



## CHAPTER lxxv.

An Act to confer further powers upon the Staffordshire Potteries Water Board to empower the Board to construct a further waterwork and to acquire lands to revive the powers for the construction of certain waterworks by the Board to make provision for the preservation and protection of the Board's sources of water supply to amend the Acts of the Board and for other purposes.

A.D. 1928.

[3rd August 1928.]

**W**HEREAS the Staffordshire Potteries Water Board (in this Act called "the Board") were by the Staffordshire Potteries Water Board Act 1924 (in this Act called "the Act of 1924") constituted and incorporated for the purposes of acquiring the water undertaking of the Staffordshire Potteries Waterworks Company (in this Act called "the company") and of supplying water within the limits prescribed by that Act (in this Act called "the limits of supply"):

And whereas by the Act of 1924 it was (inter alia) provided that all the powers rights privileges authorities duties and obligations of the company under the Staffordshire Potteries Waterworks Acts 1853 to 1922 should by virtue of that Act be transferred to vested in and imposed on the Board and that those Acts should be read and have effect as if the Board had been therein named instead of the company subject to certain exceptions and provisions in the said Act mentioned:

[Ch. lxxv.] *Staffordshire Potteries* [18 & 19 GEO. 5.]  
*Water Board Act, 1928.*

A.D. 1928.

And whereas by the Staffordshire Potteries Waterworks Act 1912 (in this Act called "the Act of 1912") the company were empowered to construct certain waterworks including in particular a pumping station with wells and other works to be called "the Cresswell pumping station" and an aqueduct line or lines of pipes connected therewith and to acquire or use compulsorily lands and easements for the purposes thereof :

And whereas the period limited for the construction of the said waterworks has expired and it is expedient that the said powers should be revived and made exerciseable by the Board (as the successors of the company) who own the lands and easements required for the construction of the said waterworks :

And whereas the population within the limits of supply which is largely dependent for the supply of water for public and private purposes upon the existing sources of supply of the Board is growing and the increase in the consumption of water for such purposes is much increasing :

And whereas it is expedient that the Board should be empowered to construct the new work and to acquire the lands in this Act described including in particular certain lands of which the Board are either lessees or in respect of which they are entitled to easements and upon which certain reservoirs and other works of the Board have been constructed :

And whereas it is expedient that for the purpose of preserving and protecting the waters and sources of water supply of the Board the further provisions contained in this Act should be enacted :

And whereas it is expedient to make further provision with regard to the finances of the Board and that the other provisions of this Act be enacted :

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

And whereas estimates have been prepared by the Board for the purposes hereinafter mentioned and such estimates are as follows :—

For the construction of the Cresswell	£
pumping station - - - - -	84,000
For the construction of the aqueduct	
line or lines of pipes referred to in	

the section of this Act the marginal	£	A.D. 1928.
note of which is "Revival of		—
powers for construction of certain		
works" - - - - -	38,000	
For the purchase of lands for and in con-		
nection with the new work by this		
Act authorised - - - - -	500	
For the construction of the new work by		
this Act authorised - - - - -	24,000	

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

And whereas the provisions of subsection (3) of section 51 of the Act of 1924 relating to the promotion by the Board of Bills in Parliament have been observed in relation to the Bill for this Act :

And whereas plans and sections of the new work by this Act authorised and plans of the lands required or which may be taken for the purposes or under the powers of this Act and a book of reference to the said plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands have been deposited with the clerk of the peace for the county of Stafford and are in this Act referred to 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

PART I.

PRELIMINARY.

1. This Act may be cited as the Staffordshire Potteries Water Board Act 1928 and this Act and the Staffordshire Potteries Water Board Acts 1853 to 1924 may be cited together as the Staffordshire Potteries Water Board Acts 1853 to 1928.

Short and collective titles.

[Ch. lxxv.] *Staffordshire Potteries* [18 & 19 GEO. 5.]  
*Water Board Act, 1928.*

A.D. 1928.

Division of  
Act into  
Parts.

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

Part I.—Preliminary.

Part II.—Works and lands.

Part III.—Preservation and protection of  
sources of water supply.

Part IV.—Supply of water &c.

Part V.—Finance.

Part VI.—Miscellaneous.

Incorporation of Acts.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act and for the purposes of such incorporated Acts this Act shall be deemed to be the special Act within the meaning of any such Act and “the undertakers” “the promoters of the undertaking” and “the company” where used in those Acts shall mean the Board (namely) :—

(1) The Lands Clauses Acts with the following exceptions and modifications—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the common seal of the Board and shall be sufficient without the addition of the sureties mentioned in that section :

(2) The Waterworks Clauses Act 1847 (subject to the exception contained in section 4 of the Act of 1853 as hereinafter defined) except—

(a) The words “with the consent in writing “of the owner or reputed owner of any such “house or of the agent of such owner” in section 44;

(b) Sections 75 to 82 (with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit); and

(c) Section 83 (with respect to the yearly receipt and expenditure of the undertakers):

(3) The Waterworks Clauses Act 1863 : A.D. 1928.

(4) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and in such provisions for the purposes of this Act "the railway" means so much of any line or lines of pipes by this Act authorised as will not be constructed in a highway and "the centre of the railway" means the centre lines of so much of any line or lines of pipes as aforesaid.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts 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—

"The Lands Clauses Acts" means the Lands Clauses Acts as amended by the Acquisition of Land (Assessment of Compensation) Act 1919;

"The Act of 1853" "the Act of 1868" "the Act of 1888" "the Act of 1912" "the Act of 1922" and "the Act of 1924" mean respectively the Staffordshire Potteries Waterworks Consolidation and Extension Act 1853 the Staffordshire Potteries Waterworks Act 1868 the Staffordshire Potteries Waterworks Act 1888 the Staffordshire Potteries Waterworks Act 1912 the Staffordshire Potteries Waterworks Act 1922 and the Staffordshire Potteries Water Board Act 1924;

"The Board" "the company" "the limits of supply" "the clerk" "the treasurer" "statutory security" "statutory borrowing power" and "the revenues of the Board" have the meanings assigned to them respectively by section 4 (Interpretation) of the Act of 1924;

"The Acts of the Board" means the provisions of the Acts specified in the First Schedule to this Act;

"The waterworks" and "the undertaking" mean all works of the Board authorised by the Acts

A.D. 1928.

of the Board and this Act and the undertaking connected therewith respectively;

“The new work” means the new work by this Act authorised and shown on the deposited plans and sections;

“The Cresswell pumping station” means the Cresswell pumping station (Work No. 7) described in and authorised by the Act of 1912 and referred to in the section of this Act of which the marginal note is “Revival of powers for construction of certain works”;

“The Hatton pumping station” means the existing Hatton pumping station of the Board described in and authorised by the Act of 1888;

“The Mill Meece pumping station” means the existing Mill Meece pumping station of the Board described in and authorised by the Act of 1912;

“The Stockton Brook pumping station” means the existing Stockton Brook pumping station of the Board which was described in and the construction of which was sanctioned and confirmed by the Act of 1912;

“The Wall Grange pumping station” means the existing pumping station of the Board commonly so called and situate in the parish of Longsdon in the rural district of Leek which was authorised by the Staffordshire Potteries Waterworks Act 1847;

“The Meir pumping station” means the existing pumping station of the Board commonly so called and situate in the parish and city of Stoke-on-Trent the construction of which was sanctioned and confirmed by the Act of 1868;

“The tribunal” means the tribunal or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;

“Daily penalty” means a penalty for each day on which an offence is continued by a person after conviction.



PART II.

A.D. 1928.

WORKS AND LANDS.

5. The powers of the Board (as successors in title to the company) for and in connection with and incidental to the construction and completion of the Cresswell pumping station and the aqueduct line or lines of pipes (Work No. 8) described in and authorised by section 5 (Power to make new works) of the Act of 1912 are hereby revived and continued and may be exercised at any time before the seventh day of August one thousand nine hundred and thirty-three.

Revival of powers for construction of certain works.

6.—(1) If it shall be proved by the owner (which term shall include any lessee or occupier and in the case of the parish well in the village of Fulford shall mean the Fulford Parish Council) that the pumping by the Board during the construction or use of the Cresswell pumping station has caused any diminution of the supply of water from any well borehole pond pool spring stream or watering place or other source of supply existing at the date of the passing of this Act such source of supply being situate within a radius of two miles from the said station (in this section called “the protected area”) the Board shall upon the written request of the owner of any such source of supply afford to the owner a supply of water equal to the amount of such diminution at such cost or rate (if any) as that the total cost to the owner of obtaining his full supply shall be the same (as nearly as may be) after as before the construction of the said pumping station and upon such other terms as may be agreed or failing agreement may be settled by arbitration as hereinafter provided.

Provision where local sources of supply affected.

(2) For the purpose of affording a supply of water under this section within the protected area the Board may supply water beyond the limits of supply and carry out all works necessary for that purpose.

(3) The Board may if they think fit in lieu of making good the diminution of such supply deepen any affected well or make such borings therein or headings therefrom as will increase the supply so as to make good the said diminution and the owner shall without making any charge therefor give the Board access and every facility for carrying out such deepenings borings or headings and

A.D. 1928. — in the event of any such deepening borings or headings increasing the cost of obtaining or continuing to obtain such supply the Board shall pay to the owner the amount of such increase.

(4) If the Board do not afford such supply equal to the diminution as aforesaid they shall make compensation in money to any such owner for such diminution and they shall also make like compensation for any injury caused to such owner by the exercise by the Board of the powers conferred by the last preceding subsection the amount of such compensation to be settled in case of difference by arbitration as hereinafter provided.

(5) The owner shall afford the officers servants or other representatives of the Board at all reasonable times after the passing of this Act access to the source of supply in respect of which any claim is made under this section for the purpose of ascertaining particulars thereof and the level of the water therein.

(6) The Board shall not be liable in respect of any claim made by the owner under this section if he shall after reasonable demand have refused to afford to the officers servants or other representatives of the Board at all reasonable times after the passing of this Act access to the source of supply in respect of which the claim is made for the purpose of ascertaining particulars thereof and the level of the water therein.

(7) Any question or dispute arising under this section shall be referred to and determined by a single arbitrator to be agreed upon between the parties or in default of agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers.

(8) The provisions of this section shall be in addition to and not in derogation of the provisions of so much of section 38 of the Act of 1912 as relates to the Cresswell pumping station.

Power to  
make new  
work.

7.—(1) Subject to the provisions of this Act the Board may wholly in the city county borough and parish of Stoke-on-Trent in the lines and situations and upon the lands delineated upon the deposited plans and described in the deposited book of reference make and



maintain the following work shown on the deposited plans and sections (that is to say) :— A.D. 1928.

An aqueduct line or lines of pipes commencing in the existing Meir service reservoir of the Board and terminating in the public road at the junction of Drubbery Lane with Blurton Road.

(2) In addition to the work hereinbefore described the Board may upon any lands for the time being belonging to them or over which they have or may obtain easements make and maintain all such buildings machinery roads tramroads works and apparatus of whatever character as may be necessary or convenient in connection with or subsidiary to the new work or necessary for inspecting maintaining repairing cleansing managing working or using the same but nothing in this subsection shall exonerate the Board from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

8. In the construction of the new work the Board may deviate to any extent not exceeding the limits of deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent : Limits of deviation.

Provided that except for the purpose of crossing over a stream no part of the new work shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

9. If the new work is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed. Provided that subject to the restrictions and provisions of this Act the Board may at any time after the expiration of the said period lay down additional lines of pipes and alter enlarge extend and renew the new work and their mains pipes and other works as they may think expedient to provide for the requirements of their water supply. Period for completion of works.

A.D. 1928.

Power to  
acquire  
lands for  
new work.

10. The Board may enter upon take and use such of the lands delineated upon the deposited plans and described in the deposited book of reference as may be required for the purpose of or in connection with or for the maintenance and use of the new work.

Power to  
acquire  
sites of  
certain  
existing  
reservoirs  
and works  
of Board.

11. The Board may enter upon take and use the lands wholly in the county of Stafford which are described in the Second Schedule to this Act and are shown on the deposited plans and described in the deposited book of reference (which lands are or include lands of which the Board are either lessees or over or in respect of which they are entitled to easements or rights) together with the reservoirs tanks mains pipes apparatus and other waterworks constructed by the Board or their predecessors in title situate thereon and may hold and use the same for the purpose of and in connection with the water undertaking.

For protec-  
tion of  
Marquess of  
Crewe.

12. For the protection of the Most Honourable Robert Offley Ashburton Marquess of Crewe (in this section called "the owner") the following provision shall unless otherwise agreed between the owner and the Board apply and have effect (that is to say):—

Notwithstanding anything contained in this Act or shown on the deposited plans the Board shall not under the powers of the section of this Act of which the marginal note is "Power to acquire sites of certain existing reservoirs and works of Board" except by agreement with the owner enter upon take or use any lands of the owner or any rights or interests therein.

For protec-  
tion of  
Ralph  
Sneyd.

13. For the protection of Ralph Sneyd (in this section called "the owner") the following provision shall unless otherwise agreed between the owner and the Board apply and have effect (that is to say):—

Notwithstanding anything contained in this Act or shown on the deposited plans the Board shall not under the powers of the section of this Act of which the marginal note is "Power to acquire sites of certain existing reservoirs and works of Board" except by agreement with the owner enter upon take or use any lands of the owner or any rights or interests therein.

14. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Board after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices acting for the county of Stafford for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Stafford and a duplicate shall also be deposited with the clerk of the board and such certificate and duplicate respectively shall be kept by such clerk of the peace and clerk of the board with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Board to take the lands and execute the works in accordance with such certificate.

A.D. 1928.

Correction  
of errors  
omissions  
&c.

15. The powers of the Board for the compulsory purchase of lands for the purposes of this Act shall cease after the thirty-first day of October nineteen hundred and thirty-one.

Period for  
compulsory  
purchase of  
lands.

16. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily by or vested in the Board shall as from the date of such acquisition or vesting be extinguished Provided that the Board shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Extinction  
of private  
rights of  
way.

17. The following sections of the Act of 1912 of the Act of 1922 and of the Act of 1924 are incorporated with this Act and shall extend and apply with regard to the new work authorised to be executed and to the lands authorised to be taken under this Act as if those sec-

Incorpora-  
tion of  
sections of  
Acts of 1912  
1922 and  
1924.

[Ch. lxxv.] *Staffordshire Potteries* [18 & 19 GEO. 5.]  
*Water Board Act, 1928.*

A.D. 1928. tions with the necessary modifications were set forth in  
— this Act (namely) :—

The Act of 1912—

Section 16 (Owners may be required to sell parts  
only of certain lands and build-  
ings).

The Act of 1922—

Section 12 (Company may acquire easements  
only for certain works);

Section 13 (Persons under disability may grant  
easements &c.);

Section 17 (Discharge of waters into stream &c.);

Section 46 (Application of Waterworks Clauses  
Act 1847 to pipes telephones &c.).

The Act of 1924—

Section 31 (Power to retain sell &c. lands) :

Provided—

(1) that section 16 of the Act of 1912 shall be  
read and have effect as if the Third Schedule  
to this Act had been appended thereto in  
addition to the Second Schedule to that Act;

(2) that nothing in section 31 of the Act of 1924  
contained shall release the Board or any  
person purchasing or acquiring any lands from  
them under this section from any rents coven-  
ants restrictions reservations terms or con-  
ditions made payable by or contained in any  
conveyance lease or other deed or instrument  
by which any such lands were or may here-  
after be conveyed or leased to or otherwise  
acquired by the Board or any person from  
or through whom the Board may have de-  
rived or may hereafter derive title to the  
same but all such rents covenants restric-  
tions reservations terms and conditions shall  
remain and be of as full force and effect  
and may be recovered exercised enjoyed and  
enforced in like manner and to the same  
extent as if this Act had not been passed; and

(3) that in the exercise of the powers of the said  
section 31 of the Act of 1924 as applied to the

lands by this Act authorised to be acquired the Board shall not without the consent of the Minister of Health sell lease exchange or otherwise dispose of any such lands or any interests therein at a price or rent or for a consideration of a value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained.

A.D. 1928.  
—

18. In addition to the lands now held or occupied by them and any other lands which they may acquire or hold under the powers of the Acts of the Board or this Act the Board may from time to time by agreement purchase or acquire and hold for the purposes of their undertaking any land or any easement (not being an easement of water in which persons other than the grantors have an interest) in over or under any such lands but the quantity of lands held by the Board in pursuance of this section shall not at any time exceed twenty acres Provided that the Board shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with the undertaking.

Additional  
lands by  
agreement.

19. The works constructed by the Board and the lands and easements acquired by them for the purposes of the undertaking under the powers of this Act shall for all purposes form part of and be comprised in the undertaking.

Works to  
form part of  
undertaking  
of Board.

20. For the protection of the light railways and tramways leased to worked or run over by the Potteries Electric Traction Company Limited their successors and assigns (in this section referred to as "the traction company") the following provisions shall have effect in reference to the works described in or authorised by the section of this Act of which the marginal note is "Power to make new work" and by the section of the Act of 1922 incorporated with this Act of which the marginal note is "Application of Waterworks Clauses Act 1847 to pipes telephones &c." :—

For protec-  
tion of  
Potteries  
Electric  
Traction  
Company  
Limited.

- (1) Where the Board require to dig or sink any trench or make or maintain any aqueducts cuts



A.D. 1928.

channels tunnels pipes and appliances or to construct lay down or erect any discharge pipes telephone or telegraph posts wires conductors or apparatus across or under or within two feet of any light railway or tramway or posts or cables of or road repairable by the traction company (hereinafter referred to as "the property of the traction company") the Board shall unless otherwise agreed between them and the traction company or in case of sudden emergency give to the traction company not less than three days before commencing to dig or sink make or construct any of the aforesaid works notice with full particulars of such works and a plan and the traction company shall be entitled to superintend the work and the Board shall conform to such reasonable requirements as may be made by the traction company for protecting such tramways and light railways and any part of the road maintained or repaired by the traction company from injury or subsidence :

- (2) Any interference with or any alteration of the property of the traction company which may be reasonably necessary in consequence of the execution of the said works shall if the traction company so desire be carried out by the traction company under the supervision (if given) and in accordance with the reasonable directions of the Board and the reasonable expense incurred by the traction company in so doing shall be repaid to them by the Board :
- (3) The Board shall as far as practicable dig or sink make or construct the aforesaid works so as not to injuriously affect the property of the traction company and in the event of any injury being thereby occasioned to the property of the traction company the traction company may at the expense of the Board restore such part of the property of the traction company which may be injured to as good a state and condition as it was in before such injury was occasioned and the Board shall recoup to and indemnify the traction company against all

sums costs and expenses which they may pay or be put to in restoring such property in manner aforesaid (in case of default by the Board) and the traction company may recover from the Board all such sums costs and expenses together with full costs and charges in like manner as any simple contract debt. The Board shall be under and subject to the same liability and restrictions as regards any work executed by them from time to time in maintaining any of the aforesaid works : A.D. 1928.

- (4) Any difference arising between the traction company and the Board under the provisions of this section shall be referred to and determined by a single arbitrator to be appointed failing agreement between the parties by the President of the Institution of Electrical Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference and arbitration.

### PART III.

#### PRESERVATION AND PROTECTION OF SOURCES OF WATER SUPPLY.

**21.**—(1) In subsection (2) of this section and in and for the purposes of the sections of this Act of which the marginal notes are respectively “Prevention of escape into subsoil of polluting matter from manure heaps &c.” and “Power to agree as to drainage of lands &c.” the expression “protective area” means—

Meaning of “protective area” in certain sections of this Part of this Act &c.

- (i) In relation to the Cresswell pumping station—

So much of the parish of Fulford in the rural district of Stone and of the parishes of Draycott-in-the-Moors and Forsbrook in the rural district of Cheadle as is situate in the area (in which area will be situate the Cresswell pumping station) bounded by a line drawn from the east corner of the New Inn at the junction of the Fulford road with the road from Draycott to Stafford in a northerly direction to a point on the North Staffordshire

A.D. 1928.

Railway of the London Midland and Scottish Railway Company from Stoke to Derby nine hundred yards measured in a north-westerly direction from the level crossing at Cresswell railway station thence proceeding in a north-easterly direction to the east corner of the Plough Inn at Stonehouses on the Longton to Uttoxeter road thence proceeding in an easterly direction to the north-east corner of the farmyard of Grange Farm Draycott thence proceeding in a south-easterly direction to the north-east corner of the farmyard of Hill Top Farm Draycott thence proceeding in a south-westerly direction to the south corner of the Leesehouses and thence proceeding in a westerly direction to the east corner of the New Inn firstly above mentioned :

(ii) In relation to the Hatton pumping station—

So much of the parishes of Swynnerton and Eccleshall in the rural district of Stone and the parish of Chapel and Hill Chorlton in the rural district of Newcastle-under-Lyme as is situate within the area (in which area is situate the Hatton pumping station) bounded by a line drawn from the eastern extremity of Cranberry railway bridge along the railway fencing on the east side of the London and North Western Railway of the London Midland and Scottish Railway Company from Stafford to Crewe in a northerly direction to the eastern extremity of the Stableford railway bridge thence proceeding in a south-easterly direction to a point on the Newcastle-under-Lyme to Eccleshall road where the northern boundary of the farmyard of Cliffords Wood Farm joins such road thence proceeding in a south-westerly direction along the said road to the entrance gate to Cotes Lodge and thence proceeding in a westerly direction to Cranberry railway bridge firstly above mentioned :

(iii) In relation to the Mill Meece pumping station—

So much of the parishes of Eccleshall and Standon in the rural district of Stone as is

situate within the area (in which area is situate the Mill Meece pumping station) bounded by a line drawn from the eastern extremity of Cranberry railway bridge over the London and North Western Railway of the London Midland and Scottish Railway Company from Stafford to Crewe in an easterly direction to a point on the Newcastle-under-Lyme to Eccleshall road at the entrance gate to Cotes Lodge thence proceeding in a south-easterly direction through the Cotes reservoir to a point on the road leading from Cotes to Swynnerton 150 yards or thereabouts north-east of the junction of that road with the road from Cotes to Standon thence proceeding in a south-westerly direction to the junction of the road from Mill Meece Village to Standon Bridge railway station with the Newcastle-under-Lyme to Eccleshall road thence proceeding in a north-westerly direction to the south-west corner of Walford House thence proceeding in a northerly direction to the north-west corner of the farmyard of Walford Hall and thence proceeding in a north-easterly direction to Cranberry railway bridge firstly above mentioned : A.D. 1928.

(iv) In relation to the Stockton Brook pumping station—

So much of the parishes of Norton-in-the-Moors Endon and Stanley and Bagnall in the rural district of Leek as is situate within the area (within which area is situate the Stockton Brook pumping station) bounded by a line drawn from the junction of Cocks Lane with the Leek to Stoke road at Baddeley Green in a northerly direction to the junction of Willfield Lane with the Newcastle-under-Lyme to Leek road at Brown Edge thence proceeding in a north-easterly and easterly direction along the said Newcastle-under-Lyme to Leek road to its junction with the road leading to Endon Edge at Clay Lake thence proceeding in a southerly direction to the bridge carrying the road from Stockton

A.D. 1928.

Brook to Stanley over the Caldon Canal and thence proceeding in a south-westerly direction to the junction of Cocks Lane with the Leek to Stoke road at Baddeley Green firstly above mentioned :

(v) In relation to the Wall Grange pumping station—

So much of the parish of Longsdon in the rural district of Leek and of the parish of Cheddleton in the rural district of Cheadle as is situate within the area (within which area is situate the Wall Grange pumping station) bounded by a line drawn from the point where Denford Road is carried over the Endon Brook in a northerly direction along the said road to its junction with the Newcastle-under-Lyme to Leek road at New Inn thence proceeding in a north-easterly and easterly direction along the said Newcastle-under-Lyme to Leek road to the point near Woodside where the access road to Wall Grange Farm joins the said road thence proceeding in a north-easterly direction to the bridge carrying the Caldon Canal over the river Churnet thence proceeding in a southerly westerly and south-westerly direction along the west bank of the river Churnet to its junction with the Endon Brook thence proceeding in a westerly direction to the north-western corner of Deep Hayes reservoir dam and thence proceeding in a north-westerly direction to the point where Denford Road is carried over the Endon Brook firstly above mentioned :

(vi) In relation to the Meir pumping station—

So much of the parish of Stoke-on-Trent in the city of Stoke-on-Trent as is situate within the area (in which area is situate the Meir pumping station) bounded by a line drawn from the junction of Meir Road with Uttoxeter Road in a north-easterly direction to the point where the road to Weston Coyney brickworks joins Weston Road thence proceeding in a south-easterly direction to the point where Caverswall Road joins Uttoxeter



Road at Catchems Corner thence proceeding in a south-westerly direction to the south-east corner of the farm buildings of Normacot Grange thence proceeding in a westerly direction to the point where Sandy Lane joins Stone Road at Lightwood thence proceeding in a northerly and easterly direction along Stone Road Star and Garter Road and Meir Road to the junction of Meir Road with Uttoxeter Road firstly above mentioned :

A.D. 1928:  
 —

and the said areas (all of which are wholly situate in the county of Stafford) are in subsection (2) of this section referred to collectively as "the protective areas."

(2) A plan showing the lands comprised in the protective areas shall at all reasonable times be open to public inspection at the office of the Board without charge.

**22.**—(1) If it appears to a court of summary jurisdiction on complaint by or on behalf of the Board that any substance or liquid of a nature which if permitted to escape into the subsoil will involve or is likely to involve the pollution or contamination of underground water is escaping or is about to be permitted to escape into the subsoil of any lands within a protective area from any manure heap or dunghill the court may after giving the owner or occupier of the lands upon which the said manure heap or dunghill is situate an opportunity of being heard make an order authorising the Board or any person authorised by them at the expense of the Board in all things to execute such works upon or in proximity to the site of any such manure heap or dunghill and to do such other acts and things as in the opinion of the court will effectually remedy or prevent such escape.

Prevention of escape into subsoil of polluting matter from manure heaps &c.

(2) Any person who obstructs or impedes the execution of any such order shall (unless he shows cause to the satisfaction of the court for such obstruction) be liable to a penalty not exceeding five pounds.

**23.**—(1) For the purpose of protecting any of their waters and waterworks against pollution nuisance encroachment or injury the Board may by agreement purchase take on lease and acquire any lands in or over which any waters which the Board are for the time being authorised to collect impound take use divert or appropriate arise or flow and may hold such lands so

Powers for protection of waters and waterworks.

A.D. 1928. — long as they shall deem it necessary or expedient for those purposes. Provided that the Board shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor erect any buildings thereon except such as are required for or connected with or incident to the purposes of the undertaking.

(2) The Board may in and upon any lands so acquired by them construct and lay down drains sewers water-courses and other works and conveniences necessary or proper for the purpose of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the waters which the Board are empowered to take from being polluted and the Board may for the purpose aforesaid carry any such drain sewer or watercourse under across or along any street or road within any area in or through which any waters which may be taken by the Board arise or flow subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

(3) The powers conferred by this section shall not authorise the grant or enclosure of common without the consent of the Minister of Agriculture and Fisheries.

Power to  
agree as to  
drainage of  
lands &c.

24.—(1) The Board may make and carry into effect agreements with the owners lessees or occupiers of any land within the drainage area of any of their waterworks with reference to the execution by the Board or such owners lessees or occupiers of such works as may be necessary for preserving the purity of the waters authorised to be diverted collected and appropriated by the Board flowing to upon or from such lands directly or derivatively into any of such works.

(2) The Board may make and carry into effect agreements with the owners lessees or occupiers of any lands within any of the protective areas with reference to the execution by the Board or such owners lessees or occupiers of such works as may be necessary for the purpose of preventing the escape into the subsoil within any protective area of water from any sink sewer cesspool or drain steam engine boiler or other filthy water or otherwise of preserving the purity of the underground water authorised to be pumped and appropriated by the Board.

PART IV.

A.D. 1928.

SUPPLY OF WATER &C.

**25.** Where a person who takes a supply of water for domestic purposes from the Board desires to use for or in connection with a refrigerating apparatus any of the water so supplied the Board shall be entitled to require that all water so used shall—

Charges for supplies to refrigerators.

- (1) be taken by measure and paid for accordingly and in that event the minimum quarterly charge for the water shall be ten shillings; or
- (2) be paid for at such rates as may be agreed between the consumer and the Board.

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

Contracts for supplying water in bulk.

**27.** Notwithstanding anything contained in any Act relating to the Board the Board shall have the exclusive right of executing any works on any of the water mains of the Board for connecting any communication or service pipe therewith and the Board shall on the request of the owner or occupier of any premises who is entitled to be supplied with water by the Board execute on any such main any work which shall be necessary to connect the communication or service pipe of such owner or occupier therewith but subject to any obligations of such owner or occupier in relation to the execution of such work and any expenses incurred by the Board in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable summarily as a civil debt.

Board to connect communication pipes with mains.

[Ch. lxxv.] *Staffordshire Potteries* [18 & 19 GEO. 5.]  
*Water Board Act, 1928.*

A.D. 1928.

—  
Separate  
communi-  
cation pipes  
may be  
required.

28. If the owner of any house supplied with water by the Board when so required in pursuance of section 37 (Company not bound to supply several houses by one pipe) of the Act of 1888 fails within a period of one month after the receipt of such requirement to provide a separate pipe from the main pipe into such house the Board may themselves do the work necessary in that behalf and may recover from such owner the cost incurred by them in so doing summarily as a civil debt.

Penalty for  
closing  
valves and  
apparatus.

29. Every person who shall wilfully (without the consent of the Board) or negligently close or shut off any valve cock or other work or apparatus belonging to the Board whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Board) be liable on conviction to a penalty not exceeding five pounds and the Board may in addition thereto recover the amount of any damage by them sustained. Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe.

Penalty for  
interfering  
with valves  
&c.

30. Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of the supply of water by the Board who shall without the authority of the Board turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Board and provided or available for the purpose of affording such supply shall be deemed to commit an offence under section 60 (Penalty for destroying valves &c.) of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly.

Register of  
meter to be  
primâ facie  
evidence.

31. Where the Board supply water by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed and in respect of which any water rate or rent is charged and sought to be recovered by the Board. Provided that if the Board and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties

any costs of the proceedings before them shall be paid . A.D. 1928.  
 and the decision of such court shall be final and binding  
 on all parties.

PART V.

FINANCE.

**32.**—(1) The Board may from time to time borrow at interest (in addition to any moneys which they are now authorised to borrow) for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall pay off all moneys so borrowed within the respective periods mentioned in the third column of the said table (namely) :—

Power to borrow.

(1) Purpose.	(2) Amount.	(3) Period.
(a) For the construction of the Cresswell pumping station referred to in the section of this Act of which the marginal note is "Revival of powers for construction of certain works" (other than the pumps and engines).	£ 49,000	Fifty years from the date or dates of borrowing.
(b) For the pumps and engines for and in connection with the Cresswell pumping station.	35,000	Thirty years from the date or dates of borrowing.
(c) For the construction of the aqueduct line or lines of pipes referred to in the section of this Act of which the marginal note is "Revival of powers for construction of certain works."	38,000	Forty years from the date or dates of borrowing.
(d) For the purchase of lands for and in connection with the new work.	500	Sixty years from the date or dates of borrowing.
(e) For the construction of the new work	24,000	Forty years from the date or dates of borrowing.
(f) For the purchase of the lands and works referred to in the section of this Act of which the marginal note is "Power to acquire sites of certain existing reservoirs and works of Board."	1,000	Sixty years from the date or dates of borrowing.
(g) For paying the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.



A.D. 1928.

(2) The Board may also with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act including further working capital and any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister of Health.

(3) In order to secure the repayment of the moneys borrowed or re-borrowed under this Act and the payment of interest thereon the Board may mortgage or charge the revenues of the Board.

Financial  
provisions  
of Act of  
1924 to  
apply.

**33.** The undermentioned sections of the Act of 1924 (that is to say) :—

Section 33 (Mode of raising money);

Section 34 (Provisions of Public Health Act 1875 as to mortgages to apply);

Section 35 (Mode of payment off of money borrowed);

Section 38 (Protection of lender from inquiry);

Section 40 (Appointment of receiver);

Section 41 (Power to re-borrow);

Section 43 (Proceeds of sale of surplus lands);

Section 44 (Return to Minister of Health with respect to repayment of debt);

Section 45 (Application of money borrowed);

shall apply and have effect (*mutatis mutandis*) to and in relation to the borrowing and other provisions of this Act :

Provided—

(i) that the said section 34 shall be read and have effect as if the same had been expressed to be made subject to the provisions of the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes" ; and

(ii) that the said section 40 shall be read and have effect as if the words "two thousand pounds" were inserted therein instead of the words "one thousand pounds."

**34.**—(1) If the Board determine to repay by means of a sinking fund any moneys borrowed by virtue of any statutory borrowing power (except money borrowed by the issue of stock) such sinking fund shall be formed and maintained either—

A.D. 1928.

—  
Sinking  
fund.

(a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a “non-accumulating sinking fund”; or

(b) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum or such other rate as the Minister of Health may from time to time approve will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an “accumulating sinking fund.”

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall subject to the provisions of this Act unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Board being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Board towards the equal annual payments to the fund.

(4) The Board may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the sinking fund is formed. Provided that in the case of an accumulating sinking fund the Board shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

A.D. 1928.

(5) (a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Board.

(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Board in addition to the payments provided for by this Act.

(7) If it appears to the Board at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Board to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose and if it appears to the Minister of Health that any such increase is necessary the Board shall increase the payments to such extent as that Minister may direct.

(8) If the Board desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Board may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Minister of Health be sufficient to repay

within the prescribed period the moneys for the repayment of which the sinking fund is formed. A.D. 1928.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be sufficient to repay the moneys in respect of which the sinking fund is formed within the prescribed period the Board may with the consent of that Minister discontinue the annual payments to such sinking fund until the Minister of Health shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Board with the consent of the Minister of Health may determine.

(12) All moneys which at the date of the passing of this Act are standing to the credit of any sinking fund in respect of moneys borrowed otherwise than by the issue of stock and not applied in repayment thereof shall be transferred to the sinking fund established under this Act and the sums so transferred shall be taken into account in calculating the future payments to be made to the sinking fund under this section.

**35.**—(1) Where the Board are authorised by any statutory borrowing power to raise moneys for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said moneys either wholly or partially by using for such purpose so much of any moneys for the time being forming part of a sinking fund as shall be available for the repayment of—

Power to use sinking fund instead of borrowing.

(a) a loan which is secured by a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a particular borrowing power specified therein; or

(b) moneys borrowed and charged upon all revenues of the Board in manner provided by the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes"

A.D. 1928.

and not shown by the deed to be raised in exercise of a particular borrowing power specified therein.

(2) The Board when exercising the powers conferred on them by this section shall—

(a) withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund;

(b) credit such sinking fund with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of the sinking fund;

(c) debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from such sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of any enactment as to the repayment and re-borrowing of sums raised under the statutory borrowing power shall apply thereto accordingly.

(3) The provisions of this section shall not apply to any sinking fund formed under the Local Loans Act 1875.

(4) The Board shall furnish all such information (if any) to the Minister of Health with regard to the exercise of the powers contained in this section as that Minister shall require.

Power to  
use one  
form of  
mortgage  
for all  
purposes.

**36.**—(1) Notwithstanding anything in any other Act relating to the Board where the Board have for the time being any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the common seal of



the Board and may be made in the form set out in the Fourth Schedule to this Act or to the like effect. A.D. 1928.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever and shall also rank equally with all other securities granted by the Board at any time after the date of the first grant of a mortgage under this section.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Board.

(5) Nothing in this section shall alter or affect the obligations of the Board to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods within which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section shall alter or affect the obligations of the Board to provide for the payment of interest upon the sums secured by mortgages granted under this section.

(7) There shall be kept at the office of the Board a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed.

Every such register shall be open to inspection by any mortgagee or other person entitled to any mortgage granted under this section during office hours at the said office without fee or reward and the clerk refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his rights and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form set out in the Fourth Schedule to this Act or to the like effect.

A.D. 1928.

(9) There shall be kept at the office of the Board a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the clerk who shall on payment to him of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Board shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his rights and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby.

(11) If the clerk wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a penalty not exceeding twenty pounds.

Provisions  
as to trans-  
fers of mort-  
gages.

**37.**—(1) Every deed of transfer of any mortgage of the Board whether granted under the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes" or otherwise shall relate only to the transfer and shall not contain any recital trust power or proviso whatsoever.

(2) The Board before registering any such transfer may if the circumstances appear to them to make it expedient require evidence of the title of any person claiming a right to make the transfer.

(3) The evidence shall be a statutory declaration of one or more competent persons or of such other nature as the Board may require.

Evidence of  
transfer or  
transmission  
of securities.

**38.** It shall not be obligatory on the Board to receive or register any transfer assignment certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any security of the Board (except securities

issued under the Local Loans Act 1875 and except securities to which regulations made under section 52 of the Public Health Acts Amendment Act 1890 apply) except upon the production to and temporary deposit with the clerk of the security or the certificate thereof for the purpose of the endorsement thereon of a memorandum of such transmission or the issue of a new security or certificate thereof and in case of the issue of a new security or certificate for the purpose of cancellation of the security or certificate so deposited. A.D. 1928.

**39.** Where more persons than one are registered as joint owners of any mortgage debenture or other security of the Board any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Board or to the clerk by any other of them. Interest on securities held jointly.

**40.** If any money is payable to a mortgagee or the holder of any stock debenture or other security of the Board being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Board. Receipt in case of persons not sui juris.

## PART VI.

### MISCELLANEOUS.

**41.** Subject to the provisions of this Act the undermentioned sections of the Act of 1924 (that is to say) :— Miscella-  
neous provi-  
sions of Act  
of 1924 to  
apply.

- Section 48 (Expenses of execution of Act);
- Section 57 (Incorporation of sections 259 and 265 of Public Health Act 1875);
- Section 58 (Inquiries by Ministry of Health);
- Section 60 (Judges not disqualified);
- Section 61 (Several sums in one summons or warrant);
- Section 62 (Recovery of penalties &c.);
- Section 63 (Recovery of demands);
- Section 64 (Application of penalties);
- Section 65 (Authentication and service of notices &c.) ;

[Ch. lxxv.] *Staffordshire Potteries* [18 & 19 Geo. 5.]  
*Water Board Act, 1928.*

A.D. 1928. shall extend and apply to the exercise of the powers of  
— this Act as if the same with the necessary modifications  
were re-enacted in this Act.

Repeal. 42. The following sections of the following Acts of  
the Board are hereby repealed (namely):—

The Act of 1888—

Section 34 (Penalty for wilfully closing valves  
&c.).

The Act of 1912—

Section 36 (Several sums in one summons).

The Act of 1922—

Section 42 (Company may retain land).

The Act of 1924—

Section 36 (Sinking fund);

Section 37 (Alternative application of sinking  
fund).

For protec- 43. Nothing in this Act shall prejudice or affect the  
tion of Lord rights interests or benefits secured to Lord Stafford and  
Stafford. the owner or owners for the time being of the Swynnerton  
Cold Meece and Mill Meece estates or any or either of  
them by the several following indentures of conveyance  
and grant to the company the rights and interests of  
the grantees whereunder are now vested in the Board  
(namely):—

Indenture of conveyance dated the fourth day of  
October one thousand eight hundred and eighty-  
nine and made between Basil Thomas Fitz-  
herbert and Francis Edward Fitzherbert of the  
one part and the company of the other part.

Indenture of grant dated the sixteenth day of  
December one thousand nine hundred and five  
and made between Basil Thomas Fitzherbert of  
the first part John Snead Cox Robert Valentine  
Berkeley and Simon Conyers Scrope of the  
second part and the company of the third part.

Indenture of conveyance dated the twenty-ninth day  
of July one thousand nine hundred and seven and  
made between William Fitzherbert-Brockholes  
and Alfred Joseph Hornyold of the first part  
Basil Thomas Fitzherbert of the second part

Joseph Edward Radcliffe and George Mostyn of A.D. 1928.  
the third part and the company of the fourth  
part.

Indenture of conveyance and grant dated the  
twentieth day of October one thousand nine  
hundred and ten and made between William  
Fitzherbert-Brockholes and Alfred Joseph  
Hornyold of the first part Basil Thomas Fitz-  
herbert of the second part Sir Joseph Edward  
Radcliffe Baronet and George Mostyn of the  
third part Edward Henry Joseph Mostyn and  
Charles Jerome Vaughan of the fourth part and  
the company of the fifth part.

44. All costs charges and expenses of and incident Costs of Act.  
to the preparing applying for obtaining and passing of  
this Act or otherwise in relation thereto as taxed by the  
taxing officer of the House of Lords or of the House of  
Commons shall be paid by the Board and may be paid  
out of the revenues of the Board or out of moneys to be  
borrowed under this Act for the purpose.



[Ch. lxxv.]      *Staffordshire Potteries* [18 & 19 GEO. 5.]  
*Water Board Act, 1928.*

A.D. 1928.

The SCHEDULES referred to in the  
foregoing Act.

THE FIRST SCHEDULE.

Session and Chapter.	Short title.
16 & 17 Vict. c. excviii. -	The Staffordshire Potteries Water-works Consolidation and Extension Act 1853.
24 & 25 Vict. c. cxlvi. -	The Staffordshire Potteries Water-works Amendment Act 1861.
31 & 32 Vict. c. cxxxi. -	The Staffordshire Potteries Water-works Act 1868.
51 & 52 Vict. c. clvii. -	The Staffordshire Potteries Water-works Act 1888.
2 & 3 Geo. 5. c. lxxv. -	The Staffordshire Potteries Water-works Act 1912.
12 & 13 Geo. 5. c. lxxviii.-	The Staffordshire Potteries Water-works Act 1922.
14 & 15 Geo. 5. c. lxxviii.-	The Staffordshire Potteries Water Board Act 1924.

THE SECOND SCHEDULE.

(Lands referred to in the section of the foregoing Act of which the marginal note is "Power to acquire sites of certain existing reservoirs and works of Board.")

(a) A plot of land upon which the existing Redheath reservoir of the Board is constructed situate in the parish of Keele in the rural district of Newcastle-under-Lyme containing one thousand two hundred and forty square yards or thereabouts bounded on all sides by land belonging or reputed to belong to Ralph

Sneyd forming the enclosure numbered 139 in the said parish, A.D. 1928.  
on the  $\frac{1}{2500}$  scale Ordnance map edition of 1924 (Staffordshire sheet XVII 2) being one of the plots of land delineated and coloured pink on the map or plan annexed to an indenture of lease made the eighteenth day of December one thousand nine hundred and sixteen between the said Ralph Sneyd of Keele Hall in the county of Stafford Esquire of the one part and the company of the other part.

(b) A strip of land situate in the said parish of Keele ninety-two yards or thereabouts in length and five yards or thereabouts in width and containing four hundred and sixty square yards or thereabouts extending in a north-westerly direction from the northern corner of the plot of land described in the immediately preceding paragraph (a) to Pepper Street bounded on all sides (save where it abuts upon Pepper Street aforesaid) by land belonging or reputed to belong to the said Ralph Sneyd and forming part of the enclosure numbered 140 in the said parish on the said Ordnance map being one of the strips of land delineated and coloured blue on the map or plan annexed to the said last-mentioned indenture of lease.

(c) A plot of land upon which the existing Silverdale tank of the Board is constructed situate in the said parish of Keele containing three hundred and twenty square yards or thereabouts bounded on all sides by land belonging or reputed to belong to the said Ralph Sneyd and forming part of the enclosure numbered 266a in the said parish on the  $\frac{1}{2500}$  Ordnance map edition of 1924 (Staffordshire sheet XVII 3) being the other of the two plots of land delineated and coloured pink on the map or plan annexed to the said last-mentioned indenture of lease.

(d) (i) A strip of land situate in the said parish of Keele one hundred and eighty-six yards or thereabouts in length and eight yards or thereabouts in width and containing one thousand four hundred and eighty-eight square yards or thereabouts extending in a north-easterly direction from the northern corner of the plot of land described in the immediately preceding paragraph (c) to the boundary of the property described in the next following sub-paragraph (ii) of this paragraph bounded on the east and west sides thereof as to part by lands belonging or reputed to belong to the said Ralph Sneyd and as to part by lands belonging or reputed to belong to Matthew Bonsall and Albert Bonsall and on the south side thereof by the plot of land described in the said immediately preceding paragraph (c) and on the north side thereof by the property described in the next following sub-paragraph (ii) of this paragraph and forming part of the enclosures numbered 266 and 266a in the said parish of Keele on the said last mentioned Ordnance map which strip of land includes part of the other of the two strips of land deli-

A.D. 1928. neated and coloured blue on the map or plan annexed to the said last-mentioned indenture of lease.

(ii) A plot of land with house and garden known as Oak Villa situate partly in the said parish of Keele and partly in the parish of Silverdale in the urban district of Wolstanton United containing one thousand five hundred square yards or thereabouts bounded on the north side thereof by High Street Silverdale on the south side thereof partly by the strip of land described in the next preceding sub-paragraph (i) of this paragraph and partly by lands belonging or reputed to belong to the said Matthew Bonsall and Albert Bonsall on the west side thereof by the boundary between the said parishes of Keele and Silverdale and on the east side thereof by lands belonging or reputed to belong to the said Matthew Bonsall and Albert Bonsall and forming part of the enclosure numbered 263 in the said parish of Keele and part of the enclosure numbered 346 in the said parish of Silverdale on the said last-mentioned Ordnance map which plot of land includes the remainder of the other of the two strips of land delineated and coloured blue on the map or plan annexed to the said last-mentioned indenture of lease.

(e) A plot of land upon which the existing Keele reservoir of the Board is constructed situate in the said parish of Keele containing six hundred and sixty square yards or thereabouts bounded on all sides by land belonging or reputed to belong to the said Ralph Sneyd and forming part of the enclosure numbered 225 in the said parish on the  $\frac{1}{2500}$  Ordnance map edition of 1924 (Staffordshire sheet XVII 2) being the plot of land delineated and coloured pink on the map or plan annexed to an indenture of lease made the fourth day of June one thousand nine hundred and twenty-three between the said Ralph Sneyd of the one part and the company of the other part.

(f) A strip of land situate in the said parish of Keele one hundred and ten yards or thereabouts in length and five yards or thereabouts in width containing five hundred and fifty square yards or thereabouts extending in a north-westerly direction from a point ten yards or thereabouts measured from the southern extremity of and along the western boundary of the plot of land lastly hereinbefore described to the road leading from the village of Keele to Pepper Street bounded on all sides (save where it abuts upon Pepper Street aforesaid) by land belonging or reputed to belong to the said Ralph Sneyd and forming part of the enclosure numbered 225 in the said parish on the said last-mentioned Ordnance map being the strip of land delineated and coloured blue on the map or plan annexed to the said last-mentioned indenture of lease.

(g) A plot of land upon which the existing Leycett reservoir of the Board is constructed situate in the parish of Madeley in

the rural district of Newcastle-under-Lyme containing six hundred and forty square yards or thereabouts bounded on all sides by land belonging or reputed to belong to the Most Honourable Robert Offley Ashburton Marquess of Crewe and forming part of the enclosure numbered 107 in the said parish on the  $\frac{1}{2500}$  Ordnance map edition of 1924 (Staffordshire sheet XVII 1) being one of the two plots of land delineated and coloured pink on the map or plan annexed to an indenture of lease made the twenty-second day of January one thousand nine hundred and seventeen between the said Marquess of Crewe of the one part and the company of the other part. A.D. 1928.

(h) A strip of land situate in the said parish of Madeley seventy yards or thereabouts in length and five yards or thereabouts in width and containing three hundred and fifty square yards or thereabouts extending in a north-westerly direction from a point ten yards or thereabouts measured from the southern extremity of and along the western boundary of the plot of land described in the immediately preceding paragraph (g) to the road from Madeley to Leycett bounded on all sides (save where it abuts upon the said road) by land belonging or reputed to belong to the said Marquess of Crewe and forming part of the enclosure numbered 107 on the said last-mentioned Ordnance map being one of the two strips of land delineated and coloured blue on the map or plan annexed to the said last-mentioned indenture of lease.

(i) A plot of land upon which the existing Madeley Heath tank of the Board is constructed situate in the said parish of Madeley containing three hundred and ten square yards or thereabouts bounded on all sides (save where it abuts upon the road from Madeley to Keele) by land belonging or reputed to belong to the said Marquess of Crewe and forming part of the enclosure numbered 149 in the said parish on the said last-mentioned Ordnance map which plot of land includes the other of the two plots of land delineated and coloured pink and the other of the two strips of land delineated and coloured blue on the map or plan annexed to the said last-mentioned indenture of lease.

A.D. 1928.

### THE THIRD SCHEDULE.

Describing properties whereof portions only may be taken.

Parish.	No. on deposited Plans.	Description of Property.
Keele -	6	House and garden water mains.
Silverdale -	1	House and garden water mains.

### THE FOURTH SCHEDULE.

#### FORM OF MORTGAGE.

##### STAFFORDSHIRE POTTERIES WATER BOARD.

By virtue of the Staffordshire Potteries Water Board Act 1928 and of other their powers in that behalf them enabling the Staffordshire Potteries Water Board (hereinafter referred to as "the Board") in consideration of the sum of pounds (hereinafter referred to as "the principal sum") paid to the Board by

(hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Board as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of

per centum per annum from the day of one thousand nine hundred and

until payment of the principal sum

such interest to be paid half-yearly on the day of and the day

of in each year The first payment

of interest to be made on the day of

one thousand nine hundred and



And it is hereby agreed that the principal sum shall be repaid at the offices of the Board [(subject as hereinafter provided) on the day of one thousand nine hundred and ]  
 [by ]: A.D. 1928.

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon between the Board and the mortgagee and mentioned in an endorsement to be made hereon under the hand of the chairman and clerk of the Board for the time being and that upon such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Board have caused their common seal to be hereunto affixed this day of one thousand nine hundred and

Chairman.  
 Clerk.

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named consenting the within-mentioned time for repayment of the within-mentioned principal sum of is hereby extended to the day of one thousand nine hundred and [and the interest to be paid thereon on and from the day of one thousand nine hundred and is hereby declared to be at the rate of per centum per annum].

Dated this day of one thousand nine hundred and

FORM OF TRANSFER OF MORTGAGE.

I [the within-named] [of ] in consideration of the sum of pounds paid to me by of (hereinafter referred to as " the transferee ") do hereby transfer to the transferee [his] executors administrators and assigns [the within-written security] [the mortgage number of the revenues of the

[Ch. lxxv.] *Staffordshire Potteries* [18 & 19 GEO. 5.]  
*Water Board Act, 1928.*

A.D. 1928. Staffordshire Potteries Water Board bearing date the  
day of ] and all my right and interest  
under the same subject to the several conditions on which I hold  
the same at the time of the execution hereof and I the transferee  
for myself my executors administrators and assigns do hereby  
agree to take the said mortgage security subject to the same  
conditions.

Dated this day of one  
thousand nine hundred and

---

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of  
Acts of Parliament.

---

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses :  
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;  
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;  
15, Donegall Square West, Belfast;  
or through any Bookseller,