



CHAPTER lxviii.

An Act to confer further powers upon the Pontypridd and Rhondda Joint Water Board. [15th August 1913.] A.D. 1913.

WHEREAS the Pontypridd and Rhondda Joint Water Board (in this Act called "the Board") were incorporated by the Pontypridd and Rhondda Water Act 1910 (in this Act called "the Act of 1910") and are now the authority for the supply of water within the limits defined by the Act of 1910:

And whereas the Board have entered into an agreement with the mayor aldermen and burgesses of the county borough of Merthyr Tydfil (in this Act called "the corporation") for a supply of water in bulk by the corporation to the Board and such agreement is set forth in the schedule to this Act and it is expedient that the said agreement be confirmed and carried into effect:

And whereas by the Act of 1910 the Board were authorised to construct a reservoir to be known as the Llia Reservoir and other works described in the Fifth Schedule to that Act:

And whereas the taking by the Board of a supply of water in bulk from the corporation as contemplated by the before-mentioned agreement enables the Board to postpone for a further period the construction of the said reservoir and works:

And whereas the periods limited by the Act of 1910 for the compulsory purchase of lands required for and in connexion with such reservoir and certain of such works have in some cases expired and in other cases are about to expire and it is expedient that such periods should be revived and extended and that the time for the completion of the said reservoir and works should be extended as in this Act provided:

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— And whereas it is expedient that the Board should be authorised to construct the additional works by this Act authorised :

And whereas it is expedient that the powers of the Board under the Act of 1910 in relation to the rates to be charged for the supply of water should be altered as in this Act provided and that further powers as in this Act contained should be conferred upon the Board :

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

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

And whereas an estimate has been prepared by the Board of the cost of constructing the additional works by this Act authorised including the amount necessary for the purchase of lands in connexion therewith and such estimate amounts to the sum of eight thousand eight hundred and seventy-seven pounds :

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

And whereas pursuant to section 96 of the Act of 1910 an absolute majority of the whole number of the Board at a meeting held on the fourth day of December one thousand nine hundred and twelve after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the *Western Mail* and the *South Wales Daily News* being two newspapers published or circulating in the districts of the constituent authorities of the Board such notice being in addition to the ordinary notices required for summoning such meeting resolved that the costs and expenses of and incidental to the promotion of the Bill for this Act should be paid out of the revenues of the Board :

And whereas at a further meeting of the Board held in pursuance of a similar notice on the eighth day of January one thousand nine hundred and thirteen being not less than fourteen days after the deposit of the Bill in Parliament the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Board and has received the approval of the Local Government Board :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Glamorgan and are herein-after respectively referred to as the deposited plans sections and book of reference : A.D. 1913.

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

1. This Act may be cited as the Pontypridd and Rhondda Water Act 1913 and this Act and the Act of 1910 may be cited together as the Pontypridd and Rhondda Water Acts 1910 and 1913. Short title
and citation.

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

(1) The provisions of the Waterworks Clauses Act 1847 with respect to the following matters (that is to say) :—

The construction of the waterworks ;

The construction of works for the accommodation of lands adjoining the waterworks ;

Mines ;

The breaking up of streets for the purpose of laying pipes ;

The provision for guarding against fouling the water of the undertakers ;

The payment and recovery of the water rates ;

The recovery of damages not specially provided for and of penalties and the determination of any other matter referred to justices or to the sheriff ;

Access to the special Act ;

and the provisions of the Waterworks Clauses Act 1863 with respect to the recovery of water rates and other money ;

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(2) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845); and

(3) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of land near the railway during the construction thereof and in such provisions for the purposes of this Act "the railway" and "the work" mean the works authorised by this Act and "the centre of the railway" means the centre of such works respectively.

Interpretation.

3. The several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall in this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Confirmation of scheduled agreement.

4. The agreement dated the third day of July one thousand nine hundred and twelve and made between the corporation of the one part and the Board of the other part as set forth in the schedule to this Act is hereby sanctioned and confirmed and made binding on the respective parties thereto.

Provisions as to effect of scheduled agreement in certain events.

5. If the agreement dated the twenty-ninth day of May one thousand nine hundred and eleven set forth in Part II. of the Third Schedule to the Merthyr Tydfil Corporation Water Act 1911 be cancelled or cease to have effect nothing in this Act or the agreement set forth in the schedule to this Act shall prevent the corporation from supplying to the Barry Urban District Council or to any other local authority body company or person or partly to such council and partly to any such other authority body company or person the quantity or quantities of water mentioned in clause 3 of the said agreement of the twenty-ninth day of May one thousand nine hundred and eleven in perpetuity or for any term or terms of years but so that such quantity or quantities of water shall not exceed in the whole or in any one day the respective quantities of water which under such clause the Barry Urban District Council would have been entitled to require and any water so supplied shall take the priority given by subsection (3) of section 48 of the Merthyr Tydfil Corporation Water Act 1911 to the supply provided for under such last-mentioned agreement.

Power to make additional works.

6. Subject to the provisions of this Act the Board may wholly in the county of Glamorgan and in the lines and situation

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and upon the lands delineated on the deposited plans and described in the deposited book of reference make and maintain the following works shown on the deposited plans and sections (that is to say):—

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Work No. 1 An aqueduct conduit or one or more line or lines of pipes situate in the parishes of Llanwonno and Merthyr Tydfil commencing by a junction with the aqueduct Work No. 18 authorised by the Pontypridd Waterworks and Tramroad Act 1908 in the public road between Quaker's Yard and Pontypridd and terminating by a junction with Work No. 6 authorised by the Merthyr Tydfil Corporation Water Act 1911 in the enclosure numbered 2686 on the $\frac{1}{2500}$ Ordnance map of the county of Glamorgan (2nd edition 1900) sheet XIX. 15:

Work No. 2 An aqueduct conduit or one or more line or lines of pipes situate in the parish of Pontypridd commencing by a junction with the aqueduct Work No. 12 authorised by the Pontypridd Waterworks and Tramroad Act 1908 in Cilfynydd Road and terminating in the Nant-Cae-dudwg at or near the point of junction of the Nant-Cae-dudwg and the River Taff:

Work No. 3 An aqueduct conduit or one or more line or lines of pipes situate in the parish of Pontypridd commencing in the service reservoir Work No. 6 authorised by the Pontypridd Waterworks (Amendment) Act 1909 and terminating by a junction with the aqueduct Work No. 1 authorised by the Act of 1910 in the road known as Ael-y-Bryn Road:

Work No. 4 An aqueduct conduit or one or more line or lines of pipes situate in the parishes of Rhondda and Llantrisant commencing in the Trebanog Reservoir of the Board and terminating in the Trebanog Road.

In addition to the foregoing works the Board may upon the said lands make and maintain all such cuts channels tunnels pipes conduits culverts drains sluices gauges tanks banks walls bridges piers approaches buildings machinery and appliances as may be necessary or convenient in connexion with or subsidiary to the before-mentioned works but nothing in this section shall exonerate the Board from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

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Limits of
deviation.

7. In the construction of the works authorised by this Act the Board may deviate laterally to any extent not exceeding 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 extent not exceeding ten feet upwards and to any extent downwards. Provided that except for the purposes of crossing over a stream no part of the pipes shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Period for
completion
of works.

8. If the works authorised by this Act are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof respectively or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed. Provided that the Board may extend enlarge alter reconstruct renew or remove any of their works and plant and in the case of the aqueducts authorised by this Act lay down additional lines of pipes as and when occasion may require.

Works to
form part of
undertaking of
Board.

9. The works by this Act authorised shall for all purposes be deemed part of the water undertaking of the Board.

Power to
take lands.

10. Subject to the provisions of this Act the Board may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for or in connexion with the works by this Act authorised.

Additional
lands.

11. Subject to the provisions of this Act and in addition to any other lands which the Board are by this Act or by the Act of 1910 authorised to acquire the Board may purchase compulsorily or by agreement the following lands in the county of Glamorgan delineated on the deposited plans and described in the deposited book of reference (that is to say):—

- (A) A piece or parcel of land containing by admeasurement 555 square yards or thereabouts situate in the enclosure numbered 1658 on the $\frac{1}{2500}$ Ordnance map (2nd edition 1900) of the county of Glamorgan sheet XXVII. 16 in the parish of Rhondda:

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(B) A piece or parcel of land containing by admeasurement 190 square yards or thereabouts situate in the enclosure numbered 1337 on the $\frac{1}{2500}$ Ordnance map (2nd edition 1900) of the county of Glamorgan sheet XXXVI. 3 in the parish of Pontypridd. A.D. 1913.

12. The powers of the Board for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of five years from the passing of this Act. Period for compulsory purchase of lands.

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

14.—(1) The powers conferred upon the Board by the Act of 1910 (other than the powers referred to in subsection (2) of this section) for the compulsory purchase of the lands referred to in paragraphs (B) (C) and (D) of section 17 of the Pontypridd Waterworks and Tramroad Act 1908 and for the compulsory purchase of lands required for or in connexion with the works numbered 4 5 7 8 9 10 11 12 13 18 and 19 described in section 4 of the Pontypridd Waterworks and Tramroad Act 1908 and the works numbered 1 2 3 4 5 6 7 8 and 9 described in section 4 Extending time for purchase of lands and revival of powers.

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A.D. 1913. — of the Pontypridd Waterworks (Amendment) Act 1909 and the works numbered 1 2 and 5 described in section 22 of the Act of 1910 are hereby extended and may be exercised at any time within but shall not be exercised after the expiration of five years from the date of the passing of this Act.

(2) In so far as the powers conferred upon the Board by the Act of 1910 for the compulsory purchase of lands required for any of the purposes of the water undertaking of the Board have expired the same are hereby revived and may be exercised as follows but subject in all other respects to the provisions of section 50 of the Act of 1910:—

(A) The Board shall acquire the piece or parcel of land referred to in paragraph (D) of subsection (3) of section 50 of the Act of 1910 within one year from the date of the passing of this Act; and

(B) The powers of the Board of acquiring lands rights and easements in over or affecting the Lan Wood Estate as defined in subsection (9) of section 50 of the Act of 1910 may be exercised at any time within but shall not be exercised after the expiration of three years from the passing of this Act.

Extending
period for
completion
of works.

15. The period limited by the Act of 1910 for the completion of the works referred to in the section of this Act of which the marginal note is “Extending time for purchase of lands and revival of powers” is hereby extended until the first day of January one thousand nine hundred and twenty-four.

Accommoda-
tion for
workmen
employed on
construction
of works.

16.—(1) The Board shall erect fit up and maintain or provide—

(A) Such huts or buildings for the accommodation of the workmen employed in and about the construction of such of the works authorised by the Pontypridd Waterworks and Tramroad Act 1908 and the Pontypridd Waterworks (Amendment) Act 1909 as are referred to in the section of this Act whereof the marginal note is “Extending time for purchase of lands and revival of powers”; and

(B) Such hospital accommodation for the treatment of cases of sickness or accident among such workmen including accommodation for dealing with infectious diseases;

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as shall be reasonably necessary having regard to the accommodation available in the neighbourhood of or conveniently accessible from the said works and shall provide and maintain proper and sufficient sanitary accommodation in connexion with every such building and hospital. A.D. 1913.

(2) The Board shall pay all reasonable costs and expenses incurred in respect of the medical and surgical treatment of any workman employed on the construction of the said works who is treated in any hospital accommodation provided by them except in so far as such costs and expenses are payable or provided for under the National Insurance Act 1911 or otherwise.

(3) The medical officer of health of the Glamorgan County Council or of the Breconshire County Council as the case may be (herein-after respectively referred to as "the county council") and any medical officer of health and inspector of nuisances for any district in which such accommodation is afforded under this section shall be entitled at any time to enter into and inspect and examine any such accommodation in order to ascertain whether overcrowding exists therein and whether proper and sufficient sanitary arrangements are provided.

(4) The Board shall give every such officer all facilities and information which he requires for the purpose of the performance of his duties including the right to enter upon the said works and any person obstructing such officer in the performance of his duties under this section shall be liable on summary conviction to a fine not exceeding forty shillings.

(5) If at any time it appears to the county council that the Board have failed to afford or maintain accommodation in accordance with subsection (1) of this section the Board shall afford and maintain such accommodation as the county council may require. Provided that if within fourteen days after the receipt of notice of any requirement of the county council under this subsection the Board give notice to the county council that they dispute the reasonableness of any such requirement the difference shall be determined by the Local Government Board on the application of either of the parties to the difference and the Local Government Board may make such requirements (if any) in variation of the requirements of the county council as they may think fit.

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(6) If the Board fail to afford and maintain accommodation in accordance with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and to a further daily penalty not exceeding five pounds for every day on which the offence is continued after conviction and such penalties may be recovered by the county council.

(7) Any expenses incurred by the county council in carrying out the provisions of this section shall be repaid to the county council by the Board and shall be recoverable as a debt due from the Board to the county council.

(8) The Board shall pay to the Local Government Board any expenses incurred by that Board under this section including a sum not exceeding three guineas a day for the services of any inspector in connexion with any local inquiry or investigation which they may consider necessary in the exercise of their powers under subsection (5) of this section and the expenses of any witnesses summoned by the inspector.

As to break-
ing up and
reinstatement of
roads in
county of
Glamorgan.

17.—(1) Section 30 of the Waterworks Clauses Act 1847 (as incorporated with this Act) shall in relation to any main road county bridge or road repairable with a county bridge within the county of Glamorgan have effect as if the word "seven" were substituted for the word "three" in that section.

(2) Whenever the Board in the exercise of the powers of this Act shall have opened or broken up the road or pavement of any street repairable by the inhabitants at large or bridge within the county of Glamorgan they shall reinstate and make good such road or pavement to the reasonable satisfaction of the road authority and for that purpose section 32 of the Waterworks Clauses Act 1847 shall have effect as if the reinstatement and making good of the road required by that section included the application of a sufficient layer of surface metalling of the same specification as that employed by the road authority for the particular road and also included the use where usual of a steam roller on the places where the road has been broken up until the surface thereof has been made uniform with the unbroken surface adjoining.

(3) If for the purpose of repairing altering diverting or widening any road or bridge within the county of Glamorgan or of rebuilding any such bridge the road authority require any

alteration either temporary or permanent in the position of any mains pipes or other works of the Board or any support to be given thereto the Board shall on receiving notice in writing under the hand of the clerk or surveyor of the road authority so to do alter or support any such works in the manner reasonably required by such notice and with all due expedition and if the Board shall neglect to do or complete any work or act so required by such notice then and in any such case the road authority may do such work or act causing as little damage or inconvenience to the Board as the circumstances may admit Provided that one-half of the expense reasonably incurred in so doing by the Board or the road authority as the case may be shall be repaid to or by the Board by or to the road authority. A.D. 1913.

(4) Any difference which may arise between the Board and any road authority under the provisions of this section shall be determined by a single arbitrator to be appointed failing agreement on the application of either party by the President of the Institution of Civil Engineers and save as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

18. For the protection of the lord mayor aldermen and citizens of the city of Cardiff (in this section called "the Cardiff Corporation") the following provisions shall unless otherwise agreed in writing between the Cardiff Corporation and the Board have effect (that is to say):— For protection of corporation of Cardiff.

The provisions of section 49 (For protection of corporation of Cardiff) of the Pontypridd Waterworks and Tramroad Act 1908 so far as the same are set out in the Fifth Schedule to the Act of 1910 shall so far as the same are applicable apply and have effect for the protection of the Cardiff Corporation with respect to the works No. 1 and No. 2 authorised by this Act as if the same with any necessary modifications were inserted in this Act and as if the Board were mentioned therein instead of the company.

19. The provisions of section 45 (For protection of roads works &c. of constituent authorities) of the Act of 1910 shall apply and have effect for the protection of the Pontypridd Urban District Council and the Rhondda Urban District Council with respect to the works authorised by this Act as if those works had been authorised by the Act of 1910. For protection of Pontypridd and Rhondda Urban District Councils.

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For protec-
tion of Mar-
quis of Bute.

20. For the protection of the Marquis of Bute his sequels in estate and assigns (all included in the expression "the marquis" where herein-after used) the following provisions shall have effect except so far as may be otherwise agreed between the Board and the marquis:—

- (1) The Board shall not under the powers of this Act purchase or take compulsorily any land or property or rights over or with respect to land or property of the marquis except such easements as may be necessary for constructing in the manner by this Act authorised and maintaining and using the aqueduct conduit or line or lines of pipes being Work No. 1 hereby authorised and any subsidiary works in connexion therewith (herein-after in this section referred to as "the said aqueduct") but the Board may acquire and the marquis on being required so to do shall sell and grant to the Board any easement and right of occupation necessary for the construction maintenance and user of the said aqueduct in accordance with the provisions of this Act and the Board shall pay to the marquis in respect of any such easement or right such amount as shall in case of dispute be determined by arbitration under and in accordance with the provisions of the Lands Clauses Acts with respect to the settlement of cases of disputed compensation under those Acts:
- (2) The Board shall make compensation to the marquis his lessees or tenants for any damage to the surface or to any crops animals buildings fences or works of any other kind thereon which may happen by accident or otherwise by reason of the construction or maintenance of the works of the Board:
- (3) It shall be lawful for the marquis his lessees and tenants to manage cultivate and develop the lands through or under which the said aqueduct shall be constructed and to work the minerals underlying any such lands in accordance with the custom of mining in the district and to do all acts necessary or convenient for those purposes including the construction of any roads tramways railways or other similar works upon the surface crossing the said aqueduct without being

responsible to the Board for any injury to the said aqueduct whether by subsidence occasioned by working minerals in manner aforesaid or by reason of pressure from the weight of any such works as aforesaid constructed on the surface and any alteration strengthening or protection of the said aqueduct which the Board may consider necessary or desirable on account of any works or operations of the marquis shall be carried out at the expense of the Board but before commencing any such work upon the surface the marquis or his lessees or tenants as the case may be shall give reasonable notice to the Board and shall permit them to execute any reasonable diversion of the said aqueduct or any such strengthening works as aforesaid :

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- (4) Any difference which may arise between the Board and the marquis his lessees or tenants under this section shall except where otherwise provided for be determined by an arbitrator to be appointed failing agreement by the Local Government Board upon the application in writing of either of the parties and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply.

21. The following provisions for the protection of the Company of Proprietors of the Glamorganshire Canal Navigation (in this section referred to as "the company") shall notwithstanding anything in this Act contained apply and have effect except so far as may be otherwise agreed between the Company and the Board :—

For protection of Company of Proprietors of Glamorganshire Canal Navigation.

- (1) The construction of the aqueduct conduit or line or lines of pipes being Work No. 1 by this Act authorised (and herein-after referred to as "the said Aqueduct No. 1") through under or across the canal of the company at or near No. 6 on the deposited plans in the parish of Merthyr Tydfil and under the feeder of the company at or near No. 3 on the deposited plans in the parish of Llanwonno and the construction of the aqueduct conduit or line or lines of pipes being Work No. 2 by this Act authorised (and herein-after referred to as "the said Aqueduct

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No. 2") under or across the canal of the company at or near No. 2 on the deposited plans in the parish of Pontypridd shall be so carried out that the said Aqueduct No. 1 shall be carried under the canal and under the said feeder and the said Aqueduct No. 2 under the canal at a depth throughout of not less than six feet below the bed or lowest part of the canal and of the feeder respectively and shall be so constructed and maintained as not to injure or endanger the canal or feeder:

(2) All works by this Act authorised over in or under the canal or feeder or any property of the company including works of maintenance or repair (other than urgent repairs in case of accident) shall be carried out under the superintendence and to the reasonable satisfaction of the engineer of the company and according to plans sections and specifications to be submitted to and reasonably approved by him before any such works are commenced or in the event of any dispute or difference between such engineer and the engineer of the Board then in such manner as shall be settled by arbitration as herein-after provided Provided that if the engineer of the company shall fail to superintend at the time specified in a notice to be given by the Board to the company of their intention to commence the said works (such time being except in cases of emergency not less than fourteen days from the giving of the notice) such works may be executed without his superintendence and that unless the said engineer shall give notice of his disapproval of such plans sections or specifications within fourteen days after they shall have been submitted he shall be deemed to have approved thereof:

(3) The said works shall be executed by and in all things at the expense of the Board and in such manner as not to cause either during or after the construction thereof any reasonably avoidable injury to the canal or the feeder or other property of the company or interruption of traffic and if any injury or interruption shall arise or be occasioned either by accident

or otherwise owing to any act or omission on the part of the Board the Board shall make compensation to the company in respect thereof: A.D. 1913.

- (4) The Board shall bear and on demand pay to the company the reasonable expenses of superintending the construction of the said aqueducts and any works of maintenance repair or renewal thereof:
- (5) The Board shall not under the powers of this Act purchase or take compulsorily or except as in this section provided interfere with any lands or property of the company but the Board may purchase and take and the company shall at the request of the Board sell and grant any easement or right of using so much of the lands of the company as may be necessary for the construction maintenance and user of the said aqueducts Nos. 1 and 2 respectively under and across the canal and the feeder and under the other property of the company through which the said aqueducts are respectively hereby authorised to be constructed and the Board shall pay to the company in respect of any such easement or right such sum as shall in case of dispute be determined by arbitration under and in accordance with the provisions of the Lands Clauses Acts with respect to the settlement of cases of disputed compensation under those Acts:
- (6) If at any time hereafter the company require to make any improvement or alteration of their canal or feeder or to convert the canal into a railway at the places or either of the places where the said aqueducts or either of them shall pass through under or across the same the Board shall at their own cost make such alterations of the said aqueducts or either of them (as the case may require) within the existing boundaries of the company's property as without unnecessarily interrupting the supply of water by the Board may be reasonably required by the company to enable them to carry out such improvement or alteration and the provisions of this section shall so far as applicable extend and apply to the execution and carrying out

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—

by the Board of any such alterations of the said aqueducts :

- (7) Any difference arising between the Board and the company or their respective engineers touching the matters referred to in this section or anything to be done or not to be done thereunder shall except where otherwise provided for be referred to and determined by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of the Board or the company and the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protec-
tion of Taff
Vale Rail-
way Com-
pany.

22. For the protection of the Taff Vale Railway Company (in this section called "the company") the following provisions shall unless otherwise agreed upon between the company and the Board have effect (that is to say) :—

- (1) Where the intended aqueduct (Work No. 1) crosses the company's main line of railway at Goitrecoed the Board shall carry the said aqueduct thereover by means of a bridge having a clear centre span measured between the supports thereof square with the centre line of railway of not less than fifty-five feet :
- (2) The piers of the intended bridge carrying the above-mentioned centre span shall be built in such a manner and the foundations carried to such a depth as to allow of the company laying two additional lines of rails one on each side of the existing lines of rails at any time hereafter when they require so to do :
- (3) Where the intended aqueduct (Work No. 2) crosses under the company's Albion Branch Railway near Cilfynydd the said aqueduct shall be carried underneath the railway at a depth of not less than five feet below the level of the rails :
- (4) The Board shall bear and on demand pay to the company the reasonable expenses of the employment by them during the construction of the works over and under the railway and property of the company of a sufficient number of inspectors signalmen and

watchmen to be appointed by them for watching and protecting their railway and works and for conducting their traffic thereon with reference to and during the execution of such portion of the works and for preventing any interference obstruction danger or accident from any of the operations or from the acts and defaults of the Board or of any person or persons in the employ of the Board with reference thereto or otherwise :

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- (5) Subsections (7) to (11) and (13) to (18) of section 54 of the Pontypridd Waterworks and Tramroad Act 1908 as set forth in the Fifth Schedule to the Act of 1910 are hereby incorporated with this section and shall apply and have effect in relation to the Board and to the works by this Act authorised and to the company as if the Board had been referred to therein in lieu of the Pontypridd Waterworks Company and the same with the necessary modifications had been re-enacted in this Act with reference thereto and in the event of the Board failing to maintain their works in accordance with subsection (13) of the said section the company after giving to the Board seven days' notice in writing of their intention so to do may proceed to carry out any operations that may be necessary to place the works of the Board in substantial repair and the reasonable costs incurred by the company in carrying out such works shall be repaid to the company by the Board.

23. For the protection of the Right Honourable Courtenay Charles Evan Lord Tredegar and his sequels in estate and other the owner or owners for the time being of the Tredegar Settled Estates (herein-after referred to as and included in the expression "Lord Tredegar") the following provisions shall unless otherwise agreed between Lord Tredegar and the Board have effect (that is to say) :—

For protection of Lord Tredegar.

- (1) Notwithstanding anything in this Act or on the deposited plans it shall not be lawful for the Board to enter upon acquire or use any lands of Lord Tredegar or to purchase or acquire any right or interest of Lord Tredegar except an easement or right (subject to the provisions of section 50 of the Act of 1910

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incorporated with this section as herein-after mentioned) for the purpose of constructing repairing and maintaining under the surface of the ground the aqueduct Work No. 3 by this Act authorised :

- (2) The provisions of the following subsections of section 50 of the Act of 1910 shall extend and apply to the said aqueduct Work No. 3 and the easement or right to be acquired under this section as fully and effectually as if the said subsections were with any necessary modifications incorporated with and formed part of this section that is to say subsections (5) (9) paragraphs (A) (B) (C) and (F) (12) (14) and (15).

As to supply of water in bulk to Llantrisant and Llantwit Fardre Rural District Council.

24.—(1) As from the date upon which the Board shall have first received a supply of water from the corporation in pursuance of the provisions of clause 1 of the agreement set fourth in the schedule to this Act subsections (4) (5) and (9) of section 59 of the Act of 1910 shall be by virtue of this Act repealed and in lieu thereof the following provisions shall have effect (that is to say):—

- (A) The Board shall unless prevented by frost unusual drought or other unavoidable cause or accident deliver to the Llantrisant Council and the Llantrisant Council shall take from the Board in perpetuity or pay for as taken a minimum quantity of water of 334,000 gallons per day of twenty-four hours :
- (B) The Board shall also unless prevented by frost unusual drought or other unavoidable cause or accident deliver to the Llantrisant Council and the Llantrisant Council shall take in addition to the said minimum quantity such further supply of water of any quantity up to but not exceeding 666,000 gallons in any one day of twenty-four hours as the Llantrisant Council may from time to time require and any such further supply of water shall be delivered and taken as aforesaid until the Llantrisant Council shall have given notice to the Board of their intention to cease for the time being to take the same Provided that the Llantrisant Council shall give to the Board not less than seventy-two hours' notice in writing of any such requirement to deliver and a like notice of

their intention to cease for the time being to take any such further supply of water: A.D. 1913.

(c) The water so to be supplied as aforesaid shall be filtered water of pure and wholesome quality and suitable for all domestic and trade purposes and shall be delivered by the Board as to seven-tenths thereof at the upper point as defined in the said section 59 and as to three-tenths thereof at the lower point as so defined and in each case at a uniform rate:

(D) The price to be paid by the Llantrisant Council to the Board for water delivered to the Llantrisant Council under the provisions of this subsection shall be the sum of fivepence three-farthings per thousand gallons. Provided that if the price per thousand gallons to be paid by the Board to the corporation for water supplied under the aforesaid agreement shall be reduced under the provisions for the revision of such price contained in that agreement the price to be paid by the Llantrisant Council to the Board under this subsection shall be reduced by the same amount.

(2)* In all other respects the provisions of the said section 59 of the Act of 1910 shall so far as applicable continue in full force and effect after the date mentioned in subsection (1) of this section and shall extend and apply to any water delivered or required to be delivered under the provisions of that subsection in like manner as the same would have applied to water delivered or required to be delivered under the said section 59 if this Act had not been passed.

(3) In the event of the Board not receiving a supply of water from the corporation in pursuance of the provisions of clause 1 of the said agreement the price to be paid by the Llantrisant Council to the Board for water delivered to the Llantrisant Council under subsection (3) of section 59 of the Act of 1910 shall as from the eighteenth day of August one thousand nine hundred and twenty-one be the sum of fivepence three-farthings per thousand gallons unless and until the Board shall have commenced the construction of the Llia Reservoir mentioned in subsection (4) of the said section 59 in which case the price to be paid shall be sevenpence per thousand gallons as provided by subsection (9) of the said section.

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A.D. 1913. **25.** For the protection of the Caerphilly Urban District
For protec- Council (in this section referred to as "the Caerphilly Council")
tion of Caer- the following provisions shall unless otherwise agreed in writing
philly Urban between the Caerphilly Council and the Board have effect (that
District is to say):—
Council.

(1) On the first day of October one thousand nine hundred and fifteen or on such other date as the Board and the Caerphilly Council may agree (which date is herein-after called "the date of transfer") the Board shall sell and the Caerphilly Council shall purchase such portion of the undertaking of the Board as is within the urban district of Caerphilly (herein-after referred to as "the Caerphilly district") (except any mains pipes and apparatus necessary for supplying with water any place not within the Caerphilly district) at the price and upon the terms and conditions herein-after mentioned:

(2) The Caerphilly Council shall pay to the Board as the consideration for the purchase of the said portion of the undertaking—

(A) A sum equal to the value of the mains pipes and apparatus of the Board as existing on the first day of May one thousand nine hundred and thirteen within the Caerphilly district other than any mains pipes and apparatus excepted from the purchase under the preceding subsection of this section;

(B) A sum equal to the actual expenditure by the Board on the provision of new mains pipes and apparatus within the Taffs Well Ward of the Caerphilly district between the said first day of May one thousand nine hundred and thirteen and the date of transfer;

(C) A sum representing goodwill which sum shall bear the same proportion to the sum of sixty-eight thousand pounds (being approximately the amount paid for goodwill by the Board to the Pontypridd Waterworks Company) as the revenue received by the Board for the distribution of water in the said Taffs Well Ward in the year ending thirty-first day of March one thousand nine hundred and fifteen

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shall bear to the total revenue of the Board in that A.D. 1913.
year ;

(D) Interest on the aforesaid sums (A) (B) and
(c) at the rate of five per centum per annum from
the date of transfer to the date of payment of such
sums respectively :

Any dispute as to the amount of any sums to be paid
by the Caerphilly Council to the Board under this
subsection shall be settled by arbitration as herein-after
provided :

- (3) The purchase of the said portion of the undertaking
of the Board shall as regards the Caerphilly Council
be deemed to be a purpose of the Public Health
Act 1875 and the Caerphilly Council may borrow
the sum necessary for the purpose of paying the
purchase price upon such terms as to repayment
and otherwise as may be determined by the Local
Government Board :
- (4) The proceeds of the sale of the said portion of the
undertaking shall be applied by the Board with the
sanction of the Local Government Board in the
repayment of debt or for any other purpose :
- (5) After the passing of this Act the Board shall not lay
any new mains pipes or apparatus or construct any
other works within the Caerphilly district except
with the consent in writing of the Caerphilly
Council which consent shall not be unreasonably
withheld :
- (6) After the date of transfer the Caerphilly district shall
cease to be included within the limits of supply of
the Board as defined in the Act of 1910 and all
rights and obligations of the Board to supply water
within the Caerphilly district otherwise than in bulk
under the provisions of this section shall cease and
determine :
- (7) If and so long as the Board are able to deliver to the
Caerphilly Council water sufficient in the aggregate
for the reasonable requirements of the Taffs Well
Ward after taking into account the supply obtainable
from the present works of the Caerphilly Council

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and any extensions thereof constructed for the purpose of fully utilising their present sources of supply the Caerphilly Council shall not be entitled to construct any additional works for the supply of water other than such extensions aforesaid or to take water from any authority company or person other than the Board but if and so far as the Board are not able to deliver water to meet those requirements the Caerphilly Council may take water from elsewhere to the extent of making good the deficiency but not further or otherwise:

- (8) After the date of transfer and until the date when the Board are required to supply water under subsection (9) of this section the Board shall so far as they are able so to do by means of their then existing works and unless prevented by frost unusual drought or other unavoidable cause or accident deliver to the Caerphilly Council and the Caerphilly Council shall take a supply of water in bulk for the said Taffs Well Ward:

The quantity of water which under this subsection the Board shall be under obligation to deliver and which the Caerphilly Council shall be under obligation to take and pay for at the price hereinafter mentioned shall be based upon the quantity of water which the inhabitants of the Taffs Well Ward were taking from the Board at the date of transfer:

- (9) From and after the date upon which the Board shall first have received a supply of water from the corporation in pursuance of the provisions of clause 1 of the agreement set forth in the schedule to this Act the Board shall (unless prevented by frost unusual drought or other unavoidable cause or accident) deliver to the Caerphilly Council and the Caerphilly Council shall take such quantity of water (not being less than fifty thousand nor more than one hundred and fifty thousand gallons in any day of twenty-four hours) as the Caerphilly Council may from day to day require for distribution in the said Taffs Well Ward:

- (10) The price to be paid by the Caerphilly Council to the Board for water delivered to the Caerphilly Council under this section shall be— A.D. 1913.

(A) For water supplied under subsection (8) of this section the sum of sevenpence per thousand gallons until the eighteenth day of August one thousand nine hundred and twenty-one and the sum of fivepence three-farthings per thousand gallons after that date unless before or after that date the Board shall have commenced the construction of the Llia Reservoir in which event the price shall continue to be or be increased to the sum of sevenpence per thousand gallons;

(B) For water supplied under subsection (9) of this section the sum of fivepence three-farthings per thousand gallons. Provided that if the price per thousand gallons to be paid by the Board to the corporation for water supplied under the aforesaid agreement shall be reduced under the provisions for the revision of such price contained in that agreement the price to be paid by the Caerphilly Council to the Board for water supplied under subsection (9) of this section shall be reduced by the same amount:

- (11) All water to be supplied by the Board to the Caerphilly Council under this section shall be filtered water of pure and wholesome quality and suitable for all domestic and trade purposes and shall be delivered at or near the point where the boundary between the Caerphilly district and the urban district of Pontypridd crosses the main road leading from Cardiff to Pontypridd town to the north of the village of Nantgarw (which point is herein-after referred to as "the point of delivery") and at such pressure as can be afforded by gravitation from the Lan Wood Reservoir No. 2 authorised by the Pontypridd Waterworks (Amendment) Act 1909 through a main of sufficient capacity to give the supply of water required under the provisions of this section with a velocity in the main of not less than three lineal

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feet per second or if that reservoir be not constructed or having been constructed be abandoned at a similar pressure :

- (12) The Board shall provide and maintain at the expense and to the reasonable satisfaction of the Caerphilly Council at the point of delivery self-recording Venturi meters and other apparatus for the purpose of measuring the quantity of water delivered to the Caerphilly Council under this section and the Caerphilly Council or their engineer or other person duly authorised by them shall at all reasonable times have access to such meters and apparatus for the purpose of inspecting the same and the Caerphilly Council shall be entitled to take copies of the records thereof:
- (13) If any difference shall arise between the Caerphilly Council and the Board under this section the matter in difference shall be determined by a single arbitrator who failing agreement shall be appointed by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to any such reference.

Rates for
supply of
water for
domestic
purposes.

26. As from the quarter-day which shall happen next after the passing of this Act subsection (1) of section 61 of the Act of 1910 is hereby repealed and as from such quarter-day 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 the Act of 1910 to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates not exceeding the yearly rates herein-after specified (that is to say) :—

(A) As from the quarter-day which shall happen next after the passing of this Act until the Board are entitled to charge the rates mentioned in paragraph (B) of this section the rates set out in the second column of the Seventh Schedule to the Act of 1910 in respect of the premises the rateable value of which is set out in the first column of that schedule :

(B) As from the quarter-day which shall happen next after the date upon which the Board shall have received

a supply of water from the corporation in pursuance of the provisions of clause 1 of the agreement set forth in the schedule to this Act or next after the date upon which the Board shall have obtained from the Local Government Board a certificate that the Llia Reservoir Work No. 4 authorised by the Pontypridd Waterworks and Tramroad Act 1908 has been completed (whichever date shall be the earlier) the rates set out in the third column of the Seventh Schedule to the Act of 1910 in respect of the premises the rateable value of which is set out in the first column of that schedule.

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—

27.—(1) The Board may supply water for other than domestic purposes on such terms and conditions as the Board may think fit and may supply water by measure either for domestic or other purposes and the moneys payable for the supply of water under this section shall be recoverable in the same manner as water rates. Provided that no person shall be entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes.

Supply by
measure.

(2) Section 67 of the Act of 1910 (Supply by measure) is hereby repealed.

(3) As from the quarter-day which shall happen next after the passing of this Act section 68 of the Act of 1910 shall be read and have effect as if the following subsection had been included therein (that is to say):—

“ (3) Provided also that notwithstanding anything in this section contained the Board shall be entitled to charge for any such supply (other than a supply given under the provisions of section 69 of this Act) such minimum sum not exceeding ten shillings as they may prescribe in respect of the water supplied in any quarter of a year.”

28.—(1) The Board may from time to time borrow at interest in addition to the sums which they are authorised to borrow under the Act of 1910 for the purposes mentioned in the first column of the following table the sums mentioned in the second column thereof and they shall pay off all money so borrowed within the respective periods (each of which is in

Power to
borrow.

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A.D. 1913. this Act referred to as “the prescribed period”) mentioned in the third column of the said table (namely):—

1.	2.	3.
Purpose.	Amount.	Period for payment.
(A) For the purchase of land for and for and in connexion with the construction of the works authorised by this Act.	£8,877	Sixty years from the date or dates of borrowing.
(B) For paying the costs charges and expenses incurred by the Board in opposing in Parliament the Rhymney Valley Water Board Bill 1911 and the Bill for the Merthyr Tydfil Corporation Water Act 1911.	£2,226 13 2	Five years from the date of the passing of this Act.
(c) For paying the costs charges and expenses of this Act.	The sum requisite	Five years from the date of the passing of this Act.

(2)—(A) The Board may also with the consent of the Local Government Board borrow such further money as may be necessary for any of the purposes of this Act:

(B) Any money borrowed under this subsection shall be repaid within such period (in this Act referred to as “the prescribed period”) as may be prescribed by the Local Government Board.

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

Application of provisions of Act of 1910. **29.** The following sections of the Act of 1910 shall with any necessary modifications extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act (namely):—

Section 27 Power to acquire easements only;

Section 31 Provisions as to compensation Provided that in the application of that section the same shall be read and have effect as if the words “nineteen hundred and thirteen” were substituted for the words “nineteen hundred and ten”;

Section 32 Costs of arbitration &c. in certain cases;

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Section 35 Persons under disability may grant easements &c.; A.D. 1913.

Section 78 Mode of raising money;

Section 79 Provisions of Public Health Act 1875 as to mortgages to apply;

Section 80 Mode of payment off of money borrowed (except subsection (2) thereof);

Section 81 Sinking fund;

Section 82 Protection of lender from necessity of inquiry;

Section 83 Board not to regard trusts;

Section 84 Appointment of receiver;

Section 85 Power to reborrow;

Section 87 Proceeds of sale of surplus lands;

Section 89 Return to Local Government Board as to repayment of debt;

Section 90 Application of money borrowed;

Section 94 Expenses of execution of Act;

Section 99 Inquiries by Local Government Board;

Section 102 As to notices &c.;

Section 103 Judges not disqualified;

Section 104 Recovery of penalties;

Section 105 Application of penalties;

Section 107 Recovery of demands.

30.—(1) It shall be lawful for the urban district council of Caerphilly (herein-after called “the Caerphilly Council”) independently of any other borrowing power to borrow at interest any sums of money required for the purposes of paying the costs charges and expenses payable by them preliminary to and of and incidental to the opposition in Parliament to the Bill for this Act. Power to Caerphilly Council to borrow money for payment of costs of opposition.

(2) In order to secure the repayment of the money borrowed under this section and the payment of the interest thereon the Caerphilly Council may mortgage or charge the district fund and general district rate of the urban district of Caerphilly.

(3) The Caerphilly Council shall pay off all moneys borrowed by them under this section within a period of five years from the passing of this Act.

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(4) The Caerphilly Council may raise all or any moneys which they are authorised to borrow under this section either by mortgage or by issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in the other and the provisions of the Public Health Act 1875 relating to the borrowing and repayment of money (except so much of section 233 of that Act as relates to the sanction of the Local Government Board and subsections (1) (2) and (3) and so much of subsection (4) as relates to the time for which the moneys may be borrowed of section 234 of that Act) shall apply to moneys borrowed by the Caerphilly Council under this section.

(5) The provisions of section 89 of the Act of 1910 incorporated with this Act shall be deemed to apply to any sum required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the powers of this section or in respect of any sum raised thereunder as though "the clerk" meant the clerk of the Caerphilly Council and "the Board" meant the Caerphilly Council.

Power to
Llantrisant
Council to
borrow
money for
payment of
costs of op-
position.

31.—(1) It shall be lawful for the rural district council of Llantrisant and Llantwit Fardre (herein-after called "the Llantrisant Council") independently of any other borrowing power to borrow at interest any sums of money required for the purposes of paying the costs charges and expenses payable by them preliminary to and of and incidental to the opposition in Parliament to the Bill for this Act.

(2) In order to secure the repayment of the money borrowed under this section and the repayment of the interest thereon the Llantrisant Council may mortgage or charge the revenue of their water undertaking and the rates out of which special expenses incurred in the execution of the Public Health Act 1875 by a rural sanitary authority are by that Act directed to be defrayed.

(3) The Llantrisant Council shall pay off all moneys borrowed by them under this section within a period of five years from the passing of this Act.

(4) The Llantrisant Council may raise all or any moneys which they are authorised to borrow under this section either by mortgage or by issue of debentures or annuity certificates under

and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in the other and the provisions of the Public Health Act 1875 relating to the borrowing and repayment of money (except so much of section 233 of that Act as relates to the sanction of the Local Government Board and subsections (1) (2) and (3) and so much of subsection (4) as relates to the time for which the moneys may be borrowed of section 234 of that Act) shall apply to moneys borrowed by the Llantrisant Council under this section. A.D. 1913.

(5) The provisions of section 89 of the Act of 1910 incorporated with this Act shall be deemed to apply to any sum required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the powers of this section or in respect of any sum raised thereunder as though "the clerk" meant the clerk of the Llantrisant Council and "the Board" meant the Llantrisant Council.

32. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto (including the costs charges and expenses of and incident to the preparation and completion of the agreement set forth in the schedule to this Act) as taxed by the taxing officer of the House of Lords or House of Commons shall be paid by the Board and may be paid out of the revenues of the Board or out of moneys to be borrowed by them under the powers of this Act. Costs of Act.

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The SCHEDULE referred to in the foregoing Act.

AN AGREEMENT made the 3rd day of July 1912 between the MAYOR ALDERMEN AND BURGESSES OF THE COUNTY BOROUGH OF MERTHYR TYDFIL (herein-after called "the corporation") of the one part and the PONTYPRIDD AND RHONDDA JOINT WATER BOARD (herein-after called "the Board") of the other part.

WHEREAS under and by virtue of the provisions of the Merthyr Tydfil Corporation Water Act 1911 the corporation have power to construct certain additional waterworks including a new impounding reservoir (herein-after called "the Taf Fechan Reservoir"):

And whereas under the said Act the corporation are under obligation to supply water to the Rhymney and Aber Valleys Gas and Water Company and to the urban district council of Barry in accordance with the provisions of the agreements in that behalf set forth in the Third Schedule to the said Act and to the urban district council of Caerphilly in accordance with the provisions of section 49 of the said Act:

And whereas it has been agreed between the corporation and the Board that a supply of water shall be provided by the corporation to the Board in bulk upon the terms and conditions herein-after contained:

Now it is hereby agreed between the parties hereto as follows:—

1. The corporation shall from and after the date upon which the Taf Fechan Reservoir is completed and filled with water deliver to the Board in perpetuity from the Taf Fechan Reservoir (unless prevented by frost unusual drought or other unavoidable cause or accident or some act or default of the Board) and the Board shall take from the corporation in perpetuity or pay for as taken a minimum quantity of water of one million gallons per day of twenty-four hours.

2. At any time and from time to time after the commencement of the supply of water to the Board under this agreement the corporation shall also deliver to the Board and the Board shall take in addition to the said minimum quantity such further supply of water of any quantity up to but not exceeding two million gallons in any one day of twenty-four hours as the Board may from time to time require and any such further supply of water shall be delivered and taken as

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aforesaid until the Board shall have given notice to the corporation of their intention to cease for the time being to take the same Provided' that the Board shall give to the corporation not less than forty-eight hours' notice in writing of any such requirement to deliver and a like notice of their intention to cease for the time being to take any such further supply of water under this clause. A.D. 1913.

3. The water so to be supplied as aforesaid shall be filtered water of pure and wholesome quality and suitable for all domestic and trade purposes and shall be delivered by the corporation at or near the point of termination of the aqueduct Work No. 6 authorised by the said Act or at such other point as may be mutually agreed upon between the corporation and the Board at a pressure sufficient to raise the same to an elevation of 790 feet above Ordnance datum at the least.

4. The quantity and pressure of the water to be supplied by the corporation to the Board under this agreement shall be measured by a self-recording meter and a self-recording pressure gauge of such description as may be agreed upon between the Board and the corporation or as may in default of agreement be determined by arbitration and such meter and gauge shall be placed as near as practicable to the point of delivery and shall be provided fixed and maintained and whenever necessary repaired or renewed by the corporation who shall at all times keep the said meter in proper condition and working order. The said meter and gauge shall be placed in a suitable building and shall be inaccessible except by means of two keys one of which shall be kept in the custody of the corporation and the other in the custody of the Board but each of the said parties shall whenever so requested by the other afford to the other all reasonable facilities for inspecting and testing the said meter and gauge and taking copies of the records thereof and the Board shall at all times afford to the corporation such facilities as the corporation may require for maintaining repairing and renewing the said meter and gauge and keeping the same in proper condition and working order as aforesaid. The Board shall pay to the corporation a yearly sum equivalent to ten per centum per annum upon the capital cost of providing and fixing the said meter and gauge including the said building and any subsidiary apparatus (such yearly sum not to exceed £25) and shall also repay to the corporation one-half of the reasonable cost of maintaining the said building and any other subsidiary apparatus such payment and repayment to date from the commencement of the supply of water under this agreement and to continue as long as this agreement shall remain in force and to be made in quarterly instalments on the usual quarter-days the first of such payments and repayments being (if necessary) apportioned amounts.

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5. The price to be paid by the Board to the corporation shall be at the rate of threepence per one thousand gallons for all water for the time being actually supplied by the corporation to the Board under this agreement. Provided that as regards the said minimum quantity of one million gallons of water to be taken or paid for as taken by the Board under clause 1 of this agreement the price of threepence per one thousand gallons shall be paid by the Board whether such minimum quantity is actually taken by the Board or not unless the corporation fail from any cause to deliver the same in which case no payment shall be made except in respect of such water as is actually supplied. Provided also that as soon as all moneys which the corporation may raise under and by virtue of subsection (1) of section 50 of the said Act for the purchase of lands for and for and in connexion with the construction of the waterworks and road diversions authorised by the said Act shall have been repaid by the corporation the said price shall be subject to revision at the instance of either party to this agreement and if the corporation and the Board are unable to agree upon the revised price the same shall be determined by an arbitrator to be appointed by agreement or failing agreement by the Local Government Board on the application of either party.

6. For the purpose of calculating the amount payable by the Board in respect of the said supply the quantity of water recorded by the said meter as having been taken by the Board in any period shall be deemed except in the event of any manifest error to be the quantity taken by them in that period and any fractional part of one thousand gallons shall be reckoned as a complete one thousand gallons.

7. If at any time the said meter shall cease to register correctly or shall at any time be removed for the purpose of repair renewal or for any other reason then until the said meter shall be repaired or replaced so as to register correctly the quantity of water passing through it the corporation shall be entitled to charge and the Board shall be liable to pay for a daily quantity of water equal to the average daily quantity of water for which the Board shall have paid or been liable to pay in respect of the corresponding period of three months in the preceding year.

8. At the expiration of a period of three months from the commencement of the supply and of each successive period of three months the said meter shall be inspected and the records thereof shall be taken by an officer of the corporation together with an officer of the Board and the corporation and the Board shall thereupon make up an account in writing showing the quantity of water taken by the Board during the last expired period of three months and the amount

payable in respect thereof and the Board shall within one calendar month after the day on which such account is made up pay to the corporation the amount due to them in respect of a period to which such account relates. A.D. 1913.

9. If the Board shall not pay the amount payable to the corporation in respect of any supply of water taken or hereby agreed to be paid for as taken by the Board within one calendar month after the same is payable as aforesaid the corporation may on giving to the Board not less than fourteen days previous notice in writing of their intention so to do stop the supply of water to the Board until such amount shall have been paid but without prejudice to any legal remedies of the corporation for recovering any such amount.

10. In the event of the corporation being prevented at any time by frost unusual drought or other unavoidable cause or accident from delivering to the Board the quantity of water which the Board are for the time being entitled to have delivered to them under this agreement then the total daily quantity of water available (after fulfilling the obligations contained in the before-mentioned agreements set forth in the Third Schedule to the said Act and in section 49 of the said Act) shall be divided between the corporation and the Board in the proportion of five-eighths to the corporation and three-eighths to the Board.

11. The supply of water to be given by the corporation to the Board under this agreement shall take priority over any supply which the corporation may give beyond or for use beyond the present statutory limits of the corporation for the supply of water other than the supplies of water to be given under the before-mentioned agreements set forth in the Third Schedule to the said Act and the supply of water to be given to the Caerphilly Urban District Council under section 49 of the said Act.

12. If the corporation make any further agreement or contract after the date of this agreement for the supply of water in bulk beyond or for use beyond the present statutory limits of the corporation for the supply of water the following provisions shall apply:—

- (1) The corporation shall upon receipt of a notice from the Board requiring the corporation to supply to the Board in perpetuity a further minimum quantity of one million gallons of water or more per day of twenty-four hours forthwith discontinue the supply of water provided for under any such further agreement or contract and the right of any body or person to take any such supply shall thereupon cease and determine and the corporation shall not

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A.D. 1913.
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thereafter enter into any new agreement or contract for the supply of water. Provided that if and so long as during the continuance of any such further agreement or contract the quantity of water in the reservoirs of the corporation shall not exceed 1,500 million gallons the corporation shall reduce or abate the aggregate quantity of water agreed to be supplied under any such further agreement or contract to such an extent as will ensure that the aggregate quantity so supplied shall not exceed in any one day of twenty-four hours an amount which together with the total quantity of water required by the corporation for their statutory limits for the time being for the supply of water and for affording the supplies of water to be given under the before-mentioned agreements set forth in the Third Schedule to the said Act and under section 49 of the said Act and under this agreement shall make up fourteen-and-a-half million gallons or such greater quantity of water as shall be agreed upon by the engineers of the corporation and the engineer of the Board or in case of their difference as may be fixed by arbitration under clause 17 hereof:

(2) Notwithstanding anything contained in section 40 of the Merthyr Tydfil District Council Waterworks Act 1895 or section 21 of the Merthyr Tydfil Urban District Council Act 1903 any agreement or contract made after the date of this agreement by the corporation for the supply of water in bulk beyond or for use beyond the present statutory limits of the corporation for the supply of water shall be expressed to be made subject to and shall be subject to the provisions of this agreement:

(3) Upon completion of the Taf Fechan Reservoir permanent marks showing the depth of water at every foot in depth shall be set up by the corporation in each of the reservoirs of the corporation and a table of capacities for each reservoir corresponding with the said marks shall be prepared to the satisfaction of the engineer for the time being of the Board and if and whenever the aggregate quantity of water in the said reservoirs shall fall to 1,500 million gallons the corporation shall forthwith give notice thereof to the Board.

13. The corporation shall proceed with all due diligence to complete the construction of the Taf Fechan Reservoir and to fill the same with water and shall take all such other steps as may be necessary to enable them to give a supply of water to the Board in accordance

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with the provisions of this agreement Provided that if the corporation shall not have substantially commenced the construction of the said reservoir before the 1st day of November 1912 the Board shall be entitled by notice in writing to the corporation given before the 1st day of January 1913 to determine this agreement and in the event of such notice being given this agreement shall be null and void. A.D. 1913.

14. For the purposes of satisfying themselves that the provisions of this agreement are being duly complied with the Board may at all reasonable times enter upon the property of the corporation for the purpose of inspecting the reservoirs of the corporation and any filter beds apparatus and appliances used for filtering and treating the water and the meter and other records of the corporation and may take such samples of the water as they think fit.

15. If the corporation make default in affording any supply of water in accordance with the provisions of this agreement they shall forfeit and pay to the said Board by way of penalty for every day during which such default shall continue a sum of twenty pounds and the Board may take proceedings in any court of competent jurisdiction for the recovery of such penalties but without prejudice to any other rights or remedies of the Board under this agreement.

16. Any notice under this agreement required to be given to the Board may be given by registered letter addressed to the clerk of the Board at the office of the Board and any notice under this agreement required to be given to the corporation may be given by registered letter addressed to the town clerk at the Town Hall Merthyr Tydfil.

17. If any difference shall arise between the corporation and the Board as to the construction of this agreement or as to anything contained in or arising out of the same such difference shall be determined by an engineer or other fit person to be appointed failing agreement by the Local Government Board and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply.

18. This agreement is made subject to the approval of Parliament and to such alterations as Parliament may think fit to make therein and in the event of any material alteration being made it shall be competent to either party hereto to withdraw from the same The corporation if so requested by the Board shall at the expense of the Board support the passage through Parliament of any Bill promoted by the Board to sanction this agreement and the Board shall apply in the next session of Parliament and use every effort to obtain an Act to confirm this agreement.

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A.D. 1913.

In witness whereof the corporation and the Board have caused their common seals to be hereunto affixed the day and year first above written.

The common seal of the Pontypridd and Rhondda }
Joint Water Board was hereunto affixed in the }
presence of

L.S.

DAVID WILLIAMS Chairman.

The common seal of the corporation was here- }
unto affixed in the presence of

L.S.

J. M. BERRY Mayor.

T. ANEURYN REES Town Clerk.

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