



## CHAPTER xx.

An Act to provide for the transfer to the Bucks Water Board of the undertaking of the Chiltern Hills Spring Water Company to extend the limits within which the Board may supply water and for other purposes.

[22nd May 1946.]

**W**HEREAS the Bucks Water Board (hereinafter referred to as "the Board") was constituted by the Bucks Water Act 1937 and by that Act provision was made for transferring to the Board a number of existing water undertakings and for enabling the Board to supply water throughout the limits which were defined in the said Act :

And whereas further powers have been conferred upon the Board by the Bucks Water Order 1938 and the Bucks Water Order 1943 by which last-mentioned Order the limits of supply of the Board were extended so as to include certain areas which were previously comprised within the limits of supply of the Chiltern Hills Spring Water Company (hereinafter referred to as "the company") who were incorporated by the Chiltern Hills Spring Water Act 1870 and upon whom further powers have been conferred by the Chiltern Hills Spring Water Order 1876 and the Chiltern Hills Spring Water Order 1885 :

1 Edw. 8. &  
1 Geo. 6.  
c. xc.

33 & 34 Vict.  
c. xxv.

And whereas the company have agreed with the Board for the transfer of the undertaking of the company to the Board and it is expedient that the agreement (a copy of which is set forth in the First Schedule to this Act) should be confirmed as modified by this Act and that provision should be made for carrying such agreement as so modified into effect and also for enabling the Board to supply water throughout the limits within which the company are empowered to supply water at the date of this Act :

And whereas the company have constructed certain waterworks in the counties of Hertford and Buckingham including a pumping station (known as the New Ground pumping station) in the parish of Wigginton and have acquired by agreement certain lands including the lands upon which such waterworks or some of them are constructed and it is expedient to sanction and confirm the acquisition of such lands and the construction of such works and to authorise the Board to utilise the same for the purposes of their undertaking :

And whereas it is expedient further to extend the limits of supply of the Board :

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

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

And whereas an estimate has been prepared for the purposes hereinafter mentioned and such estimate is as follows :—

Water mains and other waterworks purposes ... £120,000

And whereas the several 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 in relation to the promotion of the Bill for this Act the Board have complied with the requirements of section 128 (Power for Board to apply for further powers) of the Bucks Water Act 1937.

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

## PART I.

### PRELIMINARY.

Short and  
collective  
titles.

1.—(1) This Act may be cited as the Bucks Water Board Act 1946.

(2) The Bucks Water Act and Orders 1937 to 1943 and this Act may be cited together as the Bucks Water Board Acts and Orders 1937 to 1946.

Division of  
Act into  
Parts.

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

Part I.—Preliminary.

Part II.—Transfer of undertaking of company.

Part III.—Supply of water.

Part IV.—Finance and miscellaneous.

3.—(1) The following enactments (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) :—

PART I.  
—cont.  
Incorporation  
of Acts.

(a) The Waterworks Clauses Act 1847 except—

10 & 11 Vict.  
c. 17.

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

(ii) sections 75 to 82 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts ;

(b) The Waterworks Clauses Act 1863.

26 & 27 Vict.  
c. 93.

(2) (a) In the construction of the provisions of the Waterworks Clauses Acts 1847 and 1863 incorporated with this Act the expressions “ the promoters of the undertaking ” “ the undertakers ” and “ the company ” mean respectively the Board.

(b) In relation to the exercise of powers by the Board “ the limits of the special Act ” in the Waterworks Clauses Act 1847 means the limits for the time being of the Board for the supply of water.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Interpretation.

(2) In this Act unless the subject or context otherwise requires—

“ The Board ” means the Bucks Water Board ;

“ The clerk ” means the clerk to the Board ;

“ The company ” means the Chiltern Hills Spring Water Company ;

“ The scheduled agreement ” means the agreement (as modified by this Act) dated the first day of March nineteen hundred and forty-five and made between the company of the one part and the Board of the other part which is set out in the First Schedule to this Act ;

“ The undertaking of the company ” has the same meaning as in the scheduled agreement ;

“ The day of transfer ” means the first day of October nineteen hundred and forty-six ;

“ The Act of 1937 ” means the Bucks Water Act 1937 ;

“ The existing limits ” means the limits within which the Board were immediately before the passing of this Act authorised to supply water ;

PART I.  
—cont.

“ The added limits ” means the areas described in the Second Schedule to this Act and coloured red upon the map signed in triplicate by the Right Honourable the Lord O’Hagan the chairman of the committee of the House of Lords to which the Bill for this Act was referred one copy of which map has been deposited in the Parliament Office of the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the clerk at his office ;

“ The company’s limits ” means so much of the added limits as comprises the area described in Part I of the Second Schedule to this Act ;

“ Local authority ” has the meaning assigned to it by section 1 of the Public Health Act 1936 ;

“ The Act of 1933 ” means the Local Government Act 1933 ;

“ Security of the Board ” means any mortgage bond stock or other security issued by the Board ;

“ Statutory borrowing power ” means a power of borrowing conferred on the Board by or under any enactment except paragraph (a) of subsection (1) of section 215 of the Act of 1933 ;

“ The undertaking ” and “ revenues of the Board ” have the meanings assigned to those expressions respectively by section 4 (Interpretation) of the Act of 1937 ;

“ The Minister ” means the Minister of Health.

## PART II.

## TRANSFER OF UNDERTAKING OF COMPANY.

Acquisition of  
company’s  
undertaking.

5. The scheduled agreement is hereby confirmed and made binding upon the Board and the company and on the day of transfer the undertaking of the company shall by virtue of this Act become and shall thenceforth be transferred to and vested in the Board subject to the provisions of this Act and of the scheduled agreement and shall be carried on used exercised and enjoyed by the Board for the purposes and according to the provisions of the Bucks Water Board Acts and Orders 1937 to 1946 and (subject to those provisions) as the same would or might have been carried on used exercised and enjoyed by the company if this Act had not been passed :

Provided that—

(a) in and for the purposes of the scheduled agreement the expression “ the day of transfer ” shall have the meaning assigned to that expression by the section of this Act of which the marginal note is “ Interpretation ” instead of the meaning assigned thereto by clause 1 of that agreement ;

(b) the scheduled agreement shall have effect as if—

(i) the words “ and the executors of any of them who  
“ may have died between the date of this agreement  
“ and the day of transfer ” and the words “ or  
executors of any deceased director ” were omitted  
from clause 10 thereof ; and

(ii) paragraph (c) of clause 12 thereof were omitted  
therefrom ;

(c) if Robert William Thorp or Alfred Edward Curtis or  
Ronald Davidson Reed Sale or George Eric Shaw shall  
die between the first day of April nineteen hundred and  
forty-six and the day of transfer the sum which would  
have been payable to him in pursuance of clause 11 or  
clause 12 (as the case may be) of the scheduled agree-  
ment if he had lived until the day of transfer shall be  
paid by the Board to his executors.

6.—(1) Subject to the provisions of the Act of 1937 and this Act the Board may—

Power to  
maintain &c.  
transferred  
works.

(a) maintain repair renew alter enlarge improve and extend  
the waterworks transferred to them by virtue of this  
Act (including the works the construction of which is  
sanctioned and confirmed by the section of this Act  
of which the marginal note is “ Confirmation of additional  
waterworks ”) ;

(b) take intercept and impound pump raise and use any water  
which can or may be intercepted by any of the said works  
or which the company might have taken or intercepted  
by any of the said works if this Act had not been passed ;

(c) erect lay down provide and maintain upon in over or under  
any lands vested in the Board by virtue of this Act or  
upon in under or over which the Board shall have acquired  
easements for the purpose additional and other works  
and apparatus for the purposes of the undertaking ;

(d) lay down provide and maintain additional and other  
aqueducts mains and pipes.

(2) For the purposes of section 68 (Restriction on works for  
abstraction of water) of the Act of 1937 the Dancer's End pumping  
station which is comprised in the undertaking of the company  
shall be deemed to be authorised by this Act and to be situate  
upon lands which are specified therein.

7. The purchase or acquisition by the company of the lands referred to or described in the Third Schedule to this Act is hereby sanctioned and confirmed and the said lands shall be comprised in the undertaking of the company for the purposes and within the meaning of this Act and may as from the day of transfer be held and used by the Board for the purposes of the undertaking.

Confirmation  
of acquisition  
of lands.

## PART II.

—cont.

Confirmation  
of additional  
waterworks.

8. The construction by the company of the works hereinafter described is hereby sanctioned and confirmed and such works shall be deemed to have formed part of the undertaking of the company and to be transferred to the Board by virtue of this Act within the meaning and for the purposes of the section of this Act of which the marginal note is "Acquisition of company's undertaking" The works hereinbefore referred to are as follows:—

Work No. 1 An existing pumping station (called "the New Ground pumping station") with the wells boreholes and other works and conveniences connected therewith or ancillary thereto all being situate in the parish of Wigginton in the rural district of Berkhamsted and county of Hertford in the enclosures numbered 18 and 19 and in part of the enclosure numbered 70 on the 1/2500 Ordnance map (second edition of 1898) of the county of Hertford sheet XXV.15 ;

Work No. 2 A line or lines of pipes commencing at the New Ground pumping station and terminating in the parish of Buckland in the rural district of Aylesbury in the county of Buckingham at the Dancer's End pumping station of the company.

For protection  
of Grand  
Union Canal  
Company.

9.—(1) In this section—

"the authorised work" means the New Ground pumping station described in the section of this Act of which the marginal note is "Confirmation of additional waterworks" ;

"the canal company" means the Grand Union Canal Company ;

"protected source" means any existing well belonging to the canal company and any existing spring stream or feeder from which at the passing of this Act water flows into the canal company's navigation or into any reservoir belonging to the canal company and being a well spring stream or feeder which is situate within a distance of two miles from the centre of the authorised work and is used by the canal company solely for the supply of water to that navigation.

(2) If the Board shall enlarge improve or extend the authorised work and at any time thereafter it shall be proved by the canal company that the pumping by the Board at the authorised work in excess of the quantity pumped before the enlargement improvement or extension thereof has caused a diminution or cesser of the supply of water in or from a protected source the Board shall upon the written request of the canal company afford or procure to be afforded to the canal company a supply of water equal to the amount of such diminution or the supply which shall have

ceased (as proved) at such cost or rate (if any) as that the total cost to the canal company of obtaining their full supply shall be the same after as before the enlargement improvement or extension of the authorised work and upon such other terms as may be agreed or failing agreement may be settled by arbitration.

PART II.  
---cont.

(3) Notwithstanding anything in this section—

- (a) the Board shall not be liable in respect of any claim made by the canal company under this section if the canal company shall have failed to afford to the Board and their officers servants and other representatives at all reasonable times after the day of transfer access to the protected source in respect of which the claim is made and facilities for ascertaining particulars thereof and the level or flow of the water therein ;
- (b) the Board shall not be subject to the obligations of this section if prevented from supplying water thereunder in consequence of frost drought or other unavoidable cause or accident.

(4) All mains pipes meters and fittings required for the purpose of supplying water to the canal company in pursuance of this section shall be provided laid down and fixed and all such mains pipes and meters shall be maintained by and at the expense of the Board and the canal company shall afford to the Board all reasonable or necessary facilities for these purposes but all such fittings which shall be placed or fixed upon the land or premises of the canal company shall be repaired maintained and (when necessary) renewed and made good by the canal company to the satisfaction of the Board.

(5) The Board may if they think fit in lieu of affording or procuring to be afforded a supply of water equal to the diminution of the supply or cesser of supply in any well which is a protected source deepen such well or make such borings therein or headings therefrom as will increase the supply so as to make good the said diminution or cesser and the canal company shall without making any charge therefor give to the Board access and every facility for carrying out such deepenings borings or headings.

(6) If the Board do not afford or procure to be afforded a supply of water equal to the diminution or the supply which shall have ceased as aforesaid they shall make compensation in money to the canal company for such diminution or cesser of supply and they shall also make like compensation for any injury caused to the canal company by the powers conferred by the last preceding subsection and the amount of such compensation shall be settled in case of difference by arbitration.

PART II.  
—cont:

(7) For the purpose of affording a supply of water under this section the Board may supply water beyond their limits of supply and carry out all such works within or beyond such limits as may be necessary for that purpose.

(8) The Board shall keep proper records of the respective daily quantities of water pumped by them at the New Ground pumping station and shall permit the canal company at all reasonable times to inspect such records and take copies thereof free of charge.

(9) Any question which may arise between the Board and the canal company as to the quantity time place or manner of the supply to be afforded or procured to be afforded by the Board in pursuance of this section and any other question dispute or difference which may arise between the Board and the canal company under the foregoing provisions of this section shall be determined by arbitration.

(10) The Board and the canal company may enter into and fulfil agreements with reference to the supply of water by the Board to the canal company or with reference to any matter referred to in this section and may by any such agreement alter or modify any of the provisions of this section.

As to  
payment of  
purchase  
money &c.  
to bank.

10. If from any cause the Board are unable to obtain the receipt in writing of two directors of the company for any money stock or other security to be paid or delivered to the company (or any other person with the consent of the company) under the scheduled agreement or this Act they may pay the money or deliver the stock or other security into the Bank of England in the name of the Accountant-General for and on behalf of the Supreme Court to an account to be opened in the matter of this Act and a receipt shall be given to the Board by the cashier of the said bank for the money stock or other security which shall have the same effect as the receipt of two directors of the company.

Evidence of  
transfer.

11. The production of a King's Printers' copy of this Act duly stamped together with a receipt for the total of the stock certificates and cash to be issued and paid by the Board to holders of the shares of the company (such receipt purporting to be signed by two directors of the company or by the cashier of the Bank of England) shall unless it be proved that such stock has not been issued or that such cash has not been paid be conclusive evidence in all courts and proceedings of the transfer and vesting in the Board of the undertaking of the company.

Inspection  
of books  
&c.

12. The Board before the day of transfer and thereafter the company shall be entitled to have access to and to take copies of all documents to be handed over or handed over to the Board so far as the same may be necessary for the purposes of enabling the Board or the company to execute any of the provisions of this



Act or the scheduled agreement and the Board shall also be entitled at any time and for the like purpose to have access to and to take copies of all documents to be retained by the company.

PART II.  
—cont.

13. The register of transfers of the company shall be closed from the day which immediately precedes the date upon which the statement referred to in clause 3 of the scheduled agreement is delivered by the company to the Board until the day of transfer. Closing of  
transfer books.

14.—(1) From and after the day of transfer the company shall subsist only for the purpose of receiving and recovering the stock or money to which they or the shareholders of the company are entitled under the scheduled agreement and of winding up their affairs and carrying into effect the purposes of the scheduled agreement and this Act so far as they relate to the company and the directors of the company who are in office at the day of transfer and the survivor or survivors of those directors shall continue without re-election to hold office and those directors or the majority of them or (if a liquidator of the company be duly appointed) the liquidator shall have power and authority to take with respect to the company all proceedings necessary for carrying into effect the purposes of this section. Winding up  
and  
dissolution of  
company.

(2) If the number of directors of the company be reduced by death resignation or otherwise below two before the completion of the winding up of the company or the appointment of a liquidator thereof the continuing director shall from time to time appoint a person or persons who immediately prior to the day of transfer was or were a shareholder or shareholders of the company to fill the vacancy or vacancies so caused.

(3) As soon as may be after the day of transfer the directors of the company or such liquidator as aforesaid shall proceed to wind up the affairs of the company and shall distribute the stock and moneys referred to in subsection (1) of this section to and among the several persons who on the day of transfer are the registered holders of shares of the company or their respective executors administrators and assigns in accordance with this section.

(4) The company shall on publication in a local newspaper circulating in the county of Buckingham of a notice signed by two or more directors and certifying that all the provisions of this Act relating to the company have been complied with be dissolved.

(5) In case the directors of the company or such liquidator as aforesaid are for six months after the day of transfer unable after diligent inquiry to ascertain the person to whom any certificate of stock or money ought to be delivered or paid or who can give an effectual receipt for the same they may deliver such stock or pay such money into the High Court under any Act for the time

PART II.  
—cont.

being in force for the relief of trustees and every such delivery or payment shall effectually discharge the company and the said directors or liquidator from any further liability with respect to such stock or money.

As to  
company's  
debenture  
stock.

**15.**—(1) The four per centum debenture stock of the company issued in respect of the undertaking of the company and amounting to ten thousand pounds in nominal value which is outstanding at the day of transfer together with the interest accruing thereon after the day of transfer shall be deemed to have been issued by the Board in the exercise of a statutory borrowing power and such stock shall after that day continue to be a charge on the undertaking of the company in the hands of the Board to the same extent and with the same incidents as if this Act had not been passed but with the substitution of the Board for the company in respect of such debenture stock and the Board shall indemnify and hold harmless the company against any claims in respect thereof.

(2) The Board may by agreement with the holder of any portion of such debenture stock of the company at any time substitute for any debenture stock so held by him any security of the Board or pay off the amount secured by such debenture stock and redeem the security with moneys raised under the powers of this Act and the holder of any such debenture stock whether or not he is a trustee or under any disability may agree with the Board to accept any security of the Board in lieu of money in consideration for his debenture stock.

Substituted  
securities  
to be held  
in same  
rights.

**16.**—(1) Subject to the provisions of this Act and of the scheduled agreement any stock of the Board issued to the holders of shares or debenture stock of the company in pursuance of the scheduled agreement or this Act and any sums of money paid to the company or the said holders of shares or debenture stock in pursuance of the said agreement or this Act shall be held in the same rights on the same trusts and subject to the same powers provisions charges and liabilities as those in on or subject to which the said shares or debenture stock of the company were held immediately before the day of transfer and so as to give effect to and not to revoke any deed will or other instrument or testamentary or other disposition disposing of or affecting the shares or debenture stock and every such deed will instrument or disposition shall take effect with reference to the whole or a proportionate part (as the case may be) of the stock of the Board or sum of money.

(2) Any bequest of or any covenant or provision of any deed will or other instrument relating to any specific number of or nominal amount of shares in the capital of the company or any specific amount of debenture stock of the company shall be held to apply to the security of the Board or sum of cash which under

the provisions of this Act is issued or (in the case of any sum of cash) paid in substitution for such specific number or nominal amount of shares in the capital of the company or such specific amount of debenture stock of the company.

(3) Trustees executors and administrators and all other holders in any representative or fiduciary capacity and persons under disability may and shall accept the security of the Board so issued to them or sums of cash so paid to them in pursuance of the provisions of the scheduled agreement or this Act for the shares in the capital of the company or debenture stock of the company held by them and may hold dispose of or otherwise deal with such security of the Board or sums of cash in all respects as they might have held disposed of or otherwise dealt with the shares or debenture stock of the company for which the same are substituted.

17.—(1) The Chiltern Hills Spring Water Act 1870 the Chiltern Hills Spring Water Order 1876 the Chiltern Hills Spring Water Order 1885 and the Chiltern Hills Spring Water Order 1943 shall as from the day of transfer be repealed except so far as may be necessary to give effect to the provisions of this Act and except the provisions of the Chiltern Hills Spring Water Act 1870 which are referred to in the Fourth Schedule to this Act. Partial repeal of certain enactments.

(2) Subject to the provisions of this Act the Board shall as from the day of transfer have the powers and rights of and be subject to the obligations contained in the provisions which are referred to in the Fourth Schedule to this Act as if the Board were named in those provisions instead of the company but nothing in this section shall prejudice or affect the operation in respect of the added limits of section 93 (Revision of water rates and charges) of the Act of 1937 as amended by this Act.

(3) As from the day of transfer the Board shall also have any powers and rights of and be subject to the obligations contained in any enactment or order conferring further powers or rights on the company which may be obtained by the company during the year nineteen hundred and forty-six.

18. Notwithstanding the provisions of the section of this Act of which the marginal note is "Partial repeal of certain enactments" and notwithstanding the transfer to the Board of the undertaking of the company the following provisions shall have effect (that is to say) :— Savings.

(1) If on the day of transfer any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing against or in favour of the company in relation to any property right privilege debt liability or obligation transferred to the Board the same shall not abate or be discontinued or in any wise prejudicially affected by reason of such transfer but the same (save

PART II.  
—cont.

so far as it relates to any contract agreement liability or other obligation made or entered into in contravention of the provisions of the scheduled agreement) may be continued prosecuted and enforced by against or in favour of the Board as and when it might have been continued prosecuted and enforced by against or in favour of the company if this Act had not been passed :

- (2) All rates rents and charges in connection with the undertaking of the company which have been lawfully made charged or imposed and which on the day of transfer are due or if this Act had not been passed would have accrued due to the company shall continue in force and be due and payable and may be collected recovered or enforced by the Board as and when the same might have been payable to and collected recovered and enforced by the company if this Act had not been passed :
- (3) Except as by this Act or the scheduled agreement otherwise provided all agreements conveyances contracts deeds and other instruments entered into or made with or by the company and in force on the day of transfer shall be as binding and of as full force and effect in every respect against or in favour of the Board and may be forced as fully and effectually as if instead of the company the Board had been a party thereto :

Provided that no agreement conveyance contract deed or other instrument shall be binding on or of any force or effect against or in favour of the Board if entered into or made in contravention of the provisions of the scheduled agreement :

- (4) All books and documents which if the transfer of the undertaking of the company had not been made would have been evidence in respect of any matter for or against the company shall be admitted in evidence in respect of the same or the like matter for or against the Board.

Existing  
officers and  
servants.

19.—(1) Every officer and servant (other than the directors engineer and manager secretary and auditors of the company and any officer or servant who desires voluntarily to relinquish his office or situation) in the whole time employment of the company solely in connection with the undertaking of the company immediately before the day of transfer (in this section referred to as an "existing officer" and an "existing servant") shall as from the day of transfer become an officer or servant of the Board and shall hold his office or situation by the same tenure and upon like terms and conditions under the Board as he would have held the same under the company if the transfer of the undertaking of the company had not taken place and while performing the

same duties shall receive not less salary or wage than he would have been entitled to from the company if the transfer of the undertaking of the company had not taken place.

(2) Every existing officer and existing servant shall perform such duties in connection with the transferred undertaking as they may be required to perform by the Board.

(3) The Board may abolish the office or situation of any existing officer or existing servant which they deem unnecessary and any existing officer or existing servant required at any time within a period of five years after the day of transfer to perform duties which are not analogous or are an unreasonable addition to those which as an officer or servant of the company he was required to perform may relinquish his office or service.

(4) Every officer or servant who at the day of transfer is in the employment of the company and whose office is so abolished or who so relinquishes his office or service as aforesaid or who otherwise suffers any direct pecuniary loss in consequence of the undertaking of the company being transferred to the Board shall be entitled to be paid by the Board compensation for such pecuniary loss.

(5) If within a period of five years after the day of transfer the services of any existing officer or existing servant are dispensed with by the Board because his services are not required and not on account of misconduct or incapacity or the salary of any existing officer or existing servant is reduced on the ground that his duties have been diminished in consequence of the undertaking being transferred to the Board such officer or servant shall be deemed to have suffered direct pecuniary loss in consequence of the transfer of the undertaking of the company to the Board.

(6) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this section the provisions of the Fourth Schedule to the Act of 1933 shall apply with the following and any other necessary modifications:—

- (a) Any reference in that schedule to an officer shall be construed as a reference to an officer or servant who at the day of transfer is in the employment of the company ;
- (b) Any reference in that schedule to the local authority or the clerk of the authority shall be construed as a reference to the Board or the clerk.

20. The provisions of the Town and Country Planning Acts 1932 and 1943 and the Town and Country Planning Act 1944 and of any order scheme or regulation made under those Acts or under any enactment repealed by those Acts so far as those provisions are from time to time in force in respect of the land on which any development within the meaning of those Acts is carried out under this Act shall apply to that development.

Saving for town and country planning.  
22 & 23 Geo. 5.  
c. 48.  
6 & 7 Geo. 6.  
c. 2.  
7 & 8 Geo. 6.  
c. 47.

## PART III.

## SUPPLY OF WATER.

Extension of  
limits of  
supply.

21.—(1) The limits within which the Board may supply water shall on and from the day of transfer be extended so as to include the added limits.

(2) Subject to the provisions of this Act the Board shall on and from the day of transfer have and may exercise with reference to the added limits all and the like powers privileges and authorities for and in relation to the supply of water and the construction of works and be subject to all and the like duties and obligations in respect thereof as they have and are subject to under the Bucks Water Act and Orders 1937 to 1943 and this Act with reference to the existing limits and any byelaws and conditions of supply relating to the undertaking made by the Board which immediately before the day of transfer are in force in the existing limits shall on and from the day of transfer extend and apply to and within the added limits and may on and from that day respectively be enforced by the Board :

Provided that—

(a) section 83 (Limit of pressure) and section 84 (Rates for domestic supply) of the Act of 1937 shall not apply or have effect with reference to the company's limits subject however (in respect of the said section 84) to the provisions of section 93 of the Act of 1937 as amended by the next succeeding section of this Act ;

(b) nothing contained in this subsection shall prevent any amendment variation rescission or revocation of the said byelaws or conditions of supply.

As to  
application to  
added limits  
of section 93  
of Act of  
1937.

22. In its application to the added limits section 93 (Revision of water rates and charges) of the Act of 1937 shall have effect as if the words " or of any county council or local authority any " part of whose county or borough or district is comprised within " the added limits " were inserted in subsection (1) thereof after the words " constituent authority."

As to charges  
in company's  
limits.

23. Notwithstanding anything in this Act or in the Act of 1937 contained the following provisions shall apply and have effect in relation to the rates and charges to be charged by the Board for and in respect of the supply of water for domestic purposes in the company's limits (that is to say) :—

(1) During the period of four years from the day on which the undertaking of the company is transferred to the Board under this Act the said rates and charges shall not exceed (a) those charged by the company on the first day of March nineteen hundred and forty-five or (b) (if

an order be made under section 93 of the Act of 1937 as amended by this Act or under section 40 of the Water Act 1945 substituting net annual value for annual rack rent or value as the basis of such rates) rates and charges equal in amount in the case of any dwelling-house to the rates and charges which the company would have charged on that date on the basis of the rates and charges then charged by them :

- (2) After the expiration of the period referred to in subsection (1) of this section the said rates and charges (including any additional charges in respect of baths and water-closets which may be authorised) shall (during the respective periods hereinafter mentioned and whether the same be charged under the provisions of section 39 of the Chiltern Hills Spring Water Act 1870 as applied by this Act or under any order made in pursuance of section 93 of the Act of 1937 as amended by this Act or in pursuance of section 40 of the Water Act 1945) in the case of any dwelling-house be less in amount than the rates and charges for the time being charged by the Board for a supply of water for domestic purposes within the existing limits by not less than the percentages hereinafter mentioned in respect of those periods respectively (that is to say) :—

(a) during the period of four years from the expiration of the period referred to in subsection (1) of this section two and a half per centum on the net annual value of the dwelling-house ;

(b) during the next succeeding period of three years and six months one and a half per centum on the net annual value of the dwelling-house ;

but nothing in this subsection shall prevent the Board from charging or applying for and obtaining authority to charge a minimum sum in all cases of not exceeding nine shillings per annum during the period of four years mentioned in paragraph (a) of this subsection and ten shillings per annum during the period of three years and six months mentioned in paragraph (b) thereof.

**24.** The Board shall not exercise the powers of section 81 (Board to have powers of local authority for supply of water) of the Act of 1937 so far as the same may authorise the laying of mains and pipes in lands (other than highways) in the borough of Aylesbury except with the previous consent of the mayor aldermen and burgesses of the borough of Aylesbury : As to laying of mains &c. in lands in Aylesbury.

Provided that the consent required for the purposes of this section shall not be unreasonably withheld and any question whether such consent is or is not unreasonably withheld shall be referred to and determined by the Minister.

## PART III.

—cont.

As to laying  
of pipes by  
Berkhamp-  
stead Gas  
Company and  
Board.

25.—(1) Whenever the Board in exercise of the powers of this Act require to execute any work over under or within three feet of any main pipe or apparatus belonging to the Berkhamstead Gas Company (in this section referred to as "the gas company") or whenever the gas company in the exercise of their statutory powers require to execute any work over under or within three feet of any main pipe or apparatus of the Board the Board or the gas company as the case may be (in this section referred to as "the operators") shall unless otherwise agreed between them give to the gas company or the Board as the case may be (in this section referred to as "the owners") not less than twenty-four hours' notice before commencing to execute any such work as aforesaid except in cases of emergency and then as soon as is possible after the beginning of the work or the necessity for the same shall have arisen and the owners shall be entitled by their officer to superintend the work and the operators shall comply with such reasonable requirements as may be made by the owners or such officer for protecting from injury every such main pipe or apparatus and for securing access thereto and shall also if required so to do by the owners repair any damage that may be done thereto.

(2) Where the operators find it necessary to undermine any such main pipe or apparatus they shall temporarily support it in position during such undermining and before completion thereof shall provide a suitable and proper foundation for the same where so undermined.

(3) If the operators make default in complying with any of the requirements of this section they shall make compensation to the owners for any loss damage penalty or costs which they may incur by reason thereof.

(4) Any difference which may arise between the Board and the gas company under this section shall be referred to arbitration.

As to  
application  
of section 78  
of Act of 1937.

26. In its application to the added limits section 78 (Meters in streets to measure water or detect waste) of the Act of 1937 shall be read and have effect as though the words "or the mayor aldermen and burgesses of the borough of Aylesbury or the Chesham Electric Light and Power Company Limited" were inserted in paragraph (b) of subsection (2) thereof after the words "of the Central Electricity Board."

As to  
interference  
with works  
of electricity  
undertakers.

27. Nothing in this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1936 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of sections 17 and 18 of the schedule to the Electric Lighting (Clauses) Act 1899.



## PART IV.

## FINANCE AND MISCELLANEOUS.

28.—(1) The Board may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of the said table and they shall pay off all moneys so borrowed within such periods as the Board may determine not exceeding those respectively mentioned in the third column of the said table (namely) :—

Power to borrow.

(1) Purpose.	(2) Amount.	(3) Period for repayment.
(a) The purchase of the undertaking of the company including the payment of any sum of a capital nature payable by the Board under the scheduled agreement or any sum required for the purpose of paying off any of the debenture stock of the company or for paying the costs and expenses incidental to the transfer of the undertaking of the company to the Board (other than the costs of this Act) so far as the same are payable by the Board and of any sums payable to any officer or servant as compensation under the section of this Act of which the marginal note is "Existing officers and servants."	The sum requisite.	Sixty years from the date or dates of borrowing.
(b) Water mains and other waterworks purposes.	£120,000.	Thirty years from the date or dates of borrowing.
(c) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purposes of Part IX of the Act of 1933 as applied to money borrowed by the Board by section 112 (Application of Act of 1933 to borrowing of money by Board) of the Act of 1937.

(3) It shall not be lawful to exercise the powers of borrowing conferred by this Act otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945.

8 & 9 Geo. 6.  
c. 18.

29.—(1) On the passing of this Act there shall by virtue of this section be created so much stock to be called "Bucks Water Board four per centum stock" as may be necessary to give effect

Creation of stock as consideration for transfer.

PART IV.  
—cont.

to the scheduled agreement and the provisions of the section of this Act of which the marginal note is "Acquisition of company's undertaking."

(2) Such stock shall be transferable in multiples of one pound and shall be redeemable by the Board at par after the expiration of forty years from the day of transfer but the Board may purchase the stock or any part thereof by agreement for cancellation with the holders at any time. The whole of such stock shall be redeemed or purchased and extinguished at or before the expiration of sixty years from the day of transfer.

(3) Such stock and all interest accrued or to accrue due thereon shall be charged indifferently on the revenues of the Board.

(4) The provisions of the Local Authorities (Stock) Regulations 1934 which are set out in the first column of the Fifth Schedule to this Act and any regulations amending the same shall subject to the provisions of this Act and subject to the modifications set out in the second column of the said schedule apply to the creation issue transfer and redemption of and other dealings with the stock created by virtue of this section as if the same were duly created and issued by the Board under the provisions of the Act of 1933 and the Local Authorities (Stock) Regulations 1934 :

Provided that the amounts of the several contributions from the revenues of the Board payable in each year for the redemption and for the purpose of extinction of stock issued under this section shall be determined by paragraph (b) of article 7 (1) of the Local Authorities (Stock) Regulations 1934.

(5) If before the expiration of sixty years from the day of transfer the Board redeem any of the stock created by virtue of this section nothing contained in this section shall prevent the Board from exercising (for the purpose of such redemption) the powers of section 216 (Power to re-borrow) of the Act of 1933 by any of the methods of raising money authorised by the Act of 1933 including the issue of stock under and subject to the provisions of that Act and of the regulations of the Minister made in pursuance of section 204 (Stock regulations) of that Act which are for the time being in force.

(6) Trustees executors administrators and all persons legally holding shares in the capital of the company or debenture stock of the company in any representative or fiduciary capacity may hold stock issued in exchange for such shares in the capital of the company or debenture stock of the company under the powers of this Act and are hereby indemnified for all acts bona fide done by them in pursuance of the provisions of this Act.

30.—(1) The Board shall make provision for the extinction or redemption—

- (a) of such of the debenture stock of the company referred to in the section of this Act of which the marginal note is "As to company's debenture stock" as shall not be redeemed under the provisions of subsection (2) of that section; and
- (b) of any security of the Board which may be substituted for any such debenture stock under the provisions of the said subsection (2);

PART IV.  
—cont.  
Sinking fund  
for debenture  
stock &c.

by means of a sinking fund so as to purchase and extinguish or to be in a position to purchase and extinguish the said debenture stock or substituted security within a period of sixty years from the day of transfer.

(2) For the purposes of the Act of 1933 the fixed period shall be the period of sixty years from the first day of transfer.

31. So long as the making of an issue of capital in the United Kingdom without the consent of the Treasury is prohibited by regulations made under the Emergency Powers (Defence) Acts 1939 and 1940 it shall not be lawful to exercise the powers of borrowing conferred by this Act (other than the power of borrowing to pay the costs charges and expenses of this Act as hereinafter defined) without such consent.

Saving for  
emergency  
powers of  
Treasury.  
2 & 3 Geo. 6.  
c. 62.  
3 & 4 Geo. 6.  
c. 20.

32. The following provisions of the Act of 1937 shall extend and apply to and for the purposes of this Act as if those provisions were (with any necessary modifications) re-enacted in this Act:—

Application  
of provisions  
of Act of  
1937.

- Section 129 (As to application of Public Works Facilities Act 1930);
- Section 137 (Application of Arbitration Acts);
- Section 138 (Inquiries by Minister);
- Section 139 (Judges not disqualified);
- Section 140 (Recovery of demands);
- Section 142 (Recovery of penalties &c.);
- Section 143 (Crown rights):

Provided that in the application of the said section 129 any certificate such as is referred to in section 103 of the Housing Act 1925 as applied by the Public Works Facilities Act 1930 shall be given (in the case of a common or allotment) by the Minister of Agriculture and Fisheries and (in the case of an open space not being a common or allotment) by the Minister of Town and Country Planning and the provisions of the said section 103 as so applied shall have effect accordingly.

PART IV.  
—cont.  
Amendment  
of section  
130 of Act of  
1937.

33. Section 130 (Extension of section 303 of the Public Health Act 1875 and certain sections of Act of 1933 to Board) of the Act of 1937 shall have effect as if the following subsection were inserted at the end thereof:—

“(6) For the purposes of this section the expression ‘the district of the Board’ means the limits for the time being of the Board for the supply of water.”

Saving for  
Water Act  
1945.

34. This Act shall be deemed to have been passed before the coming into operation of the Water Act 1945.

Costs of Act.

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

10 25

The SCHEDULES referred to in the foregoing Act.

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THE FIRST SCHEDULE.

THE SCHEDULED AGREEMENT.

AN AGREEMENT made the first day of March nineteen hundred and forty-five between the CHILTERN HILLS SPRING WATER COMPANY (hereinafter referred to as "the Company") of the one part and the BUCKS WATER BOARD (hereinafter referred to as "the Board") of the other part.

WHEREAS—

(1) THE Company are the proprietors of the undertaking authorised by the Chiltern Hills Spring Water Act 1870 and certain subsequent enactments and pursuant to the said enactments are authorised to supply water within the limits therein defined :

(2) The Board are desirous of purchasing the said undertaking of the Company and the Company have agreed to sell such undertaking to the Board on the terms hereinafter contained.

Now therefore this agreement witnesseth and it is hereby agreed between the parties as follows :—

1. IN this agreement unless the context otherwise requires " the day of transfer " means the first day of April 1946 " the undertaking of the Company " means the undertaking of the Company as the same shall exist on the day of transfer including—

- (a) All the lands buildings waterworks waters sources of supply works machinery mains pipes meters plant spare parts tools apparatus vehicles stock-in-trade stores furniture chattels and effects then belonging to the Company ;
- (b) All bank balances and cash and other balances (including consumers' deposits) then in the hands of the Company or in the hands of their bankers agents or servants and investments and securities for money subject to the deduction of a sum of money sufficient to enable the Company to pay or complete the payment of the dividends which they may pay in pursuance of clause 6 of this agreement ;
- (c) All rates rents book debts and other sums of money which are then due or payable to or are accruing due to the Company ;
- (d) All estates rights powers easements interests and privileges then vested in or had or enjoyed by the Company ;
- (e) All contracts and benefits of contracts which are then in force and to which the Company are then a party ;
- (f) All deeds agreements registers books accounts maps plans specifications engineering reports vouchers letters records of the business and proceedings of the Company and other documents relating to the undertaking and whether in the possession of the Company or of their solicitors agents or resident or consulting engineers but not including the directors'

1ST SCH.  
—cont.

minute books or any books and papers relating exclusively to the shareholders in and constitution of the Company which may be necessary to be retained for the purpose of winding up the Company ;

(g) All other the real and personal property belonging to the Company at the day of transfer ;

but subject to the liability of the Company outstanding on the day of transfer in respect of their debenture stock (of which the amount at present issued and outstanding is ten thousand pounds carrying interest at four per centum per annum) and also subject to all other charges (if any) on or affecting the undertaking outstanding at the day of transfer and all debts liabilities and outgoings (including interest on the Company's debenture stock) due from or payable by the Company at the day of transfer.

“ The A shares ” means the shares of ten pounds each (3,339 in number) issued by the Company and authorised as capital of the Company by section 17 of the Chiltern Hills Spring Water Act 1870.

“ The B shares ” means the shares of ten pounds each (1,100 in number) issued as capital of the Company in pursuance of article 5 of the Chiltern Hills Spring Water Order 1885 (in that section referred to as “ additional capital ”).

“ The Bill ” means the Bill to be promoted by the Board in accordance with clause 17 of this agreement.

2. Subject as hereinafter provided the Company shall on the day of transfer transfer to the Board as a going concern the undertaking of the Company as it exists on that day in so far (if at all) as such transfer is not effected by the Bill when the same becomes an Act and on the day of transfer the Company and all other necessary parties shall execute and do all such assurances and things for vesting the undertaking of the Company in the Board (if and so far as the same shall not be or become vested in the Board without any assurance by or in pursuance of this agreement and the said Act) and for giving to the Board the full benefit of this agreement as shall be reasonably required by the Board.

3. Not less than twenty-eight days before the day of transfer the Company shall deliver to the Board a statement containing the names of all holders of shares in the capital of the Company with their addresses and descriptions and the number and class of such shares held by such holders respectively and the amount of Bucks Water Board four per centum stock to which such holders are respectively entitled under the provisions hereof. The register of transfers of the Company shall be closed from and including the day which immediately precedes the date upon which the said statement is so delivered until the day of transfer and the Bill shall make any necessary provision for that purpose.

4. In consideration of the transfer of the undertaking of the Company to the Board the Board shall on the day of transfer issue in the respective names of the holders of the shares of the Company whose names appear in the Company's books on the day upon which the register of transfers is closed in accordance with the last preceding clause hereof

and whose names (together with all other necessary particulars) are delivered to the Board by the Company in accordance with the last preceding clause hereof the following amounts of Bucks Water Board four per centum stock to be issued in exchange for the A and B shares in the capital of the Company respectively (that is to say) :—

- (a) Twenty-five pounds of such stock for each A share ;
- (b) Seventeen pounds ten shillings of such stock for each B share :

Provided that in every case where under this agreement a holder of a share or shares in the capital of the Company would be entitled to a fractional part of one pound of such stock the Board shall (in lieu of issuing such fractional part in stock) satisfy the same by the payment of a sum of money equal to the nominal value of such fractional part :

Provided also that if a holder of a share or shares in such capital gives notice in writing to the Board and the directors of the Company not later than the twenty-eighth day before the day of transfer that he desires to be paid the nominal value of the stock which he would be entitled to receive under this clause in cash instead of having such stock issued in his name he shall (subject to the following conditions) be entitled to be paid such nominal value in cash. The conditions hereinbefore referred to are—

- (a) This proviso shall be of no effect unless the consent of the Treasury (if needed) shall be given to the borrowing of any money required for making such payments in cash ;
- (b) If the consent of the Treasury is needed and given to such borrowing but the total of such borrowing is limited by the Treasury to a specified sum of money a shareholder holding a small number of shares (having given such notice as aforesaid) shall be entitled to be paid in cash in priority to a shareholder holding a larger number of shares.

The certificates of Bucks Water Board four per centum stock when issued under the foregoing provisions of this clause and any sums of money payable thereunder shall (subject to any provision contained in the Bill when the same becomes an Act) be delivered or paid (as the case may be) by the Board to the Company for distribution by them and the receipt in writing of any two directors of the Company or of any liquidator appointed for the purpose of winding up the Company for any such certificates or sums of money shall effectually discharge the Board from the obligations of this clause in respect of the certificates or sums of money the receipt of which is so acknowledged. The said certificates shall have endorsed upon them a statement showing the security upon which the stock and the interest thereon is charged in pursuance of the Bucks Water Act 1937 including the right of the Board to contribution by the Bucks County Council and the other constituent authorities of the amount of any deficiency in the annual revenue of the Board.

5. The stock referred to in the last preceding clause hereof shall carry interest from the day of transfer payable half-yearly and shall not be redeemable by the Board (except by purchase in the open market or by agreement with the holder thereof) before the expiration of forty years from the date of the issue thereof. On or at any time after the expiration of the said period of forty years any of the said stock may

1ST SCH.  
—cont.

(if the Board and the holder thereof so agree) be retained by such holder but shall (if three months' previous notice in writing shall have been given by the Board to such holder) be redeemable in cash at par at the option of the Board and the Board shall redeem the same at par within sixty years from the said date of the issue. Provided that the Board shall be entitled to purchase the said stock at any time in the open market or by agreement with the holder thereof.

6. Up to the day of transfer the directors of the Company shall be entitled subject as hereinafter provided to declare and pay in respect of any period up to that day on the A and B shares dividends at the maximum rates authorised in respect of those shares respectively in so far as such dividends have not then already been paid (and if or so far as the bank balances cash and other balances in the hands of the Company or in the hands of their bankers agents or servants on the day of transfer are insufficient for this purpose the Board shall make up the deficiency) but the Company or their directors shall not pay anything in respect of dividend for any period prior to the first day of July 1944 other than dividends (if any) which have been declared but have not been paid to any shareholder or shareholders.

7. Until the day of transfer the Company shall—

- (a) maintain the assets comprised in the undertaking of the Company in fair working order as a going concern ; and
- (b) permit one member of the Board (appointed by the Board for the purpose and accompanied if desired by an officer of the Board and one of their consulting advisers) to attend the meetings of the board of directors of the Company.

8. The Board shall be responsible for and bear pay discharge and indemnify the Company against the debenture stock of the Company and all other charges (if any) on or affecting the undertaking of the Company at the day of transfer and all debts liabilities and outgoings due from or payable by the Company in respect of the said undertaking (including interest on the debenture stock) at or up to the day of transfer and shall indemnify the Company against all debts liabilities and outgoings in respect of the said undertaking and the Board shall also observe and perform all the obligations attaching to the Company after the day of transfer in respect of the said undertaking and shall indemnify the Company against any claim or demand in respect thereof. Subject to any provision contained in the Bill when it becomes an Act the said debenture stock and the said other charges (if any) shall continue after the day of transfer to be charged on the said undertaking in the hands of the Board in the same way as they were charged on the said undertaking in the hands of the Company immediately before the day of transfer.

9. From the date of this agreement until the day of transfer or the determination of this agreement as hereinafter provided the undertaking of the Company shall be managed and carried on by the Company in the ordinary course of business except that neither the Company nor the directors of the Company shall between the date of



this agreement and the day of transfer without the consent in writing of the Board (which shall not be unreasonably withheld)—

- (a) make any outlay or incur any liability in respect of the undertaking of the Company otherwise than in the ordinary way of business ;
- (b) create any new shares or stocks or raise any further share or loan capital ;
- (c) incur any capital expenditure except for the purpose of connecting supplies to new consumers or for other purposes necessary in the ordinary course of business ;
- (d) alter the rates rents or charges for water or the rental of meters and other appliances which were in operation on the 1st day of October 1944 ;
- (e) increase the remuneration of the directors or auditors of the Company or enter into any new agreement or contract of service with any officer or servant or increase the remuneration of any officer or servant of the Company otherwise than in accordance with any contract of service or scale of remuneration in force before the 1st day of October 1944 or at the instance of any wages board or joint industrial council or in pursuance of any compulsory arbitration award ;
- (f) grant any pensions or retiring gratuities ; or
- (g) enter into any contract in respect of or affecting the undertaking of the Company (except such contracts as are in the ordinary course of business) the duration of which shall extend beyond the day of transfer :

Provided that such consent of the Board shall not be required for the doing of any of the said things if the doing thereof is essential for meeting an emergency due to accident enemy action or any similar cause or avoiding a breach of the Company's statutory obligation to provide a supply of pure and wholesome water.

10. The Board shall on the day of transfer pay to the Company the sum of £5,450 (being five years' purchase of the fees paid in respect of the year 1943 to the directors of the Company (other than Herbert Rose) who were then in office and were still in office on the date of this agreement and one year's purchase of the fees paid in respect of the year 1944 to Herbert Rose) The said sum shall be divided among the said directors and the executors of any of them who may have died between the date of this agreement and the day of transfer in such proportions as the directors in office on the day of transfer may determine Provided that no director or executors of any deceased director shall be paid or receive in such division a sum greater than seven years' purchase of the fees paid to him (in the case of Herbert Rose) in the year 1944 and (in the case of any other director) in the year 1943.

11.—(i) The Board shall on the day of transfer pay to Messrs. Heathcote & Coleman the professional auditors of the Company the sum of £375 (being three years' purchase of the fees paid to them in respect of the year 1943) as compensation for loss of office.

1ST SCH.  
—cont.

(ii) The Board shall on the day of transfer pay to Robert William Thorp and Alfred Edward Curtis the auditors for the shareholders of the Company the sum of £36 15s. each (being five years' purchase of the fees payable to them in respect of the year 1944) as compensation for loss of office.

12. The Board shall on the day of transfer pay as compensation for loss of office—

- (a) to Ronald Davidson Reed Sale (the secretary of the Company) the sum of £1,125 which sum is approximately five years' purchase of his salary and fees ;
- (b) to George Eric Shaw (the engineer and manager of the Company) the sum of £4,500 which sum is calculated to be the cost of a post-office annuity of half his annual pay ;
- (c) to Messrs. Horwood & James the solicitors of the Company the sum of £150.

13.—(1) The Bill as deposited by the Board shall contain provisions as to officers and servants of the Company (other than the directors, engineer and manager secretary auditors and solicitors) similar to the provisions contained in section 23 (Existing officers and servants) of the Anglesey County Council (Water &c.) Act 1944.

(2) Any such officers and servants who remain in the employment of the Board shall as from the day of transfer be entitled to participate in the superannuation scheme of the Board on the same terms as the existing officers and servants of the Board and for the purposes of such scheme the service of any officer or servant of the Company who elects to participate in the scheme shall date from the day of transfer :

Provided that subject to the provisions of the Local Government Superannuation Act 1937 no officer or servant of the Company shall be entitled to participate in such scheme unless he gives to the Board notice in writing of his intention so to do within three months after the day of transfer.

14.—(1) The Board shall as from the day of transfer pay the following pensions (granted by the Company prior to the thirty-first day of December 1943) during the lives of the respective recipients such pensions to be paid monthly in arrear to Horace Arthur Callon and weekly in arrear to Albert Nash :—

Name of pensioner	Amount of pension
Horace Arthur Callon	£300 per annum
Albert Nash	£1 per week

(2) The Company shall on or before the day of transfer notify the Board of cases (if any) of officers and/or servants of the Company (whose age at the day of transfer exceeds fifty-five years) who have been in the service of the Company for long periods and to whom the Company would have granted pensions on retirement if the undertaking

of the Company had not been transferred to the Board and the Board shall give sympathetic consideration to any such cases with a view to pensions on retirement.

1ST SCH.  
—cont.

15. The Board shall be responsible for and pay the reasonable expense of winding up the Company.

16. This agreement shall be scheduled to the Bill and is subject to the approval of Parliament and to such alterations as may be made by Parliament therein. This agreement is also subject to the passing into law of the Bill and to such alterations as may be made by Parliament therein. In the event of Parliament making any material alteration which is not acceptable to the parties hereto or either of them in this agreement or in so much of the Bill as relates to the transfer of the undertaking of the Company to the Board it shall be in the option of either party to withdraw from this agreement in which case unless otherwise agreed between the parties hereto this agreement shall forthwith become void.

17. The Board shall promote and use its best endeavours to procure the passing of the Bill in the session of Parliament 1944-45 with such clauses as may be necessary to carry this agreement into effect or as may be agreed with the Company and the Company shall aid and assist the Board in obtaining the passage of the Bill into law and in furtherance of this object shall supply to the Board free of charge such information particulars and evidence in the possession of the Company or of any of their officers or servants as the Board may reasonably require. The Company shall also by themselves their officers and servants support the Bill by evidence or otherwise if requested by the Board so to do and the Board shall pay any costs which the Company may reasonably incur for this purpose. The Bill shall include a provision to the effect that the Company's present statutory powers of charging for the supply of water shall after the day of transfer continue to apply (to the exclusion of the corresponding statutory powers of the Board) within the area within which they now apply.

18. On and from the passing of the Bill into law any officer or officers of the Board duly authorised in that behalf shall have access to the offices works and premises of the Company during business hours and may inspect the books papers records and writings of the Company and make themselves acquainted with the affairs of the Company preparatory to the taking over of the undertaking of the Company on the day of transfer and the Company shall direct their engineer and manager and their secretary and other officers to give to the said officer or officers such assistance and information relating to the said affairs as they may reasonably require.

19. Any difference arising under or out of this agreement between the Company and the Board shall unless otherwise agreed between the parties hereto be referred to a counsel to be nominated by the President of the Law Society on the application of either party hereto and subject as aforesaid the provisions of the Arbitration Acts 1889 and 1934 or any statutory amendment thereof for the time being in force shall apply to such reference.

1ST SCH.  
—cont.

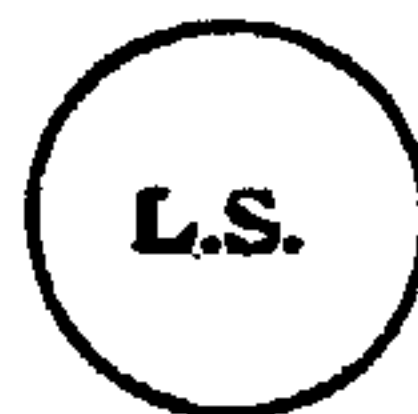
20. This agreement is subject to the approval of the proprietors or members of the Company at a meeting to be held specially for that purpose in accordance with the provisions of the Standing Orders of the House of Commons.

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

The common seal of the CHILTERN HILLS SPRING  
WATER COMPANY was hereunto affixed in the  
presence of

T. G. PARROTT  
*Chairman.*

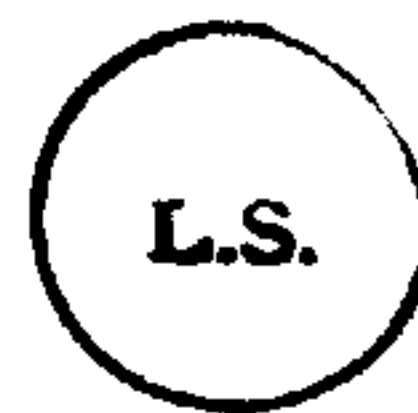
C. E. A. REDHEAD  
*Acting Secretary.*



The common seal of the BUCKS WATER BOARD }  
was hereunto affixed in the presence of

F. J. WINTERTON  
*Vice-Chairman of the Board.*

H. A. FOLEY  
*Clerk of the Board.*




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## THE SECOND SCHEDULE.

### THE ADDED LIMITS.

#### PART I.

(a) In the county of Buckingham—

The borough of Aylesbury ;

So much of the rural district of Aylesbury as is not comprised within the existing limits ;

The parish of Cholesbury-cum-St. Leonards in the rural district of Amersham and so much of the parish of Lee in the same rural district as formed part of the parish of Wendover prior to the coming into operation of the order of the county council of the administrative county of Buckingham which was made on the tenth day of February nineteen hundred and ten in pursuance of the provisions of section 57 of the Local Government Act 1888 except so much of the said part of the parish of Wendover as was included within the limits for the supply of water by the Rickmansworth and Uxbridge Valley Water Company by section 6 of the Rickmansworth and Uxbridge Valley Water Order 1917 ;

So much of the parish of Great and Little Hampden in the rural district of Wycombe as formed part of the parish of Wendover prior to the coming into operation of the Bucks Review Order 1934.

- (b) In the county of Hertford—  
The urban district of Tring ;  
The parishes of Aldbury Tring Rural and Wigginton in the rural district of Berkhamsted.

2ND SCH.  
—cont.

## PART II.

- (a) In the county of Buckingham—  
So much of the parish of Lee in the rural district of Amersham as is not comprised within the Company's limits and was not comprised within the limits for the supply of water by the Rickmansworth and Uxbridge Valley Water Company by section 6 of the Rickmansworth and Uxbridge Valley Water Order 1917.
- (b) In the county of Hertford—  
The parish of Puttenham in the rural district of Berkhamsted.

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 THE THIRD SCHEDULE.
 

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## COUNTY OF BUCKINGHAM.

- (A) In the borough of Aylesbury—
- (1) Land and premises comprising offices yard and workshops in Pebble Lane which land is bounded on the east by the Forester's Arms public house and on the west by a school clinic belonging to the Buckinghamshire County Council ;
  - (2) Land house and premises known as No. 40 Kingsbury ;
  - (3) Land house and premises known as No. 27 Granville Street ;
  - (4) Land house and premises known as No. 45 Buckingham Road ;
  - (5) Land adjoining Dunsham Lane containing 9·6 perches or thereabouts and being part of enclosure No. 247 on the 1/2500 Ordnance map of Buckinghamshire sheet XXVIII.11 (edition of 1925).
- (B) In the parish of Buckland (rural district of Aylesbury)—
- (1) Land containing 22·179 acres or thereabouts together with the dwelling-house reservoirs settling tanks and other works situate thereon which land is bounded on the west partly by the Dancer's End pumping station of the company and partly by the road leading from Buckland Common to Dancer's End on the north and east by the track leading from the said road to Northhill Wood and on the south partly by Northhill Wood and partly by the land next hereinafter described and comprises enclosures 114 115 and 116 on the 1/2500 Ordnance map of Buckinghamshire sheet XXXIV.11 and of Hertfordshire sheet XXXII.2 (part of) (second edition of 1899) ;
  - (2) Land containing ·500 acre or thereabouts and being bounded on the north partly by the said Dancer's End pumping station and partly by the said enclosure 114 and on the east south and west by Northhill Wood such land being part of enclosure 109 on the last-mentioned ordnance map and sheet ;

3RD SCH.  
—cont.

- (3) Land containing 3·1 acres or thereabouts and being bounded on the west by property known as the Crong and a track leading therefrom to Bittam's Wood on the north by Bittam's Wood and on the east and south by the said road leading from Buckland Common to Dancer's End such land being part of enclosure 112 on the last-mentioned ordnance map and sheet.
- (C) In the parish of Aston Clinton (rural district of Aylesbury)—
- (1) Land with building thereon known as Old Chivery Tank having a frontage of 33 feet or thereabouts to the public road leading from Buckland Common to Dancer's End and a depth of 21 feet or thereabouts and being part of enclosure 136 on the last-mentioned ordnance map and sheet ;
- (2) Land with the tank thereon known as the New Chivery Tank having a frontage of 54 feet or thereabouts to the roadway leading from Chivery to the said public road from Buckland Common to Dancer's End and a depth of 72 feet or thereabouts and being part of enclosure 136 on the last-mentioned ordnance map and sheet.
- (D) In the parish of Buckland (rural district of Aylesbury)—  
Land adjoining the road leading from Dancer's End to Buckland Wharf and containing 12·8 perches or thereabouts being part of enclosure 156 on the 1/2500 Ordnance Map of Buckinghamshire sheet XXXIV.3 and of Hertfordshire sheet XXV.9 10 14 (parts of) (second edition of 1899).
- (E) In the parish of Wendover (rural district of Aylesbury)—  
Land containing 1·312 acres or thereabouts and being bounded on the north-east by Dobbins Lane on the north-west by the railway from Wendover to Halton Camp and on the south-east by a roadway leading from Dobbins Lane to a bridge over the Metropolitan Railway known as Folly Bridge such land being part of enclosure 499 on the 1/2500 Ordnance map of Buckinghamshire sheet XXXIV.9 (second edition of 1899).
- (F) In the parish of Cholesbury-cum-St. Leonards (rural district of Amersham)—  
Land containing 2·500 acres or thereabouts and being bounded on the south-west by the road from Hawridge to Chesham and on the south-east by the road leading from Wigginton to Chesham such land being part of enclosure 8 on the 1/2500 Ordnance map of Buckinghamshire sheet XXXIX.1 (edition of 1925).

## COUNTY OF HERTFORD.

- (G) In the parish of Wigginton (rural district of Berkhamsted)—  
Lands containing 3·072 acres or thereabouts together with the works and buildings thereon such lands being the lands referred to in the section of the foregoing Act of which the marginal note is "Confirmation of additional waterworks."

## THE FOURTH SCHEDULE.

PROVISIONS OF CHILTERN HILLS SPRING WATER ACT 1870  
SAVED FROM REPEAL.

Section 39	(Rates for supply of water) ;
Section 40	(As to supply of water for flushing sewers &c.) ;
Section 45	(Limitation on pressure) ;
Section 54	(As to works affecting London and North Western Railway Company).

## THE FIFTH SCHEDULE.

PROVISIONS OF LOCAL AUTHORITIES (STOCK) REGULATIONS 1934  
APPLIED.

Article of Local Authorities (Stock) Regulations 1934.	Modification.
5 to 7 (inclusive)	—
9 to 13 (inclusive)	—
16 to 19 (inclusive)	—
21 to 23 (inclusive)	—
24	The omission of the words " Unless the local authority have compounded for stamp duty " and the words " notwithstanding anything in any resolution of the local authority or in these regulations."
25 to 31 (inclusive)	—
37 to 40 (inclusive)	—
42	—
43	The omission of paragraphs (a) and (b) and of the words " stock certificate to bearer " in paragraph (c).
44	—
45	The omission of paragraph (1).
The schedule	Only so much as relates to article 44 of the regulations.

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