



CHAPTER XXV

An Act to confer powers upon the Central Electricity Authority for the construction and erection of works and generating stations in the counties of Merioneth Cardigan and Montgomery and for the acquisition of lands and easements for the purposes thereof or in connection therewith and for other purposes.

[27th July 1955.]

WHEREAS the Central Electricity Authority (hereinafter referred to as "the Authority") were established by the Electricity Act 1947 under their then name of "the British Electricity Authority":

And whereas the name of the Authority was as on and from the first day of April nineteen hundred and fifty-five changed to that which they now bear by virtue of section 15 of and Part II of the First Schedule to the Electricity Reorganisation (Scotland) Act 1954:

And whereas it is the duty of the Authority under the said Act of 1947 as amended by the said Act of 1954 to develop and maintain an efficient co-ordinated and economical system of electricity supply for all parts of England and Wales and for that purpose (inter alia) to generate or acquire supplies of electricity and to provide bulk supplies of electricity for the area boards in England and Wales established by the said Act of 1947 for distribution by those boards:

And whereas in order to meet the increasing demands for the supply of electricity there is need for the construction of further works for generating electricity:

And whereas by reason of such need it is expedient that the Authority should be empowered to construct the works authorised by this Act for increasing the means of generating

electricity by water power and to take divert impound appropriate abstract and use waters from certain lakes rivers and streams for that purpose by means of such works:

And whereas it is expedient that the Authority should be empowered to acquire lands and easements for the purpose of the construction of such works or for other purposes in connection therewith:

And whereas it is expedient that the Authority should be empowered to construct on the lands described in this Act works for the purposes of generating electricity and other purposes in connection therewith or incidental thereto and to acquire those lands for those purposes:

And whereas it is expedient that the other powers contained in this Act should be conferred on the Authority:

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

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

And whereas plans and sections showing the lines and levels of the works by this Act authorised such plans showing also the lands which may be acquired or used compulsorily under the powers of this Act for or in connection with the said works and the other purposes mentioned in this Act together with a book of reference to the said plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of all such lands and describing the same have been deposited with the respective clerks of the county councils of the administrative counties of Merioneth Cardigan and Montgomery and such plans sections and book of reference are respectively referred to in this Act as the deposited plans sections and book of reference:

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

Short title.

1. This Act may be cited as the North Wales Hydro-Electric Power Act 1955.

Incorporation
of Acts.

2.—(1) The following enactments (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act:—

(a) The Lands Clauses Acts with the following exceptions and modification:—

(i) Section 92 and sections 127 to 133 of the Lands Clauses Consolidation Act 1845 are not incorporated with this Act;

(ii) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be sufficient without the sureties mentioned in that section ;

(b) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof.

(2) In the construction for the purposes of this Act of the provisions of the Lands Clauses Acts and of the Railways Clauses Consolidation Act 1845 incorporated with this Act—

the expressions “ the undertakers ” or “ the promoters of the undertaking ” or “ the company ” shall mean the Authority ;

the expression “ the railway ” shall mean the works by this Act authorised to be constructed by the Authority and the centre line of those works as shown on the deposited plans shall be deemed to be the centre of the railway.

(3) For the purposes of the said section 85 of the Lands Clauses Consolidation Act 1845 as incorporated with this Act the Authority shall be deemed to be a railway company and section 36 (except paragraph 4 thereof) of the Railway Companies Act 1867 shall apply accordingly.

3.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpretation.

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

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

“ aqueduct ” includes an open watercourse leat conduit tunnel line or lines of pipes shaft and any ancillary works required for the collection conveyance and discharge of water ;

“ the Authority ” means the Central Electricity Authority ;

“ day ” means a day of twenty-four hours ;

“ gauge ” includes a gauge weir or other apparatus for measuring the flow of water ;

“ highway authority ” means—

(a) in relation to a trunk road the Minister of Transport and Civil Aviation or with his consent the authority who are for the time being acting as his agent under the Trunk Roads Acts 1936 and 1946 with respect to that trunk road ;

(b) in relation to any other highway which is repairable by the inhabitants at large the authority by whom that highway is maintained;

“the Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 Part V of the Town and Country Planning Act 1947 the Lands Tribunal Act 1949 and the Town and Country Planning Act 1954;

“statutory water undertakers” has the same meaning as in the Water Acts 1945 and 1948;

“the undertaking” means the undertaking of the Authority as for the time being authorised;

“watercourse” except for the purposes of the definition in this section of the expression “aqueduct” includes the main river of any river board as for the time being shown on any map approved or varied in accordance with the provisions of section 6 of the River Boards Act 1948 and any other river and any stream ditch drain cut culvert dyke sluice sewer (other than a public sewer within the meaning of the Public Health Act 1936) or passage through which water flows and the banks thereof.

Power to
execute works.

4. Subject to the provisions of this Act the Authority may in the lines or situations and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections construct maintain and use the works in the counties of Merioneth Cardigan and Montgomery hereinafter described:—

In the county of Merioneth—

In the urban district of Ffestiniog—

Work No. 1 A reservoir (being an enlargement of Llyn Stwlan) to be formed by a dam across the Afon Stwlan at the point where Llyn Stwlan discharges into that stream.

Work No. 2 An aqueduct commencing in the said reservoir (Work No. 1) at the eastern end thereof and terminating in the reservoir (Work No. 3) hereinafter described at the western side thereof.

Work No. 3 A reservoir to be formed by a dam across the Afon Ystradau at the junction of that stream with the Afon Cwmorthin.

Work No. 4 An alteration of part of the road leading from Tan-y-grisiau to the Tan-y-grisiau station of the disused Festiniog railway consisting of a reconstruction and in part of a widening of that road

commencing at the junction of that road with the road leading from Tan-y-grisiau to Maentwrog and terminating at the said Tan-y-grisiau railway station.

In the counties of Cardigan and Montgomery—

Work No. 5 A reservoir partly in the parishes of Melindwr Trefeirig and Ceulanymaesmawr in the rural district of Aberystwyth in the county of Cardigan and partly in the parish of Uwchygarreg in the rural district of Machynlleth in the county of Montgomery to be formed by a dam across the Afon Rheidol at a point seven hundred yards or thereabouts measured in a south-easterly direction from the junction of the said stream with the Afon Camdwr.

In the county of Cardigan—

Work No. 6 An aqueduct in the parish of Ysgubor-y-coed in the said rural district of Aberystwyth commencing in an unnamed tributary of the Llyfnant at a point seven hundred and eighty yards or thereabouts measured in a north-westerly direction from the outfall of the Llyfnant at the north-eastern end of Llyn Pen-rhaiadr and terminating in the said Llyn at the north-eastern end thereof.

In the county of Montgomery—

Work No. 7 An aqueduct in the said parish of Uwchygarreg commencing in an unnamed tributary of the Llyfnant at a point six hundred and fifty yards or thereabouts measured in a south-westerly direction from the farmhouse known as Hafod Wnog and terminating in the said Llyn Pen-rhaiadr at the north-eastern end thereof.

In the counties of Cardigan and Montgomery—

Work No. 8 A reconstruction partly in the said parish of Ysgubor-y-coed and partly in the said parish of Uwchygarreg of the dam at the north-eastern end of the said Llyn Pen-rhaiadr.

Work No. 9 An aqueduct commencing in the said parish of Uwchygarreg in the said Llyn Pen-rhaiadr at the south-western end thereof and terminating in the said parish of Ysgubor-y-coed in the Afon Llechwedd-mawr at a point five hundred yards or thereabouts measured in a south-westerly direction from the point of commencement of the said aqueduct.

Work No. 10 An improvement in the said parishes of Ysgubor-y-coed Ceulanymaesmawr and Uwchygarreg of the Afon Llechwedd-mawr consisting in part of a

straightening and in part of a strengthening of portions of the bed and banks thereof commencing at the termination of the aqueduct (Work No. 9) hereinbefore described and terminating in the reservoir (Work No. 5) hereinbefore described at the northern end thereof.

In the county of Montgomery—

Work No. 11 An aqueduct in the said parish of Uwchygarreg commencing in an unnamed tributary of the Afon Hengwm (North) at a point one thousand eight hundred and seventy yards or thereabouts measured in a south-easterly direction from the junction of the said Afon Hengwm with the Nant Taren-fedw-ddu and terminating in the Llygnant at a point six hundred and seventy yards or thereabouts measured in a north-easterly direction from the junction of the Llygnant with the Nant Goch.

Work No. 12 An improvement in the said parish of Uwchygarreg of the Llygnant and the Afon Hyddgen consisting in part of a straightening and in part of a strengthening of portions of the beds and banks thereof commencing at the termination of the aqueduct (Work No. 11) hereinbefore described and terminating in Work No. 17 hereinafter described at the junction of the Afon Hyddgen with the Afon Hengwm (South).

Work No. 13 An alteration in the said parish of Uwchygarreg of the road leading past Tal-y-bont-drain to Hyddgen consisting of a reconstruction (including the construction of passing places) of that road commencing at a point five hundred and thirty yards or thereabouts measured in a north-easterly direction from the junction of the Afon Hengwm (North) with the Nant Taren-fedw-ddu and terminating at a point one thousand three hundred and seventy yards or thereabouts measured in a northerly direction from the junction of the Llygnant with the Nant Goch.

Work No. 14 An aqueduct in the parish of Penegoes in the said rural district of Machynlleth commencing in the Rhaiadr Ddu at a point eight hundred and eighty yards or thereabouts measured in a southerly direction from the junction thereof with the Rhaiadr Wen and terminating in Work No. 15 hereinafter described at the north-western end thereof.

Work No. 15 An enlargement in the said parish of Penegoes of Bugeilyn to be formed by a dam across the Rhaiadr Wen at a point seven hundred yards or thereabouts measured in a north-westerly direction from the outfall of the Rhaiadr Wen from Bugeilyn.

In the counties of Cardigan and Montgomery—

Work No. 16 An aqueduct commencing in the said parish of Penegoes in Bugeilyn at the southern end thereof and terminating in the said parish of Trefeirig at a point eight hundred and thirty yards or thereabouts measured in a south-westerly direction from the point of commencement hereinbefore described.

Work No. 17 An improvement partly in the said parishes of Penegoes and Uwchygarreg and partly in the said parish of Trefeirig of the Afon Hengwm (South) consisting in part of a straightening and in part of a strengthening of portions of the bed and banks thereof commencing at the termination of the aqueduct (Work No. 16) hereinbefore described and terminating in the said reservoir (Work No. 5) at the north-eastern end thereof.

In the county of Cardigan—

Work No. 18 An alteration of the road leading from Pont-erwyd to Nant-y-moch consisting of a reconstruction (including the construction of passing places) of that road commencing in the parish of Cwmrheidol in the rural district of Aberystwyth at a point seventy yards or thereabouts measured in a northerly direction from the junction of the Afon Rheidol with the Afon Castell and terminating in the said parish of Melindwr at a point four hundred yards or thereabouts measured in a southerly direction from the junction of the Afon Rheidol with the Nant y Moch.

Work No. 19 A diversion in the said parish of Melindwr of the road leading from Nant-y-moch to Nant-y-llyn commencing at a point six hundred and thirty yards or thereabouts measured in a southerly direction from the junction of the Nant y Moch with the Afon Rheidol and terminating at a point six hundred and forty yards or thereabouts measured in a north-easterly direction from the said junction.

Work No. 20 An aqueduct commencing in the said parish of Trefeirig in the said reservoir (Work No. 5) at the southern end thereof and terminating in the said parish of Cwmrheidol in the reservoir (Work No. 21) hereinafter described at the northern end thereof.

Work No. 21 A reservoir partly in the said parish of Cwmrheidol and partly in the said parish of Melindwr to be formed by a dam across the Afon Rheidol at a point one hundred and thirty yards or thereabouts measured in a south-westerly direction from the junction of the Afon Rheidol with the Nant Dinas.

- Work No. 22 An alteration in the said parish of Cwmrheidol of the road leading from Pont-erwyd to Blaen-melindwr consisting of a reconstruction (including the construction of passing places) of that road commencing at Pont-erwyd and terminating at a point two hundred and seventy yards or thereabouts measured in a westerly direction from the farmhouse of Dinas.
- Work No. 23 An aqueduct in the said parish of Cwmrheidol commencing in the Afon Castell at a point fifty yards or thereabouts measured in a north-westerly direction from the junction of the Afon Castell with the Nant Fuches-gau and terminating in the reservoir (Work No. 21) hereinbefore described at the eastern end thereof.
- Work No. 24 An aqueduct in the said parish of Cwmrheidol commencing in the Nant y Bog at a point forty yards or thereabouts measured in an easterly direction from the farmhouse known as Craignant-mawr and terminating in the said reservoir (Work No. 21) at the south-western end thereof.
- Work No. 25 An aqueduct commencing in the said parish of Cwmrheidol in the said reservoir (Work No. 21) at the south-western end thereof and terminating in the parish of Upper Llanbadarn-y-creuddyn in the rural district of Aberystwyth in the reservoir (Work No. 28) hereinafter described at the eastern end thereof.
- Work No. 26 An aqueduct in the said parish of Cwmrheidol commencing in the Afon Llywernog at a point three hundred and twenty yards measured in a north-westerly direction from a house known as Dol-wernog and terminating by a junction with the aqueduct (Work No. 25) hereinbefore described at a point two hundred and fifty yards or thereabouts measured in a north-westerly direction from the said house.
- Work No. 27 An aqueduct in the said parish of Cwmrheidol commencing in the Nant Bwa-drain at a point three hundred and twenty yards or thereabouts measured in a northerly direction from the farmhouse of Bwa-drain and terminating by a junction with the said Work No. 25 at a point one hundred and seventy yards or thereabouts measured in a westerly direction from the said farmhouse.
- Work No. 28 A reservoir partly in the said parish of Cwmrheidol and partly in the said parish of Upper

Llanbadarn-y-creuddyn to be formed by a dam across the Afon Rheidol at a point one hundred and seventy yards or thereabouts measured in an easterly direction from the bridge carrying the road leading from Capel Bangor to Aberffrwd across the Afon Rheidol.

Work No. 29 An aqueduct commencing in the said parish of Upper Llanbadarn-y-creuddyn in the reservoir (Work No. 28) hereinbefore described at the western end thereof and terminating in the said parish of Cwmrheidol at a point in the Afon Rheidol forty yards or thereabouts measured in a south-westerly direction from the bridge carrying the said road from Capel Bangor to Aberffrwd across the Afon Rheidol.

Work No. 30 A diversion in the said parish of Cwmrheidol of the road leading from Capel Bangor to Glyn Rheidol commencing at a point one hundred and twenty yards or thereabouts measured in a south-westerly direction from the farmhouse known as Ty-llwyd and terminating at a point eighty yards or thereabouts measured in a westerly direction from the house known as Y Bwthyn.

Work No. 31 An alteration of the said road leading from Capel Bangor to Glyn Rheidol consisting of a reconstruction (including the construction of passing places) of that road commencing in the said parish of Melindwr at a point one hundred and twenty yards or thereabouts measured in a north-westerly direction from the north-eastern corner of the church at Capel Bangor and terminating in the said parish of Cwmrheidol at a point seventy yards or thereabouts measured in a southerly direction from the farmhouse known as Ty-llwyd.

5. Notwithstanding anything contained in this Act or shown upon the deposited plans and sections—
- As to
construction
of Works Nos.
2 and 20.
- (a) so much of the aqueduct (Work No. 2) by this Act authorised as will be situate above a level of eight hundred and three feet above ordnance datum shall be constructed in tunnel; and
- (b) the aqueduct (Work No. 20) by this Act authorised shall be constructed wholly in tunnel.

6. The Authority in constructing the works authorised by this Act may deviate laterally from the lines or situations of those works as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and

Power to
deviate.

may deviate vertically from the levels shown on the deposited sections upwards to any extent not exceeding—

- (a) in the case of the reservoir (Work No. 1) authorised by this Act ten feet ;
- (b) in the case of any other reservoir six feet ; and
- (c) in the case of any other work thirty feet ;

and to any extent downwards :

Provided that except for the purpose of crossing over a stream ditch or hollow no pipe authorised by this Act shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Subsidiary
works.

7.—(1) Subject to the provisions of this Act the Authority for the purposes of or in connection with any works authorised by this Act may within the limits of deviation or within the limits of lands to be acquired shown on the deposited plans—

- (a) lay down erect construct make and maintain temporarily or permanently all proper roads bridges railways ropeways approaches ways access-works walls embankments stages dams coffer-dams piles pumping works turbines dynamos cables electric lines tanks weirs intakes valves sluices spill-ways overflows culverts tunnels shafts chambers aqueducts channels catchwaters gauges apparatus buildings works fish passes and conveniences in connection with or ancillary to the said works or any of them or necessary or convenient for constructing inspecting maintaining repairing cleansing managing or using the same ;
- (b) temporarily or permanently use strengthen widen improve alter divert or otherwise interfere with highways public and private roads paths streams drains sewers telegraphic and telephonic apparatus electric lines and apparatus and gas water and other pipes wires works and apparatus providing a proper substitute before interrupting the traffic on any such highway or road or path or the passage of water sewage gas or electricity in or through any such stream sewer drain pipe wire work or apparatus and making compensation for any damage caused to any person by the exercise of such powers Such compensation shall in case of dispute be referred to and determined by the Lands Tribunal.

(2) (a) Before executing any works under paragraph (b) of subsection (1) of this section affecting any highway or public road or footpath the Authority shall submit to the highway authority plans sections and particulars (including details of construction) of the proposed works for their reasonable approval.

(b) The Authority shall execute such works in accordance with such plans sections and particulars as may be submitted to and approved by the highway authority or if such approval be refused as may be settled by arbitration and all such works shall be executed to the satisfaction of the highway authority and the authority shall at all times afford to the representative of the highway authority access for the purpose of inspecting such works.

(c) The Authority shall give reasonable notice to the highway authority of the time at which such works are intended to be executed and shall comply with such reasonable conditions as the highway authority may require for obviating or reducing interference with the traffic using the highway road or footpath.

(d) Any dispute or difference which may arise between the highway authority and the Authority under this subsection shall be settled by arbitration.

(3) Before executing any works under paragraph (b) of subsection (1) of this section affecting any drains sewers or pipes of a local authority the Authority shall give notice in writing of their proposals to the local authority concerned.

8.—(1) The Authority shall in connection with the reservoir (Work No 28) authorised by this Act provide or construct and maintain a suitable fish ladder or fish pass or other suitable apparatus for enabling fish to pass the dam of that reservoir. Construction of fish ladders.

(2) The Authority shall in the parish of Upper Llanbadarn-y-creuddyn in the rural district of Aberystwyth provide or construct and maintain a suitable fish ladder or fish pass or other suitable apparatus for enabling fish to pass the Rheidol falls.

9.—(1) The Authority may divert the footpaths shown on the deposited plans as intended to be diverted and may stop up and discontinue as highways so much of any footpath as is shown upon the deposited plans as intended to be stopped up and so much of any existing road or footpath as will be rendered unnecessary by the diversion of such road or footpath under the powers of this Act: Diversion of footpaths and stopping up of highways.

Provided that where a road or footpath is diverted under the powers of this Act the existing road or footpath shall not be stopped up under the powers of this section until the new road or footpath to be substituted therefor is completed to the satisfaction of the highway authority and is open for public use or in the case of difference between the Authority and the highway authority until the Minister of Transport and Civil Aviation shall have certified that the new road or footpath has been completed to his satisfaction and is open for public use.

(2) As from the date of completion to the satisfaction of the highway authority of any such diverted road or footpath or as

from the date of the said certificate as the case may be all rights of way over or along the portion of the road or footpath so stopped up shall be extinguished and the Authority may appropriate and use the site and soil thereof so far as they are owners of the land on both sides thereof:

Provided that the Authority shall make compensation to all persons interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in case of difference by the Lands Tribunal.

(3) Any road or footpath diverted under the powers of this Act shall be repairable by the authority or person by whom it was repairable before its diversion and be subject to the same public rights of way as were exercisable over the road or footpath before its diversion.

Works to form
part of
undertaking.

10. The works authorised by this Act other than Works Nos. 13 18 19 22 30 and 31 shall for all purposes form part of the undertaking and for the purposes of subsection (5) of section 2 of the Electricity Act 1947 any functions of the Authority under this Act shall be deemed to be functions of the Authority under subsections (1) to (3) of that section.

Power to
dredge etc.

11.—(1) Subject to the provisions of this Act the Authority may within the limits of deviation shown on the deposited plans from time to time deepen dredge scour excavate by blasting or otherwise and remove obstructions from any portion of the beds banks and channels of any lakes rivers and streams to such extent as they may deem necessary for regulating the flow of water or facilitating the passage of fish in or out of the lakes rivers and streams and for other purposes of this Act.

(2) All rock sand mud and other materials dredged up or removed shall be the property of the Authority and they may sell or otherwise dispose of or remove or deposit the same as they think fit.

(3) The Authority may enter into and carry into effect agreements with the owners of lands abutting on and other persons interested in any lakes rivers or streams for and with respect to the execution of works and the alteration modification or removal of any weirs or obstructions to the flow of water in such lakes rivers and streams.

Temporary
stoppage of
roads and
footpaths.

12.—(1) The Authority during and for the purpose of the execution of the works authorised by this Act may temporarily stop up and divert and interfere with any road or footpath and may for any reasonable time divert the traffic therefrom and prevent all persons other than those bona fide going to or from any land house or building abutting on the road or footpath from passing along and using the same.

(2) The Authority shall provide reasonable access for foot-passengers bona fide going to or from any such land house or building.

(3) The Authority shall not exercise the powers of this section—

(a) as respects any trunk road without giving to the Minister of Transport and Civil Aviation reasonable notice of the times at which interference with the trunk road is intended to take place and complying with such reasonable conditions as he may require; or

(b) as respects any other road without the consent of the highway authority but such consent shall not be unreasonably withheld and any question whether such consent is unreasonably withheld shall be determined by the said Minister.

13. Subject to the provisions of this Act if the works authorised by this Act are not completed (a) in the case of Works Nos. 1 to 4 by this Act authorised within fifteen years and (b) in the case of Works Nos. 5 to 31 by this Act authorised within twelve years from the first day of October nineteen hundred and fifty-five then on the expiration of those periods respectively the powers by this Act granted to the Authority for making and completing the said works or otherwise in relation thereto shall cease except as to so much thereof as is then completed. Provided that the Authority may subject to the provisions of section 6 (Power to deviate) of this Act maintain use extend enlarge alter replace or relay any of the said works authorised by this Act at any time and from time to time as occasion may require but nothing in this section shall relieve the Authority from any obligation to obtain the consent of any other authority body or person to the execution of any works which consent they would have been required to obtain if this section had not been enacted.

Period for
completion
of works.

14.—(1) For the purpose of constructing enlarging repairing or examining any works authorised by this Act the Authority may cause the water in any such work to be discharged into any available watercourse.

Discharge of
water into
streams.

(2) (a) In the exercise of the powers conferred by this section the Authority shall do as little damage as may be and shall make compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such powers the amount of such compensation to be determined in case of difference by arbitration by the Lands Tribunal.

(b) For the purposes of this subsection any extra expenditure which it becomes reasonably necessary for any public authority to incur for the purpose of properly discharging their statutory functions shall be deemed to be damage sustained by them.

(3) The provisions of subsections (2) (3) (4) (5) and (6) of section 34 of the Water Act 1945 shall with any necessary modifications apply to the discharge of water under subsection (1) of this section.

Accommodation for workmen employed on construction.

15. The Authority shall provide and maintain or cause to be provided and maintained for the workmen employed in and about the construction of the works authorised by this Act such accommodation and such arrangements for meals as shall be reasonably necessary having regard to the accommodation available in the neighbourhood of or conveniently accessible to the said works and shall provide and maintain proper and sufficient sanitary accommodation for such workmen.

Power to take and use water.

16. Subject to the provisions of this Act the Authority may take abstract appropriate impound collect store divert and use for the purposes of the undertaking—

(a) by means of Works Nos. 1 to 3 by this Act authorised the waters of the following streams and lake:—

Afon Cwmorthin
Afon Stwlan
Llyn Stwlan
Afon Ystradau ;

(b) by means of Works Nos. 5 to 12 14 to 17 20 and 21 and 23 to 29 by this Act authorised or some of them the waters of the following lakes and streams:—

Nant y Bog
Bugeilyn
Nant Bwa-drain
Afon Camdwr
Afon Castell
Rhaiadr Ddu
Afon Hengwm (North)
Afon Hengwm (South)
Afon Hyddgen
Afon Llechwedd-mawr
Llygnant
Llyfnant
Afon Llywernog
Llyn Pen-rhaiadr
Afon Rheidol
Rhaiadr Wen ;

and all streams waters springs and tributaries flowing into the said lakes or streams and all such waters rivers streams and tributaries as may be intercepted by the works authorised by section 4 (Power to execute works) of this Act and may raise or lower or regulate the water or the level or the flow of water in the said lakes rivers streams springs tributaries or any of them to such an extent as may be necessary for the construction or operation of the works authorised by this Act or other the purposes of this Act.

17.—(1) After the completion and first filling of the reservoir (Work No. 1) by this Act authorised the Authority shall from the dam of that reservoir discharge into the Afon Stwlan during every day in a uniform and continuous flow not less than twenty-seven thousand gallons of water and for that purpose shall on an approved site construct and maintain in good order an approved gauge. Compensation water in respect of Ffestiniog works.

(2) After the completion of the reservoir (Work No. 3) by this Act authorised the Authority shall from the dam of that reservoir discharge into the Afon Ystradau during every day a quantity of water not less than the aggregate quantity of water flowing during that day into that reservoir from the Afon Ystradau and the Afon Cwmorthin and for the purpose of measuring the said quantities of water shall on approved sites construct and maintain in good order approved gauges.

(3) In and for the purposes of this section “approved” means approved by the Gwynedd River Board.

18.—(1) During the construction and first filling of any of the reservoirs (Works Nos. 5 21 and 28) by this Act authorised the Authority may subject as hereinafter provided take from the Afon Rheidol such water as they may require for the purpose of filling such reservoir: Compensation water in respect of Rheidol works.

Provided that before taking any water from the said river for such purpose they shall on approved sites construct approved gauges to gauge the flow of the said river and while the flow of water through or over such gauges is less than—

(a) in the case of the said reservoir (Work No. 5) or the said reservoir (Work No. 21) the flow specified in paragraph (i) or paragraph (ii) of subsection (2) of this section in respect of such reservoir; or

(b) in the case of the said reservoir (Work No. 28) a flow of thirty-five million gallons of water per day;

the Authority shall not take any water for the purpose of filling such reservoir.

(2) After the completion and first filling of—

- (a) the said reservoir (Work No. 5); or
- (b) the said reservoir (Work No. 21);

the Authority shall from the dam of the reservoir so completed and filled discharge into the Afon Rheidol during every day in a uniform and continuous flow a quantity of water not less—

- (i) in the case of the said reservoir (Work No. 5) than three million gallons; and
- (ii) in the case of the said reservoir (Work No. 21) than eight million gallons;

and for that purpose shall on approved sites construct and maintain in good order approved gauges:

Provided that during the months of April to September in every year after the completion and first filling of the said reservoir (Work No. 21) the Authority shall discharge in a continuous and uniform flow into the Afon Rheidol from the dam of the said reservoir during the hours between eight o'clock in the morning and eight o'clock in the evening of every day a quantity of water at the rate of four million gallons per day in addition to the minimum quantity of water which they are required to discharge into the said Afon pursuant to the foregoing provisions of this subsection.

(3) (a) After the completion and first filling of the said reservoir (Work No. 28) the Authority shall from the dam of that reservoir and through the fish pass constructed in connection with the said reservoir and through the aqueduct (Work No. 29) by this Act authorised discharge throughout the year into the Afon Rheidol such quantities of water as shall be not less than the quantities hereinafter mentioned and for that purpose the Authority shall on approved sites construct approved gauges.

(b) The aggregate of the quantities of water so to be discharged—

- (i) from the said dam and through the said fish pass pursuant to paragraph (c) of this subsection; and
- (ii) through the said aqueduct (Work No. 29);

shall not in any day be less than thirty-five million gallons.

(c) The quantity of water so to be discharged from the said dam and through the said fish pass shall not in any day be less than ten million eight hundred thousand gallons Provided

that the proportions in which the said quantity of ten million eight hundred thousand gallons shall be so discharged from the said dam and through the said fish pass respectively shall be approved.

(d) The quantity of water so to be discharged through the said aqueduct (Work No. 29) shall in any day be not less than twenty-four million two hundred thousand gallons and the said quantity of twenty-four million two hundred thousand gallons shall be discharged through the said aqueduct in a continuous and uniform flow throughout the twenty-four hours of the day.

(4) In and for the purpose of this section "approved" means approved by the South West Wales River Board.

19.—(1) The Authority shall not take water by means of an aqueduct mentioned in the first column of the next following table if and when the rate of flow of water in the stream mentioned in that table opposite such aqueduct at the point mentioned in the fourth column of that table is less than the rate of flow prescribed in the third column of that table:—

Restriction on
taking water in
respect of
Rheidol works.

Aqueduct 1	Stream 2	Prescribed flow expressed in gallons of water per day 3	Point at which prescribed flow is measured 4
Work No. 9	Afon Llyfnant	132,000	At a point immediately below the dam (Work No. 8).
Work No. 16	Rhaiadr Wen	250,000	At a point immediately below the dam comprised in Work No. 15.

Provided that during the months of April to September in each year the foregoing table shall have effect as if for the figure of "132,000" in the third column thereof there were substituted the figure of "550,000".

(2) The Authority shall construct and maintain the aqueducts mentioned in the first column of the next following table so as to secure that in the case of each of such aqueducts no water shall be abstracted by means thereof from the stream mentioned in the second column of that table opposite to such aqueduct when the flow of water in such stream at the point at which the aqueduct crosses such stream or at the point of commencement of the aqueduct in such stream (as the case may be) is

less than the rate of flow prescribed in respect of that stream in the third column of that table:—

Aqueduct 1	Stream 2	Prescribed flow expressed in gallons of water per day 3
Work No. 11 ...	Afon Hengwm (North) ...	87,000
Work No. 23 ...	Afon Castell ...	550,000
Work No. 24 ...	Nant y Bog ...	48,000
Work No. 26 ...	Afon Llywernog ...	95,000
Work No. 27 ...	Nant Bwa-drain ...	60,000

Provisions
applicable to
last three
preceding
sections of Act.

20.—(1) If the Authority—

- (a) fail to construct or maintain in good order any such gauge as is referred to in section 17 (Compensation water in respect of Ffestiniog works) or in section 18 (Compensation water in respect of Rheidol works) of this Act or refuse to allow any person interested to inspect and examine any such gauge or any records made thereby or kept in connection therewith or to take copies of any such records; or
- (b) fail to comply with the requirements of the said sections with respect to the discharge of compensation water or with the provisions of the last preceding section of this Act relating to the construction and maintenance of the works referred to in that section; or
- (c) take any water from the Afon Rheidol contrary to the provisions of subsection (1) of the said section 18;

they shall without prejudice to their civil liability (if any) to a person aggrieved be liable in the case of an offence under paragraph (a) of this subsection on summary conviction to a penalty not exceeding fifty pounds in respect of each day on which the offence has been committed or has continued, and in the case of an offence under paragraph (b) or paragraph (c) of this subsection—

- (i) on summary conviction to a penalty not exceeding fifty pounds in respect of each such day; and
- (ii) on conviction on indictment to a penalty not exceeding five hundred pounds in respect of each such day or in respect of each such offence (as the case may be):

Provided that the Authority shall not be under any liability under the foregoing provisions of this section in respect of any such failure as is therein referred to if such failure is due to frost or unavoidable accident or other unavoidable cause.

(2) For the purposes of this section the Gwynedd River Board and the South West Wales River Board shall be deemed to be interested in the flow of water in and in the discharge of water into any stream or river within their respective areas or any stream feeding such a stream and shall be deemed to be aggrieved by the commission of an offence under this section in relation to any such stream.

(3) Subject to the provisions of section 22 (Making good diminution in water supplies used for domestic or agricultural purposes) of this Act the provisions of the said sections 17 and 18 of this Act and the foregoing provisions of this section shall be deemed to have been accepted by all persons interested as full compensation for all water impounded by the reservoirs referred to in those sections.

21.—(1) The Authority may enter into and carry into effect agreements upon and subject to such terms and conditions as may be agreed with any statutory water undertakers authorised to supply and supplying water within the Gwynedd River Board area or the South West Wales River Board area or with other persons for or in connection with or incidental to the giving by the Authority to such undertakers or persons of a supply of water from or by means of any of the Works Nos. 5 to 12 14 to 17 20 21 and 23 to 28 authorised by this Act or for or in connection with or incidental to the joint use of any such works by the Authority and such undertakers or persons as aforesaid:

Agreements
with statutory
water
undertakers
and others.

Provided that the Authority shall not under the powers of this section supply in any one day a greater quantity of water to statutory water undertakers and other persons than three million gallons.

(2) The Authority shall not enter into an agreement under subsection (1) of this section except with the consent (which shall not be unreasonably withheld) of the statutory water undertakers and of the river board for the area in which those powers are proposed to be exercised and (in the case of an agreement for the supply of water for domestic purposes to persons other than statutory water undertakers) of the local authority of the district in which the premises to which the supply is proposed to be given are situate and any question whether such consent is or is not unreasonably withheld shall be determined by the Minister of Housing and Local Government.

Making good
diminution in
water supplies
used for
domestic or
agricultural
purposes.

22.—(1) If by reason of the exercise of the powers of this Act the quantity of water available in any river or stream the waters or headwaters of which—

- (a) are abstracted or intercepted by the Authority under the said powers; and
- (b) were immediately before the passing of this Act used by the occupier of lands abutting on such river or stream for his domestic or agricultural purposes;

is diminished so as to be insufficient for those purposes such occupier may within a period of five years from the commencement of the abstraction or interception of water by the Authority from the river or stream or the headwaters thereof serve a notice upon the Authority requiring them to afford to him a supply of water for the purpose of making good such diminution. If any occupier serves a notice upon the Authority in pursuance of the foregoing provisions of this section he shall at the same time serve a copy thereof upon the statutory water undertakers within whose limits of supply such lands are situate.

(2) If the Authority are satisfied or in the case of any dispute it is determined in manner hereinafter in this section provided that any such diminution as aforesaid has occurred they shall so soon as reasonably practicable after the receipt of such notice as aforesaid or the date of such determination (as the case may be) but subject to the following provisions of this section afford or cause to be afforded to such occupier a supply of water in such quantities and upon such terms and conditions as may be agreed between the Authority and such occupier or in default of such agreement as may be determined as hereinafter in this section provided:

Provided that—

- (i) unless otherwise agreed by any such occupier as aforesaid or unless such occupier before such diminution incurred expense in using the waters in such river or stream for his domestic or agricultural purposes a supply of water afforded or caused to be afforded under this section shall be afforded or caused to be afforded free of charge to the occupier;
- (ii) a supply of water shall not be afforded or caused to be afforded under this section except with the consent of the local authority of the district in which and (where the local authority are not the statutory water undertakers) of the statutory water undertakers within whose limits of supply the lands to which a supply is proposed to be afforded are situate but such consent shall not be unreasonably withheld and any question

whether such consent is or is not unreasonably withheld shall be determined by the Minister of Housing and Local Government ;

- (iii) the Authority shall not be liable for any failure to afford or cause to be afforded any supply of water under this section if such failure is due to frost unusual drought or any other unavoidable cause ;
- (iv) the affording of a supply of water under this section shall be deemed to have been accepted by all persons interested as full compensation for any waters abstracted or intercepted as aforesaid.

(3) If any difference or dispute shall arise under this section between the Authority and any such occupier as aforesaid such difference or dispute shall be referred to and determined by the said Minister whose decision shall be final and binding on the Authority and such occupier and may be given subject to such terms and conditions as he thinks fit.

23. For the purpose of giving or affording a supply of water under section 21 (Agreements with statutory water undertakers and others) or section 22 (Making good diminution in water supplies used for domestic or agricultural purposes) of this Act the Authority may exercise the powers of statutory water undertakers of laying constructing inspecting repairing altering renewing and removing mains and the provisions of Parts V and VI (as amended by the Public Utilities Street Works Act 1950) and of section 93 of the Third Schedule to the Water Act 1945 shall accordingly apply for the purpose of the exercise of such powers as if the Authority were such statutory undertakers as aforesaid and the area in which any such main is or is proposed to be laid were within their limits of supply.

Laying of pipes for affording or making good water supplies.

24. The Authority and the Aberystwyth Corporation may with the approval of the Minister of Housing and Local Government enter into and carry into effect agreements for the transfer to and vesting in the Authority of the Llyn Llygad Rheidol reservoir of the Aberystwyth Corporation in the parish of Trefeirig in the county of Cardigan and of any aqueducts mains pipes or other works of the Aberystwyth Corporation used in connection therewith and any such agreement may provide for the transfer to the Authority of all or any of the powers or obligations of the Aberystwyth Corporation in respect of the reservoir aqueducts mains pipes or works so vested and of the powers of the Aberystwyth Corporation to collect impound take use divert or appropriate springs streams and waters which may be intercepted thereby.

Agreements with Aberystwyth Corporation.

Fencing and
crossing of
aqueducts etc.

25.—(1) The Authority shall fence—

- (a) any open watercourse leat or conduit constructed under the powers of this Act with sheep and stock-proof fences to the reasonable satisfaction of the local planning authority and shall to the like satisfaction maintain such fences ; and
- (b) such parts of the Afon Llechwedd-mawr the Llygnant the Afon Hyddgen and the Afon Hengwm (South) as are respectively comprised in Works Nos. 10 12 and 17 by this Act authorised and as the local planning authority after consultation with the Minister of Agriculture Fisheries and Food may reasonably require to be so fenced.

(2) The Authority shall provide and maintain means of crossing—

- (a) any aqueduct constructed under the powers of this Act ; and
- (b) such parts of the Afon Llechwedd-mawr the Llygnant the Afon Hyddgen and the Afon Hengwm (South) as are respectively comprised in Works Nos. 10 12 and 17 by this Act authorised ;

to the reasonable satisfaction of the local planning authority and at such places and in such manner as the local planning authority after consultation with the Minister of Agriculture Fisheries and Food may reasonably require.

(3) If any difference or dispute shall arise under this section between the Authority and the local planning authority such difference or dispute shall be referred to and determined by the Minister of Housing and Local Government.

For
preservation of
scenery and
amenities.

26.—(1) In the construction and maintenance of the works authorised by this Act the Authority shall have regard—

- (a) to the preservation for the public of the natural beauty of the district in which the works are situate and to the enjoyment thereof by the public ; and
- (b) to the conservation of flora and fauna and geological or physiographical features of special scientific interest therein.

(2) For the purpose of securing the foregoing provisions of this section but without prejudice to the generality thereof the Authority shall—

- (a) after consultation with the National Parks Commission appoint a landscape consultant whom the Authority shall consult generally in connection with their duties under paragraph (a) of subsection (1) of this section

and on questions affecting amenity in or in connection with or arising out of the carrying out or doing under the powers of this Act of any operations or things including the following:—

- (i) the disposal of spoil or waste material;
 - (ii) the reinstatement or restoration of land;
 - (iii) the planting and felling of trees and the planting of bushes and other plants;
- (b) consult with the National Parks Commission with respect to the situation design and external appearance of any dam aqueduct building or bridge or any wall embankment or fence forming part of or constructed in connection with any building bridge or aqueduct; and
- (c) send to the National Parks Commission copies of any recommendations of the said landscape consultant made to the Authority in pursuance of his functions under paragraph (a) of this subsection.

(3) (a) Without prejudice to anything contained in the Town and Country Planning Act 1947 the Authority shall consult with the local planning authority as to—

- (i) the situation design and external appearance of any dam aqueduct building bridge wall embankment road or fence to be constructed under this Act; and
- (ii) the carrying out of quarrying operations or the manner and method of disposing of any spoil or waste material resulting from the carrying out of any operation under this Act.

(b) The Authority shall send to the local planning authority copies of any recommendations of the said landscape consultant made to them with regard to any of the matters referred to in the foregoing paragraph (a) of this subsection and shall comply with such reasonable requirements as the local planning authority shall make—

- (i) for the purpose of rendering any such dam aqueduct building bridge wall embankment road fence spoil or waste material inconspicuous; or
- (ii) with regard to the carrying out of quarrying operations or the disposal of any such spoil or waste material;

including as respects any purpose mentioned in the foregoing sub-paragraph (i) requirements as to the laying of turf the sowing of grass seed and the planting of trees bushes or plants:

Provided that before making any requirement with regard to the disposal of spoil or waste material the local planning authority shall consult with the Minister of Agriculture Fisheries and Food and shall not consent to or require the deposit of any spoil or waste material along or within one hundred feet of the bank of any watercourse other than any aqueduct or other work authorised by this Act without first consulting with the Gwynedd River Board or the South West Wales River Board as the case may be.

(4) Within six months after the completion of the works authorised by this Act or such longer period as the local planning authority may agree the Authority shall remove or to the reasonable satisfaction of the local planning authority demolish or otherwise dispose of all temporary buildings and structures erected for the purposes of or in connection with the construction of such works and shall remove all surplus materials plant machinery and appliances provided or erected in connection therewith and shall so far as is reasonably practicable to the like satisfaction restore and make good the surface of the ground on which any temporary buildings and structures or any surplus materials plant machinery and appliances as aforesaid have been placed.

(5) In and for the purposes of this section the expression "spoil and waste material" includes any rock sand mud and other materials dredged up or removed by the Authority under the powers of section 11 (Power to dredge etc.) of this Act.

(6) If any question shall arise as to the reasonableness of any requirements which the local planning authority may make under subsection (3) or subsection (4) of this section the question shall be referred to and determined by the Minister of Fuel and Power and the Minister of Housing and Local Government acting jointly whose decision shall be final and if any such question relates to the deposit of spoil or waste material along or within one hundred feet from the bank of any watercourse other than an aqueduct or other work authorised by this Act the river board in whose area such watercourse is situate may make representations to the said Ministers with regard to such deposit and shall be entitled to be heard by the said Ministers at any inquiry with reference thereto.

For
prevention of
pollution of
Afon Rheidol
and its
tributaries.

27.—(1) In the construction maintenance use extension enlargement alteration replacing or relaying of the works authorised by this Act which may affect the Afon Rheidol or its tributaries the Authority shall have regard to the conservation of the purity and the wholesomeness of the waters of the Afon Rheidol and its tributaries.

(2) For the purpose of securing the foregoing provisions of this section but without prejudice to the generality thereof the Authority shall—

(a) appoint pollution prevention consultants to be reasonably approved by the river board whom the Authority shall consult—

(i) before constructing extending enlarging altering replacing or relaying any of the works hereinbefore referred to ; and

(ii) generally in connection with their duties under subsection (1) of this section ; and

(b) send to the river board copies of any recommendations of the said pollution prevention consultants or any of them made to the Authority in pursuance of their functions under paragraph (a) of this subsection.

(3) The Authority shall comply with such reasonable requirements as the river board shall make in connection with the carrying out of their duties under subsection (1) of this section.

(4) If any question shall arise as to the consultants to be appointed under subsection (2) of this section or as to the reasonableness of any requirements which the river board may make under this section the question shall be referred to and determined by the Minister of Housing and Local Government.

(5) The provisions of this section shall be in addition to and not in derogation of the provisions of any other enactment relating to the prevention of pollution.

(6) In this section “ the river board ” means the South West Wales River Board.

28. (a) Where any building or tree will be submerged in whole or in part by any of the works by this Act authorised the Authority shall remove or level the same to the reasonable satisfaction of the local planning authority so that such building or tree shall not appear above the level of the water in such work at any time. Removal of submerged buildings and trees.

(b) Any dispute between the Authority and the local planning authority under this section shall be determined by the Minister of Housing and Local Government.

29.—(1) Subject to the provisions of this Act the Authority may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for the purpose of the works authorised by this Act or for the purpose of obtaining access thereto or for the purpose of preserving the purity of the waters which may be affected thereby. Power to acquire lands and construct generating stations.

(2) Subject to the provisions of this Act the Authority may enter upon take and use the lands—

(a) in the urban district of Ffestiniog in the county of Merioneth;

(b) in the parishes of Melindwr Cwmrheidol and Upper Llanbadarn-y-creuddyn in the rural district of Aberystwyth in the county of Cardigan;

delineated upon the deposited plans and described in the schedule to this Act or any part or parts of those lands and may notwithstanding anything contained in any other enactment on those lands or any of them or any part or parts of any of them erect maintain work and use works for generating electricity and for transforming converting switching or transmitting electricity together with all necessary or convenient buildings turbines engines generators machinery works apparatus and conveniences and accordingly section 2 of the Electric Lighting Act 1909 shall not apply to or in respect of any generating station constructed under the powers of this section:

Provided that before constructing any generating station under the powers of this subsection the Authority shall submit to the Minister of Fuel and Power for his approval plans and particulars of the generating station.

(3) The powers of the Authority for the compulsory purchase of land under this section shall cease after the expiration of three years from the first day of October nineteen hundred and fifty-five.

Correction of errors in deposited plans and book of reference.

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

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

(3) Any such certificate shall be deposited with the clerk of the county council of the county in which the land is situate and a copy thereof shall be deposited with every clerk of a local authority and chairman of a parish council or parish meeting with whom a copy of the deposited plans (or of so much thereof as includes the land to which the certificate relates) has been deposited in accordance with the standing orders of the Houses

of Parliament or who has the custody of any such copy so deposited and thereupon the deposited plans and the deposited book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Authority to take the land and execute the works in accordance with the certificate.

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

31.—(1) For the purposes of this Act the following provisions of this section shall have effect in substitution for section 92 of the Lands Clauses Consolidation Act 1845.

Acquisition of
part only of
certain
properties.

(2) No person shall be required to sell a part only of any house building or factory or of a park or garden belonging to a house if he is willing and able to sell the whole of the house building factory park or garden unless the Lands Tribunal determines—

(a) in the case of a house building or factory that such part as is proposed to be taken can be taken without material detriment to the house building or factory ; or

(b) in the case of a park or garden that such part as aforesaid can be taken without seriously affecting the amenity or convenience of the house to which it belongs.

(3) If the Lands Tribunal determines as aforesaid compensation shall be awarded in respect of any loss due to the severance of the part proposed to be taken in addition to the value of that part and thereupon the person interested shall be required to sell to the Authority that part of the house building factory park or garden.

32. At any time after serving a notice to treat in respect of any land or easement which may be acquired compulsorily under this Act but not less than one month after giving to the owner and occupier of the land notice of their intention to exercise the powers of this section the Authority may enter on and take possession of the land or such part thereof as is specified in the last-mentioned notice without previous consent and without compliance with sections 84 to 90 of the Lands Clauses Consolidation Act 1845 :

Power to
expedite entry.

Provided that the Authority shall pay the like compensation for land of which possession is taken under this section and the like interest on the compensation awarded as would have been payable if the provisions of those sections had been complied with.

Power to enter
for survey or
valuation.

33.—(1) Any person acting on behalf of the Authority and duly authorised by the secretary of the Authority may at all reasonable times enter on any land which may be acquired compulsorily under this Act for the purpose of surveying or valuing the land:

Provided that no land shall be entered under this section unless the Authority not less than twenty-four hours before the first entry and not less than twelve hours before any subsequent entry have given notice to the owner and occupier of the land in manner provided by section 285 of the Public Health Act 1936.

(2) Any power conferred by this section to survey land shall include power to make trial borings for the purpose of ascertaining the nature of the soil:

Provided that no works authorised by this subsection shall be carried out unless notice of the intention to carry out the same has been included in the notice required by subsection (1) of this section.

(3) If any land on which works are carried out under subsection (2) of this section is not acquired by the Authority the Authority shall make good and restore the surface of the land and make compensation to the owner and occupier thereof for any damage sustained by such owner or occupier by reason of the carrying out of such works such compensation to be determined in case of dispute by the Lands Tribunal.

Disregard
of recent
improvements
and interests.

34. In determining any question of disputed compensation or purchase money in respect of land acquired under this Act the Lands Tribunal shall not take into account—

(a) any improvement or alteration made or building erected after the fifth day of December nineteen hundred and fifty-four; or

(b) any interest in the land created after the said date;

which in the opinion of the Lands Tribunal was not reasonably necessary and was made erected or created with a view to obtaining or increasing the compensation or purchase money.

Extinction of
private rights
of way.

35.—(1) All private rights of way over any land which may be acquired compulsorily under this Act shall as from the acquisition of the land whether compulsorily or by agreement be extinguished.

(2) Any person who suffers loss by the extinguishment of any right under this section shall be entitled to be paid by the Authority compensation to be determined in case of dispute under and in accordance with the Acquisition of Land (Assessment of Compensation) Act 1919 as amended by the Lands Tribunal Act 1949.

36.—(1) In lieu of acquiring any land which may be acquired under this Act the Authority may for the purposes of constructing using and maintaining so much of the works authorised by this Act as will be constructed underground or of obtaining access to the works authorised by this Act and doing anything necessary in connection therewith acquire such easements and rights in that land as they may require for those purposes. Power to acquire easements only.

(2) Accordingly the Authority may give notice to treat in respect of any such easement or right describing the nature thereof and the provisions of the Lands Clauses Acts shall apply in relation to the acquisition of such easements and rights as if they were lands within the meaning of those Acts.

(3) Where the Authority have acquired an easement or right only in any land under this section—

- (a) they shall not be required or (except by agreement or during the execution of the said works) entitled to fence off or sever that land from the adjoining land ;
- (b) the owner or occupier of the land for the time being shall subject to the easement or right have the same right to use the land as if this Act had not been passed.

(4) If in his particulars of claim the owner of any land in respect of which notice to treat for an easement or right is given under this section requires the Authority to acquire the land the Authority shall not be entitled under this section to acquire the easement or right unless the Lands Tribunal determines that the easement or right can be granted without material detriment to the land or in the case of a park or garden belonging to a house without seriously affecting the amenity or convenience of the house :

Provided that nothing in this subsection shall apply to land forming part of a street.

(5) A notice to treat given under this section shall be endorsed with notice of the effect of subsection (4) of this section.

37.—(1) Any person empowered by the Lands Clauses Acts to sell and convey or release lands may if he thinks fit subject to the provisions of those Acts grant to the Authority any easement or right required for the purposes of this Act in or over or affecting any such lands (not being an easement or right of water in which some person other than the grantor has an interest). Grant of easements by persons under disability.

(2) The provisions of the said Acts with respect to lands and rentcharges so far as they are applicable shall extend and apply to any such grant and to any such easement or right as aforesaid.

Liability to
make
compensation.

38.—(1) In any case in which no express provision with respect to compensation is made by this Act the Authority shall make to the owners and occupiers of and all persons interested in any lands or streams taken or used for the purposes of this Act or injuriously affected by the construction or maintenance of the works authorised by this Act or otherwise by the execution of the powers conferred by this Act compensation for the value of the lands or streams so taken or used and for all damage sustained by those owners occupiers and other persons by reason of the exercise as to those lands and streams of the powers conferred on the Authority by this Act.

(2) The Authority shall also pay compensation to persons having rights of passage for sheep or stock over or across any lands taken or used for the purposes of this Act in respect of injury or loss to sheep or stock suffered by such person in the exercise of such rights of passage by reason of the construction of the works authorised by this Act.

(3) The amount of such compensation shall—

(a) in the case of a dispute under subsection (1) of this section be settled under and in accordance with the Acquisition of Land (Assessment of Compensation) Act 1919 as amended by the Lands Tribunal Act 1949; and

(b) in the case of a dispute under subsection (2) of this section be determined by arbitration.

Removal of
human remains
from Capel
Blaen-Rheidol
cemetery.

39.—(1) If and when the Authority shall acquire Capel Blaen-Rheidol cemetery they shall before applying or using any part thereof for any of the purposes of this Act remove or cause to be removed therefrom the remains of all deceased persons interred therein.

(2) Before proceeding to remove any such remains the Authority shall publish in one or more local newspapers circulating in the county of Cardigan a notice of intention so to do at least once during each of two successive weeks with an interval between each publication of at least six days and display a like notice in a conspicuous place in the said cemetery and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section.

(3) At any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person in respect of whose remains the Authority have published a notice under subsection (2) of this section may give notice in writing to the Authority of his intention to undertake the removal of such remains and thereupon he shall be at liberty to cause such remains to be removed to and reinterred in any burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Authority that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the Aberystwyth county court and such county court shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and reinterment (not exceeding in respect of remains removed from any one grave the sum of thirty-five pounds) shall be defrayed by the Authority and such sum shall if necessary be apportioned equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Authority in respect of the remains in any grave or if after giving such notice the person giving the same or (as the case may be) the person specified in any order made under subsection (4) of this section shall fail to comply with the provisions of this section the Authority may remove the remains of the deceased person and cause them to be interred in such a burial ground or cemetery in which burials may legally take place as the Authority think suitable for the purpose.

(7) All memorial stones relating to the remains of any deceased person removed under this section shall at the expense of the Authority be removed and replaced at the place of reinterment of such remains or at such place as the said county court may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Authority and the Authority shall cause to be made a record of such memorial stones and of their situation when replaced showing the particulars respecting each memorial stone as a separate entry and such record shall be deposited with the Registrar-General.

(8) Any jurisdiction or power conferred on the Aberystwyth county court by this section may be exercised by the registrar of the court.

(9) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer of health of the county of Cardigan.

40.—(1) The Authority shall not under the powers conferred by section 7 (Subsidiary works) of this Act—

For protection
of Postmaster-
General.

(a) use any telegraphic line belonging to or used by the Postmaster-General;

(b) alter any such line except in accordance with and subject to the provisions of paragraphs (1) to (8) of section 7 of the Telegraph Act 1878.

(2) Any telegraphic and telephonic apparatus used under the provisions of section 7 of this Act shall be so used as not to contravene the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

(3) In this section the expressions "alter" and "telegraphic line" have the same meanings as in the Telegraph Act 1878.

For protection
of Gwynedd
River Board.

41. For the protection of the river board the following provisions shall unless otherwise agreed in writing between the Authority and the river board apply and have effect:—

(1) In this section unless the context otherwise requires—

"alter" includes extend enlarge replace or relay;

"the river board" means the Gwynedd River Board;

"specified work" means any work in respect of which the Authority are pursuant to subsection (3) of this section reasonably required to submit plans sections and particulars to the river board:

(2) In the execution of any specified work the Authority shall not diminish the width between the banks of any watercourse within the area of the river board except with the consent of the river board but such consent shall not be unreasonably withheld:

(3) Before commencing to construct or alter so much of the Works Nos. 1 to 3 6 to 9 11 and 14 to 16 by this Act authorised as is within the area of the river board the Authority shall give notice to the river board of their intention to commence such construction or alteration and shall if the river board within fourteen days of the receipt of such notice in any particular case reasonably so require submit to the river board plans sections and particulars of so much of any aqueduct as will be constructed through over or across any watercourse within the area of the river board:

(4) The Authority shall not construct or alter any specified work except in accordance with such plans sections and particulars as may be reasonably approved by the river board or if such approval be withheld as may be settled by arbitration as hereinafter provided:

Provided that if within twenty-eight days after the receipt of any such plans sections and particulars the river board do not signify their disapproval thereof they shall be deemed to have approved the plans sections and particulars as submitted:

(5) Any specified work shall be executed or altered under the superintendence of the engineer to the river

board if the engineer elects to superintend after receiving reasonable notice of the date when the work is to be commenced:

- (6) While the construction or alteration of any specified work is in progress the Authority shall at all reasonable times afford to the engineer of the river board or his duly authorised representative access to the specified work for the purpose of inspection:
- (7) The construction or alteration of any specified work shall be completed with all reasonable dispatch:
- (8) The Authority shall not under the powers of section 11 (Power to dredge etc.) of this Act deepen dredge widen alter or improve the bed banks channel or shores of any lake river stream or watercourse within the area of the river board without the consent of the river board but such consent shall not be unreasonably withheld and all such deepening dredging widening altering or improving shall be carried out under the superintendence of the engineer to the river board if the engineer elects to superintend after receiving reasonable notice of the date when the work is to be commenced:
- (9) If any difference shall arise between the Authority and the river board with respect to any matter under this section the matter in difference shall be referred to an arbitrator.

42. The provisions of section 41 (For protection of Gwynedd River Board) of this Act shall extend and apply for the protection of the South West Wales River Board subject to the following modifications:—

For protection
of South West
Wales River
Board.

- (a) For the references in the said section 41 to the Gwynedd River Board there shall be substituted references to the South West Wales River Board;
- (b) For subsection (3) of the said section 41 there shall be substituted the following subsection:—

“(3) Before commencing to construct or alter so much of any of the Works Nos. 5 9 to 12 16 17 20 21 and 23 to 29 by this Act authorised as is within the area of the river board the Authority shall give notice to the river board of their intention to commence such construction or alteration and shall if the river board within fourteen days of the receipt of such notice in any particular case reasonably so require submit to the river board plans sections and particulars of—

(a) Works Nos. 10 12 and 17 by this Act authorised or so much thereof as may be specified by the river board; or

(b) so much of any aqueduct as will be constructed through over or across any watercourse within the area of the river board."

For further protection of South West Wales River Board.

43. For the further protection of the South West Wales River Board (in this section referred to as "the river board") the following provisions shall unless otherwise agreed in writing between the Authority and the river board apply and have effect:—

- (1) (a) Before executing any works under paragraph (b) of subsection (1) of section 7 (Subsidiary works) of this Act in over or across any watercourse in the area of the river board the Authority shall submit to the river board plans sections and particulars of such works for their reasonable approval ;
 - (b) The Authority shall execute such works in accordance with such plans and sections as may be submitted to and approved by the river board or if such approval be refused as may be settled by arbitration and all such works shall be executed to the reasonable satisfaction of the river board and the Authority shall at all times afford to the representative of the river board access for the purpose of inspecting such works ;
 - (c) The Authority shall give reasonable notice to the river board of the time at which such works are intended to be executed and shall comply with such reasonable conditions as the river board may require for obviating or reducing interference with the flow of water in such watercourse ;
 - (d) On the completion of any of the works by this Act authorised in the area of the river board the Authority shall remove all temporary works placed by them in any watercourse and shall at their own expense keep repaired any permanent works placed by them in any watercourse ;
 - (e) If any works placed by the Authority in any watercourse in the area of the river board shall at any time become redundant the Authority shall remove the same :
- (2) (a) If by reason of the discharge of water by the Authority—
 - (i) from the dam of the reservoir Work No. 28 by this Act authorised ;
 - (ii) through the fish pass constructed in connection with the said reservoir ; or
 - (iii) through the aqueduct Work No. 29 by this Act authorised ;

it is reasonably necessary for the river board for the purpose of properly discharging their functions under any enactment relating to land drainage to incur extra expenditure in constructing works or carrying out dredging or other operations the Authority shall repay to the river board any such expenditure so incurred ;

- (b) For the purposes of or in connection with the foregoing provisions of this paragraph the river board shall at all reasonable times furnish to the Authority such reasonable information as to the state of the Afon Rheidol and all other material circumstances as the Authority may from time to time reasonably require and shall afford to the Authority all such reasonable opportunities for investigating the facts which are necessary for determining whether and to what extent they are or may be liable under the said provisions :
- (3) If any agreement made under section 24 (Agreements with Aberystwyth Corporation) of this Act transfers to the Authority the powers of the mayor aldermen and burgesses of the borough of Aberystwyth of causing water in any works transferred to and vested in the Authority under the agreement to be temporarily discharged into any available stream or watercourse the provisions of subsections (2) (3) (4) (5) and (6) of section 34 of the Water Act 1945 shall with any necessary modifications apply to such discharge :
- (4) If any difference shall arise between the Authority and the river board with respect to any matter under this section the matter in difference shall be referred to an arbitrator.

44. The following provisions for the protection of the county council of the administrative county of Cardigan (hereinafter in this section respectively referred to as "the county council" and "the county") shall except as otherwise agreed in writing between the Authority and the county council have effect:—

For protection
of
Cardiganshire
County
Council.

- (1) In this section the expression "highway" includes any bridge or culvert under a highway and the expressions "bridleway" "public path" and "road used as a public path" have the meanings respectively assigned to them by section 27 of the National Parks and Access to the Countryside Act 1949 :
- (2) The Authority shall construct a road not exceeding nine feet in width together with suitable passing places round the reservoir Work No. 5 by this Act authorised on the west and south sides thereof in a position to be agreed between the Authority and the county council or failing

agreement to be determined by arbitration as hereinafter provided from the existing track near Capel Tabor and across the dam of the said Work No. 5 to connect with the existing road from Pont-erwyd to Nant-y-moch and upon the completion of such road the same shall vest in the county council as a highway and subject to the provisions of paragraph (8) of this section be a highway repairable by the inhabitants at large:

- (3) The provisions of subsection (2) of section 7 (Subsidiary works) of this Act shall apply to the execution of Works Nos. 18 19 22 30 and 31 by this Act authorised and to the road referred to in paragraph (2) of this section and to works executed by the Authority under this Act affecting any public path or road used as a public path in like manner as those provisions apply to the works referred to in the said subsection (2) and for the purposes of the said provisions the county council shall be deemed to be the highway authority in respect of any public path or road used as a public path in the county:
- (4) Any highway which is altered or diverted by the Authority under the powers of this Act and which before such alteration or diversion was vested in the county council shall upon the completion of such alteration or diversion continue to vest in the county council and the county council shall have the same right title and interest in the highway as so altered or diverted as they had in the highway before such alteration or diversion:
- (5) Before exercising the powers of section 12 (Temporary stoppage of roads and footpaths) of this Act in respect of any road within the county the Authority shall give reasonable notice to the county council of the times at which interference with the road is intended to take place and shall comply with such reasonable conditions as the county council may require. Any question whether such conditions are reasonable shall be determined by the Minister of Transport and Civil Aviation:
- (6) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Authority in constructing the dam comprised in the reservoir Work No. 28 by this Act authorised shall not deviate laterally from the line of that dam shown on the said plans more than fifty feet on either side and from the levels thereof shown on the deposited sections by more than one foot upwards:
- (7) The footpath diversion shown on the deposited plans on the northern side of the said reservoir Work No. 5 shall

be constructed to the reasonable satisfaction of the county council as a bridleway adequate and suitable for the passage of sheep and stock :

- (8) The Authority shall maintain any highway within the county constructed altered or diverted by them under the powers of this Act during the period of construction of the Works Nos. 5 to 31 by this Act authorised and for one year thereafter :
- (9) Where any sheep shelter shearing shed or washing or dipping place within the county is destroyed submerged or otherwise rendered unsuitable for use by reason of any of the works authorised by this Act the Authority shall provide a substitute therefor after consultation with the county council :
- (10) If any difference or dispute shall arise between the county council and the Authority under this section or anything to be done thereunder such difference or dispute shall be referred to arbitration.

45. The following provisions for the protection of the county council of the administrative county of Montgomery (hereinafter in this section respectively referred to as "the county council" and "the county") shall except as otherwise agreed in writing between the Authority and the county council have effect:—

For
protection of
Montgomery-
shire County
Council.

- (1) In this section the expression "highway" includes any bridge or culvert under a highway and the expressions "bridleway" "public path" and "road used as a public path" have the meanings respectively assigned to them by the National Parks and Access to the Countryside Act 1949 :
- (2) The Authority shall—
- (a) construct a bridge in the parish of Penegoes in the rural district of Machynlleth to carry as a bridleway of a width not less than three feet between the parapets the existing highway across the enlargement of Bugeilyn (Work No. 15) by this Act authorised ;
- (b) reconstruct and provide passing places on the road in the parish of Uwchegarreg in the said rural district leading from the southern termination of Work No. 13 by this Act authorised to Hyddgen lead works ;
- (c) construct a culvert in the said parish of Uwchegarreg to carry the Afon Hyddgen as improved under the powers conferred by this Act under the existing highway leading past Tal-y-bont-drain to Hyddgen :

- (3) The provisions of subsection (2) of section 7 (Subsidiary works) of this Act shall apply to the execution of the said Work No. 13 and to the works referred to in paragraph (2) of this section and to works executed by the Authority under this Act affecting any public path or road used as a public path in like manner as those provisions apply to the works referred to in the said subsection (2) and for the purposes of the said provisions the county council shall be deemed to be the highway authority in respect of any public path or road used as a public path in the county:
- (4) Any highway which is altered or diverted by the Authority under the powers of this Act and which before such alteration or diversion was vested in the county council shall upon the completion of such alteration or diversion continue to vest in the county council and the county council shall have the same right title and interest in the highway as so altered or diverted as they had in the highway before such alteration or diversion:
- (5) Before exercising the powers of section 12 (Temporary stoppage of roads and footpaths) of this Act in respect of any road within the county the Authority shall give reasonable notice to the county council of the times at which interference with the road is intended to take place and shall comply with such reasonable conditions as the county council may require. Any question whether such conditions are reasonable shall be determined by the Minister of Transport and Civil Aviation:
- (6) The Authority shall maintain any highway within the county altered constructed or diverted by them under the powers of this Act during the period of construction of the Works Nos. 5 to 31 by this Act authorised and for one year thereafter:
- (7) If any difference shall arise between the county council and the Authority under this section or anything to be done thereunder such difference shall be referred to arbitration:

For
protection of
Aberystwyth
Corporation.

46. For the protection of the Aberystwyth Corporation the following provisions shall unless otherwise agreed in writing between the Authority and the Aberystwyth Corporation apply and have effect:—

- (1) In this section unless the context otherwise requires—
“alter” includes extend enlarge replace or relay;
“in” in a context referring to mains or other apparatus includes under over across along or upon;

“ position ” includes depth ;

“ the main ” means the water main of the Aberystwyth Corporation commencing at the Llyn Llygad Rheidol reservoir of the Aberystwyth Corporation in the parish of Trefeirig in the county of Cardigan and terminating at Buildings Farm in the parish of Llanbadarn Fawr in that county :

- (2) Subject to the provisions of this section the Authority shall not under the powers of this Act alter or divert the main except in accordance with plans sections and particulars previously submitted to the Aberystwyth Corporation and reasonably approved by them :

Provided that before commencing to construct Work No. 5 Work No. 19 or Work No. 20 authorised by this Act or so much of Work No. 31 so authorised as will be within a distance of ten feet from the main the Authority shall give notice to the Aberystwyth Corporation of their intention to commence such construction and thereupon the Aberystwyth Corporation may and if reasonably so required by the Authority shall either—

(a) remove the main or such part or parts thereof as may be agreed between the Aberystwyth Corporation and the Authority or in default of agreement settled by arbitration as hereinafter provided as being necessary to be so removed by reason or in consequence of the construction of the works referred to in this proviso and relay or replace the main or such part or parts thereof in such other position as may be so agreed or determined as aforesaid ; or

(b) provide and lay or place a new main in substitution for the main or such part or parts thereof in such position as aforesaid ;

and the Aberystwyth Corporation shall when required by the Authority so to do commence and with all diligent dispatch complete the removal and relaying or replacing of the main or such part or parts thereof as aforesaid or the provision and laying or placing of a new main (as the case may be) :

- (3) No part of the main shall be removed under this section and the right of the Aberystwyth Corporation to maintain repair renew or inspect any part of the main shall not be extinguished until a new main adequate to enable the Aberystwyth Corporation to fulfil their functions as statutory water undertakers in a manner not less efficient than before has been brought into operation to the reasonable satisfaction of the Aberystwyth Corporation :

- (4) If the Aberystwyth Corporation pursuant to the proviso to paragraph (2) of this section execute the works referred to in that subsection the Authority shall grant to the Aberystwyth Corporation such rights or easements as they shall reasonably require for the purpose of executing those works or any temporary works connected therewith and in any event shall at all times afford to the Aberystwyth Corporation and their officers and workmen access to any part of the main which not having been abandoned remains or which is relaid or to any new main laid or to such temporary works situated in land acquired by the Authority pursuant to this Act:

Provided that if the Authority are unable to grant such rights or easements in land owned by them they shall use their best endeavours to obtain for and make available to the Aberystwyth Corporation such rights or easements in other land:

- (5) The Authority shall repay to the Aberystwyth Corporation the reasonable expenses incurred by the Aberystwyth Corporation in or in connection with the removal and relaying or replacing of the main or any part or parts thereof and the provision and laying or placing of any new main in accordance with the provisions of this section and the reasonable costs of and incidental to any other work or thing rendered reasonably necessary in consequence of any such operations as aforesaid:

Provided that if—

(a) a new main is laid or placed in substitution for the main or any part or parts thereof and a financial benefit is thereby conferred on the Aberystwyth Corporation by deferment of the time for the renewal of the main or such part or parts thereof in the ordinary course the amount payable by the Authority to the Aberystwyth Corporation under this paragraph shall be reduced by an amount which represents such benefit;

(b) a new main of better type or greater capacity is substituted for the main or any part or parts thereof and the costs incurred by the Aberystwyth Corporation in providing and laying or placing a new main pursuant to this section exceed the costs which would have been incurred if the Aberystwyth Corporation had provided and laid or placed a main of the same type and having the capacity of a main of the same type as the existing main the amount payable by the

Authority to the Aberystwyth Corporation under this paragraph shall be reduced by an amount equal to the excess.

For the purposes of this paragraph the substitution of a new main of greater though substantially the same capacity for the reason only that a main having the capacity of a main of the same type as the existing main is not available shall be deemed to be the substitution of a new main of the same capacity as the existing main ;

(c) the main or any part or parts thereof is or are relaid or replaced or a new main is provided and laid or placed in substitution for the main or any part or parts thereof in a position (excluding depth) other than that reasonably necessary by reason or in consequence of the construction of the works referred to in the proviso to paragraph (2) of this section and the costs incurred by the Aberystwyth Corporation in relaying or replacing the main or any part or parts thereof or in providing and laying or placing a new main pursuant to this section exceed the costs which would have been incurred if the Aberystwyth Corporation had relaid or replaced the same or had provided and laid or placed a new main in a position (excluding depth) which was reasonably necessary by reason of or in consequence of the construction of such works as aforesaid the amount payable by the Authority to the Aberystwyth Corporation under this paragraph shall be reduced by an amount equal to the excess :

- (6) If the facilities rights or easements allowed granted or made available by the Authority to the Aberystwyth Corporation in pursuance of paragraph (4) of this section are less favourable on the whole to the Aberystwyth Corporation than the facilities rights or easements enjoyed by them in respect of the existing main the Authority shall pay to the Aberystwyth Corporation such reasonable compensation in respect thereof as shall be agreed between them or failing agreement as shall be determined by arbitration as hereinafter provided :
- (7) Without prejudice to the foregoing provisions of this section subsections (3) (4) (6) and (8) of section 26 of the Public Utilities Street Works Act 1950 (which relates to requirements as to undertakers' works which are likely to affect other undertakers' apparatus) shall in relation to the main apply to Works Nos. 19 20 and 31 authorised by this Act as if the Authority were

operating undertakers and the said works or any of them were undertakers' works executed in a street within the meaning of the said section 26:

- (8) Notwithstanding the temporary stopping up and diversion of any road or footpath under the powers of section 12 (Temporary stoppage of roads and footpaths) of this Act the Aberystwyth Corporation their officers servants and agents shall be at liberty at all times to execute and do such works in any such road or footpath in which any mains pipes or apparatus of the Aberystwyth Corporation are situate as may be necessary for the purposes of maintaining inspecting repairing or renewing any such mains pipes and apparatus and to have access thereby or by such other roads and footpaths as shall be agreed between the Authority and the Aberystwyth Corporation or failing agreement as shall be determined by arbitration as hereinafter provided to the Llyn Llygad Rheidol reservoir and to the main and any other aqueducts works or apparatus of the Aberystwyth Corporation:
- (9) Nothing in section 16 (Power to take and use water) or in any other provision of this Act shall except as provided in section 24 (Agreements with Aberystwyth Corporation) of this Act prejudice or affect the powers of the Aberystwyth Corporation or any powers which they may obtain after the passing of this Act for developing improving extending or enlarging the Llyn Llygad Rheidol reservoir and of collecting impounding taking using diverting and appropriating for the purposes of the water undertaking of the Aberystwyth Corporation as from time to time authorised the waters of the Nant-y-graig-las stream and all such springs streams and waters as may at any time be taken or intercepted by the Llyn Llygad Rheidol reservoir or by any such development improvement extension or enlargement thereof or works connected therewith as may be required to increase the reliable yield for supply therefrom to a quantity not exceeding one million one hundred thousand gallons per day and the Authority shall not oppose any Bill or order which the Aberystwyth Corporation may promote or for which they may make application for the purpose of obtaining any such powers as aforesaid:
- (10) If any difference shall arise between the Aberystwyth Corporation and the Authority with respect to any matter under the provisions of this section the matter in difference shall be referred to an arbitrator.

47. The Authority shall not under the powers of this Act enter upon take or use any part of the lands delineated on the deposited plans and described in the deposited book of reference and thereon and therein numbered 176 in the urban district of Ffestiniog without the consent in writing of the British Transport Commission.

48.—(1) A notice to treat given by the Authority under section 18 of the Lands Clauses Consolidation Act 1845 as incorporated with this Act may (without prejudice to any other mode of service) be given by post by sending it in a registered letter addressed to the person to whom it is to be given at his usual or last known address or in the case of an incorporated company or body to the secretary or clerk of the company or body at its registered or principal office.

(2) Where any such notice is required to be given to any person as having an interest in premises and the name of that person cannot be ascertained after reasonable inquiry the notice if sent by registered post shall be deemed to have been duly served if it is addressed to him by the description of "the owner" or "the occupier" as the case may be of the premises (describing them) in respect of which the notice is given without further name or description and addressed to those premises.

49. 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.

50. Where under this Act any question or dispute is to be referred to or determined by an arbitrator or arbitration then unless other provision is made the reference shall be to a single arbitrator to be agreed upon between the parties or failing agreement appointed by the President of the Institution of Civil Engineers on the application of any party to the dispute (after notice in writing to the others of them) and subject as aforesaid the provisions of the Arbitration Act 1950 shall apply to the reference and determination.

51. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Authority to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description (a) belonging to Her Majesty in right of Her Crown and under the management of the Commissioners of Crown Lands without the consent in writing of those commissioners on behalf of Her Majesty first had and

obtained for that purpose or (b) vested in the Minister of Agriculture Fisheries and Food upon trust for Her Majesty without the consent in writing of that Minister first had and obtained for that purpose.

Costs of Act.

52. The costs charges and expenses preliminary to and of and incidental to the applying for and the preparing obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Authority.

SCHEDULE

DESCRIPTIONS OF LANDS FOR GENERATING STATIONS

In the county of Merioneth In the urban district of Ffestiniog—

A FFESTINIOG STATION

Land comprising forty-one and three-quarters acres or thereabouts and bounded by a line commencing at a point one hundred and ninety-five yards or thereabouts measured in a north-north-easterly direction from the confluence of the Afon Stwlan and the Afon Ystradau and drawn thence in a straight line in a west-north-westerly direction for a distance of two hundred and seventy-five yards or thereabouts thence in a straight line in a south-south-westerly direction for a distance of seven hundred and thirty yards or thereabouts thence in a straight line in an east-south-easterly direction for a distance of two hundred and seventy-five yards or thereabouts and thence in a straight line in a north-north-easterly direction for a distance of seven hundred and thirty yards or thereabouts to the aforesaid point of commencement.

In the county of Cardigan In the rural district of Aberystwyth—

B RHEIDOL UPPER GENERATING STATION

In the parish of Melindwr—

Land situate on the right bank of the Afon Rheidol comprising eleven and a quarter acres or thereabouts and bounded by a line commencing at a point three hundred and ninety yards or thereabouts measured in a north-easterly direction from the north-eastern corner of the farmhouse known as Dinas and drawn thence in a straight line in an easterly direction for a distance of two hundred and seventy yards or thereabouts to the right bank of the Afon Rheidol thence in a northerly direction along the right bank of the Afon Rheidol for a distance of two hundred and forty yards or thereabouts thence in a straight line in a west-north-westerly direction for a distance of two hundred and twenty-five yards or thereabouts and thence in a straight line in a south-south-westerly direction for a distance of two hundred and ninety-five yards or thereabouts to the aforesaid point of commencement.

C RHEIDOL INTERMEDIATE GENERATING STATION

In the parish of Cwmrheidol—

Land situate on the right bank of the Afon Rheidol comprising five and three-quarters acres or thereabouts and bounded by a line commencing at a point on the said right bank forty yards or thereabouts measured in a southerly direction from the south-eastern corner of the house known as Tan-y-berth and drawn thence in a south-easterly direction along the said right bank for a distance of one hundred and thirty yards or thereabouts thence in a straight line in a north-easterly direction for a distance of two hundred and five yards or thereabouts thence in a straight line in a west-north-westerly direction for a distance of one hundred and ninety-five yards or thereabouts and thence in a straight line in a south-south-westerly direction for a distance of one hundred and sixty yards or thereabouts to the aforesaid point of commencement.

SCHEDULE
—cont.

D RHEIDOL REGULATING STATION

In the parishes of Cwmrheidol and Upper Llanbadarn-y-creuddyn—

Land comprising five and a quarter acres or thereabouts and bounded by a line commencing at a point sixty yards or thereabouts measured in a south-easterly direction from the south-eastern corner of the farmhouse known as Ty-llwyd and drawn thence in a straight line in a westerly direction for a distance of one hundred yards or thereabouts thence in a straight line in a southerly direction for a distance of two hundred and fifty-five yards or thereabouts thence in a straight line in an easterly direction for a distance of one hundred yards or thereabouts and thence in a straight line in a northerly direction for a distance of two hundred and fifty-five yards or thereabouts to the aforesaid point of commencement.

Table of Statutes referred to in this Act

Short title	Session and chapter
Lands Clauses Consolidation Act 1845	8 & 9 Vict. c. 18.
Railways Clauses Consolidation Act 1845	8 & 9 Vict. c. 33.
Railway Companies Act 1867	30 & 31 Vict. c. 127.
Telegraph Act 1869	32 & 33 Vict. c. 73.
Telegraph Act 1878	41 & 42 Vict. c. 49.
Electric Lighting Act 1909... ..	9 Edw. 7 c. 34.
Acquisition of Land (Assessment of Compensation) Act 1919.	9 & 10 Geo. 5 c. 57.
Public Health Act 1936	26 Geo. 5 & 1 Edw. 8 c. 49.
Water Act 1945	8 & 9 Geo. 6 c. 42.
Town and Country Planning Act 1947	10 & 11 Geo. 6 c. 51.
Electricity Act 1947	10 & 11 Geo. 6 c. 54.
River Boards Act 1948	11 & 12 Geo. 6 c. 32.
Lands Tribunal Act 1949	12 13 & 14 Geo. 6 c. 42.
National Parks and Access to the Countryside Act 1949.	12 13 & 14 Geo. 6 c. 97.
Arbitration Act 1950	14 Geo. 6 c. 27.
Public Utilities Street Works Act 1950	14 Geo. 6 c. 39.
Electricity Reorganisation (Scotland) Act 1954...	2 & 3 Eliz. 2 c. 60.
Town and Country Planning Act 1954	2 & 3 Eliz. 2 c. 72.

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North Wales Hydro-Electric Power Act, 1955

4 ELIZ. 2 Ch. xxv

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46. For protection of Aberystwyth Corporation.
47. For protection of British Transport Commission.
48. Service of notices to treat.
49. Saving for town and country planning.
50. Arbitration.
51. Crown rights.
52. Costs of Act.

SCHEDULE—Descriptions of lands for generating stations.