

[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxv.]
Provisional Order Confirmation (Great Marlow
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CHAPTER lxxv.

An Act to confirm a Provisional Order of the Minister of Health relating to Great Marlow Water. A.D. 1931.
[31st July 1931.]

WHEREAS 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 a provisional order which needs confirmation by Parliament: 33 & 34 Vict. c. 70. 36 & 37 Vict. c. 89.

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 order of the Minister of Health which as amended is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Great Marlow Water) Act 1931. Short title.

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SCHEDULE.

GREAT MARLOW WATER.

Great Marlow 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 Great Marlow Water Company Limited to construct additional waterworks to extend the limits of supply of the Company to raise additional capital 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 :—

PART I.

PRELIMINARY.

Short and
collective
titles.

1. This order may be cited as the Great Marlow Water Order 1931 and the Marlow Water Order 1889 the Marlow Water Order 1902 the Marlow Water (No. 2) Order 1902 and this order may be cited together as the Great Marlow Water Orders 1889 to 1931.

Commence-
ment of
order.

2. This order shall come into operation upon the date of the Act of Parliament confirming it.

Incorporation of Acts.

3.—(1) 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 :

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

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any such house or of the agent of such owner" were omitted therefrom. A.D. 1931.

(2) For the purposes of such incorporation the term "special Act" in the said Acts shall be construed to mean this order. *Great Marlow Water Order.*

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 and by the Gas and Water Works Facilities Act 1870 meanings are assigned shall unless the context otherwise requires have the same respective meanings. *Interpre-*
tation.

(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 Undertakers" means the Great Marlow Water Company Limited;

"the undertaking" means the water undertaking of the Undertakers as for the time being authorised;

"the Minister" means the Minister of Health;

"the commencement of this order" means the date upon which this order comes into operation;

"the limits of supply" means the limits within which the Undertakers are from time to time authorised to supply water;

"the existing limits" means the limits within which the Undertakers were 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;

"the order of 1889" means the Marlow Water Order 1889 as confirmed by the Gas and Water Orders Confirmation Act 1889;

"the order of 1902" means the Marlow Water Order 1902 as confirmed by the Gas and Water Orders Confirmation (No. 1) Act 1902;

"the existing orders" means the order of 1889 the Order of 1902 and the Marlow Water (No. 2) Order 1902;

"the directors" means the directors of the Undertakers.

PART II.

LANDS.

5. In addition to any land which they are authorised by the existing orders to acquire and hold the Undertakers may by Purchase of lands by agreement.

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 — hold and use for the purposes of the undertaking—

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(1) the lands described in the first schedule to this order; and

(2) any other 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 for those purposes :

Provided that the Undertakers shall not create or permit a nuisance on any lands held by them and shall not acquire under this section more than ten acres of land in addition to the lands described in the first schedule to this order.

Protection of
water
supply.

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 in pursuance of their powers under any Act or order relating to them may have acquired for the purposes of the undertaking so long as they shall deem it necessary or expedient for those purposes :

Provided that—

(a) The total quantity of land acquired under this section by the Undertakers 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 section 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 section 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 subsection (1) of this section construct and lay down drains sewers watercourses and other works and conveniences necessary or proper for the purposes 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 water-

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course 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.

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 Water Order.*

(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 and for more effectually collecting conveying and preserving the purity of the waters which the Undertakers are for the time being authorised to take.

7. The Undertakers may on any land for the time being belonging to or leased by them erect fit up maintain and let houses cottages and other buildings for the officers and servants employed by the Undertakers for the purposes of the undertaking.

Dwelling-
 houses &c.
 for em-
 ployees.

PART III.

WORKS.

8.—(1) Subject to the provisions of this order the Undertakers may in upon or under the lands and in or under the streets roads or highways 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 works in the county of Buckingham :—

Power to
 construct
 waterworks.

Work No. 1 A line or lines of pipes commencing in the pumping station of the Undertakers situate in the parish of Marlow (Urban) and urban district of Marlow passing through the parishes of Great Marlow in the rural district of Wycombe and Hambleden in the rural district of Hambleden and terminating in the parish of Fingest in the rural district of Wycombe in Work No. 2 next described ;

Work No. 2 A service reservoir or tank in the said parish of Fingest in the enclosure known as Fining Wood ;

Work No. 3 A line or lines of pipes wholly in the parish of Little Marlow in the rural district of Wycombe commencing in the pumping station of the Undertakers situate at Well End and terminating in Work No. 4 next described ;

Work No. 4 A service reservoir or tank wholly in the said parish of Little Marlow in the enclosure numbered 155 on the $\frac{1}{2500}$ Ordnance map of Buckinghamshire edition of 1925 sheet XLVII. 14.

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

(3) The powers conferred by this section shall be exercised by the Undertakers only so long and so far as they are possessed of interests rights or easements in the lands (other than highways) in upon or under which the works buildings machinery or apparatus are or are to be placed entitling them so to do.

(4) Nothing in this section 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.

Limits of
deviation.

9. In the construction of the works authorised by subsection (1) of the foregoing section the Undertakers may deviate laterally to any extent within the limits of deviation shown or stated on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and to any extent downwards :

Provided that the Undertakers may in constructing such works or any of them 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.

Completion
of works.

10. The works authorised by subsection (1) of section 8 of 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 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.

Limiting
powers of
Undertakers
to abstract
water.

11. 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 some Act of Parliament.

Discharge of
water into
streams.

12.—(1) For the purpose of constructing enlarging extending repairing cleansing emptying or examining any reservoir well adit aqueduct line of pipes or other work of the Undertakers the Undertakers may cause the water in such work to be discharged into any available river stream watercourse or ditch.

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(2) In the exercise of the powers conferred by this section 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. A.D. 1931.
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(3) The powers conferred by this section shall not be exercised so as to damage or injuriously affect the railways or works of any railway company.

(4) Any water discharged by the Undertakers in exercise of the powers of this section shall be as free as may be reasonably practicable from mud or solid or offensive matter.

13. 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 : Exercise of powers of section 12 of Waterworks Clauses Act 1847.

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

14. The following provisions for the protection of the county council of the administrative county of Buckingham (in this section referred to as "the county council") shall unless otherwise agreed between the Undertakers and the county council have effect with respect to the exercise by the Undertakers of the powers of this order :— For protection of Buckingham County Council.

(1) In this section unless the context otherwise requires the expressions "road" and "bridge" mean respectively a road and a bridge under the management or control of the county council and the expression "approach" means the approach to any such bridge :

(2) Section 30 of the Waterworks Clauses Act 1847 as incorporated with this order shall in relation to any road bridge or approach have effect as if the word "fourteen" were substituted for the word "three" in that section :

(3) All new mains pipes and works (not being replacements of existing mains pipes and works) to be laid in or along any road or in or upon or across any bridge or approach shall be laid in such position in or at the side thereof as the county council in writing under the hand of their surveyor may reasonably direct :

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- (4) If the county council desire to alter the level of deviate or improve any road or the approaches to any bridge in or along which any mains pipes or works of the Undertakers shall have been laid the Undertakers shall with all reasonable dispatch on receiving notice in writing under the hand of the clerk or surveyor to the county council so to do alter the position of any such mains pipes or works in the manner and to the extent prescribed by such notice or as in case of difference shall be determined in the manner prescribed in this section and the county council shall repay to the Undertakers the expense reasonably incurred by the Undertakers in effecting any such alteration of the position of any such mains pipes or works :
- (5) If the county council desire at any time to remove alter rebuild widen or repair any bridge or the roadway over the same over or near or attached to which any mains pipes or works of the Undertakers are carried in the same manner as the county council might have removed altered rebuilt widened or repaired such bridge or the roadway over the same if this order had not been made and the said mains pipes or works had not been laid over or near or attached to such bridge the county council shall not make any compensation to the Undertakers for any expense or loss to which the Undertakers may be put by reason or in consequence of any such removal alteration rebuilding widening or reparation and in the event of any such bridge or the roadway over the same over or near or attached to which any such mains pipes or works are laid being removed altered rebuilt widened or repaired as aforesaid the Undertakers shall at their own cost in all things alter the position of any works by which such mains or pipes are carried over or near or attached to such bridge or the roadway over the same :

Provided that during the removal alteration rebuilding widening or reparation of such bridge or the roadway over the same as aforesaid the county council shall afford all reasonable facilities to enable the Undertakers temporarily to carry such mains and pipes across any stream or brook so as not to interrupt the continuous supply of water or to diminish the pressure of such supply through such mains or pipes :

- (6) All works shall be so executed by the Undertakers as not to stop or (so far as reasonably practicable) impede or interfere with the traffic on any road or over any bridge or approach and no greater consecutive length

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than two hundred yards of any road bridge or approach shall be broken up at any one time : A.D. 1931.

- (7) If any difference shall arise under this section the same shall be determined by an arbitrator to be agreed between the parties or failing agreement to be appointed on the application of either party after notice to the other by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration. *Great Marlow Water Order.*

PART IV.

EXTENSION OF LIMITS.

15.—(1) The limits within which the Undertakers may supply water shall extend to and include in addition to the existing limits the following parishes and parts of parishes :— *Extension of limits of supply.*

In the rural district of Hambleden in the county of Buckingham—

The parishes of Hambleden and Fawley.

In the rural district of Wycombe in the said county—

The parishes of Hedsor Fingest Turville and Ibstone and so much of the parishes of West Wycombe and Stokenchurch as lie to the west south-west and south of an imaginary line commencing on the boundary of the parish of Great Marlow at the most easterly point of the inclosure numbered 132 on the $\frac{1}{2500}$ Ordnance map Buckinghamshire sheet XLVI. 7 (edition of 1921) thence in a north-easterly direction to the most easterly point of the inclosure numbered 528 on the said Ordnance map Buckinghamshire sheet XLVI. 3 thence in a north-westerly direction to the western boundary of the inclosure numbered 210 on the said Ordnance map Buckinghamshire sheet XLI. 15 at the point where the boundary of the parishes of West Wycombe and Stokenchurch intersects the public footpath on the western side of the said inclosure thence in a straight line to the seventh milestone from Marlow on the Marlow and Stokenchurch main road opposite Penley Cottages thence in a south-westerly direction in a straight line drawn at right angles to the said main road and terminating at the boundary of the parish of Ibstone.

(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

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— and obligations in respect thereof as they now have and are subject
Great Marlow to within the existing limits.
Water Order.

(3) As from the commencement of this order the Undertakers may continue maintain and use any water mains pipes and other works belonging to or vested in them at the commencement of this order within the parish of Hedsor as if the same had been laid down or constructed under the powers of this order and the provisions of the existing orders this order and the Acts incorporated therewith shall apply to the said mains pipes and works in all respects as if the same had been laid down or constructed under the authority of this order.

Power to
local
authority
&c. to
supply
water in
case Under-
takers fail
to supply.

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 within which the added limits are situate may provide a supply in accordance with the provisions of the Public Health Act 1875 in any part of the added limits not sufficiently supplied by the Undertakers 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.

(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.

PART V.

FINANCIAL.

Additional
capital.

17. Notwithstanding the limitation prescribed by the order of 1889 as amended by the order of 1902 with respect to the amount of the share capital of the Undertakers for the purposes of the undertaking the Undertakers may raise for those purposes further share capital (in this order referred to as "additional capital") not exceeding twenty-eight thousand pounds including the premiums (if any) on the issue thereof and the share capital of the Undertakers for the purposes of the undertaking shall not exceed in the whole fifty-four thousand pounds including such premiums unless the Undertakers are hereafter authorised to raise further share capital by provisional order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

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18. The Undertakers shall not in any one year pay out of their profits any larger dividend on the additional capital than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary 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 seven pounds per centum per annum or than six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

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 Water Order.*

Limits of
 dividend on
 capital.

19. If in any year or (if the Undertakers declare a dividend half-yearly) any half-year the funds of the Undertakers applicable to dividend shall be insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary shares or stock in the capital of the Undertakers a proportionate reduction shall be made in the dividend of each class.

Dividend on
 different
 classes of
 shares to be
 paid pro-
 portionately.

20.—(1) All ordinary or preference shares issued by the Undertakers after the commencement of this order shall be issued in accordance with the provisions of this section.

New capital
 to be sold by
 auction or
 tender.

(2) All shares so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the directors shall from time to time determine :

Provided as follows :—

- (a) Notice of the intended sale shall be given in writing to the clerk to the council of every urban and rural district wholly or partly included within the limits of supply and to the secretary of the London Stock Exchange at least fourteen days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply ;
- (b) A reserve price shall be fixed and notice thereof shall be sent by the Undertakers in a sealed letter to be received by the Minister not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be ;
- (c) In the case of a sale by auction no lot offered for sale shall comprise shares of greater nominal value than one hundred pounds and no bid (other than a first bid) shall be recognised unless it is in advance of the last preceding bid ;
- (d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the

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same sum except that the offer by tender of any holder of ordinary or preference shares of the Undertakers may be accepted in preference to the offer of the same sum by any person not such a holder as aforesaid and preference may in like manner be given to the offer of any employee or to any consumer of water supplied by the Undertakers;

(e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares which have been so offered for sale and are not sold may be offered at the reserve price in manner prescribed by a resolution of the directors to the holders of ordinary and preference shares of the Undertakers and to the employees of the Undertakers and to the consumers of water supplied by the Undertakers in such proportions as the directors may think fit or to one or more of those classes of persons only:

Provided that in the case of an offer to holders of shares if the aggregate amount of shares applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any shares which have been offered for sale in accordance with subsection (2) or with subsections (2) and (3) of this section and are not sold may be disposed of for the purpose of realising the best price obtainable at such price and in such manner as the directors may determine.

(5) As soon as possible after the conclusion of the sale or sales the Undertakers shall send a report thereof to the Minister stating the total amount of each class of shares sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for each class of shares.

Application
of moneys.

21. All moneys including premiums raised under this order shall be applied only to the purposes of the undertaking to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of shares under the provisions of this order shall not be considered as part of the capital of the Undertakers entitled to dividend.

Receipts in
case of
persons not
sui juris.

22. If any money is payable to a shareholder mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

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23.—(1) The amount of all money borrowed by the Undertakers and secured by mortgage of the undertaking shall not exceed in the whole one-half part of the amount of the capital of the Undertakers actually raised in respect of the undertaking by the issue of shares including any premiums that may have been or may be obtained on the sale of any such shares. A.D. 1931.
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 Power to borrow.

(2) 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 VI.

WATER RATES AND CHARGES.

24. Except as otherwise expressly provided in this order as from the first usual quarter day after the completion of the reservoir (Work No. 2) authorised by this order the Undertakers may notwithstanding anything contained in the existing orders charge in respect of— Increase of rates &c. in part of added limits and for high level supplies in existing limits.

(a) premises situate in any part of the existing limits which cannot be supplied by gravitation from the reservoirs of the Undertakers existing at the commencement of this order; and

(b) premises situate in the parishes of Fawley Hambleton Fingest Turville and Ibstone and the portions of the parishes of West Wycombe and Stokenchurch included within the added limits;

for the supply of water for domestic purposes and in respect of every water-closet beyond the first and in respect of fixed baths any rates and sums not exceeding by more than twenty-five per centum the rates and sums for the time being authorised to be charged by the Undertakers in the remainder of the limits of supply under articles 26 and 27 of the order of 1889 as amended by this order or under any Act or order amending the order of 1889 and for the time being in force.

25.—(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 circumstances affecting the undertaking have materially changed may by order vary either by way of increase or decrease the rates and charges for the supply of water authorised by the existing orders or this order or an order made under this section: Revision of rates and charges.

Provided that the rates and charges prescribed in any such order shall be such as to provide (after paying all proper expenses

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 ——— tenance of the undertaking and making good depreciation and
Great Marlow providing for any contribution which the Undertakers may carry
Water Order. to any contingency fund or reserved fund which is authorised by
 law and paying all other costs charges and expenses (if any)
 properly chargeable to revenue) a reasonable return on the share
 capital of the Undertakers due regard being had to any capital
 which may be reasonably expected to be expended by the
 Undertakers during the five years immediately following the
 date on which the order comes into operation :

Provided also that 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 section.

Rates
 leviable
 half-yearly.

26. Notwithstanding anything in the Waterworks Clauses
 Act 1847 or in the existing orders or this order the rates rents
 and charges leviable by the Undertakers shall if the Undertakers
 so determine be paid half-yearly one quarter in arrear and one
 quarter in advance at Christmas Day and Midsummer Day or at
 Lady Day and Michaelmas Day :

Provided that any person who shall occupy any premises
 during part only of any half-year in respect of which the rates
 are so required to be paid shall be liable for a part of the rates
 proportionate to that part of the half-year and if any such
 person shall have paid to the Undertakers a greater part of such
 rate the balance shall be refunded to him by the Undertakers.

Rates
 payable by
 owners of
 small
 houses.

27.—(1) Where the net annual value of a house supplied
 with water does not exceed fifteen pounds or the house 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 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 under any
 lease or agreement be deducted by the occupier from the rent
 from time to time due from him to the owner :

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.

(2) The provisions of section 73 of the Waterworks Clauses
 Act 1847 shall mutatis mutandis extend and apply to any pay-
 ments made under this section by the owner of any house and

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as if that section applied in the case of any lease or agreement whether made before or after the commencement of this order. A.D. 1931.

28.—(1) The Undertakers shall not be bound to supply with water otherwise than by meter— *Great Marlow Water Order.*

- Supply to certain premises.
- (a) any building used by an occupier as a dwelling-house whereof a part is used by the same occupier for any trade or manufacturing purpose for which water is required; or
 - (b) any workhouse or any asylum or hospital (whether public or private) or any nursing home sanatorium school club hotel public-house restaurant or inn; or
 - (c) any boarding-house capable of accommodating at least twelve persons; or
 - (d) any public 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 section 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 section 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 supply furnished to a dwelling-house of the same net annual value.

29.—(1) Where water supplied for domestic purposes otherwise than by measure is used for horses or washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Undertakers may if a hose-pipe or other similar apparatus is used charge such additional sum not exceeding twenty-five shillings per annum as they may prescribe and (where more motor cars than one are kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first. *Charges for supply by hose-pipe.*

(2) The additional sums chargeable under this section shall be payable in advance and be recoverable in all respects with and in the same manner as the rate for the supply of water for domestic purposes to the premises.

(3) Where water supplied by the Undertakers to a person who takes a supply both for domestic purposes and by measure for trade or other purposes is used by him by means of a hose-pipe or other similar apparatus for horses or washing carriages or motor cars or for other purposes in stables garages or premises

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Water) Act, 1931.*

A.D. 1931. where horses carriages or motor cars are kept the Undertakers
— may if they think fit require that all water so used shall be taken
Great Marlow by measure and paid for accordingly.
Water Order.

Charges for
supplies for
refrigerating
apparatus.

30. Where a person who takes a supply of water for domestic purposes otherwise than by meter from the Undertakers desires to use for or in connection with a refrigerating apparatus any of the water so supplied the Undertakers shall be entitled to require that all water so used shall—

- (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 Undertakers.

Special
terms for
supplies to
caravans &c.

31.—(1) Notwithstanding anything in the existing orders a person shall not be entitled to demand or continue to receive from the Undertakers a supply of water to any caravan shack hut tent or other like structure unless he has—

- (a) agreed with the Undertakers to take a supply of water by meter and to pay to the Undertakers such minimum annual sum as will give them a reasonable return on the capital expenditure incurred by them in providing the supply or supplies required by him and will cover other standing charges incurred by them in order to meet the possible maximum demand for his caravan shack hut tent or structure and will yield a reasonable return on the cost of the water consumed or used by him; and
- (b) secured to the reasonable satisfaction of the Undertakers by way of deposit or otherwise payment of such a sum as may be reasonable having regard to the possible maximum demand of such person for his caravan shack hut tent or structure.

(2) The sum to be so paid and the security to be so given shall be determined in default of agreement 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 the court shall be final and binding on all parties.

(3) Notwithstanding anything in this section or any other provisions of or incorporated with this order the Undertakers shall not (unless required so to do by the Minister) supply water to any caravan shack hut tent or other like structure if the district council for the district in which the structure is situated objects to the supply being given.

[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxv.]
Provisional Order Confirmation (Great Marlow
Water) Act, 1931.

32. The price to be charged by the Undertakers for a supply of water by meter shall not exceed— A.D. 1931.
 — —
Great Marlow Water Order.
 Price of supply by meter.
- (a) in the case of premises mentioned in paragraph (a) or paragraph (b) of section 24 of this order three shillings per thousand gallons; and
 - (b) in the case of other premises two shillings and sixpence per thousand gallons.

PART VII.

WATER SUPPLY.

33. The water supplied by the Undertakers need not at any time be delivered at a greater height than can be reached by gravitation from the service reservoir or tank from which the supply is taken and it shall be in the discretion of the Undertakers in every case to determine the particular service reservoir or tank from which the supply is to be taken. Limits of pressure.

34. 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." Application of section 35 of Waterworks Clauses Act 1847.

35. Subject to the provisions of the Waterworks Clauses Act 1847 the Undertakers may for the purpose of measuring the quantity of water supplied or preventing and detecting waste affix and maintain meters and other 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 temporarily stop up break up and interfere with public and private streets roads lanes footways courts passages tramways sewers pipes wires and apparatus: Meters &c. to measure water or detect waste.

Provided that the Undertakers shall not—

- (1) 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 that Act; or
- (2) 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 a railway company without the consent of that company which consent shall not be unreasonably withheld; or
- (3) unreasonably obstruct or interfere with the access to or exit from any station or depot of a railway company.

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*Provisional Order Confirmation (Great Marlow
Water) Act, 1931.*

A.D. 1931.

—
*Great Marlow
Water Order.*

Power to
lay pipes
in private
streets.

36. 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 the existing orders and this order :

Provided that the powers of this section shall not be exercised in regard to any street or road belonging to the Great Western 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 section unreasonably obstruct or interfere with the access to any such street or road.

Provisions
as to fire-
plugs.

37. The sections of the Waterworks Clauses Act 1847 relating to fire-plugs shall in their application to the Undertakers and to any urban or rural district within the limits of supply have effect as if the council of such district were therein substituted for the town commissioners and as if the reference in section 38 of the said Act to the proper position or number of fire-plugs included a reference to the pattern and price of the fire-plugs :

Provided that if the pattern of any fire-plug which may in case of any difference of opinion be settled under the provisions of the said section 38 shall cause or allow a waste of water or an access of air to the mains of the Undertakers then the Undertakers may have the same removed and the expense of such removal shall be borne by the district council affected and the Undertakers in equal shares.

Separate
communica-
tion pipes
may be
required.

38.—(1) 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 by a notice in writing require the owner of any house to lay a separate pipe from the main pipe into that house.

(2) If the owner of any house supplied with water by the Undertakers fails within a period of one month after the receipt of a notice under subsection (1) of this section to provide a separate pipe from the main pipe into that house the Undertakers may themselves do the work and may recover from that owner the reasonable cost so incurred by them summarily as a civil debt.

Notice of
discon-
tinuance.

39. 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.

[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxv.]
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Water) Act, 1931.

40. 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.

A.D. 1931.
 ———
Great Marlow
Water Order.

Notice to
 Undertakers
 of con-
 necting or
 disconnect-
 ing meters.

41. Where 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 that pipe in such shares as may be settled by the engineer of the Undertakers.

Maintenance
 of common
 pipe.

42. Notwithstanding anything in the existing orders the Undertakers shall have the exclusive right of executing any works on any of the water mains of the Undertakers for connecting any communication or service pipes 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 (subject to the provisions so far as applicable of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes) any work on any such main and supply all fittings and materials which shall be necessary to connect the communication or service pipe of such owner or occupier therewith and the reasonable 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.

Undertakers
 to connect
 communica-
 tion pipes
 with mains.

43. 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 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 subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes to execute such repairs to the communication pipe as they may think necessary or expedient in the circumstances of the case without being requested so to do and if any injury to or defect in the communication pipe shall have been found the reasonable expenses incurred by the Undertakers for the purpose of ascertaining the cause of injury or defect and executing

Power to
 Undertakers
 to repair
 communi-
 cation pipes.

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Water) Act, 1931.

A.D. 1931. the repairs (including the expenses of breaking up filling in
reinstating and making good any road pavement or soil for those
Great Marlow purposes) shall be recoverable by the Undertakers from the
Water Order. owner of the premises supplied or in cases where the communica-
tion pipe is repairable by the occupier of such premises from the
occupier in like manner as the water rates in respect of the premises
are recoverable :

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

Opening of
ground by
persons
liable to
maintain
pipes &c.

44.—(1) For the purpose of complying with any obligation
under the Waterworks Clauses Acts 1847 and 1863 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 power to open the ground as is 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.

(2) The Undertakers by agreement with any owner or
occupier who is entitled or required to lay maintain repair or
remove any communication pipe and for that purpose to open
or break up any street 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 reasonable 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.

Register of
meters to be
prima facie
evidence.

45.—(1) 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 rent or charge is charged and
sought to be recovered by the Undertakers :

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.

(2) If any meter used by a consumer of water shall be
proved to register erroneously the erroneous registration shall
be deemed to have first arisen during the then last preceding
quarter of the year unless it be proved to have first arisen during

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the then current quarter and the amount of the allowance to be made to the consumer or of the surcharge to be made upon him by the Undertakers shall be paid by or to the Undertakers to or by the consumer as the case may be and shall in the case of a surcharge be recoverable in the like manner as rates for water are recoverable by the Undertakers.

A.D. 1931.

—
Great Marlow
Water Order.

46.—(1) If any fittings let for hire by the Undertakers shall bear either a distinguishing metal plate affixed to them or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners of the fittings those fittings 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.

Fittings let
for hire not
to be subject
to distress.

(2) All fittings let for hire by the Undertakers notwithstanding that they be fixed or fastened to any part of the premises in which they may be situate or to the soil under any such premises shall if they bear a plate brand or mark such as is mentioned in the preceding subsection at all times continue to be the property of and removable by the Undertakers :

Provided that nothing in this provision shall affect the valuation for rating of any rateable hereditament.

47.—(1) The Undertakers may make byelaws for the purpose of preventing waste undue consumption misuse or contamination of water and may by such byelaws prescribe 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 section 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.

Byelaws for
preventing
waste &c. 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 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.

(3) A printed 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

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A.D. 1931. 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.
Great Marlow
Water Order.

(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.

Injuring
meters &c.

48.—(1) Every person who—

- (a) 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
- (b) 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
- (c) 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.

(2) When any person has been convicted of an offence under subsection (1) of this section 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 are under the custody or control of the consumer shall be prima facie evidence that such injury alteration prevention abstraction consumption or use as the case may be has been

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Water) Act, 1931.

fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings. A.D. 1931.

49. Every person who—

- (1) without the consent of the Undertakers shall wilfully ;
- or
- (2) shall negligently

Great Marlow
Water Order.

Penalty for
closing
valves and
apparatus.

close or shut off 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 to a penalty not exceeding five pounds and the Undertakers 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.

50. 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.

Penalty for
interference
with valves
&c.

51. The Undertakers may require that any premises erected after the commencement of this order on land at a higher level than fifty feet below the service reservoir from which a supply of water is furnished by them to such premises shall be provided with a cistern or cisterns capable of containing a total quantity of water sufficient to provide an adequate supply for such premises for a period of twenty-four hours and the Undertakers shall not be required to supply any such premises until the same are provided with a cistern in conformity with the requirements of this section.

Cisterns to
be provided
for high level
supplies.

52. In addition to the powers conferred by section 57 of the Waterworks Clauses Act 1847 any duly authorised 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 mis-use of such water and if any person hinder any such officer from entering or making such examination as aforesaid he shall for

Extension
of power
to inspect
premises.

[Ch. lxxv.] *Ministry of Health* [21 & 22 GEO. 5.]
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 Water) Act, 1931.*

A.D. 1931. every such offence be liable to a penalty not exceeding five pounds.

—
*Great Marlow
 Water Order.*

Entry of
 premises to
 remove
 fittings and
 meters.

53. The Undertakers by their agents or workmen after forty-eight hours' notice in writing under the hand of the agent or other officer of the Undertakers to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which any waterpipe meter or fitting belonging to the Undertakers is laid or fixed and through or in which the supply of water is from any cause other than the default of the Undertakers discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

As to streets
 forming
 boundary of
 limits of
 supply.

54.—(1) Where the limits of supply are bounded by or abut upon any street or part of a street wholly outside those limits the Undertakers may for the purpose of supplying water to the owner or occupier of any premises abutting upon that street or part of a street and being within the limits of supply exercise with respect to such street or part of a street outside those limits the like powers of breaking up the same for the purposes of laying maintaining inspecting repairing and renewing pipes as are exerciseable by them with respect to streets within the limits of supply subject nevertheless to the observance of the conditions imposed on an exercise of those powers.

(2) The owner and occupier of any premises to which subsection (1) of this section applies may for the purpose of laying any communication pipe or of complying with any obligation to maintain any pipe or apparatus which he is liable to maintain exercise the like power of opening the ground between any main or pipe of the Undertakers and his premises and of opening or breaking up so much of the pavement of the street as shall be between such main or pipe and his premises and any sewer or drain therein as if such street or part of a street were wholly within the limits of supply.

(3) Nothing in this section shall entitle or require the Undertakers to supply water to the owner or occupier of any premises abutting upon any such street and being outside the limits of supply.

Contracts
 for supplying
 water in
 bulk.

55.—(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 :

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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.

A.D. 1931.

—
Great Marlow
Water Order.

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

(3) Nothing in this section shall authorise the Undertakers to supply water in bulk outside or for consumption or use outside the catchment area of the Thames as such catchment area is defined by section 5 of the Thames Conservancy Act 1924.

56. The Undertakers may enter into and carry into effect agreements 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.

57.—(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 the district.

Guarantees
&c. by
district
councils.

(2) The giving of a 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 district council they may incur expenditure and the district 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 section.

(3) Subject to the provisions of the Local Government Act 1929 any expenses incurred by a rural district council in pursuance of this section 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 section shall be deemed to authorise a 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

[Ch. lxxv.] *Ministry of Health* [21 & 22 GEO. 5.]
*Provisional Order Confirmation (Great Marlow
Water) Act, 1931.*

A.D. 1931. 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.
*Great Marlow
Water Order.*

PART VIII.

SUPPLEMENTAL.

Authentica-
tion and
service of
notices by
Undertakers.

58.—(1) Any notice to be served by the Undertakers shall be sufficiently authenticated by the signature of the secretary or other officer of the Undertakers for the time being authorised in writing by the directors or by the name of the officer being printed or stamped on the notice.

(2) Any such notice may be served either personally or by a prepaid letter sent by post and addressed to the person to be served by name at his last known or usual place of abode or of business or by delivering the notice to any inmate of the premises supplied with water or if the premises are unoccupied and the place of abode of the person to be served cannot be found after proper inquiry any notice not being a notice to pay any charge may be affixed to some conspicuous part of the premises.

Justices not
disqualified.

59. 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.

Recovery of
demands.

60. Proceedings for the recovery of any demand made under the authority of any Act or order from time to time relating to the undertaking 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.

Recovery of
penalties &c.

61. Save as otherwise expressly provided by any Act or order from time to time relating to the undertaking all offences against any such Act or order and all penalties forfeitures costs and expenses imposed by or recoverable under any such Act or order or any byelaw made in pursuance of a power thereby conferred 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.

Penalties not
cumulative.

62. Penalties imposed under the existing orders or this order or the Acts wholly or in part incorporated therewith for one and the same offence shall not be cumulative.

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 Water) Act, 1931.*

A.D. 1931.

63. Where the payment of more than one sum by any person is due under this order or any Act or other 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.

*Great Marlow
 Water Order.*
 Several sums
 in one
 summons or
 warrant.

64.—(1) Within three months after the passing of the Act for the confirmation of this order the Undertakers shall deliver a printed copy of that Act to the Registrar of Companies and shall pay the registrar the sum of five shillings as the fee for the registration of that copy of the Act.

Copy of
 confirmation
 Act to be
 registered.

(2) The copy of the Act so delivered by the Undertakers shall be registered by the Registrar of Companies.

(3) If the Undertakers shall fail to comply with subsection (1) of this section they shall be liable to a penalty not exceeding two pounds for every day during which the default continues.

65.—(1) The Minister may direct any inquiries to be held by his inspectors which he may deem necessary for the purposes of his powers under this order and those inspectors shall for the purposes of any inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

Inquiries
 and
 expenses.

(2) Where the Minister causes any such inquiry to be held the costs incurred by him in relation to that inquiry (including such reasonable sum not exceeding five guineas a day as the Minister may determine for the services of any inspector or officer of the Minister engaged in the inquiry) shall be paid by the Undertakers or such district council as the Minister may direct and the Minister may certify the amount of the costs so incurred and any sum so certified and directed by the Minister to be paid by the company or any district council shall be a debt due to the Crown from the company or that district council.

66. The orders mentioned in the second schedule to this order are hereby repealed to the extent shown in the second column of that schedule.

Repeal.

67. All costs charges and expenses of and incidental to the application for this order and the preparation making and confirmation of this order shall be paid by the Undertakers and may in whole or in part be defrayed out of revenue and if wholly charged against revenue may be spread over a period not exceeding five years.

Costs of
 order.

[Ch. lxxv.] *Ministry of Health* [21 & 22 GEO. 5.]
*Provisional Order Confirmation (Great Marlow
 Water) Act, 1931.*

A.D. 1931.

*Great Marlow
 Water Order.*

SCHEDULES.

FIRST SCHEDULE.

LAND THE PURCHASE OF WHICH IS AUTHORISED BY THIS ORDER.

First A piece of land in the parish of Fingest in the county of Buckingham forming part of and situate in the north-eastern portion of the enclosure known as Fining Wood and numbered 175 on the $\frac{1}{2500}$ Ordnance map (edition of 1925) Buckinghamshire sheet XLVI. 7 and which piece of land contains in the whole two roods or thereabouts and measures one hundred and forty-seven feet six inches on all sides thereof.

Secondly All that piece of land situate at Little Marlow in the county of Buckingham forming part of the enclosure numbered 155 on the $\frac{1}{2500}$ Ordnance map (edition of 1925) Buckinghamshire sheet XLVII. 14 and containing in the whole one acre or thereabouts and having a frontage to Chapmans Lane of one hundred and thirty-two feet and a depth therefrom of three hundred and thirty feet be the said measurements little more or less.

SECOND SCHEDULE.

PROVISIONS REPEALED.

1.	2.	3.
Order.	Extent of repeal.	Subject-matter of repealed provision.
The Marlow Water Order 1889 as confirmed by the Gas and Water Orders Confirmation Act 1889 (52 & 53 Vict. c. cxix.)	Article 9	New shares to be offered by auction or tender.
	Article 10	Where proprietor tenders same amount as any other person proprietor to be declared the purchaser.
	Article 11	Purchase money of shares to be paid within three months.

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*Provisional Order Confirmation (Great Marlow
Water) Act, 1931.*

1.	2.	3.	A.D. 1931.
Order.	Extent of repeal.	Subject-matter of repealed provision.	<i>Great Marlow Water Order.</i>
The Marlow Water Order 1889 as confirmed by the Gas and Water Orders Confirmation Act 1889 (52 & 53 Vict. c. cxix).	Article 12	As to notice to be given of sale of shares.	
	Article 13	Shares not sold by auction or tender to be offered to share- holders.	
	Article 16	Prescribed rates to be paid proportionately.	
	Article 17	Limit of borrowing powers.	
	Article 19	Persons under disability may grant easements &c. to Under- takers.	
	Article 25	Limits of pressure.	
	Article 28	Power for Undertakers to make regulations for preventing waste misuse or contamination of water.	
	Article 29	Publication of regulations.	
	Article 30	Evidence of regulations.	
	Article 31	Power for Undertakers to repair or alter pipes &c. where regula- tions not complied with.	
	Article 32	Supply of water by agreement.	
	Article 35	Register of meters &c. to be evidence.	
	Article 37	When several houses supplied by one pipe each to pay.	
	Article 38	Supply of water to tenements in a row.	
	Article 39	Injuring meters &c.	
	Article 40	Misuser where supply to several houses is by a pipe common to all.	
	Article 41	Incoming tenant not liable to pay arrears.	
	Article 42	Several names in one summons.	
	Article 43	Warrant of distress to include costs.	
	Article 44	Liability to water rate not to disqualify justices from acting.	

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*Provisional Order Confirmation (Great Marlow
Water) Act, 1931.*

A.D. 1931.	1.	2.	3.
<i>Great Marlow Water Order.</i>	Order.	Extent of repeal.	Subject-matter of repealed provision.
	The Marlow Water Order 1902 as confirmed by the Gas and Water Orders Confirmation (No. 1) Act 1902 (2 Edw. 7. c. ccxlviii).	The proviso to article 16. Article 17 Article 18 Article 19 Article 20 Article 23 Article 24	Limit of share capital. New shares or stock to be offered by auction or tender. Purchase money of capital sold to be paid within three months. Notice to be given as to sale of shares or stock. Shares or stock not sold by auction or tender to be offered to holders of ordinary shares or stock. Dividends on different classes of shares to be paid propor- tionately. Limit of borrowing powers.

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