



## CHAPTER xxxiii.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Bristol Water and Ross Water.      A.D. 1929.  
[20th December 1929.]

**W**HEREAS under the provisions of the Gas and Water Works Facilities Act 1870 and the Gas and Water Works Facilities Act 1870 Amendment Act 1873 the Minister of Health has made certain Orders which as amended are set out in the schedule hereto :      33 & 34 Vict. c. 70.  
36 & 37 Vict. c. 89.

And whereas it is requisite that the said Orders should be confirmed by Parliament :

Be it therefore 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 :—

1. The Orders as amended and set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.      Orders in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (Bristol and Ross Water) Act 1929.      Short title.

A.D. 1929.

## SCHEDULE.

### BRISTOL WATER.

*Bristol Water Order.* *Provisional Order under the Gas and Water Works Facilities Act 1870 and the Gas and Water Works Facilities Act 1870 Amendment Act 1873 empowering the Bristol Waterworks Company to construct waterworks and for other purposes.*

The Minister of Health in pursuance of the powers given to him by the Gas and Water Works Facilities Act 1870 the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and of all other powers enabling him in that behalf hereby orders as follows :—

Short and  
collective  
titles.

1. This Order may be cited as the Bristol Waterworks Order 1929 and the Bristol Waterworks Acts and Order 1862 to 1927 and this Order may be cited together as the Bristol Waterworks Acts and Orders 1862 to 1929.

Commence-  
ment of  
Order.

2. This Order shall come into operation on the date of the Act of Parliament confirming it.

Interpreta-  
tion.

3.—(1) The several words terms and expressions to which by any Act wholly or partly incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings.

(2) In this Order—

“deposited plans” and “deposited sections” mean respectively the plans and sections deposited for the purposes of this Order;

“the undertakers” means the Bristol Waterworks Company;

“the undertaking” means the undertaking of the undertakers as existing from time to time.

Incorporation of Acts.

4. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) and of the Waterworks Clauses Acts 1847 and 1863 are incorporated with this Order.

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*Provisional Orders Confirmation (Bristol and Ross Water)*  
*Act, 1929.*

5.—(1) Subject to the provisions of this Order the undertakers may in the lines and situations and in upon or under the lands or in or under the streets roads or highways delineated on the deposited plans and according to the levels shown on the deposited sections construct and maintain the following work in the counties of Somerset and Gloucester :—

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—  
*Bristol Water*  
*Order.*  
Power to  
construct  
waterworks.

A line or lines of pipes commencing in the parish of Barrow Gurney in the rural district of Long Ashton in the county of Somerset in the enclosure numbered 199 on the  $\frac{1}{25000}$  Ordnance Map (Somersetshire Sheet V. 16 Second Edition 1903) in the filtered water tank of the undertakers at a point one-sixth of a chain or thereabouts measured in a south-westerly direction from the northern corner of such filtered water tank proceeding thence through that parish and the parish of Long Ashton in the said rural district passing thence under the road lying between the Bristol and Portishead Railway of the Great Western Railway Company and the River Avon (which road is partly in the said parish of Long Ashton and partly in the parish city and county borough of Bristol) passing thence under the River Avon to Hotwell Road in the said parish city and county borough of Bristol and terminating in the last-mentioned road at a point therein two-thirds of a chain or thereabout measured in a south-westerly direction along that road from the junction therewith of Freeland Place.

(2) In addition to the foregoing work the undertakers may upon the said lands make and maintain all buildings machinery works and apparatus of such a character as may be necessary or convenient in connection with or subsidiary to that work.

(3) The undertakers shall construct make and maintain such work buildings machinery works and apparatus in upon or under such lands only so long and so far as they are possessed of interests rights or easements in those lands entitling them so to do.

(4) Any electrical works or apparatus made or maintained under the provisions of this article shall be so constructed maintained and used as to prevent interference with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

6. In the construction of the work authorised by this Order the undertakers may deviate laterally to any extent within the limits of lateral 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

Limits of  
deviation.

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A.D. 1929. extent not exceeding three feet upwards and to any extent  
 --- downwards :

*Bristol Water  
 Order.*

Provided that—

- (i) Except for the purposes of crossing over a stream dyke or watercourse no part of the pipes shall be raised above the surface of the ground except so far as is shown on the deposited sections ;
- (ii) No deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Work to  
 form part  
 of under-  
 taking.

7. Subject to the provisions of this Order the work authorised by this Order shall for all purposes whatsoever form part of and be comprised in the undertaking.

Works below  
 high-water  
 mark to be  
 subject to  
 approval of  
 Board of  
 Trade.

8.—(1) Subject to the provisions of this Order any work authorised by this Order shall be constructed only so far as the same shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides in accordance with plans and sections approved by the Board of Trade under the hand of one of the secretaries or assistant secretaries of the Board of Trade and subject to such restrictions and regulations as that Board may prescribe before such work is begun.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) If any such work be commenced or completed contrary to the provisions of this article the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the undertakers and the amount of such cost shall be a debt due from the undertakers to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt.

Completion  
 of work.

9. The work authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act 1870 :

Provided that subject to the restrictions and provisions of this Order the undertakers may from time to time repair alter enlarge renew and extend such work and lay down additional lines of pipes along the routes of the line or lines of pipes authorised by this Order in such way and manner as may be requisite or advisable for supplying water within their limits of supply.

For protec-  
 tion of  
 Somerset

10. For the protection of the Somerset County Council (in this article called "the Council") the following provisions shall

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unless otherwise agreed in writing between the undertakers and the Council apply and have effect (that is to say) :—

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Where the line or lines of pipes which the undertakers are authorised by this Order to construct are laid in any main road for the time being repairable by the Council the provisions of section 29 of the Bristol Waterworks Act 1917 (which makes provision for the protection of the Council) shall so far as they are applicable extend and apply to that line or those lines of pipes as if that section were set out in this Order.

*Bristol Water  
Order.*

County  
Council.

11. Notwithstanding anything contained in this Order or shown on the deposited plans the line or lines of pipes and all works connected therewith which the undertakers are authorised by this Order to construct under the River Avon shall be constructed and maintained subject to and in accordance with the terms of an agreement dated the twenty-second day of December nineteen hundred and twenty-eight and made between the undertakers of the one part and the Lord Mayor Aldermen and Burgesses of the City and County of Bristol of the other part and no works other than those allowed by that agreement shall under the provisions of this Order be constructed by the undertakers under the River Avon without the consent of the Corporation.

For protec-  
tion of  
Bristol Cor-  
poration.

12. For the protection of the Great Western Railway Company (in this article referred to as "the Company") the following provisions shall unless otherwise agreed in writing between the undertakers and the Company apply and have effect :—

For protec-  
tion of  
Great  
Western  
Railway  
Company.

The works authorised by this Order so far as they affect the lands or property of the Company shall be constructed and maintained in accordance with an agreement made the twentieth day of December nineteen hundred and twenty-eight between the Company and the undertakers and except as provided by that agreement no other works shall be constructed on the lands or property of the Company without their consent.

13. For the protection of the Bristol Gas Company (in this article referred to as "the Company") the following provisions shall have effect :—

For protec-  
tion of  
Bristol Gas  
Company.

(1) Notwithstanding anything contained in this Order or shown on the deposited plans or the deposited sections the provisions of section 103 of the Bristol Waterworks Act 1862 (which makes provision for preserving space between gas and water pipes) and of section 104 of that Act (which makes provision for the giving of notice by the undertakers to gas companies of their intention to open streets and vice versa) shall unless otherwise

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*Bristol Water*  
*Order.*

agreed between the undertakers and the Company extend and apply to and in respect of any works to be executed by the undertakers in exercise of the powers conferred upon them by this Order as if the said provisions were with any necessary modifications set out in this Order:

(2) In the application of the provisions mentioned in paragraph (1) of this article to and in respect of such parts of the said works as are to be executed in the rural district of Long Ashton those provisions shall be read and have effect subject to the following modifications:—

(a) In the said section 103 the reference to the surveyor appointed by the Corporation of Bristol shall be construed as a reference to the surveyor to the Long Ashton Rural District Council;

(b) In the said section 104 the reference to two justices of the city and county of Bristol shall be construed as a reference to two justices of the county of Somerset.

Difference  
 with road  
 authority.

14. Save as otherwise provided in section 29 of the Bristol Waterworks Act 1917 as applied by this Order if any difference arise between the undertakers and any road authority as to the mode of laying down repairing altering extending or renewing the pipes of the undertakers or as to the facilities to be afforded for the same or as to any other matter referred to in this Order the same shall be settled by an engineer to be appointed by the Minister of Health at the request of either party and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference to arbitration.

Power to  
 apply funds.

15. The undertakers may apply to any of the purposes of this Order to which capital is properly applicable any sums of money which they have already raised or are authorised to raise under the Bristol Waterworks Acts and Order 1862 to 1927.

As to  
 register of  
 stock-  
 holders.

16. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 it shall not be obligatory upon the undertakers to authenticate by the affixing of their common seal or otherwise the register of stockholders.

Costs of  
 Order.

17. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the undertakers and may be paid wholly or partly out of revenue.

ROSS WATER.

A.D. 1929.

*Provisional Order under the Gas and Water Works Facilities Act 1870 and the Gas and Water Works Facilities Act 1870 Amendment Act 1873 for empowering the Undertakers under the Ross Water Order 1892 and the Ross Water Order 1898 to construct waterworks to extend the limits of supply to raise additional capital to increase the charges for water and for other purposes.*

*Ross Water Order.*

The Minister of Health in pursuance of the powers given to him by the Gas and Water Works Facilities Act 1870 the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and of all other powers enabling him in that behalf hereby orders as follows :—

PART I.

PRELIMINARY.

1. This Order may be cited as the Ross Water Order 1929 and the Ross Water Order 1892 the Ross Water Order 1898 and this Order may be cited together as the Ross Water Orders 1892 to 1929.

Short and collective titles.

2. This Order shall come into force and have effect upon the date of the Act of Parliament confirming it.

Commencement of Order.

3. So far as the same relate to the powers conferred by this Order the provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) and of the Waterworks Clauses Acts 1847 and 1863 are except where the same are inconsistent with or expressly varied by this Order hereby incorporated with and form part of this Order :

Incorporation of Acts.

Provided that section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Order have effect as if the words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” were omitted therefrom.

4.—(1) In this Order the several words terms and expressions to which by the Acts in whole or in part incorporated with this Order or by the Gas and Water Works Facilities Act 1870 meanings are assigned shall have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Interpretation.

[Ch. xxxiii.] *Ministry of Health* [20 GEO 5.]  
*Provisional Orders Confirmation (Bristol and Ross Water)*  
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—  
*Ross Water*  
*Order.*

(2) In this Order unless the context otherwise requires—

“deposited plans” and “deposited sections” mean respectively the plans and sections deposited for the purposes of this Order;

“the commencement of this Order” means the date upon which this Order comes into operation;

“the Minister” means the Minister of Health;

“the Undertakers” means the persons who are the Undertakers under the next following article of this Order;

“the Order of 1892” means the Ross Water Order 1892;

“the Order of 1898” means the Ross Water Order 1898;

“the undertaking” means the undertaking of the Undertakers as existing from time to time;

“the limits of supply” means the limits within which the Undertakers are for the time being authorised to supply water;

“the existing limits” means the limits within which the Undertakers are immediately prior to the commencement of this Order authorised to supply water;

“the added limits” means the area added by this Order to the existing limits.

Undertakers.

5. Eliza Mary Blake Henry Thomas Blake Guy Hewett and Noel Gordon Blake and other the trustees for the time being of the estate of Thomas Blake deceased shall be the Undertakers for the purposes of this Order:

Provided that—

(i) if the undertaking is at any time assigned to any other body company or person such body company or person shall from the date of the transfer be the Undertakers for the purpose of this Order in lieu of the person or persons above mentioned but no such assignment shall have any validity or effect until after the approval of the Minister to such assignment has been signified under the official seal of the Minister;

(ii) before proceeding to assign the undertaking to any body company or person other than the Ross Urban District Council the Undertakers shall give the said council notice of such proposed assignment and the said council shall have the option of purchase of the undertaking as a going concern and such option shall be retained by them for the period of three months from the receipt of such notice;

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- (iii) nothing in this Order contained shall prevent the Undertakers borrowing money on the security of mortgages of the undertaking not exceeding the amount by this Order prescribed or shall make the consent or approval of the Minister necessary to the validity or effect of any such mortgage.

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—  
*Ross Water*  
*Order.*

PART II.

LANDS AND WORKS.

6.—(1) For the purpose of protecting against pollution nuisance encroachment or injury any of the waters which the Undertakers are empowered to take the Undertakers may by agreement purchase take on lease or otherwise acquire any lands and may hold such lands and any other lands which the Undertakers may have acquired for the purposes of the undertaking so long as they shall deem it necessary or expedient for those purposes :

Protection  
of water  
supply.

Provided that—

- (a) The total quantity of land acquired under this article by the Undertakers for the purpose of the protection of waters shall not exceed twenty-five acres; and
- (b) The Undertakers shall not create or permit the creation or continuance of any nuisance on any lands acquired under this article nor without the approval of the Minister erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or connected with the undertaking but the restrictions of this article as to the erection of buildings shall not apply in respect of lands leased or sold by the Undertakers.

(2) The Undertakers may in and upon the lands referred to in paragraph (1) of this article construct and lay down drains sewers watercourses 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 water which the Undertakers are empowered to take from being polluted and the Undertakers may for those purposes carry any such drain sewer or watercourse under across or along any street or road traversing the said lands or within the limits of supply 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 Undertakers may make and carry into effect agreements with the owners lessees or occupiers of any lands with reference to the execution by the Undertakers or by such owners lessees or occupiers of works for draining such lands or for more effectually collecting conveying and preserving the purity of the

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waters which the Undertakers are for the time being authorised to take.

*Ross Water  
Order.*

Purchase of  
lands by  
agreement.

7.—(1) The Undertakers may subject to the limitation mentioned in paragraph (2) of this article from time to time purchase take on lease or otherwise acquire by agreement and use and hold for the purposes of the undertaking any lands and any easements rights or privileges (not being an easement right or privilege of water in which persons other than the parties to the agreement have an interest) in over or affecting any lands which they may from time to time require and the Undertakers may on any lands acquired by them under this article make maintain alter or discontinue such cisterns tanks aqueducts drains cuts sluices pipes culverts engines buildings offices and dwellings and other works (other than works for taking or intercepting water) as may be required for the purposes of or in connection with their undertaking :

Provided that the Undertakers shall not on any lands so acquired so long as the same are held by them create or permit a nuisance or erect or authorise the erection thereon of any houses or similar buildings except offices and dwellings for persons in their employ and such buildings as may be required for the purposes of or in connection with the undertaking.

(2) The total quantity of land held by the Undertakers at any one time under this article shall not exceed five acres in the whole.

Power to  
construct  
waterworks.

8.—(1) Subject to the provisions of this Order the Undertakers may in upon or under the lands shown on the deposited plans construct and maintain in the lines and according to the levels shown on the deposited plans and sections the following work (in this Order referred to as " the new work ") in the County of Hereford :—

A well and boreholes and pumping station situate in the parish of Ross Rural in the Rural District of Ross in the enclosures numbered in that parish 421 and 422 on the  $\frac{1}{2500}$  Ordnance Map (Herefordshire Sheet LI-8 Edition of 1904).

(2) In addition to the new work the Undertakers may upon the said lands make and maintain all such buildings machinery works and apparatus of any character whatever as may be necessary or convenient in connection with or subsidiary to that work but nothing in this article shall exonerate the Undertakers from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Power to  
take waters.

9. Subject to the provisions of this Order the Undertakers may pump collect impound take use divert and appropriate for the purposes of the undertaking all such springs streams or waters as may be intercepted by the new work.

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10. In the construction of the work authorised by this Order the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards and to any extent downwards :

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Order.*

Limits of  
deviation.

Provided that the Undertakers may in constructing such work in or upon the lands shown on the deposited plans which for the time being belong to or are leased to or have been acquired by them under the provisions of this Order deviate beyond such limits laterally and vertically to such extent as they may think necessary.

11. The work authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act 1870 :

Completion  
of work.

Provided that subject to the restrictions and provisions of this Order the Undertakers may alter enlarge renew deepen improve and extend their engines machinery tanks wells filters pipes mains connections and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

12. The Undertakers shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Order or an Act of Parliament.

Limiting  
powers of  
Undertakers  
to abstract  
water.

13.—(1) For the purpose of constructing enlarging extending repairing cleansing emptying or examining any of the works of the Undertakers the Undertakers may cause the water in such works to be discharged into any available stream or watercourse :

Discharge of  
water into  
streams.

Provided that any water so discharged shall so far as may be reasonably practicable be free from mud or solid or offensive matter and from matter injurious to fish or spawn or spawning beds or food of fish.

(2) In the exercise of the powers conferred by this article the Undertakers shall do as little damage as may be and shall make compensation to all persons interested for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

(3) The powers conferred by this article shall not be exercised so as to damage or injuriously affect the railways or works of any railway company.

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*Provisional Orders Confirmation (Bristol and Ross Water)*  
*Act, 1929.*

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—  
*Ross Water*  
*Order.*

Exercise of  
 powers of  
 s. 12 of  
 Waterworks  
 Clauses Act  
 1847.

14. The Undertakers may on all or any of the lands for the time being held by them in connection with the undertaking execute for the purposes thereof or in connection therewith any of the works (other than wells and works for taking and intercepting water) and exercise any of the powers mentioned in or conferred by section 12 of the Waterworks Clauses Act 1847 :

Provided that the Undertakers shall not under the powers of this article create or permit the creation or continuance of any nuisance on any such lands.

PART III.

SUPPLY OF WATER.

Extension of  
 limits of  
 supply.

15.—(1) The limits within which the Undertakers may supply water shall extend to and include in addition to the existing limits so much of the urban district of Ross in the county of Hereford and the parishes of Ross Rural and Bridstow in the rural district of Ross in the county of Hereford as is not within the existing limits.

(2) Subject to the provisions of this Order the Undertakers shall have and may exercise within the added limits all and the like powers rights privileges and authorities for and in relation to the supply of water and be subject to all and the like duties liabilities and obligations in respect thereof as they now have and are subject to within the existing limits.

(3) Any additional expense which the Great Western Railway Company may reasonably and properly incur in widening altering reconstructing repairing or maintaining their railways or other works under any existing powers in that behalf by reason of the existence of the works of the Undertakers laid or executed under the powers of this Order upon across over or under the same shall be paid by the Undertakers.

Power to  
 district  
 council &c.  
 to supply  
 water in case  
 Undertakers  
 fail to sup-  
 ply.

16.—(1) If after the expiration of five years from the commencement of this Order the Undertakers are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of this Order throughout the added limits the district council of any district in whole or in part within the added limits may provide a supply in accordance with the provisions of the Public Health Act 1875 or any such district council or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of the added limits not sufficiently supplied by the Undertakers and for the repeal of the powers of the Undertakers in that behalf.

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(2) If any difference shall arise between the Undertakers and any such district council company body or person as to the sufficiency of the supply of water in any part of the added limits such difference shall be settled by an arbitrator to be appointed on the application of either party by the Minister.

A.D. 1929.

—  
*Ross Water*  
*Order.*

17. Subject to the provisions of the Waterworks Clauses Act 1847 the Undertakers may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Undertakers and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose break up and interfere temporarily with public and private streets roads lanes footways courts passages tramways gas or water pipes electric and other lines wires and apparatus :

Detection of  
waste.

Provided that—

- (i) the Undertakers shall not interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878;
- (ii) the Undertakers shall not enter upon break up or interfere with the railway or works or any electric lines wires or apparatus belonging to a railway company or any street belonging to such company without the consent of that company or unreasonably interfere with or render less convenient the access to or exit from any station or depôt of that company.

18. The Undertakers may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were excepted from incorporation in this Order :

Power to  
lay pipes in  
private  
streets.

Provided that the Undertakers shall not exercise their powers under this article in respect of any street belonging to or maintained by a railway company except with the consent of that company but such consent shall not be unreasonably withheld nor shall the Undertakers in carrying out any works authorised by this article unreasonably obstruct or interfere with the access to any such street.

19. If any difference shall arise between the Undertakers and any road authority railway canal or other company whose lands or works the Undertakers have power to cross under the authority of this Order for the purpose of meeting the demands for water within the limits of supply as to the mode of laying

Differences  
with road  
authority or  
railway or  
other com-  
pany.

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A.D. 1929.      down repairing altering or enlarging their conduits or pipes  
                  or as to the facilities to be afforded for the same or as to any  
*Ross Water*      other matter referred to in this Order the difference shall unless  
*Order.*      otherwise provided by this Order be settled by an engineer  
                  to be appointed by the Minister at the request of either party  
                  and subject as aforesaid the provisions of the Arbitration Act  
                  1889 shall apply to any such reference to arbitration.

Rates for      20. The provisions of article 18 of the Order of 1892 (which  
domestic      prescribes rates for the supply of water for domestic purposes)  
supply.      as amended by section seventy-seven of the Local Government  
                  Act 1929 are hereby modified so as to authorise the Undertakers  
                  to charge for a supply of water for domestic purposes—

(1) on and after the first usual quarter day after the  
                  commencement of this Order any rates not exceeding  
                  by more than twenty-five per centum the rates  
                  prescribed by that article ;

(2) on and after the first usual quarter day after the  
                  completion of the new work any rates not exceeding  
                  by more than thirty-three and one-third per centum  
                  the rates prescribed by that article :

                 Provided that notwithstanding the provisions of the said  
                  article 18 and of this article the Undertakers shall not be  
                  bound to afford a supply of water to any premises for a less  
                  sum than threepence per week.

Rates for      21. Article 19 of the Order of 1892 (which prescribes rates  
water-      for water-closets and baths) shall be read and have effect in  
closets.      respect of every water-closet beyond the first as if in lieu of  
                  the words "five shillings" there had been inserted the words  
                  "seven shillings and sixpence."

Price of      22. The price to be charged for a supply of water by  
supply by      meter shall not exceed three shillings and fourpence a thousand  
meter.      gallons.

Byelaws for      23.—(1) The Undertakers may make byelaws for the  
preventing      purpose of preventing waste undue consumption misuse or  
waste &c. of      contamination of water and may by such byelaws prescribe  
water.      the size nature materials workmanship and strength and the  
                  mode of arrangement connection disconnection alteration and  
                  repair of pipes meters cocks ferrules valves soil-pans water-  
                  closets baths cisterns and other apparatus (in this article  
                  referred to as "water fittings") to be used and forbid any  
                  arrangements and the use of any water fittings which may  
                  allow or tend to waste undue consumption misuse erroneous  
                  measurement or contamination of water.

(2) Such byelaws shall apply only in the case of premises  
                  to which the Undertakers are bound to afford and do in fact

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afford or are prepared on demand to afford a constant supply and the provisions with respect to byelaws contained in sections 182 to 184 and section 186 of the Public Health Act 1875 shall apply to all byelaws so made subject to such modifications as may be necessary.

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*Order.*

(3) A copy of all such byelaws in force for the time being shall be kept at an office or offices of the Undertakers situate within the limits of supply. All persons may at all reasonable times inspect such copy without payment and the Undertakers shall cause to be delivered a printed copy of all byelaws for the time being in force to every person applying for the same on payment of a sum not exceeding sixpence for each copy.

(4) In case of the failure of any person to observe such byelaws as are for the time being in force the Undertakers may if they think fit after twenty-four hours notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Undertakers from the person in default as the water rates in respect of the premises are recoverable.

24.—(1) The Undertakers shall not be bound to supply with water otherwise than by meter—

Supply to  
certain  
premises.

- (a) any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required; or
- (b) any workhouse hospital asylum (whether public or private) sanatorium school club hotel public-house or inn; or
- (c) any boarding house capable of accommodating at least twelve persons; or
- (d) any other institution which is habitually occupied by at least twenty persons.

(2) Where a supply of water to a farmhouse is used for farming purposes the Undertakers may require that the supply for farming purposes shall be taken by meter but nothing in this article shall authorise the Undertakers to refuse a supply of water for domestic purposes to a farmhouse at the ordinary rate calculated on the net annual value thereof.

(3) The minimum quarterly charge for a supply of water by meter to any of the premises in this article mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic

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Application  
of s. 35 of  
Waterworks  
Clauses Act  
1847.

Charges for  
supply by  
hose-pipe.

supply furnished to a dwelling-house of the same net annual value.

25. Section 35 of the Waterworks Clauses Act 1847 in its application to the Undertakers shall be read and construed as if the words "one eighth part" were substituted therein for the words "one tenth part."

26. Where water supplied for domestic purposes is used for horses or washing carriages or motor cars or for other purposes in premises where horses carriages or motor cars are kept the Undertakers may if a hose-pipe or other similar apparatus is used charge any additional sum not exceeding twenty shillings per annum and (where more motor cars than one are ordinarily kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first and any sum chargeable under the provisions of this article shall be recoverable with and as the water rate.

Revision of  
rates.

27.—(1) On the application of the Undertakers or of the district council of any district in whole or in part within the limits of supply made at any time after the expiration of three years from the commencement of this Order the Minister if satisfied that the costs and charges of and incidental to the carrying on of the undertaking or other circumstances affecting the undertaking have substantially altered may by order vary either by way of increase or decrease the rates and charges for the supply of water by this Order authorised :

Provided that—

(i) the rates and charges prescribed in any such order shall be such as to provide (after paying all proper expenses of and in connection with the working management and maintenance of the undertaking and making good depreciation and paying all other costs charges and expenses (if any) properly chargeable to revenue) a reasonable return on the paid-up capital in the undertaking;

(ii) in the absence of exceptional reasons the Minister shall not alter the rates and charges more often than once in any period of five years.

(2) The making of any new valuation list under Part II of the Rating and Valuation Act 1925 shall be deemed to be a circumstance affecting the undertaking within the meaning and for the purposes of this article.

(3) So much of article 18 (Rates for supply for domestic purposes) of the Order of 1892 as relates to the alteration of the rates prescribed by that article is hereby repealed.

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28. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Undertakers so determine pay the rate for the supply of water but notwithstanding any such determination the rate may be recovered by the Undertakers from the occupier and may if so recovered and if the occupier be not himself liable for the water rate as between himself and the owner be deducted by the occupier from the rent from time to time due from him to the owner :

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Rates payable by owners of small houses.

Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

29.—(1) The Undertakers may enter into and carry into effect agreements with any local 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 :

Contracts for supplying water in bulk.

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 district council 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.

(2) Nothing in this article shall authorise the Undertakers to lay any mains or other pipes or to interfere with any street beyond the limits of supply.

30. The Undertakers may enter into and carry into effect agreements made with any local authority company body or person supplying water under parliamentary authority for the purchase of water in bulk by the Undertakers for such price and on such terms and conditions and for such period as may be agreed upon and any water so purchased may be used by the Undertakers for the purpose of the undertaking.

Purchase of water in bulk.

31.—(1) Any district council whose district is in whole or in part within the limits of supply may give and enter into any guarantee or contract for securing payment to the Undertakers of such periodical or other sum or sums at such time or times in such manner and subject to such stipulations as may be agreed by and between that council and the Undertakers for the purpose of or with respect to the providing or laying down by the Undertakers of any main pipe or works for the supply of water within any part of such district.

Guarantees &c. by district councils.

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(2) The giving of such guarantee and the performance of any contract in relation thereto shall be deemed to be a purpose for which under the provisions of any general Act relating to the powers of such council they may incur expenditure and any such council may raise in like manner as money may be raised under the provisions of any such general Act any money which may become payable to the Undertakers under this article.

(3) Subject to the provisions of the Local Government Act 1929 any expenses incurred by a rural district council in pursuance of this article shall be defrayed as special expenses on the contributory places in respect of which the guarantee or contract is entered into.

(4) Nothing in this article shall be deemed to authorise any such district council to use any water supplied by the Undertakers under any such guarantee or contract as aforesaid in any part of their district which is beyond the limits of supply and within the limits for the supply of water of any other company or person supplying water under parliamentary authority without the consent of such other company or person.

Power to sell  
meters.

32. The Undertakers may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

Power to  
supply  
fittings.

33.—(1) The Undertakers may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans water-closets and other fittings as are required or permitted by their byelaws or regulations and may provide all materials and work necessary or proper in that behalf and the reasonable charges of the Undertakers in providing such materials and executing such work shall be paid by the person requiring the same.

(2) Any fittings let for hire under the provisions of this article shall bear either a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners thereof and when so distinguished shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be.

Undertakers  
not bound to  
supply  
several  
houses by  
one pipe.

34. The Undertakers shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

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35. A notice to the Undertakers from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Undertakers or be given by the consumer personally at the office of the Undertakers.

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Notice of discontinuance.

36. Before any person connects or disconnects any meter by means of which any of the water of the Undertakers is intended to be or has been registered he shall give not less than twenty-four hours notice in writing to the Undertakers of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Undertakers and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Notice to Undertakers of connecting or disconnecting meters.

37. Where water is supplied by measure the register of the meter or other instrument for measuring water shall be *prima 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 Undertakers :

Register of meter to be *prima facie* evidence.

Provided that if the Undertakers 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 the costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

38.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 or under any other Act relating to the Undertakers to maintain any pipe or apparatus used for the supply of water from the works of the Undertakers the person liable to maintain the same shall have the like powers of opening the ground as are conferred upon persons by sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes subject nevertheless to the conditions imposed by those sections.

As to communication pipes.

(2) The Undertakers by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe or apparatus and for that purpose to open or break up any street in the limits of supply may subject to the like conditions execute such works on behalf of such owner or occupier and subject to the terms of the agreement any expenses incurred by the Undertakers shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

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Undertakers  
to connect  
communica-  
tion pipes  
with mains.

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

Maintenance  
of common  
pipe.

40. When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Undertakers in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the engineer of the Undertakers.

Power to  
Undertakers  
to repair  
communica-  
tion pipes.

41. If it should appear to the Undertakers that by reason of any injury to or defect in any communication pipe which the Undertakers are not under any obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Undertakers to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Undertakers in executing such repairs shall be recoverable by the Undertakers from the owner of the premises supplied or in any case where the communication pipe is repairable by the occupier of such premises from the occupier :

Provided that except in case of emergency the Undertakers shall not under the powers of this article enter into any house or private premises unless they shall have given to the occupier of such house or premises and in any case where the communication pipe is repairable by the owner of such house or premises to such owner not less than twenty-four hours previous notice of their intention so to enter.

Extension of  
power to  
inspect  
premises.

42. In addition to the powers conferred by section 57 of the Waterworks Clauses Act 1847 any officer of the Undertakers may at all reasonable times between the hour of four o'clock in the afternoon and one hour after sunset enter into any house or premises supplied with water by the Undertakers in order to examine if there be any waste or misuse of such water.

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and if any person hinder any such officer from entering or making such examination as aforesaid he shall for every such offence be liable to a penalty not exceeding five pounds.

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43.—(1) Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Undertakers or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Undertakers shall (without prejudice to any other right or remedy for the protection of the Undertakers) be liable to a penalty not exceeding five pounds and the Undertakers may in addition thereto recover from the person so offending the amount of any damage by them sustained.

Injuring  
meters &c.

(2) In any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Undertakers or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Undertakers the Undertakers may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for ensuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Undertakers by the person so offending and may be recovered by them as water rates are recoverable.

(3) The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Undertakers when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be *primâ facie* evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

44. Every person who—

- (a) without the consent of the Undertakers shall wilfully;  
or
- (b) shall negligently;

Penalty for  
closing  
valves and  
apparatus.

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close or shut off or interfere with any valve cock or other work or apparatus belonging to the Undertakers whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Undertakers) be liable on conviction to a penalty not exceeding five pounds and the Undertakers may in addition thereto recover from that person the amount of any damage by them sustained :

Provided that this article shall not apply to a consumer closing a valve fixed on his communication pipe.

Penalty for  
opening  
valves &c.

45. 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 a supply of water by the Undertakers who shall without the authority of the Undertakers turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Undertakers and provided or available for the purposes of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly.

For safe-  
guarding  
domestic  
supplies.

46. For the purpose of ensuring that so far as possible water abstracted from the River Wye shall not be used for drinking or other ordinary domestic purposes—

(1) Where at the commencement of this Order water is supplied by the Undertakers to any premises from the pumping station in the Rope Walk the Undertakers shall within one month after such commencement give notice in writing to the occupier of the premises that the water so supplied is not fit for drinking or other domestic purposes and requiring him to take all necessary steps (including the placing of a distinguishing mark on or near to the draw-off tap) to prevent the water from being used for such purposes and where on or after the commencement of this Order a supply of water is laid on by the Undertakers to any premises from the pumping station in the Rope Walk the Undertakers shall give a notice in writing to the like effect to the occupier of the premises :

(2) Before any supply of water is laid on by the Undertakers on or after the commencement of this Order to any premises for drinking or other ordinary domestic purposes in a street in which there shall be a main conveying water from the pumping station in the Rope Walk the Undertakers shall satisfy themselves by a sufficient analysis of the water that the main from which the domestic supply will be afforded is not a main conveying water from the said pumping station,

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PART IV.

A.D. 1929.

FINANCIAL.

*Ross Water  
Order.*

47. Notwithstanding the limitation prescribed by the Order of 1892 as amended by the Order of 1898 with respect to the amount of the capital of the Undertakers for the purposes of the undertaking the Undertakers may raise for such purposes further capital (in this Order referred to as "additional capital") not exceeding five thousand pounds :

Additional  
capital.

Provided that the capital of the Undertakers for the purposes of the undertaking shall not exceed in the whole twenty-two thousand pounds unless the Undertakers are hereafter authorised to raise further capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

48. If and so long as the undertaking is carried on by an individual or individuals as Undertakers and not by a duly constituted company in the construction of this Order the expression "actually paid up" and in the construction of the provisions of the Waterworks Clauses Act 1847 with respect to the amount of profits to be received by the Undertakers when the waterworks are carried on for their benefit the expression "paid up capital in the undertaking" shall be deemed to mean so much of the capital of the Undertakers for the purposes of the undertaking as has actually been expended on or is actually being expended for the purposes of the undertaking.

Expressions  
referring to  
paid-up  
capital.

49. The Undertakers shall not in any one year pay out of their profits any larger dividend on the capital authorised by the Order of 1892 than ten pounds in respect of every one hundred pounds actually paid up of such capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend which shall have fallen short of the said sum of ten pounds per centum per annum and on the additional capital authorised by the Order of 1898 and this Order than six pounds in respect of every one hundred pounds actually paid up of such capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend which shall have fallen short of the said sum of six pounds per centum per annum :

Limits of  
dividend.

Provided that notwithstanding anything in the Waterworks Clauses Act 1847 or any other Act or Order relating to the Undertakers it shall not be lawful for the Undertakers to apply any of their funds or profits to the making up of the deficiency of any of the dividends payable in respect of any year or half year prior to the year nineteen hundred and twenty-nine.

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*Order.*

Limit of  
borrowing  
powers.

50. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one-half of the amount of the capital actually paid up and no higher rate of interest than six pounds per centum per annum shall be paid by the Undertakers without the consent of the Minister in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

PART V.

SUPPLEMENTAL.

For protec-  
tion of Here-  
ford County  
Council.

51. For the protection of the County Council of the Administrative County of Hereford (in this article called "the County Council") the following provisions shall unless otherwise agreed in writing between the County Council and the Undertakers apply and have effect with respect to any works constructed by the Undertakers within the added limits (that is to say):—

- (1) Except in cases of laying down connecting or repairing consumers' service pipes or except in cases of leakage bursting or other emergency the notice required by section 30 of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall as regards any main road be not less than seven clear days instead of three clear days:
- (2) Except in cases of laying down connecting or repairing consumers' service pipes and except in cases of leakage bursting or other emergency the plan required by section 31 of the Waterworks Clauses Act 1847 shall as regards any main road be on a scale of not less than twenty-five inches to the mile and such plan shall be accompanied by sections drawn to suitable scales and the said plan and sections shall show clearly the proposed works and their proposed position and depth and shall be delivered to the County Council or the county surveyor by the Undertakers not less than fourteen days before the Undertakers commence to open or break up or interfere with any such main road:
- (3) All mains pipes or other works other than consumers' service pipes and replacements of mains pipes or other works being enlargements or replacements to be laid by the Undertakers in along across or in any way affecting any main road shall be laid under the superintendence (if the same be given) and to the reasonable satisfaction of the county surveyor and in such position in or at the side thereof and at such depth as he shall by

writing under his hand reasonably direct and in accordance with plans and sections to be reasonably approved of by him in writing before the commencement of any such works and the Undertakers shall in executing any such work conform to all the reasonable requirements of the county surveyor:

A.D. 1929.

—  
*Ross Water*  
*Order.*

- (4) If the County Council shall within seven days after the receipt by them of any notice by the Undertakers of their intention to execute any works affecting any road give written notice to the Undertakers of such their desire the Undertakers shall under the supervision (if given) and to the reasonable satisfaction of the county surveyor fill in any trench or excavation made by them in connection with such works to the height of eight inches from the level of the surface so broken up and the County Council shall forthwith fill in the remainder of the trench or excavation and reinstate and make good the surface of the portion of the roadway broken up by the Undertakers and upon the completion of such filling in reinstatement and making good by the County Council the Undertakers shall repay to the County Council the reasonable expenses incurred by them in such filling in and reinstatement and making good with materials of the same substance and character and so far as practicable with the same material as that with which such portion was made up immediately before the roadway was so broken up:
- (5) If any subsidence of the surface of the roadway so filled in and reinstated shall occur within twelve months after the reinstatement the Undertakers shall if the County Council so require repay to them all expenses of the County Council incident to the making good of such subsidence:
- (6) Nothing in this Order contained shall interfere with the right of the County Council to alter the level of or deviate or improve in any manner they think fit any main road in or along which any mains pipes or works of the Undertakers shall have been laid and the Undertakers shall at the expense of the County Council within a reasonable time after receiving notice under the hand of the clerk or the surveyor to the County Council so to do alter the positions of any such mains pipes or works in the manner and to the extent prescribed by such notice or as in the case of difference shall be determined by arbitration in the manner in this article provided:

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Order.*

(7) If any difference arises at any time between the County Council or their surveyor and the Undertakers touching this article or anything to be done or not to be done thereunder such difference shall be settled by an arbitrator to be agreed on between the County Council and the Undertakers and failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and the provisions of the Arbitration Act 1889 (and any statutory modification thereof) shall apply to such arbitration.

Recovery of  
penalties &c.

52. Save as otherwise expressly provided by any Act or Order from time to time relating to the undertaking all offences against and all penalties forfeitures costs and expenses imposed or recoverable under any such Act or Order or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner :

Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of  
demands.

53. Proceedings for the recovery of any demand made under the authority of any Act or Order from time to time relating to the undertaking or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Penalties not  
cumulative.

54. Penalties imposed under this Order and the Acts wholly or in part incorporated therewith for one and the same offence shall not be cumulative.

Several sums  
in one sum-  
mons.

55. When the payment of more than one sum by any person is due under this Order or any Act or Order relating to the Undertakers any summons or warrant issued for the purposes of such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Judges not  
disqualified.

56. A judge of any court or a justice shall not be disqualified from acting in the execution of any Act or Order from time to time relating to the undertaking by reason of his being liable to the payment of any rate.

Repeal.

57. The provisions of the Order of 1892 and of the Order of 1898 which are mentioned in the schedule to this Order are hereby repealed.

58. All costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers and may be charged by the Undertakers as part of their expenses on revenue account to the extent of one-fifth part of such charges and expenses in any one year.

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—  
Ross Water  
Order.  
Costs of  
Order.

SCHEDULE.

PROVISIONS REPEALED.

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	Twelve	- Power to acquire lands.
	Twenty	- Supply to Ross Improvement Commissioners.
	Twenty-one	- Power for Undertakers to make regulations for preventing waste misuse and contamination of water.
	Twenty-five	- Register of meters &c. to be evidence.
	Twenty-seven	- Where several houses supplied by one pipe each to pay.
	Twenty-eight	- Supply of water to tenements in a row.
	Twenty-nine	- Injuring meters &c.
	Thirty	- Misuser where supply to several houses is by a pipe common to all.
	Thirty-two	- Several sums in one summons.
The Ross Water Order 1898.	Thirty-three	- Warrant of distress to include costs.
	Thirty-four	- Liability to water rate not to disqualify justices &c. from acting.
	Seven	- Limits of dividend on capital.
	Eight	- Limits of borrowing powers.

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