by this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of Act.

**170.**—(1) The costs charges and expenses of and incidental to preparing applying for and obtaining this Act as taxed by the taxing officer of one of the Houses of Parliament shall in the first place be paid by the County Council out of the county fund but two-thirds of the amount thereof shall be repaid to the County Council by the purchasers in the proportions stated in a scheme prepared and agreed or determined in pursuance of this section.

(2) The scheme referred to in subsection (1) of this section shall be prepared by the clerk of the County Council and submitted by him to the purchasers and shall have effect—

(a) if agreed to with or without modifications by all of the purchasers; or

(b) in the absence of such agreement if determined with or without modifications by a person acting as arbitrator appointed in the absence of agreement by all the purchasers by the President of the Law Society.



(3) The County Council may borrow without the consent of any sanctioning authority the sum requisite for the payment of one-third of the amount of the said costs charges and expenses and they shall repay all moneys so borrowed within such periods as the County Council may determine not exceeding five years from the appointed day.

(4) The provisions of Part IX of the Act of 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.

PART XIV  
—cont.

## SCHEDULES

## FIRST SCHEDULE

## UNDERTAKERS WHOSE UNDERTAKINGS ARE AMALGAMATED

## Thanet area—

Bridge-Blean Rural District Council (part of undertaking)  
Broadstairs and St. Peter's Urban District Council  
Eastry Rural District Council  
Margate Borough Council  
Mid Kent Water Company (part of undertaking)  
Ramsgate Borough Council  
Sandwich Borough Council  
Westgate and Birchington Water Company

## Folkestone and district area—

Folkestone Borough Council  
Folkestone Waterworks Company  
Hythe Borough Council

## Mid Kent area—

Cranbrook District Water Company  
Mid Kent Water Company (except the parts of their area in the  
Thanet and Sittingbourne areas)

## Tunbridge Wells area—

Royal Tunbridge Wells Borough Council  
Sevenoaks Rural District Council (part of undertaking)  
Southborough Urban District Council  
Tonbridge Rural District Council

## Sevenoaks and Tonbridge area—

Sevenoaks and Tonbridge Water Company  
Sevenoaks Rural District Council (part of undertaking)

## Medway area—

Chatham and District Water Company  
Gravesend and Milton Waterworks Company  
Higham and Hundred of Hoo Water Company  
Rochester City Council

## Sittingbourne area—

Sittingbourne and Milton Urban District Council  
Mid Kent Water Company (the part of their undertaking in  
Sittingbourne)  
Swale Rural District Council

## Sheppey area—

Queenborough Borough Council  
Sheerness Urban District Council  
Sheppey Rural District Council  
Sheppey Water Company

## Canterbury and district area—

1ST SCH.  
—cont.

Bridge-Blean Rural District Council (part of undertaking)  
 Canterbury and District Water Company  
 Herne Bay Urban District Council  
 Herne Bay Waterworks Company  
 Whitstable Urban District Council

## SECOND SCHEDULE

## RULES AS TO MEETINGS AND PROCEEDINGS OF BOARDS

1.—(1) The first meeting of the board shall be the annual meeting for the year nineteen hundred and fifty-five and thereafter the first meeting after the first day of June in any year shall be the annual meeting.

(2) In addition to the annual meeting the board shall in every year after the year ending on the thirty-first day of March nineteen hundred and fifty-six hold at least three other meetings which shall be as near as may be at regular intervals for the transaction of general business.

2.—(1) The board shall at their annual meeting appoint one of their number to be chairman and the chairman shall unless he resigns his office or ceases to be a member of the board continue in office during the pleasure of the board or until his successor is appointed.

(2) The board may at their annual meeting appoint one of their number to be vice-chairman who shall unless he resigns his office or ceases to be a member of the board continue in office during the pleasure of the board or until immediately after the election of the chairman at the next annual meeting.

3.—(1) On a casual vacancy occurring in the office of chairman or vice-chairman of the board the vacancy shall be filled by the appointment by the board of one of their number at a meeting held as soon as practicable after the vacancy occurs and where the office vacant is that of chairman the meeting may be convened by the clerk of the board.

(2) The person appointed under this rule to fill a casual vacancy shall hold office during the pleasure of the board or until the person in whose place he is appointed would regularly have retired and he shall then retire.

4.—(1) At a meeting of the board the chairman if present shall preside.

(2) If the chairman is absent from a meeting of the board the vice-chairman if present shall preside.

(3) If both the chairman and vice-chairman of the board are absent such member of the board as the members present shall choose shall preside.

5.—(1) The chairman of the board may call a meeting of the board at any time.

2ND SCH.  
—cont.

(2) If the chairman refuses to call a meeting of the board after a requisition for that purpose signed by four members of the board has been presented to him or if without so refusing the chairman does not call a meeting within seven days after such requisition has been presented to him any four members of the board on that refusal or on the expiration of such seven days (as the case may be) may forthwith call a meeting of the board.

(3) Three clear days at least before a meeting of the board—

(a) notice of the time and place of the intended meeting shall be published at the offices of the board and where the meeting is called by members of the board the notice shall be signed by those members and shall specify the business proposed to be transacted thereat; and

(b) a summons to attend the meeting specifying the business proposed to be transacted thereat and signed by the clerk of the board shall be left at or sent by post to the usual place of residence of every member of the board:

Provided that want of service of the summons on any member of the board shall not affect the validity of a meeting:

Provided also that no business shall be transacted at a meeting other than that specified in the summons served in respect thereof.

6. No business shall be transacted at a meeting of the board unless at least one-third of the whole number of members are present thereat.

7. A copy of the minutes of proceedings at every meeting of the board shall be sent to the clerks of the constituent councils within twenty-one days after the date of the meeting.

8. The provisions of paragraphs 1 to 5 of Part V of the Third Schedule to the Act of 1933 shall apply to the board as if the board were a local authority and as if for references therein to the said Act there were substituted references to this Act.

### THIRD SCHEDULE

#### PROVISIONS OF ACT OF 1933 APPLIED TO A BOARD

Provisions applied	Subject-matter
Sections 58 59 63 76 95 and 96 ... Subsection (4) of section 107 and sections 119 to 121 and 123.	Members' meetings etc. Officers.
Sections 195 to 200 and 202 to 218 ... Section 266 ... ..	Borrowing. Contracts.
Sections 277 and 278 ... ..	Legal proceedings.
Sections 287 to 289 ... ..	Notices etc.

## FOURTH SCHEDULE

## APPLICATION AMENDMENT AND REPEAL OF EXISTING ENACTMENTS

## PART I GENERAL

1. The repeal amendment and application of enactments by this schedule shall take effect subject to the foregoing provisions of this Act.

2. In the case of a company to be wound up in pursuance of the provisions of this Act the enactments relating to that company shall remain in operation so long and so far as may be necessary for the purposes of such winding up.

3. The repeal by this schedule of enactments relating to the borrowing powers of any local authority shall not prejudice or affect the powers duties and obligations of that authority in reference to the borrowing of money and the repayment thereof and the payment of interest thereon.

## PART II THANET AREA

1. Subject to the provisions of this Act the following provisions shall cease to have effect on the appointed day namely:—

Margate Corporation Act 1900 Part II (Water) section 86 (Application of revenues of water undertaking and deficiency of receipts) and section 89 (Separate accounts to be kept and audited);

Margate Corporation (Water) Act 1902 the whole Act except section 29 (For protection of owner of Lee Priory Estate) and section 36 (Partial repeal of certain Acts) and also except section 26 (For protection of South Eastern Railway Company London Chatham and Dover Railway Company and South Eastern and Chatham Railway Companies' Managing Committee) but in so far only as that section is applied for the purposes of the Margate Corporation Act 1908 by section 36 of that Act;

Margate (Extension) Order 1913 (confirmed by the Local Government Board's Provisional Order Confirmation (No. 20) Act 1913) article XI (Local Acts and Orders) so far as it relates to the supply of water;

Margate Corporation Act 1926 Part IV (Water Supply) section 116 (Application of revenue and payment of expenses of water undertaking) and section 117 (Separate accounts to be kept);

Ministry of Health Provisional Order Confirmation (Margate) Act 1939;

The Act 5 & 6 William 4 c. vi entitled "An Act for the better supply with Water the Parish of Ramsgate and the neighbourhood thereof in the county of Kent";

The Ramsgate Local Board Act 1877 so far as it relates to waterworks and the supply of water;

4TH SCH.  
—cont.

The Ramsgate Order 1895 and the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1895 so far as it relates to that Order ;

The Ramsgate Corporation Act 1922 Part III (Water supply) ;  
Broadstairs and St. Peter's Water and Improvement Act 1901 Part II (Water) section 120 (Application of water revenues) section 121 (As to deficiency in receipts) section 122 (Separate accounts to be kept as to water) and the First and Second Schedules but the repeal of the said sections 120 and 121 shall not affect the power of the Broadstairs and St. Peter's Urban District Council to carry to their district fund the annual proceeds of their reserve fund or to make good out of their district fund any deficiency in the revenue of their undertaking before the appointed day ;

Broadstairs and St. Peter's Urban District Water Act 1907 ;

Broadstairs and St. Peter's Urban District Council Act 1913 Part V (Water) ;

The Broadstairs and St. Peter's Order 1921 (confirmed by the Ministry of Health Provisional Orders Confirmation (No. 6) Act 1921) except section 3 (Rate of accumulation of annual payment to sinking funds) ;

Broadstairs and St. Peter's Urban District Council Act 1923 Part II (Water supply) and the schedule ;

Westgate and Birchington Water Act 1879 ;

Westgate and Birchington Water Act 1900 except section 42 (Confirmation of scheduled agreement) and the schedule ;

Westgate and Birchington Water Act 1921 ;

Westgate and Birchington Water Act 1927 except section 16 (Confirming agreement with Percy Horace Gordon Powell-Cotton) and the schedule.

## 2. On and after the appointed day—

Section 29 (For protection of owner of Lee Priory Estate) of the Margate Corporation (Water) Act 1902 shall have effect as if instead of the Corporation the Thanet Water Board were therein mentioned ;

The agreement set forth in the schedule to the Westgate and Birchington Water Act 1900 and the agreement set forth in the schedule to the Westgate and Birchington Water Act 1927 shall have effect as if instead of the Westgate and Birchington Water Company the said board were a party to those agreements.

3. On and after the appointed day the Mid Kent Water Acts and Orders 1888 to 1955 (including the provisions of the East Kent Acts and Orders as defined in the Mid Kent Water (No. 3) Order 1953 set forth in the Fourth Schedule to that order and thereby saved from repeal) shall not apply within the limits of supply of the Thanet Water Board.

4. The repeal of any provisions by this Part of the Fourth Schedule shall not affect any byelaw or regulation in force thereunder immediately before the appointed day which was made for purposes similar to the purposes for which byelaws can be made under the Act of 1945 and any such byelaw or regulation shall be deemed to be a byelaw made under that Act.

4TH SCH.  
—cont.

### PART III FOLKESTONE AND DISTRICT AREA

1. Subject to the provisions of this Act the following provisions shall cease to have effect on the appointed day namely:—

Folkestone Waterworks Amendment Act 1855 the proviso to section 1 and section 2;

Folkestone Waterworks Act 1888 section 7 (For protection of the South Eastern Railway Company);

Folkestone Water Act 1898 section 9 (For the protection of the South Eastern Railway Company) and section 10 (For the protection of main roads and county bridges);

Folkestone Water Act 1939 subsection (4) of section 5 (Extension of limits of supply) section 84 (Cisterns) section 92 (For protection of War Department) and section 94 (For protection of South East Kent Electric Power Company Limited);

Elham Valley Water Order 1904 section 15 (For protection of South Eastern Railway Company and South Eastern and Chatham Railway Companies Managing Committee) and section 19 (For protection of district roads);

Elham Valley Water Order 1914 section 19 (For protection of district roads) section 21 (For protection of War Office) and section 22 (For protection of South Eastern Railway Company and South Eastern and Chatham Railway Companies Managing Committee);

Littlestone-on-Sea and District Water Act 1904 section 32 (For the protection of the South Eastern Railway Company and the South Eastern and Chatham Railway Companies Managing Committee);

Littlestone-on-Sea and District Water Order 1940 section 6 (For protection of Postmaster-General);

Hythe Improvement and Waterworks Act 1874 sections 35 to 39 sections 41 to 55 and section 105;

Hythe Corporation Act 1889 the whole Act;

Hythe Corporation Act 1905 sections 4 to 33 sections 35 to 40 and sections 42 60 and 61.

2. On and after the appointed day—

Section 40 (For the protection of certain ponds) of the Hythe Improvement and Waterworks Act 1874 shall have effect as if instead of the Corporation the Folkestone and District Water Company were therein mentioned;

4TH SCH.  
—cont.

The agreement set forth in the schedule to the Hythe Corporation Act 1905 shall have effect as if the Folkestone and District Water Company were the party thereto of the third part instead of the mayor aldermen and burgesses of the borough of Hythe.

3. On and after the appointed day the provisions of the Folkestone Water Acts and Orders 1848 to 1953 and of any byelaws and regulations then applying to the undertaking of the Folkestone and District Water Company shall with any necessary modifications and subject to the provisions of this Act apply and have effect within the area which by virtue of this Act has been added to the limits of supply of that company and subject as aforesaid that company within that area shall have and may exercise all the like powers rights privileges and authorities and shall be subject to the like duties and obligations as immediately before the appointed day they had or were subject to within their then limits of supply:

Provided that—

- (i) the provisions of the Elham Valley Water Orders 1904 to 1932 which are mentioned in the Third Schedule to the Folkestone Water Order 1949 and which by section 20 of that Order were saved from repeal shall apply only within the area to which those provisions applied immediately after the date of transfer as defined in that Order;
- (ii) the provisions of the enactments relating to Littlestone-on-Sea and District Water Company which are referred to in the Fifth Schedule to the Folkestone Water Order 1953 and which by section 15 of that Order are saved from repeal shall apply only within the area to which they applied immediately after the first day of April nineteen hundred and fifty-three.

#### PART IV MID KENT AREA

1. Subject to the provisions of this Act the following provisions shall cease to have effect on the appointed day namely:—

- (a) Cranbrook District Water Acts and Orders 1895 to 1930;
- (b) The following provisions of the Mid Kent Water Acts and Orders 1888 to 1955:—

Section 14 (For the protection of the South-eastern Railway Company) of the Mid Kent Water Order 1888;

Section 25 (Special provisions as to supply in Sandwich and other places) section 27 (For protection of the London Chatham and Dover Railway Company) and section 28 (For protection of South Eastern Railway Company) of the East Kent District Water Act 1889;

Section 49 (For protection of South Eastern and Cranbrook and Paddock Wood Railway Companies) and section 50 (For protection of Maidstone Rural District Council) of the Mid Kent Water Act 1898;



Section 7 (For protection of Dartford Rural District Council) and section 9 (For the protection of the South Eastern and London Chatham and Dover Railway Company) of the Mid Kent Water Order 1901 ;

Section 10 (For protection of South Eastern and London Chatham and Dover Railway Companies) of the Mid Kent Water Order 1902 ;

Section 7 (Extension of limits of supply) and section 12 (For protection of South Eastern and London Chatham and Dover Railway Companies) of the Mid Kent Water Order 1903 ;

Section 10 (For protection of South Eastern and London Chatham and Dover Railway Companies) of the Mid Kent Water Order 1906 ;

Section 10 (For protection of South Eastern and London Chatham and Dover Railway Companies) of the Mid Kent Water Order 1907 ;

Section 40 (For protection of Kent County Council) section 41 (For protection of South Eastern Railway Company London Chatham and Dover Railway Company and South Eastern and Chatham Railway Companies' Managing Committee) and section 43 (For protection of Rural District Council of Elham) of the Mid Kent and East Kent District Water Act 1913 ;

Section 23 (For protection of Southern Railway Company) and section 33 (Cisterns to be provided for high level supplies) of the Mid Kent Water Act 1930 ;

Section 41 (For protection of electricity undertakers) and section 42 (For protection of Kent County Council) of the South Kent Water Order 1939 which are referred to in the Third Schedule to the Mid Kent Water Order 1949 and are saved from repeal by section 31 (Repeal of South Kent Act and Orders) of that Order.

2. On and after the appointed day the provisions of the Mid Kent Water Acts and Orders 1888 to 1955 and of any byelaws and regulations then applying to the undertaking of the Mid Kent Water Company shall with any necessary modifications and subject to the provisions of this Act apply and have effect within the area which by virtue of this Act is comprised in the limits of supply of that company and subject as aforesaid that company within that area shall have and may exercise all the like powers rights privileges and authorities and shall be subject to the like duties and obligations as immediately before the appointed day they had or were subject to within their then limits of supply.

#### PART V TUNBRIDGE WELLS AREA

1. Subject to the provisions of this Act the following provisions shall cease to have effect on the appointed day :—

The following provisions of the Tunbridge Wells Water Act 1865 :—

Section 44 (Provision respecting constant pressure and level at which supply is compulsory) ;

4TH SCH.  
—cont.

Section 54 (Ascertainment of yearly value);  
 Section 57 (Restrictions on reduction of water rates);  
 Section 59 (Supply of water out of Tunbridge Wells);  
 Local Government Supplemental Act 1867 (No. 5)—  
 Section 13 (Regulation of water supply);  
 Section 14 (Requisition for constant supply of water);  
 Section 41 (As to supply of water in Southborough Urban District) of the Tunbridge Wells Corporation Act 1929.

2. On and after the appointed day the provisions so far as they relate to waterworks and the supply of water of the following Acts and Order namely:—

Tunbridge Wells Water Act 1865;  
 Tunbridge Wells Improvement Act 1890;  
 Tunbridge Wells Corporation Act 1929; and  
 Royal Tunbridge Wells (Water Charges) Order 1949;

and of any byelaws and regulations then applying to the undertaking of the corporation shall with any necessary modifications and subject to the provisions of this Act apply and have effect within the area which by virtue of this Act has been added to the limits of supply of the corporation and subject as aforesaid the Corporation within that area shall have and may exercise all the like powers rights privileges and authorities in relation to the construction and maintenance of waterworks and the supply of water and shall be subject to the like duties and obligations as immediately before the appointed day they had or were subject to within their then limits of supply.

#### PART VI SEVENOAKS AND TONBRIDGE AREA

1. Subject to the provisions of this Act the following provisions shall cease to have effect on the appointed day namely:—

Sevenoaks Waterworks Act 1878—

Section 50 (Constant pressure) and section 62 (Company may cut off supply if notice not complied with);

Sevenoaks Water Order 1937—

Section 32 (Cisterns to be provided for high level supplies) section 41 (For protection of electricity undertakers) section 42 (For protection of Southern Railway Company) section 43 (For protection of Postmaster-General) and section 44 (For protection of Kent County Council);

Tonbridge Water Order 1886—

Section 14 (As to pipes crossing the works of a railway or other company) and section 15 (Limits of pressure);

Tonbridge Water Order 1900—

Section 20 (For protection of the South Eastern Railway Company) and section 21 (As to pipes crossing the works of a railway or other company);

## Tonbridge Water Order 1919—

Section 17 (As to pipes crossing the works of a railway or other company) section 18 (For protection of South Eastern Railway Company and South Eastern and Chatham Companies Managing Committee) section 19 (Limits of pressure) and section 20 (Supply in bulk to the Southborough Urban District Council);

4TH SCH.  
—cont.

## Tonbridge Water Order 1937—

Section 10 (For protection of Postmaster-General);

## Sevenoaks and Tonbridge Water Order 1948—

Section 42 (For amendment of section 44 of the Order of 1937).

2. On and after the appointed day the provisions of the Sevenoaks and Tonbridge Water Act and Orders 1878 to 1952 shall with any necessary modifications and subject to the provisions of this Act extend to the area (in this paragraph referred to as "the added area") which by virtue of this Act has been added to the limits of supply of the Sevenoaks and Tonbridge Water Company for the supply of water and subject as aforesaid that company within the added area shall have and may exercise all the like powers rights privileges and authorities and shall be subject to the like duties and obligations as immediately before the appointed day they had or were subject to within their then limits of supply:

Provided that—

- (a) the provisions of sections 20 to 23 and 25 to 27 of the Sevenoaks Water Order 1937 (which relate to communication pipes and service pipes) shall apply and have effect within the added area as if the words "the first day of April nineteen hundred and fifty-six" were substituted for the words "the commencement of this Order" wherever they occur;
- (b) the provisions of sections 44 and 45 of the Sevenoaks Waterworks Act 1878 as amended by subsequent enactments (which relate to charges to be made for a supply of water) shall not extend to the area referred to in paragraph (b) of subsection (1) of section 48 (Sevenoaks charges) of this Act.

## PART VII MEDWAY AREA

1. Subject to the provisions of this Act the following provisions shall cease to have effect on the appointed day:—

Chatham and District Water Acts and Orders 1860 to 1952 except—

(a) section 10 (For protection of the Secretary of State for War) of the Brompton Chatham Gillingham and Rochester Waterworks Act 1898;

(b) section 9 (For protection of the Secretary of State for War) of the Brompton Chatham Gillingham and Rochester Waterworks Act 1905; and

4TH SCH.  
—cont.

(c) the provisions of the North West Kent Joint Water Act 1936 relating to the Chatham and District Water Company ;

Higham and Hundred of Hoo Water Act 1890 except paragraph (G) of section 27 ;

Higham and Hundred of Hoo Water (Amendment) Act 1898 ;

Higham and Hundred of Hoo Water Act 1905 ;

Higham and Hundred of Hoo Water Order 1925 and so much of the Ministry of Health Provisional Orders Confirmation (Water) Act 1925 as relates thereto ;

Gravesend and Milton Waterworks Acts and Orders 1846 to 1954 ;

Rochester City Improvement Act 1880 sections 5 to 21 and section 30 ;

Rochester Corporation Act 1936 Part III (Purchase of portion of undertaking of Higham and Hundred of Hoo Water Company) Part IV (Waterworks) Part V (Supply of water) (except section 63 (Power to sell meters)) and section 212 (For protection of Kent County Council) ;

Rochester (Water Charges) Order 1948 ;

The provisions of the Rainham Water Orders 1904 to 1935 which are mentioned in the Third Schedule to the Chatham and District Water Order 1946 and by section 18 of that Order are saved from repeal.

2. The said section 10 of the Brompton Chatham Gillingham and Rochester Waterworks Act 1898 and the said section 9 of the Brompton Chatham Gillingham and Rochester Waterworks Act 1905 shall have effect as if the Medway Water Board were therein referred to instead of the company therein mentioned.

3. The repeal of any provisions by this Part of the Fourth Schedule shall not affect any byelaw or regulation in force thereunder immediately before the appointed day which was made for purposes similar to the purposes for which byelaws can be made under the Act of 1945 and any such byelaw or regulation shall be deemed to be a byelaw made under that Act.

4. On and after the appointed day the provisions of paragraph (G) of section 27 of the Higham and Hundred of Hoo Water Act 1890 saved from repeal by this Part of the Fourth Schedule shall apply only within the area to which the said provisions applied immediately before the appointed day and as if for the references therein to the Company and the South Eastern Company there were substituted references to the Medway Water Board and the commission respectively.

#### PART VIII SITTINGBOURNE AREA

1. On and after the appointed day—

(1) Section 126 (General power of local authority to make charges for water) of the Act of 1936 shall not apply within the limits of supply of the Sittingbourne Council (hereinafter referred to as "the Sittingbourne area") ;

(2) Subject to the provisions of the foregoing sub-paragraph—

(a) The Sittingbourne Council may exercise and shall discharge within the urban district of Sittingbourne and Milton all the powers and duties conferred and imposed upon the local authority by Part IV (Water supply) of the Act of 1936 ;

(b) The Sittingbourne Council may exercise and shall discharge within so much of the Sittingbourne area as is not in the urban district of Sittingbourne and Milton the powers and duties conferred and imposed upon the local authority by the provisions of Part IV of the Act of 1936 except those conferred or imposed by sections 111 123 124 137 138 140 and 141 ;

(3) The powers and duties conferred and imposed upon the local authority by the Act of 1936 where their district or part thereof is within the limits of supply of other statutory water undertakers shall continue to be exercised and discharged by the Swale Council within so much of their district as is within the Sittingbourne area ;

(4) The Swale (Water Supply) Order 1948 shall not have effect ;

(5) The Mid Kent Water Acts and Orders 1888 to 1955 and any byelaws and regulations made thereunder shall not apply within that part of the Sittingbourne area which before the appointed day is within the limits of supply of the Mid Kent Water Company.

2. In addition to the provisions of the Third Schedule to the Act of 1945 which by the Fourth Schedule to that Act are incorporated with the Act of 1936 there shall be incorporated with that Act in its application within the Sittingbourne area the provisions of Part IX (Constancy and pressure of supply) and Part XII (Water rates and charges) of the said Third Schedule.

3. The Sittingbourne Council shall be deemed to be statutory water undertakers supplying water under a local enactment for the purposes of the Water Acts 1945 and 1948.

#### PART IX SHEPPEY AREA

1. Subject to the provisions of this Act the following provisions (except the sections mentioned in the next following paragraph) shall cease to have effect on the appointed day :—

Sheppey Water Order 1929 and the Ministry of Health Provisional Order Confirmation (Sheppey Water) Act 1930 ;

Sheppey Water Order 1934 and the Ministry of Health Provisional Order Confirmation (Sheppey Water) Act 1934 ;

Sheppey Water Act 1937 ;

Sheppey Water (Charges) Order 1947 ;

Sheppey Water Company (Water Charges) Order 1954.

2. On and after the appointed day the following provisions shall apply to the Sheppey Water Board and take effect as if for all references to the Sheppey Water Company therein there were substituted references to the said board :—

4TH SCH.  
—cont.

Sheppey Water Order 1929—

Section 8 (Supply of water on Warden and Eastchurch Estates);

Sheppey Water Act 1937—

Section 67 (Saving for building and improvement lines &c.);

Section 74 (For protection of well at South Lees Farm);

Section 130 (Supply of water to Naval Military and Air Force establishments);

Section 133 (which relates to the supply of water in a well at the County Hospital Sheppey); and

Subsection (1) of section 135 (For protection of Sheerness and District Electric Supply Company Limited).

3. The repeal of any provisions by this Part of the Fourth Schedule shall not affect any byelaw or regulation in force thereunder immediately before the appointed day which was made for purposes similar to the purposes for which byelaws can be made under the Act of 1945 and any such byelaw or regulation shall be deemed to be a byelaw made under that Act.

PART X CANTERBURY AND DISTRICT AREA

1. Subject to the provisions of this Act the following provisions shall cease to have effect on the appointed day namely:—

Herne Bay Waterworks Acts and Orders 1867 to 1953 except—

Section 31 (Limitation of pressure) of the Herne Water Act 1867;

Section 7 (Rates for supply for domestic purposes) of the Herne Water Order 1883 but not the proviso to that section;

The Herne Bay Waterworks Company (Modification of Charges) Order 1922; and

Section 4 (As to water rates in the Herne Common area) of the Herne Bay Water Order 1948;

The following provisions of the Whitstable Water and Improvement Act 1902 namely:—

(a) Part II (Water) except section 20 (Limit of pressure) section 21 (Rates for supply of water for domestic purposes) section 26 (Supply by meter in certain cases) and section 27 (Supply of water for other than domestic purposes by measure);

(b) Section 165 (For protection of South Eastern Railway Company London Chatham and Dover Railway Company and South Eastern and Chatham Railway Companies' Managing Committee) so far as that section relates to mains and pipes and other works for the supply of water;

So much of section 7 (Limits of Act comprising the Gas and Water Districts) of the Canterbury Gas and Water Act 1866 as describes "the Water District" and the following provisions of that Act (except so far as they relate to works for the supply of gas) namely:—

Section 75 (Works affecting London Chatham and Dover Railway to be constructed to satisfaction of Engineer of that Company);

Section 76 (Works affecting the South Eastern Railway to be constructed to satisfaction of Engineer of that Company);

Section 93 (Situation of pipes &c. may be altered if commissioners desire it); and

Section 102 (Saving rights of London Chatham and Dover Company);

Canterbury Gas and Water Act 1890 section 10 (For protection of the South Eastern Railway Company) and section 11 (For protection of the London Chatham Railway Company) so far as those sections relate to mains pipes and works for the supply of water;

Canterbury Gas and Water Act 1938 section 95 (Cisterns);

Canterbury and District Water Act 1952 section 29 (Extension of limits of supply) and the First Schedule.

2. On and after the appointed day the provisions of the Canterbury and District Water Acts and Orders 1866 to 1952 (except so far as they relate to gasworks and the supply of gas) and of any byelaws and regulations then applying to the undertaking of the Canterbury and District Water Company shall with any necessary modifications and subject to the provisions of this Act apply and have effect within the area which by virtue of this Act is comprised in the limits of supply of that company and subject as aforesaid that company within that area shall have and may exercise all the like powers rights privileges and authorities and shall be subject to the like duties and obligations as immediately before the appointed day they had or were subject to within their then limits of supply.

## FIFTH SCHEDULE

ENACTMENTS REFERRED TO IN SECTION 166 (FOR PROTECTION OF THE  
BRITISH TRANSPORT COMMISSION) OF THIS ACT

Enactments	Undertakers concerned
Margate Corporation (Water) Act 1902 section 26	} Thanet Water Board.
Broadstairs and St. Peter's Urban District Water Act 1907 section 18	
Folkestone Waterworks Act 1888 section 7	
Folkestone Water Act 1898 section 9	
Elham Valley Water Order 1904 section 15	} Folkestone and District Water Company.
Elham Valley Water Order 1914 section 22	
Littlestone-on-Sea and District Water Act 1904 section 32	
Hythe Corporation Act 1905 section 40	
Cranbrook District Water Act 1895 section 26	} Mid Kent Water Company.
Cranbrook District Water Act 1898 section 13	
Mid Kent Water Order 1888 section 14	
East Kent District Water Act 1889 section 27 and section 28	
Mid Kent Water Act 1898 section 49	
Mid Kent Water Order 1901 section 9	
Mid Kent Water Order 1902 section 10	
Mid Kent Water Order 1903 section 12	
Mid Kent Water Order 1906 section 10	
Mid Kent and East Kent District Water Act 1913 section 41	
Mid Kent Water Act 1930 section 23	} Sevenoaks and Tonbridge Water Company.
Sevenoaks Water Order 1937 section 42	
Tonbridge Water Order 1886 section 14	
Tonbridge Water Order 1900 sections 20 and 21	
Tonbridge Water Order 1919 sections 17 and 18	} Medway Water Board.
Higham and Hundred of Hoo Water Act 1890 section 27	
Gravesend and Milton Waterworks Act 1936 section 87	} Sheppey Water Board.
Rainham Water Order 1904 section 22	
Sheppey Water Act 1937 sections 123 and 134	} Canterbury and District Water Company.
Canterbury Gas and Water Act 1866 sections 75 and 102	
Canterbury Gas and Water Act 1890 sections 10 and 11	
Whitstable Water and Improvement Act 1902 section 165	



## Table of Statutes referred to in this Act

Short title	Session and chapter
"An Act for the better supply with Water the Parish of Ramsgate and the neighbourhood thereof in the county of Kent".	5 & 6 Will. 4. c. vi.
Companies Clauses Consolidation Act 1845	8 & 9 Vict. c. 16.
Lands Clauses Consolidation Act 1845 ...	8 & 9 Vict. c. 18.
Folkestone Waterworks Amendment Act 1855.	18 & 19 Vict. c. vii.
Companies Clauses Act 1863 ... ..	26 & 27 Vict. c. 118.
Tunbridge Wells Water Act 1865 ... ..	28 & 29 Vict. c. cciv.
Canterbury Gas and Water Act 1866 ...	29 & 30 Vict. c. xcix.
Local Government Supplemental Act 1867 (No. 5).	30 & 31 Vict. c. 83.
Herne Water Act 1867 ... ..	30 & 31 Vict. c. cxii.
Telegraph Act 1869 ... ..	32 & 33 Vict. c. 73.
Hythe Improvement and Waterworks Act 1874.	37 & 38 Vict. c. lxvi.
Public Health Act 1875 ... ..	38 & 39 Vict. c. 55.
Local Loans Act 1875 ... ..	38 & 39 Vict. c. 83.
Ramsgate Local Board Act 1877 ... ..	40 & 41 Vict. c. cxix.
Telegraph Act 1878 ... ..	41 & 42 Vict. c. 76.
Sevenoaks Waterworks Act 1878 ... ..	41 & 42 Vict. c. cxiv.
Westgate and Birchington Water Act 1879	42 & 43 Vict. c. xvii.
Rochester City Improvement Act 1880 ...	43 & 44 Vict. c. cxix.
Electric Lighting Act 1882 ... ..	45 & 46 Vict. c. 56.
Bills of Exchange Act 1882 ... ..	45 & 46 Vict. c. 61.
Herne Water Order 1883 (confirmed by the Water Orders Confirmation Act 1883).	46 & 47 Vict. c. xlvi.
Tonbridge Water Order 1886 (confirmed by the Water Orders Confirmation Act 1886).	49 & 50 Vict. c. lx.
Folkestone Waterworks Act 1888 ... ..	51 & 52 Vict. c. xxv.
Mid Kent Water Order 1888 (confirmed by the Water Orders Confirmation Act 1888).	51 & 52 Vict. c. xcvi.
Hythe Corporation Act 1889 ... ..	52 & 53 Vict. c. ii.
East Kent District Water Act 1889 ...	52 & 53 Vict. c. cxxxviii.
Canterbury Gas and Water Act 1890 ...	53 & 54 Vict. c. xxvii.
Higham and Hundred of Hoo Water Act 1890.	53 & 54 Vict. c. cvii.
Tunbridge Wells Improvement Act 1890 ...	53 & 54 Vict. c. ccxxxv.
Sevenoaks Water Order 1892 (confirmed by the Water Orders Confirmation Act 1892).	55 & 56 Vict. c. ccxxvi.
Finance Act 1895 ... ..	58 & 59 Vict. c. 16.
Ramsgate Order 1895 (confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1895).	58 & 59 Vict. c. lxxxviii.
Cranbrook District Water Act 1895 ...	58 & 59 Vict. c. cxxxiv.
Brompton Chatham Gillingham and Rochester Waterworks Act 1898.	61 & 62 Vict. c. xlvi.
Cranbrook District Water Act 1898 ...	61 & 62 Vict. c. cxxii.
Folkestone Water Act 1898 ... ..	61 & 62 Vict. c. cxlvii.
Higham and Hundred of Hoo Water (Amendment) Act 1898.	61 & 62 Vict. c. clvii.
Mid Kent Water Act 1898 ... ..	61 & 62 Vict. c. ccxxiii.
Electric Lighting (Clauses) Act 1899 ...	62 & 63 Vict. c. 19.
Westgate and Birchington Water Act 1900	63 & 64 Vict. c. cxvi.
Tonbridge Water Order 1900 (confirmed by the Water Orders Confirmation Act 1900).	63 & 64 Vict. c. clxxiii.

Short title	Session and chapter
Margate Corporation Act 1900 ... ..	63 & 64 Vict. c. ccl.
Mid Kent Water Order 1901 (confirmed by the Water Orders Confirmation (No. 2) Act 1901).	1 Edw. 7 c. clxv.
Broadstairs and St. Peter's Water and Improvement Act 1901.	1 Edw. 7 c. ccx.
Margate Corporation (Water) Act 1902 ...	2 Edw. 7 c. ccxxxiv.
Whitstable Water and Improvement Act 1902.	2 Edw. 7 c. ccxxxix.
Mid Kent Water Order 1902 (confirmed by the Gas and Water Orders Confirmation (No. 1) Act 1902).	2 Edw. 7 c. ccxlviii.
Mid Kent Water Order 1903 (confirmed by the Water Orders Confirmation Act 1903).	3 Edw. 7 c. cxxxiv.
Littlestone-on-Sea and District Water Act 1904.	4 Edw. 7 c. li.
Rainham Water Order 1904 (confirmed by the Gas and Water Orders Confirmation Act 1904).	4 Edw. 7 c. clxxxii.
Elham Valley Water Order 1904 (confirmed by the Water Orders Confirmation Act 1904).	4 Edw. 7 c. clxxxvi.
Brompton Chatham Gillingham and Rochester Waterworks Act 1905.	5 Edw. 7 c. x.
Higham and Hundred of Hoo Water Act 1905.	5 Edw. 7 c. xxvii.
Hythe Corporation Act 1905 ... ..	5 Edw. 7 c. xcvi.
Mid Kent Water Order 1906 (confirmed by the Water Orders Confirmation Act 1906).	6 Edw. 7 c. cxxxvi.
Mid Kent Water Order 1907 (confirmed by the Gas and Water Orders Confirmation (No. 2) Act 1907).	7 Edw. 7 c. cxiii.
Broadstairs and St. Peter's Urban District Water Act 1907.	7 Edw. 7 c. cxxvi.
Margate Corporation Act 1908 ... ..	8 Edw. 7 c. lxxxvii.
Margate (Extension) Order 1913 (confirmed by the Local Government Board's Provisional Order Confirmation (No. 20) Act 1913).	3 & 4 Geo. 5 c. cxliv.
Mid Kent and East Kent District Water Act 1913.	3 & 4 Geo. 5 c. xxxvi.
Broadstairs and St. Peter's Urban District Council Act 1913.	3 & 4 Geo. 5 c. lxiii.
Elham Valley Water Order 1914 (confirmed by the Gas and Water Orders Confirmation (No. 1) Act 1914).	4 & 5 Geo. 5 c. cxii.
Acquisition of Land (Assessment of Compensation) Act 1919.	9 & 10 Geo. 5 c. 57.
Tonbridge Water Order 1919 (confirmed by the Gas and Water Orders Confirmation Act 1919).	9 & 10 Geo. 5 c. lxxiv.
Mid Kent Water Order 1920 (confirmed by the Gas and Water Orders Confirmation Act 1920).	10 & 11 Geo. 5 c. cvi.
Broadstairs and St. Peter's Order 1921 (confirmed by the Ministry of Health Provisional Orders Confirmation (No. 6) Act 1921).	11 & 12 Geo. 5 c. lxii.

Short title	Session and chapter
Westgate and Birchington Water Act 1921	11 & 12 Geo. 5 c. xxi.
Ramsgate Corporation Act 1922 ... ..	12 & 13 Geo. 5 c. lxxxv.
Whitstable Order 1922 (confirmed by the Ministry of Health Provisional Orders Confirmation (No. 9) Act 1922).	12 & 13 Geo. 5 c. xcvi.
Broadstairs and St. Peter's Urban District Council Act 1923.	13 & 14 Geo. 5 c. xc.
Supreme Court of Judicature (Consolidation) Act 1925.	15 & 16 Geo. 5 c. 49.
Rating and Valuation Act 1925 ... ..	15 & 16 Geo. 5 c. 90.
Higham and Hundred of Hoo Water Order 1925 (confirmed by the Ministry of Health Provisional Orders Confirmation (Water) Act 1925).	15 & 16 Geo. 5 c. lxxxvi.
Margate Corporation Act 1926 ... ..	16 & 17 Geo. 5 c. lxxxii.
Westgate and Birchington Water Act 1927.	17 & 18 Geo. 5 c. lxxxiii.
Tunbridge Wells Corporation Act 1929 ...	19 & 20 Geo. 5 c. xcii.
Sheppey Water Order 1929 (confirmed by the Ministry of Health Provisional Order Confirmation (Sheppey Water) Act 1930).	20 Geo. 5 c. xxxix.
Mid Kent Water Act 1930 ... ..	20 & 21 Geo. 5 c. lxxxiv.
Sevenoaks Water Order 1930 (confirmed by the Ministry of Health Provisional Orders Confirmation (Cranbrook District Water and Sevenoaks Water) Act 1930).	20 & 21 Geo. 5 c. ciii.
Folkestone Water Order 1930 (confirmed by the Ministry of Health Provisional Orders Confirmation (Folkestone Water) Act 1930).	20 & 21 Geo. 5 c. clxix.
Local Government Act 1933 ... ..	23 & 24 Geo. 5 c. 51.
Sheppey Water Order 1934 (confirmed by the Ministry of Health Provisional Order Confirmation (Sheppey Water) Act 1934).	24 & 25 Geo. 5 c. lxii.
Public Health Act 1936 ... ..	26 Geo. 5 & 1 Edw. 8 c. 49.
Gravesend and Milton Waterworks Act 1936	26 Geo. 5 & 1 Edw. 8 c. 1.
North West Kent Joint Water Act 1936 ...	26 Geo. 5 & 1 Edw. 8 c. lxxxix.
Rochester Corporation Act 1936 ... ..	26 Geo. 5 & 1 Edw. 8 c. lxxxv.
Local Government Superannuation Act 1937	1 Edw. 8 & 1 Geo. 6 c. 68.
Sheppey Water Act 1937 ... ..	1 Edw. 8 & 1 Geo. 6 c. xlvi.
Sevenoaks Water Order 1937 (confirmed by the Ministry of Health Provisional Orders Confirmation (Sevenoaks Water) Act 1937).	1 Edw. 8 & 1 Geo. 6 c. lxxxiv.
Tonbridge Water Order 1937 (confirmed by the Ministry of Health Provisional Order Confirmation (Tonbridge Water) Act 1937).	1 Edw. 8 & 1 Geo. 6 c. lxxxvii.
Canterbury Gas and Water Act 1938 ...	1 & 2 Geo. 6 c. lxxxvii.
Ministry of Health Provisional Order Confirmation (Margate) Act 1939.	2 & 3 Geo. 6 c. xxxv.
South Kent Water Order 1939 (confirmed by the Ministry of Health Provisional Order Confirmation (South Kent Water) Act 1939).	2 & 3 Geo. 6 c. xxxix.
Folkestone Water Act 1939 ... ..	2 & 3 Geo. 6 c. cii.

Short title	Session and chapter
Littlestone-on-Sea and District Water Order 1940 (confirmed by the Ministry of Health Provisional Order Confirmation (Littlestone-on-Sea and District Water) Act 1940).	3 & 4 Geo. 6 c. xxv.
Rural Water Supplies and Sewerage Act 1944	7 & 8 Geo. 6 c. 26.
Water Act 1945 ... ..	8 & 9 Geo. 6 c. 42.
Borrowing (Control and Guarantees) Act 1946.	9 & 10 Geo. 6 c. 58.
Electricity Act 1947 ... ..	10 & 11 Geo. 6 c. 54.
Town and Country Planning Act 1947 ...	10 & 11 Geo. 6 c. 51.
Water Act 1948 ... ..	11 & 12 Geo. 6 c. 22.
Local Government Act 1948 ... ..	11 & 12 Geo. 6 c. 26.
Companies Act 1948 ... ..	11 & 12 Geo. 6 c. 38.
Wireless Telegraphy Act 1949 ... ..	12 & 13 Geo. 6 c. 54.
Arbitration Act 1950 ... ..	14 Geo. 6 c. 27.
Public Utilities Street Works Act 1950 ...	14 Geo. 6 c. 39.
Dover Corporation Act 1950 ... ..	14 Geo. 6 c. xxxvii.
Finance Act 1952 ... ..	15 & 16 Geo. 6 & 1 Eliz. 2 c. 33.
Canterbury and District Water Act 1952 ...	15 & 16 Geo. 6 & 1 Eliz. 2 c. xxxi.
Local Government Superannuation Act 1953	1 & 2 Eliz. 2 c. 25.

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# Kent Water Act, 1955

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## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

Section

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