

[21 & 22 GEO. 5.] *Ministry of Health* [Ch. lxxxii.]
*Provisional Orders Confirmation (Abertillery and District
Water District and Western Valleys (Monmouthshire)
Sewerage Board) Act, 1931.*



CHAPTER lxxxii.

An Act to confirm certain Provisional Orders of the Minister of Health relating to the Abertillery and District Water District and Western Valleys (Monmouthshire) Sewerage Board. A.D. 1931.
[31st July 1931.]

WHEREAS under the provisions of the Public Health Act 1875 the Minister of Health has made certain provisional orders which need confirmation by Parliament: 38 & 39 Vict c. 55.

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

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (Abertillery and District Water District and Western Valleys (Monmouthshire) Sewerage Board) Act 1931. Short title.

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A.D. 1931.

SCHEDULE.

ABERTILLERY AND DISTRICT WATER DISTRICT.

*Abertillery
 and District
 Water
 Order.*

*Provisional Order altering and partly repealing
 certain local Acts.*

WHEREAS by the Abertillery and District Water Board Act 1910 the urban districts of Abertillery Abercarn and Risca and the Sirhowy portion of the urban district of Mynyddislwyn were formed into a united district for the purpose of the supply of water within the united district and by section 106 of that Act section 303 of the Public Health Act 1875 was applied to the Abertillery and District Water Board constituted by the Act of 1910;

And whereas further powers were conferred upon the Board by the Abertillery and District Water Board Act 1914 the Abertillery and District Water Board Act 1920 and the Abertillery and District Water Board Act 1926;

And whereas the Board have applied to the Minister of Health for the issue of a provisional order to alter and partly to repeal the local Acts applying to the Board in the manner following :

Now therefore the Minister of Health in pursuance of the powers given to him by section 303 of the Public Health Act 1875 as applied to the Board and of all other powers enabling him in that behalf hereby orders as follows :—

Short title
 and com-
 mencement.

1. This order may be cited as the Abertillery and District Water Board Order 1931 and shall come into operation on the first day of October nineteen hundred and thirty-one.

Interpreta-
 tion.

2. In this order unless the context otherwise requires—

“ constituent council ” means the council of an urban district who are authorised to appoint members of the Board;

“ net annual value ” means the net annual value appearing in the valuation list in force on the first day of the half-year during which the water rate accrues;

“ the Act of 1910 ” means the Abertillery and District Water Board Act 1910;

“ the Act of 1926 ” means the Abertillery and District Water Board Act 1926;

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“ the Board ” means the Abertillery and District Water Board; A.D. 1931.

“ the commencement of this order ” means the first day of October nineteen hundred and thirty-one; *Abertillery and District Water Order.*

“ the Minister ” means the Minister of Health.

3.—(1) The following section shall be substituted for section 55 of the Act of 1910 which prescribes the rates for the supply of water for domestic purposes :—

“ 55.—(1) The Board shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Act to demand a supply of water for domestic purposes furnish to that owner or occupier a sufficient supply of water for such domestic purposes at a rate per annum not exceeding fifteen per centum of the net annual value of the premises so supplied :

“ Provided that the Board shall not be required to supply any premises with water at a less sum than twenty shillings per annum.

“ (2) Where the water rate is chargeable on the net annual value of a part only of any hereditaments entered in the valuation list such net annual value shall be a fairly apportioned part of the net annual value of the whole hereditament and in case of dispute the apportionment shall be determined by two justices of the peace in like manner as disputes are determined under section 68 of the Waterworks Clauses Act 1847.

“ (3) In addition to the foregoing charges the Board may charge in respect of every fixed bath capable of containing more than fifty gallons such sum as the Board may think fit and such additional sum shall be recoverable in all respects with and as the water rate.”

(2) The powers of the Board under section 2 of the Act of 1926 to make an additional charge in respect of any watercloset beyond the first watercloset shall cease to have effect.

4.—(1) At any time after the expiration of three years after the commencement of this order—

(a) the Board ; or

(b) any constituent council ; or

(c) not less than twenty consumers of water within the district of any constituent council ;

Revision of
water rates
and charges

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may apply to the Minister for a revision of the rates and charges authorised by this order or by any Act relating to the Board and if the Minister is satisfied that any circumstance affecting the water undertaking has so altered as to justify a revision of the rates and charges he may by order vary any of them either by way of increase or decrease :

Provided 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 the Rating and Valuation Acts 1925 to 1929 by any constituent council shall be deemed to be a circumstance affecting the water undertaking within the meaning of this section.

Payment of
 water rate
 by owners of
 small
 houses.

5.—(1) Where within the district of a constituent council a resolution under subsection (1) of section 11 of the Rating and Valuation Act 1925 for the rating of owners is for the time being in force paragraphs (a) and (b) of this subsection shall extend to the owner of any dwelling-house within the class defined in the resolution which is within the district of that constituent council and where within the district of a constituent council no such resolution for the rating of owners is for the time being in force paragraphs (a) and (b) of this subsection shall extend to the owner of any dwelling-house the net annual value of which does not exceed thirteen pounds or which is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year—

(a) The owner of the dwelling-house or part of the dwelling-house supplied with water shall if the Board so determine pay the rate for the supply of water but the rate may be recovered by the Board 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 ;

(b) The provisions of section 73 of the Waterworks Clauses Act 1847 shall with any necessary modification extend and apply to any payments made under this section by the owner of any dwelling-house and as if that section applied in the case of any lease or agreement whether made before or after the commencement of this order.

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(2) Where within the district of a constituent council any such resolution for the rating of owners as is mentioned in subsection (1) of this section is in force nothing in this section shall derogate from the power of the Board under section 72 of the Waterworks Clauses Act 1847 to rate the owner of any dwelling-house which is not within a class defined in the resolution but to which that section extends.

A.D. 1931

—
*Abertillery
 and District
 Water
 Order.*

6. Where a person who takes a supply of water otherwise than by meter from the Board desires to use any of the water so supplied for or in connection with a refrigerating apparatus or other apparatus requiring a supply of continuously running water the Board shall be entitled to require that all water so used shall—

Charges for
 supplies for
 refrigerating
 apparatus
 &c.

(1) be taken by meter and paid for accordingly and if the consumer takes a supply for domestic purposes only that the minimum quarterly charge for the water so taken by meter shall be ten shillings; or

(2) be paid for at such rates as may be agreed between the consumer and the Board.

7. Notwithstanding anything in section 70 of the Waterworks Clauses Act 1847 the Board may demand all rates rents and charges payable to them for the supply of water otherwise than by meter by half-yearly instalments in advance on the first day of April and the first day of October in each year :

Dates for
 payment
 and recovery
 of water
 rates &c.

Provided that—

(a) no such rate rent or charge shall be recoverable by the Board until the expiration of two months after the date on which it became due ;

(b) 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 only for a part of the rate proportionate to that part of the half-year and if any such person shall have paid to the Board a greater part of such rate the balance shall be refunded to him by the Board.

8. 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 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

Period of
 error in
 defective
 meters.

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—
*Abertillery
and District
Water
Order.*

Extension
of power
to inspect
premises.

9. In addition to the powers conferred by section 57 of the Waterworks Clauses Act 1847 any duly authorised officer of the Board 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 Board in order to examine if there be any waste or misuse of such water and if any person hinder any such officer from entering or making such examination as aforesaid he shall for every such offence be liable on summary conviction to a penalty not exceeding five pounds.

Inquiries
and
expenses.

10.—(1) The Minister may direct any inquiries to be held by his inspectors which he may deem necessary for the purposes of 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.

(2) Where the Minister causes any such inquiry to be held the costs incurred by the Minister 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 Board or such other local authority 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 Board or any other local authority shall be a debt due to the Crown from the Board or that local authority.

Repeal.

11. The enactments mentioned in the schedule to this order are hereby repealed to the extent shown in the third column of that schedule.

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SCHEDULE

ENACTMENTS REPEALED.

A.D. 1931.

*Abertillery
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Water
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Session and chapter. 1.	Short title. 2.	Extent of repeal. 3.	Subject-matter of repealed enactment. 4.
10 Edw. 7. & 1 Geo. 5. c. cxxv.	The Abertillery and District Water Board Act 1910.	Section 55 Section 56	Rates for supply of water for domestic purposes. Rates payable by owners of small houses.
16 & 17 Geo. 5. c. xxxv.	The Abertillery and District Water Board Act 1926.	Section 2 Section 8	Rates for additional waterclosets. Rates for payment of water rates.

WESTERN VALLEYS (MONMOUTHSHIRE)
SEWERAGE BOARD.

Provisional Order for altering a Local Act.

*Western
Valleys
(Monmouth-
shire)
Sewerage
Order.*

WHEREAS by the Western Valleys (Monmouthshire) Sewerage Board Act 1903 as amended by subsequent local Acts the Western Valleys (Monmouthshire) Sewerage Board was constituted for the purpose of disposing of sewage of the districts of the constituent authorities of the board;

And whereas by section 69 of the local Act of 1903 provision was made for the draining into the sewers and sewerage works of the board of the sewage of a part of the rural district of St. Mellons (which is not within the district of the board) and by subsection (7) of that section it was provided that the rural district council of St. Mellons should pay to the board such annual sum as should be equivalent to a rate of fivepence in the pound on the assessable value of the property and hereditaments in that part of the rural district from which sewage should from time to time be discharged into the sewers and works of the board;

And whereas by section 4 of the local Act of 1903 section 303 of the Public Health Act 1875 which relates to the granting of

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A.D. 1931. provisional orders for the repeal alteration or amendment of local Acts is applied for the purposes of the Act;

—
*Western
Valleys
(Monmouth-
shire)
Sewerage
Order.*

And whereas the board have applied to the Minister of Health for the issue of a provisional order amending the local Act of 1903 in the manner following :

Now therefore the Minister of Health in pursuance of the powers given to him by section 303 of the Public Health Act 1875 as applied by section 4 of the Western Valleys (Monmouthshire) Sewerage Board Act 1903 and of all other powers enabling him in that behalf hereby orders as follows :—

Short titles
and com-
mencement.

1.—(1) This order may be cited as the Western Valleys (Monmouthshire) Sewerage Board Order 1931 and the Western Valleys (Monmouthshire) Sewerage Board Acts and this order may be cited together as the Western Valleys (Monmouthshire) Sewerage Board Acts and Order 1903 to 1931.

(2) This order shall come into operation on the date of the Act of Parliament confirming it.

Amendment
of section 69
of local Act
of 1903.

2. Subsection (7) of section 69 of the Western Valleys (Monmouthshire) Sewerage Board Act 1903 shall be amended by the substitution therein of the word “sixpence” for the word “fivepence.”

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