



CHAPTER viii.

An Act to authorise the Colne Valley Water Company to construct new works and to raise additional capital and for other purposes.

[10th December 1945.]

WHEREAS the Colne Valley Water Company (in this Act referred to as "the Company") were incorporated by the Colne Valley Water Act 1873 and were by that Act and the Colne Valley Water Acts 1873 to 1939 empowered to supply water within the limits in the counties of Middlesex and Hertford mentioned in the said Acts: 36 & 37 Vict.
c. lxxx.

And whereas the demand for water within the limits for the supply of water by the Company has increased and to enable the Company to meet such demand the Company made application to the Minister of Health under the Defence (General) Regulations 1939 made in pursuance of the Emergency Powers (Defence) Act 1939 for authority to execute further works and the said Minister has by the Colne Valley Water Order 1943 authorised the extension of the existing adits and the construction of new adits and temporary shafts in connection with the Ruislip Common pumping station authorised by the Colne Valley Water Act 1939 and the taking of water by means of the said adits and extensions subject to the condition mentioned in the said Order and the said Minister has also by the Colne Valley Water Order 1944 authorised the construction inter alia of a well and pumping station (known as "the Poor's Field pumping station") and a line of pipes connecting the Poor's Field pumping station with the Ruislip Common pumping station and the abstraction of water from the Poor's Field pumping station subject to the condition mentioned in the said Order: 2 & 3 Geo. 6.
c. 62.
2 & 3 Geo. 6.
c. lxxviii.

And whereas it will be necessary for the Company to continue to use for the purposes of their undertaking the said works (which have either been already completed or are in process of construction) after the termination of the period of emergency which was the occasion of the passing of the Emergency Powers (Defence) Act 1939 and it is accordingly expedient to continue the powers of the said Order of 1943 and to sanction and confirm the construction by the Company of the said Poor's Field pumping station and to authorise the Company to maintain the same:

And whereas it is expedient that the Company should be empowered to make and maintain the works in this Act described and to acquire lands for the purposes thereof and for other purposes of their undertaking:

And whereas a statement of the capital of the Company is set forth in the schedule to this Act and it is expedient that the Company should be authorised to raise additional capital for the purposes of this Act and of their undertaking and should have other financial powers conferred upon them as provided by this Act:

And whereas it is expedient that further powers should be conferred upon the Company with respect to the other matters in this Act contained:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas plans and sections of the works authorised by this Act showing the lines and levels thereof and a book of reference to the plans 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 clerks of the county councils of Hertford and Middlesex and those plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference:

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:—

PART I.

PRELIMINARY.

1. This Act may be cited as the Colne Valley Water Act 1945 and the Colne Valley Water Acts 1873 to 1939 and this Act may be cited together as the Colne Valley Water Acts 1873 to 1945.

Short and
collective
titles.

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

- Part I.—Preliminary.
 Part II.—Works.
 Part III.—Lands.
 Part IV.—Supply of water.
 Part V.—Finance.
 Part VI.—Protective provisions.
 Part VII.—Administrative and miscellaneous.

PART I.
 —cont.
 Division of
 Act into Parts.

3.—(1) 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):—

- (a) The Lands Clauses Acts except section 92 of the Lands Clauses Consolidation Act 1845 and section 5 of the Lands Clauses Consolidation Acts Amendment Act 1860: 8 & 9 Vict.
c. 18.
23 & 24 Vict.
c. 106.

Provided that any question of disputed compensation under this Act or any Act incorporated herewith (other than a question required to be determined by two justices) shall be determined by a single arbitrator to be agreed upon between the Company and the person claiming the compensation or in default of such agreement appointed by the President of the Chartered Surveyors' Institution on the application of either party;

- (b) The Companies Clauses Consolidation Act 1845 except section 40 and the provisions relating to the conversion of borrowed money into capital and Part I (relating to cancellation and surrender of shares) Part II (relating to additional capital) except the provisions thereof which limit the rate of dividend on preference capital and Part III (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts; 8 & 9 Vict.
c. 16.
26 & 27 Vict.
c. 118.
- (c) The Waterworks Clauses Act 1847 except 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 and except sections 76 to 79; 10 & 11 Vict.
c. 17.
- (d) The Waterworks Clauses Act 1863; 26 & 27 Vict.
- (e) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and in such provisions for the purposes of this Act "the railway" means the reservoirs by this Act authorised and so much of any aqueduct by this Act authorised as will not be constructed in a highway and "the centre of the railway" means the centre line of so much of any aqueduct as aforesaid. c. 93.
8 & 9 Vict.
c. 20.

PART I.
—cont.

(2) In lieu of section 92 of the Lands Clauses Consolidation Act 1845 the following provisions shall have effect:—

No person shall be required to sell a part only of any house building or manufactory or of any land which forms part of a park or garden belonging to a house if he is willing and able to sell the whole of the house building manufactory park or garden unless the tribunal by whom compensation is to be assessed determine that in the case of a house building or manufactory such part as is proposed to be taken can be taken without material detriment to the house building or manufactory or in the case of a park or garden that such part as aforesaid can be taken without seriously affecting the amenity or convenience of the house and if the tribunal so determine compensation shall be awarded in respect of the severance of the part so proposed to be taken in addition to the value of that part and thereupon the person interested shall be required to sell to the Company that part of the house building manufactory park or garden.

Interpretation.

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

“ the Company ” means the Colne Valley Water Company;

“ the Herts County Council ” means the county council of the administrative county of Hertford;

“ highway authority ” and “ bridge authority ” have the meanings assigned to them by section 3 of the Act of 1939;

“ the new works ” means the works described in section 5 (Power to construct waterworks) of this Act;

“ the limits of supply ” means the limits within which the Company are from time to time authorised to supply water;

“ the undertaking ” means the undertaking of the Company for the time being authorised;

“ the directors ” means the directors of the Company;

“ the Act of 1939 ” means the Colne Valley Water Act 1939;

“ the corporation ” means the mayor aldermen and burgesses of the borough of Watford;

“ street ” includes any highway including a highway over any bridge and any road lane footway square court alley or passage whether a thoroughfare or not;

“ telegraphic line ” has the same meaning as in the Telegraph Act 1878;

“ the date of conversion ” means in relation to the consolidation of ordinary stock the first day of January one thousand nine hundred and forty-six and in relation to the conversion and consolidation of preference stocks the first day of April one thousand nine hundred and forty-six or the first day of January or the first day of April as the case may be in such later year as may be determined by resolution of the directors;

“ the Minister ” means the Minister of Health.

PART I.

—cont.

41 & 42 Vict.
c. 76.

PART II.

WORKS.

5.—(1) Subject to the provisions of this Act the Company may in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections make and maintain the following works (that is to say):—

Power to
construct
waterworks.

In the county of Hertford—

Work No. 1. A storage and impounding reservoir (to be called “ the Hilfield Park reservoir ”) in the parish of Aldenham in the rural district of Watford in the urban district of Bushey and in the parish of Elstree in the rural district of Elstree;

Work No. 2. An aqueduct in the parish of Aldenham in the rural district of Watford commencing at or in Watling Street and terminating by a junction with the intended aqueduct (Work No. 4) hereinafter described;

Work No. 3. A well and pumping station (to be called “ the Netherwild pumping station ”) in the parish of Aldenham in the rural district of Watford and in the parish of St. Stephen in the rural district of St. Albans;

Work No. 4. An aqueduct commencing in the parish of Aldenham in the rural district of Watford at or in the Netherwild pumping station (Work No. 3) hereinafter described and terminating in the parish of St. Stephen in the rural district of St. Albans by a junction with the intended aqueduct (Work No. 6) hereinafter described;

Work No. 5. A well and pumping station (to be known as “ the Bricket Wood pumping station ”) in the

PART II.
—cont.

parish of St. Stephen in the rural district of St. Albans and in the parish of Aldenham in the rural district of Watford;

Work No. 6. An aqueduct commencing in the parish of St. Stephen in the rural district of St. Albans at or in the Bricket Wood pumping station (Work No. 5) hereinbefore described and terminating in the parish of Aldenham in the rural district of Watford by a junction with the intended aqueduct (Work No. 8) hereinafter described;

Work No. 7. A well and pumping station (to be called "the Wall Hall pumping station") in the parishes of Aldenham and Watford Rural in the rural district of Watford and in the borough of Watford;

Work No. 8. An aqueduct commencing in the parish of Aldenham in the rural district of Watford at or in the Wall Hall pumping station (Work No. 7) hereinbefore described and terminating in the urban district of Bushey at or in the existing Berrygrove pumping station of the Company:

In the county of Middlesex—

Work No. 9. An aqueduct in the urban district of Ruislip-Northwood commencing at or in the existing Ruislip Common pumping station of the Company and terminating by a junction with the existing line of pipes of the Company in Joel Street.

(2) Any well constructed under the powers of this section shall be lined by the Company for a depth of at least one hundred feet so as to keep out all surface waters and no adit shall be constructed in connection with the said wells at a less depth than one hundred feet below the surface of the ground.

(3) The Company shall comply with any requirements which may be made by the Minister with respect to the storage and treatment of the water in the Hilfield Park reservoir.

(4) The aqueduct (Work No. 9) shall not be constructed through Park Wood in the urban district of Ruislip-Northwood otherwise than in accordance with an agreement made the twenty-ninth day of August one thousand nine hundred and forty-five between the county council of the administrative county of Middlesex of the first part the urban district council of Ruislip-Northwood of the second part and the Company of the third part.

Maintenance
of existing
work.

6.—(1) The Company may maintain alter improve extend and renew as part of and for the purposes of the undertaking the following work authorised by the Colne Valley Water Order 1944 made under the Defence (General) Regulations

1939 together with all pipes works and apparatus incidental and ancillary thereto (that is to say):—

PART II.
—cont.

Work No. 11. A well and pumping station (known as “ the Poor’s Field pumping station ”) in the urban district of Ruislip-Northwood in the county of Middlesex in the enclosure numbered in that urban district 336 on the 1/2500 Ordnance map (Middlesex sheet No. X.1. revision of 1935) together with adits in or under the enclosures numbered in that urban district 35 302 303 332 and 333 on the said map and the enclosures numbered in that urban district 35 332 333 and 385 on the 1/2500 Ordnance map (Middlesex sheet No. X.5. revision of 1935).

(2) The Company may by means of the said work abstract water and use it for the purposes of their public supply subject to the condition that section 104 (For protection of Rickmansworth and Uxbridge Valley Water Company) of the Act of 1939 shall extend and apply for the protection of the Rickmansworth and Uxbridge Valley Water Company as if the Poor’s Field pumping station were included in the expression “ the Ruislip Common well ” as defined in that section.

(3) The exercise by the Company of the powers conferred by subsection (1) of this section shall be subject to the provisions of an agreement made the eleventh day of January one thousand nine hundred and forty-four between the Company of the one part and the urban district council of Ruislip-Northwood of the other part in all respects as if this Act were therein referred to in addition to the Colne Valley Water Order 1944.

7. The powers conferred by the Colne Valley Water Order 1943 made under the Defence (General) Regulations 1939 are hereby continued and accordingly after the termination of the period of the emergency which was the occasion of the passing of the Emergency Powers (Defence) Act 1939 the Company may—

Continuance
of powers to
make adits.

(a) in upon or under the lands respectively known as Copse Wood and Poor’s Field in upon or under lands forming part of the premises of Franklin House and in upon or under lands belonging to the Company situate between Copse Wood Lane and the said Poor’s Field all of which lands are in the urban district of Ruislip-Northwood construct beyond the limits of deviation described in section 7 (Power to deviate) of the Act of 1939 such extensions of the adits authorised by that Act in connection with the Ruislip Common pumping station of the Company and such further adits and

PART II.
—cont.

temporary shafts in connection with the said pumping station at such levels and otherwise in such manner as subject to the provisions of any agreement between the Company and the Ruislip-Northwood Urban District Council or between the Company and the Rickmansworth and Uxbridge Valley Water Company the Company shall think fit; and

- (b) by means of the adits and extensions of adits aforesaid take water for the purposes of their undertaking subject to the condition that section 104 (For protection of Rickmansworth and Uxbridge Valley Water Company) of the Act of 1939 shall extend and apply for the protection of the Rickmansworth and Uxbridge Valley Water Company as if all adits shafts and other works constructed under the powers continued by this section were included in the expression "the Ruislip Common well" as defined in that section.

Subsidiary
works.

8.—(1) In addition to the new works the Company may in under or upon any lands delineated on the deposited plans make and maintain all such shafts headings adits cuts channels catchwaters tunnels conduits pipes sluices washouts overflows waste-water channels gauges filters works for the treatment of water buildings roads bridges embankments approaches telephones machinery electric lines works and apparatus as may be necessary or convenient in connection with or subsidiary to the new works or any of them or the undertaking or necessary or expedient for augmenting or improving the supply of water but nothing in this section shall exonerate the Company from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them:

Provided that no buildings or machinery shall be made or maintained under the powers of this section upon the surface of any land dedicated to public use or acquired by a highway authority for the widening or improvement of any road:

Provided also that no electric lines constructed under the powers of this section shall be laid down above the surface of any land dedicated to public use or acquired by a highway authority for the widening or improvement of any road except with the consent of such highway authority.

(2) The Company shall not under the powers of this section construct any works for taking or intercepting water otherwise than in connection with the new works.

9. In the construction of the new works the Company may deviate laterally to any extent within the limits of deviation shown on the deposited plans and where on any street no such limits are shown the boundaries of the street (including for this purpose any roadside waste forming part of or adjoining the street) shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent:

Power to deviate.

Provided that no embankment for a reservoir shall be constructed at any greater height above the general surface of the ground than that shown on the deposited sections and five feet in addition thereto:

Provided also that no part of the aqueducts authorised by this Act shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections—

except for the purpose of crossing over a river stream canal dyke watercourse or railway; or

except for the purpose of crossing over any lands in cases where the consent of the owners of and of all other persons interested in such lands is obtained to the aqueducts or any part or parts thereof being raised above the surface of the ground

10. The provisions of the Waterworks Clauses Act 1847 as modified in their application to the Company by section 16 (For protection of Middlesex County Council) of the Colne Valley Water Act 1928 and by this Act with respect to the breaking up of streets shall apply with the necessary modifications to the construction laying down and maintenance in any streets within the limits of supply of the lines of pipes by this Part of this Act authorised.

Application of Waterworks Clauses Act 1847 to aqueducts etc. 18 & 19 Geo. 5. c. xcvi.

11. If Work No. 1 authorised by this Act is not completed on or before the first day of October one thousand nine hundred and fifty-five or if the Works Nos. 2 to 9 (inclusive) authorised by this Act are not completed on or before the first day of October one thousand nine hundred and fifty then as from those respective dates the powers by this Act granted for the making of the said works or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed:

Period for completion of works.

Provided that the Company may extend enlarge alter reconstruct renew or remove any of the new works and in the case of the aqueducts lay down additional aqueducts as and when occasion may require.

12. Subject to the provisions of this Act the Company may pump collect impound take use divert and appropriate for the purposes of the undertaking all surface or underground waters

Power to take waters.

PART II.
—cont.

which will or may be taken or intercepted by means of any of the works by this Act authorised.

Diversion and
stopping up of
footpaths.

13. The Company may divert in the manner shown on the deposited plans and thereon marked "intended footpath diversion" or in such other manner as may be agreed between the Company the Bushey Urban District Council the Watford Rural District Council and the Herts County Council the public footpath in the urban district of Bushey and the parish of Aldenham crossing the lands numbered on the deposited plans 6 and 7 in that urban district and 1 in that parish respectively and may stop up and cause to be discontinued as footpaths the existing footpaths or parts thereof crossing the said lands and the Company may also stop up such footpaths or parts thereof as are shown on the deposited plans as intended to be stopped up and thereupon all rights of way over or along the said existing footpaths or parts thereof shall be extinguished and the Company may appropriate and use for the purposes of the undertaking the sites of the footpaths stopped up so far as the same are bounded on both sides by lands of the Company:

Provided that the stopping up and discontinuance of the footpath to be diverted shall not take place until two justices shall have certified that the new footpath is open for public use.

Temporary
stoppage
of streets.

14.—(1) The Company during and for the purpose of the execution of the new works may temporarily stop up and divert and interfere with any street and may for any reasonable time divert the traffic therefrom and prevent all persons other than those bona fide going to or from any house building or land in the street from passing along and using the same.

(2) The Company shall provide reasonable access for foot passengers and so far as practicable for vehicular traffic bona fide going to or from any such house building or land.

(3) The powers of this section shall not be exercised so as to prevent reasonable access for foot passengers and vehicular traffic bona fide going to or from any railway station depot garage or other premises belonging to any of the transport undertakers defined in section 106 (For protection of certain transport undertakers) of the Act of 1939.

(4) The powers of this section shall not be exercised in relation to a trunk road without the consent of the Minister of War Transport.

Discharge of
water into
streams.

15.—(1) For the purpose of constructing enlarging extending repairing cleansing emptying examining using or operating any works forming part of the undertaking or any plant for the treatment of water the Company may cause the

water in any such work or plant to be discharged into any available ditch watercourse or sewer reserved for surface water only:

PART II.
—cont.

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

(2) In the exercise of the powers conferred by this section the Company shall do as little damage as may be and shall make compensation to all persons interested for all damage sustained by them by reason or in consequence of the exercise of such powers the amount of such compensation to be settled in case of difference by arbitration.

(3) Where the Company discharge water under the powers of this section into any ditch or watercourse they shall except in cases of emergency comply with such reasonable regulations as the Hertfordshire County Council¹¹² or the Middlesex County Council (according to whether the ditch or watercourse is situate in the administrative county of Hertford or Middlesex) may from time to time make in respect of such discharge and any difference which shall arise between either of the said county councils and the Company as to the reasonableness of any such regulations shall be determined by arbitration.

(4) Where the Company discharge water under the powers of this section into any sewer reserved for surface water only belonging to a local authority they shall except in cases of emergency comply with such reasonable regulations as the local authority may from time to time make in respect of such discharge and any difference which shall arise between the local authority and the Company as to the reasonableness of any such regulations shall be determined by arbitration.

(5) The powers of this section shall not be exercised so as to damage or injuriously affect the railways or works of any of the transport undertakers defined in section 106 (For protection of certain transport undertakers) of the Act of 1939.

(6) The powers of this section shall not be exercised so as to damage or injuriously affect any highway or bridge.

16. The Company may pump at their Berrygrove pumping station a quantity of water not exceeding on an average calculated over any one month four million gallons a day and the provisions of section 7 (Limiting adits and quantity of water to be pumped) of the Colne Valley Water Act 1922 shall be read and have effect accordingly.

As to pumping at Berrygrove pumping station.
12 & 13 Geo. 5.
c. xxxiii.

PART II.

—cont.

Extension of
section 15 of
Act of 1939.

17. The provisions of section 15 (For protection of existing sources of supply) of the Act of 1939 shall extend and apply to the Bricket Wood pumping station the Netherwild pumping station and the Wall Hall pumping station respectively authorised by this Act as if—

- (a) those stations had been named in the definition of “ the authorised work ” contained in that section in addition to the stations therein named; and
- (b) a reference to the passing of this Act was substituted for the reference in the definition of “ protected source ” to the passing of the Act of 1939.

Extension of
section 87 of
Act of 1939.

18. The provisions of section 87 (Byelaws for preventing contamination of water in vicinity of pumping stations) of the Act of 1939 shall extend and apply to the existing Harrow pumping station and the existing Poor’s Field pumping station of the Company and to the Bricket Wood pumping station the Netherwild pumping station and the Wall Hall pumping station respectively authorised by this Act as if those stations had been named in that section in addition to the stations therein mentioned.

Application of
Special Enact-
ments (Exten-
sion of Time)
Act 1940.
3 & 4 Geo. 6.
c. 16.

19. Notwithstanding anything in the Special Enactments (Extension of Time) Act 1940 that Act shall apply to the powers conferred by this Act to execute works.

PART III.

LANDS.

Power to
acquire lands.

20. Subject to the provisions of this Act the Company 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 the purposes of the new works or otherwise for the purposes of the undertaking.

Acquisition of
easements
compulsorily.

21.—(1) The Company may in lieu of acquiring any lands for the purposes of the new works or otherwise for the purposes of the undertaking acquire such easements and rights in such lands as they may require for such purposes (including the making maintaining repairing inspecting cleansing managing using working and obtaining access to such works) and may give notice to treat in respect of such easements and rights describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements and rights as fully as if the same were lands within the meaning of those Acts except that no such easement or right shall be deemed part of a house or other building or manufactory within the meaning of section 92 of the Lands Clauses Consolidation Act 1845 or of any enactment in lieu thereof applicable to the Company.

(2) As regards any lands in respect of which the Company have acquired easements or rights only under the provisions of this section the Company shall not be required or entitled to fence off or sever such lands from the adjoining lands but unless otherwise agreed the owners or occupiers for the time being shall be subject to such easements or rights have the same rights of using and cultivating such lands at all times as if this Act had not been passed.

22.—(1) The Company shall not under the powers of this Act acquire any part of any of the lands numbered on the deposited plans 36 37 38 39 40 and 41 in the parish of Aldenham in the rural district of Watford 1 in the parish of Elstree in the rural district of Elstree and 6 in the urban district of Ruislip-Northwood but in pursuance of section 21 (Acquisition of easements compulsorily) of this Act the Company may acquire such underground easements and rights in such lands as they may require for or in connection with constructing maintaining and using the new works any trees or shrubs which have been disturbed or removed by the Company being replaced to the reasonable approval of the owner of the said lands.

Easements
only to be
taken in
respect of
certain lands.

(2) Except as hereinafter provided the Company shall not under the powers of this Act acquire any part of the following lands:—

- (a) The lands numbered on the deposited plans 1 and 3 in the borough of Watford;
- (b) The lands numbered on the deposited plans 1 in the parish of Watford Rural;
- (c) The lands numbered on the deposited plans 67 and 76 to 97 in the parish of Aldenham;

but in pursuance of section 21 (Acquisition of easements compulsorily) of this Act the Company may acquire easements as follows in such lands:—

- (i) An easement in the lands numbered on the deposited plans 86 in the parish of Aldenham for the construction of an unfenced approach road extending from the bridle road (being the lands numbered 87 on the said plans in the parish of Aldenham) to the site of Work No. 7;
- (ii) Easements for the construction of Work No. 6 and Work No. 8 in the lands through which those works are authorised to be constructed and for the construction of underground electric lines and apparatus for the transmission of electricity;
- (iii) Easements in any of the said lands for the construction of adits in connection with Work No. 7 authorised by this Act and for the purpose of obtaining access to that work:

PART III.
—cont.

Provided that the Company may acquire a part of the said lands numbered on the deposited plans 86 in the parish of Aldenham not exceeding one and a half acres in extent for the purpose of constructing the said Work No. 7.

(3) The surface of any lands referred to in subsections (1) and (2) of this section which may be disturbed by reason of any easement or right acquired by the Company under this Act shall as soon as practicable be restored to its former condition.

(4) No buildings other than the pumping station buildings comprised in the said Work No. 7 shall be erected by the Company on that part of the said lands numbered 86 which they are authorised by this Act to acquire and the said pumping station shall not be operated otherwise than by electric power except during periods of construction and in case of emergency.

Period for
compulsory
purchase
of lands.

23. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the first day of October one thousand nine hundred and forty-five.

Correction of
errors in
deposited
plans and book
of reference.

24. If there is any omission misstatement 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 Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices having jurisdiction in the place in which the lands are situate for the correction thereof and if it appears to the justices that the omission or misstatement 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 misstated or wrongly described and if the lands are situate in a county borough such certificate or a copy thereof shall be deposited with the town clerk and if the lands are situate in an administrative county such certificate or a copy thereof shall be deposited with the clerk of the county council and a duplicate thereof shall be deposited with the clerk of the council of the county district in which the lands are situate and if the lands are situate in a rural parish having a parish council also with the clerk of that council and such certificate or a copy and duplicate respectively shall be kept by such clerks 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 the certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with the certificate.

PART III.

—cont.

Extinction of
private rights
of way.

25.—(1) Any private right of way over land which the Company are authorised by this Act to acquire compulsorily shall if they so resolve and give notice of their resolution to the owner of the right be extinguished as from the acquisition by them of the land or as from the expiration of one month from the service of the notice whichever may be the later.

(2) The Company shall pay compensation to all persons interested in respect of any such right so extinguished and such compensation shall in case of dispute be settled in manner provided by the Lands Clauses Acts with respect to the taking of lands otherwise than by agreement.

26. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under
disability may
grant
easements.

27. For the purposes of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the arbitrator to whom any question of disputed compensation is referred shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the first day of November one thousand nine hundred and forty-four if in the opinion of such arbitrator the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Compensation
in case of
recently
acquired
interest.

28. The Company and their surveyors officers and workmen and any person duly authorised in writing by the Company may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice enter upon and into the lands houses and buildings authorised by this Act to be taken and used or any of them for the purpose of surveying and valuing the said lands houses and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands houses and buildings.

Power to
enter property
for survey and
valuation.

PART III.

—cont.

Power to
enter into
agreements
restricting
use of land.

29.—(1) Where any person is willing to agree with the Company that his land or any part thereof shall so far as his interest in the land enables him to bind it be made subject either permanently or for a specified period to conditions restricting the development or use thereof the Company may if they think fit enter into an agreement (upon such terms as may be specified therein) with him to that effect and shall have power to enforce the agreement against persons deriving title under him in the like manner and to the like extent as if the Company were possessed of or interested in adjacent land and as if the agreement had been entered into for the benefit of that adjacent land.

15 & 16 Geo. 5.
c. 22.

(2) The provisions of the Land Charges Act 1925 as amended by any subsequent enactment shall apply to any such agreement as if it were a local land charge and the same shall be registered accordingly by the proper officer.

(3) The terms of any agreement entered into under this section shall be subject to the consent of the Minister of Town and Country Planning after considering any representations made to him by the local planning authority.

Power to
purchase lands
already
subject to
easements.

30. Where under the powers of any Act or Order relating to them the Company have acquired or shall acquire any easement or right in under or through any lands for the construction of any pipe or other work the Company may at any time thereafter if they see fit purchase by agreement from the owner thereof the lands lying over under and alongside such pipe or other work.

PART IV.

SUPPLY OF WATER.

Amendment
of Second
Schedule to
Act of 1939.

31. Section 34 (Extension and re-definition of limits of supply) of and the Second Schedule to the Act of 1939 shall be read and have effect as if the following paragraphs namely:—

“ So much of the borough of Ealing as immediately prior to the coming into operation of the Middlesex Review Order 1934 formed part of the urban district of Wembley and was by that Order transferred to the borough of Willesden and was by the Ealing (Extension) Order 1936 transferred from the borough of Willesden to the borough of Ealing; ”

“ So much of the borough of Ealing as immediately prior to the coming into operation of the said Order of 1934 formed part of the urban district of Harrow-on-the-Hill; ”

were inserted in the said Second Schedule in lieu of the corresponding paragraph appearing therein.

32.—(1) The Company in lieu of charging a water rate may agree with any person requiring a supply of water for domestic purposes to furnish the supply whether by measure or otherwise on such terms and conditions as may be agreed.

(2) Charges payable under this section shall be recoverable in the manner in which water rates are recoverable.

33. Where a person who takes from the Company a supply of water for domestic purposes otherwise than by meter is the occupier of a garage or stables or other premises where vehicles or horses are kept and the water supplied to that person for domestic purposes is used for washing vehicles or for horses or other purposes in or in connection with such premises and can be taken from a standpipe or tap the Company may charge in respect of the water so used such sums as they may prescribe not exceeding one-half the maximum sums chargeable under subsection (1) of section 19 (Charges for supplies for motor cars refrigerating apparatus &c.) of the Colne Valley Water Act 1928:

Provided that this section shall not apply where the standpipe or tap from which the water so used is drawn is situate within a dwelling-house occupied with the premises where vehicles or horses are kept unless the standpipe or tap be situate in a part of the dwelling-house used for the purposes of a garage or stable.

34.—(1) No person shall be entitled to demand or to continue to receive from the Company a supply of water to any habitation to which this section applies unless he has—

(a) agreed with the Company to take a supply of water by meter and to pay to them such minimum annual sum as will give them a reasonable return on the capital expenditure incurred by them in providing the required supply and will cover other standing charges incurred by them in order to meet the possible maximum demand for his habitation and will yield a reasonable return on the cost of the water supplied; and

(b) secured to the reasonable satisfaction of the Company by way of deposit or otherwise payment of such a sum as may be reasonable having regard to his possible maximum demand for water.

The annual sum to be so paid and the security to be so given shall be determined in default of agreement by a court of summary jurisdiction whose decision shall be final.

(2) The habitations to which this section applies are tents vans or other conveyances whether on wheels or not and sheds or similar structures not being structures to which the building byelaws of the local authority of the district apply.

PART IV.
—cont.

Power to make agreed charges for domestic supply.

Modification of section 19 of Act of 1928.

Provisions as to supply to sheds tents vans &c.

PART IV.

—cont.

Power to
recover charge
for turning off
and turning on
in certain
cases.

35. The Company may make a reasonable charge for turning off and turning on the supply of water to any house the occupier of which without giving up possession shall give notice for the discontinuance of the supply and shall afterwards require the supply to be restored within a period of nine months and such charge may be recovered by the Company summarily as a civil debt.

Charges
for special
reading of
meters.

36. When at the request of and for the convenience of any consumer the reading of any meter in any premises takes place at a time other than that of the usual periodical reading the Company may levy and recover such charges (not exceeding the sum of one shilling) as they think fit for each such special reading.

As to supplies
from trunk
mains.

37.—(1) Notwithstanding anything in any enactment relating to the Company no person shall be entitled to demand a supply of water from a trunk main belonging to the Company.

(2) In this section the expression "trunk main" means a main constructed for the purpose of conveying water from a source of supply to a filter or reservoir or from one filter or reservoir to another filter or reservoir or for the purpose of conveying water in bulk from one part of the limits of supply to another part of those limits or for the purpose of giving or receiving a supply of water in bulk to or from other undertakers.

Power to
require
provision of
cisterns in
certain cases.

38.—(1) The Company may require that any house the erection of which was not commenced before the passing of this Act and to which water is required to be delivered at a height greater than thirty-five feet below the draw-off level of the service reservoir from which a supply of water is being or is to be furnished by them shall be provided with a supply pipe which shall discharge the water conveyed by it into a storage cistern having a ball and stop-cock fitted on the said pipe and may require that the storage cistern shall be capable of holding sufficient water to provide an adequate supply to the house for a period of twenty-four hours:

Provided that this subsection shall not prevent the fixing to the supply pipe of draw-off taps for drinking and dietetic purposes.

(2) The Company shall not be required to supply any such house until the same is provided with a storage cistern in conformity with the requirements of this section.

(3) For the purposes of this section a storage cistern means any cistern for containing water supplied by the Company other than a flushing cistern or a cistern for containing hot water.

39. Where any dwelling-house or other building is demolished or appears to the Company to be uninhabitable and where any allotment is vacant or appears to the Company to be untenanted and the Company have reason to think that waste of water is occurring or is likely to occur they may cut off the communication pipe by which water was supplied to such dwelling-house building or allotment:

Provided that in the case of an allotment belonging to or leased by a local authority the Company shall give to such local authority not less than twenty-four hours' notice of their intention to cut off such communication pipe.

40. Where in any case the Company are authorised to cut off the pipe supplying water to any premises or to turn off water from any premises any officer workman or duly authorised agent of the Company may after giving not less than twenty-four hours' notice in writing to the occupier of the premises or if the premises are unoccupied to the owner thereof at his last known place of abode or address enter the premises between the hours of nine in the forenoon and one hour after sunset or at any other time with the authority in writing of a justice for the purpose of cutting off any pipe by which the water is supplied to the premises. If any person hinder any such officer workman or agent from entering any premises in pursuance of this section he shall for every such offence be liable to a penalty not exceeding five pounds.

41. Notwithstanding anything in the Waterworks Clauses Act 1847 the rates leviable by the Company shall if the Company so determine be paid half-yearly one quarter in arrear and one quarter in advance.

42. The Company before commencing to execute repairs or other works which will cause any material interference with the supply of water shall except in a case of emergency give to all consumers likely to be affected such notice as is reasonably practicable and shall complete the work with all reasonable despatch.

43. Where the Company cut off the supply of water to an inhabited house they shall within forty-eight hours give notice that they have done so to the local authority of the district in which the house is situate and if they fail to do so shall be liable on summary conviction to a fine not exceeding ten pounds.

PART V.

FINANCE.

44.—(1) As on and from the date of conversion the seven per centum ordinary stock classes "B" "D" "E" and "F" forming part of the capital of the Company as existing

PART IV.

—cont.

Cutting off communication pipes to prevent waste of water.

Entry on premises for authorised cutting off.

Rates leviable half-yearly.

Company to give notice of certain works.

Notice to be given to local authority of water supply to inhabited house being cut off.

Consolidation of certain ordinary stocks.

PART V.
—cont.

at the date of conversion shall by virtue of this Act be consolidated into and shall be known as seven per centum ordinary stock ranking in all respects as one and the same class of stock and conferring upon the holders thereof the same rights in all respects inter se.

(2) As on the date of conversion there shall be created by virtue of this Act such amount of seven per centum ordinary stock entitled to a maximum dividend of seven per centum per annum as shall be requisite for the purposes of this section and the stock so created shall be deemed to be fully paid up and shall be divided among and shall as from the said date be vested without payment in the persons who immediately before the said date are entitled to be the holders of the existing seven per centum ordinary stocks according to their respective holdings as follows:—

For each ten pounds of seven per centum ordinary stock classes "B" "D" "E" and "F" ten pounds of seven per centum ordinary stock.

(3) The stock so to be created and divided shall as soon as practicable be registered in the books of the Company in the respective names of the persons entitled thereto.

Conversion
and consolida-
tion of
preference
stocks.

45.—(1) As on and from the date of conversion the four per centum preference stocks and the five per centum preference stock forming part of the capital of the Company as existing at the date of conversion shall by virtue of this Act be converted and consolidated into and shall be known as four per centum consolidated preference stock ranking in all respects as one and the same class of stock and conferring upon the holders thereof the same rights in all respects inter se.

(2) As on the date of conversion there shall be created by virtue of this Act such amount of four per centum consolidated preference stock entitled to a maximum dividend of four per centum per annum as shall be requisite for the purposes of this section and the stock so created shall be deemed to be fully paid up and shall be divided among and shall as from the said date be vested without payment in the persons who immediately before the said date are entitled to be the holders of the existing preference stocks according to their respective holdings as follows:—

For each ten pounds of four per centum preference stock ten pounds of four per centum consolidated preference stock;

For each ten pounds of five per centum preference stock twelve pounds ten shillings of four per centum consolidated preference stock.

(3) The stock so to be created and divided shall as soon as practicable be registered in the books of the Company in the respective names of the persons entitled thereto.

PART V.
—cont.

46. No regard shall be had to the increment in the paid-up capital of the Company resulting from the operation of the last two preceding sections of this Act in the calculation of the paid-up capital of the Company for the purposes of section 26 (Reserve fund) and section 27 (Limit on contingency fund) of the Colne Valley Water Act 1928 as amended by section 85 (As to reserve and contingency funds) of the Act of 1939.

Reserve and
contingency
funds.

47.—(1) Where under this Act a holder of existing stock of the Company would be entitled to be registered as the holder of any amount of stock created by virtue of this Act including any fractional part of ten pounds thereof the Company in lieu of registering such holder and issuing to him a certificate as holder of an amount of stock including such fractional part shall pay to such holder a sum in cash equal to the market value of such fractional part on the date of conversion and shall register such holder and issue to him a certificate of the amount of stock to which he shall be entitled as aforesaid excluding such fractional part and the receipt of such holder or in the case of joint holders of that one of them whose name stands first in the register for the sum in cash so paid as aforesaid shall be a sufficient discharge to the Company in respect of such fractional part. For the purposes of this subsection the market value of the seven per centum ordinary stock shall be deemed to be the same as the mean market value of the existing seven per centum ordinary stocks of the Company immediately before the date of conversion and the market value of the four per centum consolidated preference stock shall be deemed to be the same as the mean market value of the existing four per centum preference stock of the Company immediately before that date.

As to
fractional
parts of
ten pounds
of stock.

(2) The Company may either cancel all or any stock in respect of which such payment has been made or issue the same to any willing purchaser thereof in amounts of ten pounds or multiples thereof but not otherwise and any loss or expense which may be incurred in connection with such issue shall be borne by the Company.

48. The Company shall call in and cancel the certificates of the existing ordinary and preference stocks of the Company consolidated or converted and consolidated by virtue of this Act and issue in lieu thereof certificates of ordinary stock or consolidated preference stock as the case may be but no holder of any such existing stock shall be entitled to any such certificate of proprietorship under this Act until he shall have delivered up to the Company to be cancelled the certificate

Exchange of
certificates.

PART V.
—cont.

of proprietorship of such existing stock or shall have proved to the reasonable satisfaction of the directors the loss or destruction thereof and shall have given such guarantee or indemnity in respect thereof as the directors may require but if any holder of any such existing stock neglect or omit to send or deliver to the Company his certificate or certificates thereof for the period of one year after notice in writing sent by post to him at the address of such holder appearing in the stockholders' address book or card or other index of the Company the Company may retain any dividend declared upon or in respect of the stock representing any such existing stock until such certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the directors to have been lost or destroyed and such guarantee or indemnity as aforesaid is given.

Trustees to
retain
converted
stock.

49. All ordinary stock or consolidated preference stock into which any existing stock is consolidated or converted and consolidated by virtue of this Act shall be held in the same rights upon the same trusts and subject to the same powers provisions charges and liabilities as those in or upon or subject to which such existing stock was held immediately before the passing of this Act and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any such existing stock and trustees executors or administrators and all other holders in any representative or fiduciary capacity may retain dispose of or otherwise deal with the same as fully and freely in all respects as they might have retained disposed of or otherwise dealt with such existing stock.

Transfers of
stock by
present name
to be valid.

50. All transfers or other dispositions of any existing stock of the Company consolidated or converted and consolidated by virtue of this Act as existing up to the date of conversion shall after such date be valid and have due effect given to them respectively as transfers of the respective amounts of ordinary stock or preference stock and cash (if any) which the existing stock thereby expressed to be transferred or disposed of represents although the instrument transferring or disposing thereof respectively shall describe such stock by the name or denomination which the stock transferred or disposed of had before the date of conversion and the bequest of or any covenant or provision of any deed or agreement relating to any specific amount of any such existing stock shall be held to relate to the nominal amount of ordinary stock or preference stock representing such existing stock.

Additional
capital.

51. The Company may from time to time raise by the creation and issue of ordinary stock or preference stock or

partly by one and partly by the other of those modes additional capital to such nominal amount as shall be sufficient to produce after taking into account any premiums or discounts which may be obtained or allowed on the issue thereof the sum of five hundred and fifty thousand pounds.

PART V.
—cont.

52. Notwithstanding anything in any Act or Order relating to the Company the directors may with the approval of a resolution of a general meeting of the Company reserve a proportion not exceeding one-fourth of each future issue of share capital of the Company for exclusive offer in the first instance to consumers of water supplied by the Company or employees of the Company at such price and upon such terms and conditions as to payment therefor and the payment of dividends thereon until the same become fully paid as the directors may prescribe:

Special provision for benefit of small investors.

Provided that every allotment of share capital under this section shall be at a price not less than the reserve price at which the like class of share capital of the same issue shall be offered under the provisions of section 72 (Sale of stock by auction or tender) of the Act of 1939.

53. The Company shall not in any one year pay out of their profits any larger dividend on any additional capital raised under the powers of this Act than five pounds in respect of every one hundred pounds of such capital as shall be issued as ordinary capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend in respect of such capital which shall have fallen short of the said sum of five pounds per centum per annum nor than five pounds in respect of every one hundred pounds of such capital as shall be issued as preference capital.

Limit of dividend on additional capital.

54. In case in any year the funds of the Company applicable to dividend shall be insufficient to pay the full amount of dividend at the prescribed maximum rates on each class of ordinary stock in the capital of the Company the holders of each class of ten per centum ordinary stock and seven per centum ordinary stock shall be entitled to participate in dividend in respect of that year equally up to a rate of seven per centum per annum and the holders of each class of five per centum ordinary stock shall be entitled to participate in dividend up to five-sevenths of the rate of dividend paid on the seven per centum ordinary stock.

As to abatement of dividends on ordinary stock.

55. Notwithstanding anything contained in section 75 of the Waterworks Clauses Act 1847 or in any other Act or Order relating to the Company the Company shall not pay any dividends to make up the deficiency of any previous dividend

Arrears of dividend on authorised capital.

PART V.
—cont.

in respect of capital subscribed after the date of the passing of this Act except such deficiencies as arise during the last five years before the year in respect of which a dividend is being paid.

Additional capital to be part of general capital.

56. Except as by this Act otherwise provided any ordinary or preference stock created under the powers of this Act shall form part of the general capital of the Company and the holders thereof respectively in proportion to the amount of their stock shall subject to the provisions of this Act be entitled and subject to the same powers provisions liabilities rights privileges and incidents as other holders of ordinary or preference stock as the case may be of the Company.

Application of money.

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

Application of existing capital.

58. The Company may apply to the purposes of this Act to which capital is properly applicable any moneys which they are already authorised to raise and which may not be required by them for the purposes for which the same were authorised to be raised.

Power to borrow.

59.—(1) The Company may without further or other authority in respect of the authorised and paid-up capital of the Company as at the thirtieth day of June one thousand nine hundred and forty-four borrow on mortgage of the undertaking any sum or sums or create and issue debenture stock to any nominal amount not exceeding in the whole (when added to any money borrowed on mortgage or raised by the creation and issue of debenture stock by the Company as at the said thirtieth day of June and outstanding at the date or respective dates on which the Company exercise the powers of this section) eight hundred and thirty-seven thousand four hundred and sixty-five pounds.

(2) The Company may in respect of any ordinary and preference stock issued by them after the thirtieth day of June one thousand nine hundred and forty-four (exclusive of any consolidated stock created by virtue of this Act) borrow on mortgage of the undertaking any sum or sums or create and issue debenture stock to any nominal amount not exceeding in the whole fifty per centum of the amount (including premiums and allowing for discounts) which at the time of borrowing or of such issue has been raised by the issue of such ordinary and preference stock.

60.—(1) The Company may create and issue debenture stock subject to the provisions of Part III of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 but notwithstanding anything therein contained—

PART V.
—cont.
Debenture
stock.
32 & 33 Vict.
c. 48.

(a) all debenture stock (other than redeemable debenture stock) issued by the Company under this or any former or subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* without respect to the dates of the securities or the Acts of Parliament or resolutions by which the stock was authorised;

(b) the interest on all debenture stock whether consolidated or redeemable or otherwise and whether existing at or issued after the passing of this Act under this or any subsequent Act and the interest on all mortgages shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and the mortgages were authorised) and subject as mentioned in section 61 (Priority of money raised on mortgage or debenture stock over other claims) of this Act have priority over all principal moneys secured by such debenture stock and mortgages.

(2) Notice of the effect of this enactment shall be endorsed on all certificates of debenture stock which are issued after the passing of this Act.

61. All money raised by the Company on mortgage or debenture stock shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them whether before or after the passing of this Act:

Priority of
money raised
on mortgage
or debenture
stock over
other claims.

Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Company for the purposes of the undertaking and works of the Company or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

62.—(1) Section 83 (Appointment of receiver) of the Act of 1939 is hereby repealed but without prejudice to any

Appointment
of receiver.

PART V.
—cont.

appointment heretofore made or to the continuance of any proceedings then pending.

(2) The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than fifty thousand pounds in the whole.

Saving for
emergency
powers of
Treasury.
54 & 55 Vict.
c. 39.

63.—(1) So long as this section continues in force it shall not be lawful without the consent of the Treasury to exercise the powers of borrowing or raising capital conferred by this Act.

(2) Section 113 of the Stamp Act 1891 (which in the case of any increase in the amount of nominal share capital of a company being authorised by any Act charges stamp duty on a statement of the amount of such increase to be delivered within one month from the passing of the Act) shall as amended by any subsequent enactment have effect as respects any share capital authorised to be raised by this Act as if this Act had been passed on the date when such consent as aforesaid is given as respects that capital or on the date when this section expires whichever first occurs.

3 & 4 Geo. 6.
c. 20.

(3) This section shall continue in force 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.

PART VI.

PROTECTIVE PROVISIONS.

For protection
of Postmaster-
General.
32 & 33 Vict.
c. 73.

64. Any telephones and any electric lines works or apparatus made or maintained under the provisions of section 8 (Subsidiary works) of this Act shall not be used for the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869 and shall not be constructed maintained or used in such a manner as to interfere with any telegraphic line belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

Notice to
commissioner
of police.

65. Before breaking up or otherwise interfering with the surface of any street within the metropolitan police district in connection with the execution of the new works the Com-

pany shall (except in cases of emergency) give at least fourteen days' notice in writing to the commissioner of police of the metropolis and make such arrangements with the said commissioner as may be reasonably necessary so as to cause as little interference as may be reasonably practicable with the traffic in the street during the execution of the works.

PART VI.
—cont.

66. The following provisions for the protection and benefit of the Middlesex County Council (in this section referred to as "the council") shall apply except so far as may be agreed in writing between the council and the Company:—

For protection
of wells of
Middlesex
County
Council.

(1) In this section—

"authorised works" means Work No. 3 (the Netherwild pumping station) Work No. 5 (the Bricket Wood pumping station) and Work No. 7 (the Wall Hall pumping station) authorised by this Act and any shafts boreholes headings adits and other works for abstracting water made in connection therewith and includes any of such works;

"the Shenley well" means the well provided by the council for the supply of water to their hospital at Shenley and to the Middlesex Colony adjacent thereto;

"the Napsbury well" means the well provided by the council for the supply of water to their hospital at Napsbury;

"the prescribed level" in the case of the Shenley well means the top water level in that well when it is 137.4 feet below the level of the floor of the pump-house thereof;

"the prescribed level" in the case of the Napsbury well means the top water level in that well when it is 39.75 feet below the level of the engine room floor level at the well head:

(2) If at any time after the commencement of any of the authorised works or after any such works have been brought into use it shall be agreed between the Company and the council or determined by arbitration that the pumping by the Company at the authorised works has caused a diminution or cesser of the supply of water in the Shenley well or in the Napsbury well the Company shall upon the written request of the council afford to them a supply of water equal to the amount of such diminution or the supply which has ceased at such a cost or rate (if any) as that the total cost to the council of obtain-

PART VI.
—cont.

ing their full supply from the well shall be the same after as before the commencement or completion of the authorised works:

- (3) There shall be deemed to be a diminution or cesser of a supply of water in the case of the Shenley well if when pumping not more than one million eight hundred thousand gallons of water in any week the average of the lowest pumping levels of the water in the well recorded on each day of such week shall be below the prescribed level:
- (4) There shall be deemed to be a diminution or cesser of a supply of water in the case of the Napsbury well if when pumping not more than nine hundred thousand gallons of water in any week the average of the lowest pumping levels of the water in the well recorded on each day of such week shall be below the prescribed level:
- (5) The council shall keep accurate records of the quantities of water pumped from the Shenley well and the Napsbury well respectively and the levels of the water in those wells and the Company shall at all reasonable times be entitled to inspect and take copies of such records and to inspect the wells:
- (6) For the purpose of affording a supply of water under this section the Company may supply water beyond the limits of supply and carry out all such works within or beyond such limits as may be necessary for the purpose:
- (7) Any question which may arise between the Company and the council under this section including any question whether any diminution or cesser of the supply of water in the Shenley well or in the Napsbury well has or has not been caused by the pumping operations of the Company at the authorised works shall be determined by arbitration.

For protection
of highway
authorities in
Middlesex.

67. Section 16 (For protection of Middlesex County Council) of the Colne Valley Water Act 1928 shall extend and apply and have effect as if—

- (a) that section were with any necessary modifications set out in this Act;
- (b) highway authorities and bridge authorities in the county of Middlesex were referred to therein instead of the county council as therein defined;
- (c) highways and bridges or approaches thereto vested in the highway authority and the bridge authority

were referred to therein instead of " any main road or any county or main road bridge or approaches thereto vested in the county council " ;

PART VI.
—cont.

- (d) the expression " continuous supply of water or electricity (as the case may be) " were referred to in paragraph (4) thereof instead of " continuous supply of water. "

68. Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the following provisions for the protection of the Herts County Council and of other highway and bridge authorities in the county of Hertford shall apply and have effect (that is to say):—

For protection
of Herts
County
Council and
other highway
and bridge
authorities.

- (1) Section 17 (For protection of Hertfordshire County Council) of the Colne Valley Water Act 1928 shall extend and apply and have effect as if—

(a) that section were with any necessary modifications set out in this Act;

(b) highway authorities and bridge authorities in the county of Hertford were referred to therein instead of the county council as therein defined;

(c) highways and bridges or approaches thereto vested in the highway authority and the bridge authority were referred to therein instead of " any main road or any county or main road bridge or approaches thereto vested in the county council " ;

(d) the expression " continuous supply of water or electricity (as the case may be) " were referred to in paragraph (4) thereof instead of " continuous supply of water: "

- (2) If the Company shall acquire all or any of the lands numbered on the deposited plans 10 11 14 15 28 29 and 32 in the parish of Aldenham and 1 2 4 11 14 15 16 23 and 26 in the urban district of Bushey they shall before commencing the construction of Work No. 1 convey to the Herts County Council or to such other authority as the Herts County Council may direct the portions of those lands so acquired which are coloured red on the plan signed by Albert Ernest Prescott on behalf of the Herts County Council and by John Cockram on behalf of the Company for such price or consideration as may be agreed between the Company and the Herts County Council or as failing agreement may be determined by arbitration:

- (3) The Company shall not obstruct the drainage from any county road which at present drains to or to-

PART VI.
—cont.

wards the site of the Hilfield Park reservoir and concurrently with the construction of the said reservoir the Company shall to the reasonable approval of the Herts County Council carry out such works as may be reasonably necessary for disposing of any overflow from the said reservoir and shall to the like approval secure that such overflow causes no damage to any such roads:

- (4) The Company shall to the reasonable satisfaction of the Herts County Council—

(a) for the purpose of preserving and improving the amenities and for breaking the view line of any boundary fence constructed round the Hilfield Park reservoir plant trees shrubs or bushes in suitable places on the inside of the fence and round any adjoining land belonging to the Company; and

(b) thereafter maintain such trees shrubs or bushes; and

(c) cover with grass the embankment of the said reservoir:

- (5) The Company shall to the reasonable satisfaction of the Herts County Council plant trees around the Wall Hall pumping station for the purpose of screening that pumping station and shall thereafter maintain such trees to the like satisfaction:

- (6) The external elevation of the pump-house and all other buildings forming part of the Wall Hall pumping station shall be such as to harmonize with their environment and a drawing showing such external elevation and describing the materials to be used in connection therewith shall be submitted to the Herts County Council and be subject to their reasonable approval:

- (7) The provisions of paragraphs (4) (5) and (6) of this section shall be subject to the requirements of the local planning authority:

- (8) Any question arising between the Company and the Herts County Council under the provisions of this section (other than a question to which the provisions of the Lands Clauses Acts apply) shall be referred to and determined by arbitration.

For protection
of Watford
Corporation.

69. The following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of Watford (in this section referred to as "the corporation") in connection with their water undertaking shall in addition to any

other provisions enuring for the protection and benefit of the corporation and except so far as may be otherwise agreed in writing between the Company and the corporation apply and have effect (that is to say):—

PART VI.
—cont.

- (1) If at any time or times after the Company shall have commenced to take any water under the powers of this Act the corporation reach the conclusion that the supply of water obtainable by them from their Watford Fields well and pumping station has been reduced by either or both of the following causes (in this section collectively referred to as "the new sources"):—

(a) the pumping of water by the Company at their Berrygrove pumping station in excess of the quantity which they were authorised to pump by section 7 of the Colne Valley Water Act 1922 as originally enacted;

(b) the pumping of water by the Company at the Netherwild pumping station the Bricket Wood pumping station or the Wall Hall pumping station; the Company shall at the request in writing of the corporation afford to the corporation a supply of water in bulk in accordance with the provisions hereafter in this section contained and may carry out any works necessary for that purpose:

- (2) Any supply to be afforded by the Company as aforesaid shall be of such quantity per day as the corporation in their request may specify:

Provided that the total quantity so specified at any time shall not exceed a quantity which—

(i) shall be one million gallons per day until the first day on which the quantity of water which the Company take from the new sources amounts to six million gallons a day;

(ii) shall be one and a quarter million gallons per day after the bringing into use of the Hilfield Park reservoir and so long as the quantity of water which the Company take from the new sources exceeds six million gallons a day but does not exceed eight and a half million gallons a day;

(iii) shall be one and a half million gallons per day after the bringing into use of the Hilfield Park reservoir and so long as the quantity of water which the Company take from the new sources exceeds eight and a half million gallons a day:

- (3) The supply of water by the Company in pursuance of any such request as aforesaid shall commence

PART VI.
—cont.

within twenty-four hours after receipt by the Company of the request. The water shall be supplied at such point or points as may be agreed between the Company and the corporation or as failing such agreement shall be determined by arbitration:

Provided that such point or points shall be on the main of the corporation which extends from Lower High Street Watford to the Merry Hill reservoir of the corporation or at the existing connection between the mains of the Company and the said Merry Hill reservoir. The water shall be treated water sterilised and softened and the same in all respects as the water normally supplied for the time being by the Company in the limits of supply and shall be supplied at sufficient pressure to feed into the said Merry Hill reservoir and shall be measured at the point or points of delivery by a proper meter or proper meters to be provided and maintained by the Company to the reasonable approval of the corporation:

- (4) The price to be paid by the corporation to the Company for the water supplied in pursuance of this section in any year commencing on the first day of April shall be at such rate per thousand gallons as will ensure that the average cost per thousand gallons incurred by the corporation for obtaining into their system of distributing mains the quantity of water derived from their Watford Fields well and pumping station together with the quantity of so supplied by the Company shall be equal (as nearly as may be) to the average cost per thousand gallons which was incurred by the corporation in the financial year ended on the preceding thirty-first day of March as shown by the accounts and records of the corporation for that financial year for obtaining into their system of distributing mains the total quantity of water obtained by the corporation (whether from their Watford Fields well and pumping station or from the Company):

Provided that if during the whole of the financial year ended on the preceding thirty-first day of March as aforesaid the corporation shall take less water from their Watford Fields well and pumping station than from the Company the price to be paid to the Company in respect of the succeeding financial year shall be such price as may be agreed or determined by arbitration to be the price which

- would have been payable under this section if the said station had continued to provide all the water:
- (5) The Company shall keep records of the quantities of water taken from each of the new sources and shall when specially requested supply to the corporation copies of such records and the corporation shall at all reasonable times be entitled to inspect and take copies of such records:
 - (6) The corporation shall keep records of the quantities of water taken from the Watford Fields well and pumping station and shall keep separate accounts relative to such well and pumping station and the Company shall at all reasonable times be entitled to inspect and take copies of such records and accounts:
 - (7) Any question or dispute which may arise between the Company and the corporation with respect to anything contained in or provided for under this section shall be referred to and determined by arbitration:
 - (8) For the purposes of this section the quantity of water which the Company may pump under the powers of section 16 (As to pumping at Berrygrove pumping station) of this Act shall be deemed to be a quantity not exceeding on an average calculated over any one month one million gallons a day.

70. The following provisions for the protection and benefit of the corporation shall in addition to any other provisions enuring for their protection and benefit and except so far as may be otherwise agreed in writing between the Company and the corporation apply and have effect:—

For further
protection
of Watford
Corporation.

- (1) (a) Before stopping up any of the footpaths referred to in section 13 (Diversion and stopping up of footpaths) of this Act the Company shall to the reasonable approval of the corporation lay down electric lines under the site of the new footpath therein referred to in lieu of the electric lines belonging to the corporation which are situate under the existing footpaths or any of them, and shall also (to the like approval) connect such lines with the existing lines of the corporation which are situate at the commencement and termination of the proposed footpath diversion. The electric lines so laid down and connected by the Company shall (when so connected) become the property of the corporation;

(b) Any question or difference which may arise between the corporation and the Company under

PART VI.
—cont.

the foregoing paragraph of this subsection shall be referred to and determined by arbitration:

- (2) Whereas the corporation are the owners of an electricity generating station which is a selected station within the meaning of the Electricity (Supply) Act 1926 and is dependent for a supply of water on the river Colne it is hereby enacted as follows:—

(a) The corporation and the Company may enter into and carry into effect agreements for preventing injury to the corporation in the operation of their said generating station which is or may be caused by or in consequence of the taking of water by the Company under the powers of this Act;

(b) Any agreement relating to the aforesaid matter entered into before the passing of this Act between the corporation and the Company shall be as valid and enforceable by the parties thereto as if the same had been entered into after such passing.

16 & 17 Geo. 5.
c. 51.

For protection
of electricity
undertakers.

45 & 46 Vict.
c. 56.
62 & 63 Vict.
c. 19.

Saving for
conservators
of river
Thames.

20 & 21 Geo. 5.
c. 44.

71. Nothing in this Act shall—

- (1) 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 or of section 17 of the schedule to the Electric Lighting (Clauses) Act 1899 apply except in accordance with and subject to the provisions of those sections; or
- (2) prevent or affect the exercise by any such undertakers or by the Company of any rights or powers under those provisions.

72. (a) Nothing in this Act shall authorise the Company (except with the consent of the conservators of the river Thames which shall not be unreasonably withheld) to construct or lay down any work which either directly or indirectly interferes with or will interfere with that part of the channel of the river Thames above Teddington Lock and the watercourses which are respectively to be treated as and deemed to be the main river and parts thereof and are shown by distinctive colours on the map of the river Thames (above Teddington Lock) catchment area prepared in pursuance of section 5 of the Land Drainage Act 1930 and for the time being in force.

(b) Any question as to whether such consent as aforesaid is unreasonably withheld shall be determined by arbitration.

73.—(1) Before commencing any work in connection with the works by this Act authorised under any main transmission line (as defined by the Electricity (Supply) Act 1919) belonging to the Central Electricity Board (in this section referred to as "the board") or within thirty feet of any support (including the foundations thereof) forming part of that line the Company shall give to the board not less than one month's notice in writing accompanied by a plan and section specifying the nature and course of such work and in carrying out such work the Company shall at their own expense take such precautions and execute such protective works as the board may reasonably require for the purpose of preventing that line or the user thereof from being injuriously affected by the operations of the Company.

PART VI.
—cont.For protection
of Central
Electricity
Board.
9 & 10 Geo. 5.
c. 100.

(2) Any difference which may arise between the board and the Company under this section shall be referred to and determined by arbitration.

74. Notwithstanding the stopping up temporarily of any street under the powers of section 14 (Temporary stoppage of streets) of this Act it shall be lawful for the Gas Light and Coke Company and their contractors or agents or any person in their employ or any of them to enter upon such street and to execute and do all such works and things in upon or under such street as may be necessary for inspecting repairing maintaining removing or renewing any mains pipes valves or other works or apparatus of that company in or under such street or for laying or placing any new or substituted mains pipes valves or other works or apparatus.

For protection
of Gas Light
and Coke
Company.

75. Notwithstanding the stopping up temporarily of any street under the powers of section 14 (Temporary stoppage of streets) of this Act it shall be lawful for the Watford and St. Albans Gas Company and their contractors or agents or any person in their employ or any of them to enter upon such street and to execute and do all such works and things in upon or under such street as may be necessary for inspecting repairing maintaining removing or renewing any mains pipes valves or other works or apparatus of that company in or under such street or for laying or placing any new or substituted mains pipes valves or other works or apparatus.

For protection
of Watford
and St. Albans
Gas Company.

76. For the protection of the St. Albans Waterworks Company the following provisions unless otherwise agreed in writing between that company and the Company shall have effect:—

For protection
of St. Albans
Waterworks
Company.

(1) In this section—

"the St. Albans Company" means the St. Albans Waterworks Company;

PART VI.
—cont.

“ the Netherwild pumping station ” means the well and pumping station Work No. 3 by this Act authorised;

“ day ” means a period of twenty-four hours commencing at midnight:

- (2) If at any time after the Netherwild pumping station has been completed and brought into use the St. Albans Company (i) are unable to meet all demands for water within their limits of supply as then existing and (ii) have taken all reasonable steps to obtain power to utilize an additional source or additional sources of supply within those limits and to exercise any such powers if obtained and (iii) shall serve notice on the Company requiring a supply of water in bulk by the Company then and in those events the Company shall as soon as reasonably practicable after receipt of such notice commence to supply and thereafter continue to supply to the St Albans Company from the Netherwild pumping station such quantity of water as the St. Albans Company may from day to day require but not exceeding on any day one-half of the quantity obtainable by means of the Netherwild pumping station on that day or one million gallons whichever is the less:

Provided that if and whenever it shall become necessary for the Company to enforce any general restriction on the use of water by their consumers throughout the limits of supply then so long as any such restriction is in force the Company shall not be required under this paragraph to supply to the St. Albans Company on any day any greater quantity of water than one-half of the quantity obtainable by means of the Netherwild pumping station on that day or five hundred thousand gallons whichever is the less:

- (3) All water supplied by the Company to the St. Albans Company under this section shall be unsoftened and untreated and supplied at such point as the St. Albans Company may reasonably require at or near the boundary of the Netherwild pumping station:
- (4) The Company shall provide free of cost to the St. Albans Company at the point at which water is so supplied to the St. Albans Company a site and facilities for the provision and maintenance by the St. Albans Company of a station for boosting the water so supplied into the mains of the St. Albans Company and an easement and facilities for the lay-

ing and maintenance of a main across the land of the Company. Any such station shall be subject to the like restrictions for the preservation of amenity as apply to the Company in relation to the Netherwild pumping station but such restrictions shall not during periods of emergency prevent the use of any steam or internal combustion engine:

(5) (a) The quantity of water supplied to the St. Albans Company pursuant to this section shall be measured by a meter or meters to be provided and maintained by the Company at the point of supply. The St. Albans Company shall pay to the Company one-half of the reasonable costs and expenses of the Company in providing repairing and maintaining such meter or meters;

(b) If any such meter on being tested is proved to register incorrectly to any degree exceeding five per centum the meter shall be deemed to have registered incorrectly to that degree since the last occasion but one before the date of the test on which the reading of the index of the meter was taken by the Company unless it is proved to have begun to register incorrectly on some later date:

(6) The St. Albans Company shall pay to the Company for all water supplied to them in any year pursuant to this section such price per thousand gallons as shall be equal to the average cost per thousand gallons incurred by the Company in pumping water (untreated and unsoftened) to ground level during that year at all of the pumping stations for the time being belonging to the Company:

(7) Any question or dispute which may arise between the Company and the St. Albans Company under this section shall be referred to and determined by an arbitrator.

77. Notwithstanding anything in this Act or shown on the deposited plans and sections the following provisions for the protection of the Grand Union Canal Company (in this section referred to as "the canal company") shall unless otherwise agreed in writing between the Company and the canal company apply and have effect:—

For protection
of Grand
Union Canal
Company.

(1) The Company shall not except with the consent of the canal company exercise in relation to any land reservoir or other property of the canal company any of the provisions of the Railways Clauses Consolidation Act 1845 which are incorporated with this Act:

PART VI.
—cont.

- (2) Except with the consent of the canal company the Company shall not under the powers of this Act intercept or take any water which the canal company are empowered to take or use for the purposes of their undertaking:
- (3) The Company shall not in executing Work No. 2 authorised by this Act or any work in connection therewith injure or interfere in any manner with the bed and banks of the brook numbered on the deposited plans 50 in the parish of Aldenham otherwise than with the consent of the canal company which consent shall not be unreasonably withheld:
- (4) The Company shall not except with the consent of the canal company interfere with any part of the feeder from the Aldenham reservoir of the canal company known as "Tykes Water" and forming the boundary between the properties respectively numbered on the deposited plans 41 in the parish of Aldenham and 1 in the parish of Elstree but in pursuance of Section 21 (Acquisition of easements compulsorily) of this Act the Company may acquire the easement or right of discharging effluent into the said Tykes Water:
- (5) The Company shall not except with the consent of the canal company construct under the powers of this Act any work other than a sewage effluent pipe with manholes and outlet works within one hundred yards measured horizontally from the said Aldenham reservoir which consent shall not be unreasonably withheld and may be given subject to such reasonable terms and conditions as the canal company may think fit to impose:
- (6) So much of Work No. 9 by this Act authorised as will be situate under or over or within ten yards measured horizontally from the feeder from the Ruislip reservoir of the canal company which crosses under the roadway near the junction of Ducks Hill Road Breakspear Road and Bury Street in the urban district of Ruislip-Northwood shall not be constructed otherwise than according to a plan and section to be previously approved by the canal company or if their approval be unreasonably withheld to be determined by an arbitrator Provided that if the canal company do not within twenty-one days after any such plan and section have been submitted to them express their approval or disapproval thereof they shall be deemed to have approved the same:

- (7) The Company shall not abstract water from or interfere with the free flow of water along the brook mentioned in paragraph (3) hereof or either of the feeders mentioned in paragraphs (4) and (6) hereof or any feeder of or brook or watercourse flowing into or out of the said Aldenham reservoir or the said Ruislip reservoir:
- (8) The Company shall not upon in or under any of the lands referred to in paragraph (a) of section 7 (Continuance of powers to make adits) of this Act construct maintain or use any work for the collecting diversion or appropriation of water other than adits or temporary shafts in connection with the Ruislip Common pumping station of the Company and no such adit or temporary shaft shall except with the consent of the canal company be constructed within the distance of twenty yards measured horizontally from the said Ruislip reservoir:
- (9) The Company shall not under the powers of this Act pump water from the subsoil of any land within the limits of deviation of the Hilfield Park reservoir as shown on the deposited plans:
- (10) The Company shall not under the powers of section 14 (Temporary stoppage of streets) of this Act unreasonably obstruct or interfere with the free passage of persons or vehicles to and from any property of the canal company:
- (11) Nothing in section 15 (Discharge of water into streams) of this Act shall authorise the Company to discharge water or cause any water to be discharged directly into any canal reservoir or feeder of the canal company except with the consent of the canal company which consent shall not be unreasonably withheld and may be given subject to such reasonable terms and conditions as the canal company may think fit to impose:
- (12) Any question or dispute which may arise between the Company and the canal company under this section shall be referred to and determined by an arbitrator.

78. For the protection of the Northmet Power Company (in this section referred to as "the Northmet Company") the following provisions shall have effect:—

For protection
of North-
met Power
Company.

- (1) (a) The Company shall not without the consent of the Northmet Company use any electric line constructed by the Company under the powers of this Act for the

PART VI.
—cont.

purpose of transmitting from any point outside the general supply area of the Northmet Company to any point within that area electricity supplied to the Company by any authorised electricity undertakers other than the Northmet Company Provided that the consent of the Northmet Company shall not be unreasonably withheld;

(b) Any question which shall arise between the Company and the Northmet Company whether any consent of the Northmet Company under this paragraph is unreasonably withheld shall be determined by the Minister of Fuel and Power The consent shall not be deemed to be unreasonably withheld if the Northmet Company are willing and in a position to supply to the Company on reasonable terms and within a reasonable time a supply of electricity for any purposes for which the Company require a supply of electricity for use within the general supply area of the Northmet Company:

(2) (a) Where the Company propose in the exercise of their powers under this Act to lay or erect any electric line over under or in the vicinity of any electric line belonging to the Northmet Company the Company shall take all reasonable precautions so as not injuriously to affect whether by induction or otherwise the working or user of or the currents in the electric line belonging to the Northmet Company;

(b) Any question which may arise between the Company and the Northmet Company under this paragraph shall be determined by an arbitrator to be agreed between the Company and the Northmet Company or failing agreement to be appointed by the President of the Institution of Electrical Engineers on the application of either party after notice in writing to the other party and the arbitrator may direct the Company to make any alterations in their electric line so as to comply with the provisions of this paragraph and the Company shall make those alterations accordingly:

(3) In this section the expression "electric line" has the same meaning as in the Electric Lighting Act 1882 and the expression "the general supply area" in relation to the Northmet Company has the same meaning as in the North Metropolitan Electric Power Supply (Consolidation) Act 1928.

45 & 46 Vict.
c. 56.

18 & 19 Geo. 5.
c. lxxv.

For protection
of Munden
estate.

79. Notwithstanding anything in this Act contained or shown on the deposited plans and sections the following provisions for the protection and benefit of the Right Hon. the

Dowager Ellen Viscountess Knutsford the Right Hon. Thurston Viscount Knutsford and the Hon. Wilfred Holland-Hibbert the trustees of the will of Arthur Viscount Knutsford deceased or other the owner or owners for the time being of the Munden estate in the borough of Watford and the parishes of St. Stephen and Aldenham in the county of Hertford (in this section referred to as "the owner") shall unless otherwise agreed in writing between the owner and the Company apply and have effect (that is to say):—

(1) The Company shall not under the powers of this Act acquire—

(A) so much of the enclosure numbered 36 in the parish of St. Stephen on the deposited plans as is bounded on the south by the enclosure numbered 49 in the said parish on the said plans on the east by Drop Lane (between the south-eastern corner of the said enclosure numbered 36 and a point 50 feet to the north thereof) and on the north by an imaginary straight line drawn from the last-mentioned point to the eastern corner of the enclosure numbered 37 in the said parish on the said plans;

(B) any part of the enclosure numbered 37 in the said parish of St. Stephen on the said plans except an area not exceeding 500 square yards in extent on or near the western boundary of the said enclosure for the construction thereon of plant and appliances for the treatment and purification of sewage;

(C) any of the lands of the owner included within the limits of deviation shown on the deposited plans for the construction of Work No. 6 authorised by this Act (except so much of the enclosure numbered 36 in the said parish of St. Stephen on the said plans as is not excluded by sub-paragraph (A) of this paragraph) nor any of the lands of the owner included within the limits of lands to be acquired for and in connection with the Bricket Wood pumping station authorised by this Act as shown on the deposited plans (except the said portion of the said enclosure numbered 36 and except so much of the said enclosure numbered 37 as is referred to in sub-paragraph (B) of this paragraph);

(D) any of the lands of the owner included within the limits of lands to be acquired for and in connection with the Wall Hall pumping station

PART VI.
—cont.

authorised by this Act as shown on the deposited plans;

but in pursuance of section 21 (Acquisition of easements compulsorily) of this Act the Company may acquire in such lands the easement or right (subject to the second proviso to section 9 (Power to deviate) of this Act) of constructing—

(a) under such lands the said Work No. 6 together with electric lines and apparatus for the transmission of electricity to be laid in the same trench as the said Work No. 6;

(b) on or immediately below the surface of such lands boosting plant in connection with the said Work No. 6 of such area and design and in such position as may be reasonably approved by the owner; and

(c) adits in connection with the Bricket Wood pumping station and the Wall Hall pumping station:

- (2) The owner shall grant to the Company a right of way over the enclosure numbered 37 aforesaid for vehicles on a route to be reasonably determined by the owner from the enclosure numbered 36 aforesaid and a right to lay a sewer on a route to be reasonably determined by the owner from the Bricket Wood pumping station to connect with the plant and appliances constructed in the said enclosure numbered 37 for the treatment and purification of sewage:
- (3) The external elevation of the pump-house of the Bricket Wood pumping station and all other buildings erected by the Company in the enclosure numbered on the deposited plans 36 in the parish of St. Stephen shall be such as to harmonize with their agricultural environment and a drawing showing such external elevation and describing the materials to be used in connection therewith shall be subject to the reasonable approval of the owner. The position of all such buildings (other than the said pump-house) shall be subject to the reasonable approval of the owner:
- (4) All spoil which may be excavated for the purpose of the construction of the Bricket Wood pumping station or the adits in connection therewith shall either be removed by the Company not later than six months from the completion or bringing into use (whichever may be the earlier) of each section of

the works or be spread over the surface of the enclosure numbered 36 aforesaid including that part of the said enclosure not to be acquired by the Company at the southern side thereof but excluding that part of the said enclosure not to be acquired by the Company on the northern side thereof and be levelled and covered with soil and turf or sown with grass seed and all spoil which may arise from the construction of the said Work No. 6 shall within the like period either be removed or if the owner so requires be deposited on any lands belonging to the owner reasonably accessible for such purpose:

PART VI.
—cont.

- (5) The provisions of paragraphs (3) and (4) of this section shall be subject to the requirements of the local planning authority:
- (6) In its application to the Munden estate the definition of "protected source" contained in section 15 (For protection of existing sources of supply) of the Act of 1939 as extended and applied to this Act shall be deemed to include any borehole on that estate:
- (7) Any question or dispute under this section shall be determined by arbitration except that in the case of an arbitration under paragraph (3) of this section the arbitrator shall failing agreement be a chartered architect appointed by the President of the Chartered Surveyors' Institution.

80. Nothing in this Act shall authorise the development of any land or the erection of any buildings or the execution of any works in contravention of any requirements or restrictions imposed by or under any enactment as to the erection placing or making of buildings erections or excavations or the construction formation or laying out of means of access to or from any road or as to the submission of plans and specifications or the giving of notices to any authority:

Saving for
general
and local
enactments
&c.

Provided that this section shall not apply to or affect the execution by the Company of any works shown on the deposited plans and sections nor shall anything in this section deprive the Company of any exemption (whether absolute or conditional) to which they are entitled under any enactment referred to in this section.

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

Saving for
Water Act
1945.
8 & 9 Geo. 6.
c. 42.

PART VI.
—cont.Saving for
Town and
Country
Planning.22 & 23 Geo. 5.
c. 48.
6 & 7 Geo. 6.
c. 29.
7 & 8 Geo. 6.
c. 47.

82. For the purposes so far as applicable of 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 any enactment repealed by those Acts and for the time being in force this Act shall be deemed to have become law before the commencement of the said Town and Country Planning Acts 1932 and 1943 and the Town and Country Planning Act 1944.

Crown rights.

83. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

PART VII.

ADMINISTRATIVE AND MISCELLANEOUS.

Notice of
meetings.

84. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 notice of all meetings of the Company (whether ordinary or extraordinary) may (if the directors so determine) be given by letter sent by ordinary letter post to each shareholder instead of by public advertisement:

Provided that the letters giving the notice shall be directed according to the registered address or other known address of each shareholder and posted not later than seven clear days before the date of the meeting. In proving that any such notice has been given it shall be sufficient to prove that the letter containing the notice was properly addressed and posted as a prepaid letter not later than the time hereby prescribed.

Voting rights.

85.—(1) At all meetings of the Company every holder of ordinary stock shall have one vote for every fifty pounds of such stock.

(2) At all meetings of the Company after the date of conversion—

(a) every holder of four per centum consolidated preference stock; and

(b) every holder of preference stock to which voting rights are attached by any resolution creating the same passed before the date of conversion;

shall have one vote for every fifty pounds of such stock. No person other than such holders as are referred to in this subsection shall be entitled after the date of conversion to vote in respect of any preference stock forming part of the capital of the Company.

(3) No holder of stock of the Company shall have a greater number of votes than twenty-five.

86. Where a body corporate being a holder of ordinary or preference capital to which voting rights are attached is present at a meeting of the Company by a proxy who is not a holder of capital of the Company such proxy shall be entitled to vote for such body on a show of hands.

PART VII.

—cont.

As to voting
at general
meetings.

87. At any meeting of the Company a majority of votes shall only be required to be proved if a poll be demanded at the meeting and if a poll be not demanded at the meeting then a declaration by the chairman that the resolution has been carried and an entry to that effect in the book of proceedings of the Company shall be sufficient and conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the resolution.

Proof of
majority of
votes only
required
when poll
demanded.

88. If any director shall be made bankrupt or shall become of unsound mind or shall neglect to attend the meetings of directors for a period of twelve months (unless such neglect be occasioned by illness or other reasonable cause allowed by the directors) the office of such director shall become vacant and thenceforth he shall cease from voting or acting as a director.

Vacation
of office of
director.

89. Notwithstanding anything in the Companies Clauses Acts 1845 to 1889 it shall not be obligatory on the Company to keep registers of transfers of ordinary stock preference stock debenture stock and mortgages respectively so long as the Company in lieu of those registers shall keep a file of all transfers and evidences of transmission of any ordinary stock preference stock debenture stock or mortgages of the Company which are sent to them for registration in accordance with the provisions of those Acts.

Register of
transfers.

90.—(1) The directors may close the register of transfers of ordinary stock and preference stock of any class or any file of such transfers kept by the Company in lieu of any such register in pursuance of section 89 (Register of transfers) of this Act for a period not exceeding fourteen days previous to the directors' meeting at which the payment of any interim dividend is to be decided or, to the ordinary meeting at which any dividend is to be declared and may close the register of transfers of debenture stock or mortgages of the Company of any class or any file of such transfers kept by the Company in lieu of any such register in pursuance of the said section 89 for a period not exceeding fourteen days previous to the payment of any interest on any such debenture stock or mortgages and the directors may in any such case fix a day for the closing of any register or file which they are authorised to close under the provisions of this section Seven

Closing of
transfer books

PART VII.
—cont.

days' notice of the closing of any such register or file shall be given by advertisement in some newspaper published and circulating within the limits of supply.

(2) Any transfer of any ordinary stock preference stock or debenture stock or mortgages lodged for registration with the Company while the register or file of transfers relating to stock or mortgages of the same class is so closed shall as between the Company and the persons claiming under the transfer but not otherwise be considered as made subsequently to the payment of any such dividend or interest.

Company may
obtain copies
of valuation
list on
payment.

15 & 16 Geo. 5.
c. 90.

91.—(1) The rating authority of any area within the limits of supply shall on application furnish to the Company a copy of their current valuation list or of such part thereof or such entries therein as may be specified in the application and their clerk shall upon request certify any such copy in accordance with the provisions of section 43 of the Rating and Valuation Act 1925.

(2) In respect of every such copy the rating authority may demand a sum not exceeding five shillings for every hundred entries numbered separately and for the purposes of this subsection any number of entries less than a complete hundred shall be treated as a complete hundred.

Arbitration.

92. Where under this Act any question or dispute is to be referred to or determined by an arbitrator or arbitration then unless other provision is made the reference shall be to a single arbitrator to be agreed upon between the parties or failing agreement appointed by the President of the Institution of Civil Engineers on the application of any party to the dispute (after notice in writing to the other or others of them) and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to the reference.

Repeals.

93. The following enactments are hereby repealed:—

Colne Valley Water Act 1873—

- | | |
|------------|-----------------------------------------------|
| Section 14 | (Receipts for disqualified persons); |
| Section 15 | (Power to borrow on mortgage); |
| Section 16 | (Mortgages not to be converted into capital); |
| Section 18 | (Debenture stock); |
| Section 19 | (Interest on debenture stock); |
| Section 20 | (Priority of mortgages and debenture stock); |
| Section 21 | (Application of moneys); |
| Section 29 | (Votes of shareholders); |

Section 68 (Liability to water rent not to disqualify justices etc.): PART VII.
—cont.

Colne Valley Water Act 1885—

48 & 49 Vict.
c. cxxxiii.

Section 34 (Limiting power to acquire houses occupied by the labouring class);

Section 40 (As to votes of proprietors of such shares);

Section 41 (Power to borrow);

Section 42 (Existing mortgages to have priority);

Section 43 (Debenture stock);

Section 44 (Repealing existing provisions as to receiver);

Section 46 (Application of sums raised under this Act):

Colne Valley Water Act 1907—

7 Edw.7.
c. cxlv.

Section 6 (Holders of preference capital not to vote);

Section 8 (Dividends on different classes of ordinary capital to be paid proportionately to the amount paid up thereon);

Section 13 (Application of premium arising on issue of shares or stock);

Section 14 (Power to borrow);

Section 16 (Debenture stock);

Section 17 (Priority of mortgages and debenture stock over other debts);

Section 18 (Application of moneys):

Colne Valley Water Act 1922—

Section 57 (Abatement of dividends on ordinary capital);

Section 61 (Power to borrow);

Section 62 (Borrowing in respect of authorised capital);

Section 63 (Existing mortgages to have priority);

Section 64 (Debenture stock);

Section 65 (Priority of money raised on mortgage or debenture stock over other claims);

Section 69 (Receipt in case of persons not sui juris);

Section 70 (Application of money);

Section 72 (Application of existing capital);

Section 78 (Closing of transfer books):

PART VII.
—cont.

Colne Valley Water Act 1928—

- Section 20 (Revision of rates and charges);
- Section 24 (Power to borrow);
- Section 30 (Cisterns to be provided for high level supplies):

The Act of 1939—

- Section 78 (Power to borrow);
- Section 79 (Debenture stock);
- Section 81 (Priority of money raised on mortgage or debenture stock over other claims).

Costs of Act.

94. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company out of revenue.

THE SCHEDULE referred to in the foregoing Act.

STATEMENT OF CAPITAL.

Description of stock.	Maximum dividend per cent.	Nominal amount issued.	Net amount realised.	Remaining to be issued.	Total amount authorised.
" A " ordinary stock	10	£ 100,000	£ 100,000 0 0	—	£ 100,000
" B " ordinary stock	7	50,000	51,500 0 0	—	50,000
" C " ordinary stock	10	81,880	149,631 15 1	—	100,000
4 per cent. preference stock	4	18,120	20,486 11 9	—	240,000
" D " ordinary stock	7	178,430	238,705 18 2	—	
4 per cent. preference stock	4	232,420	184,331 8 3	—	300,000
5 per cent. preference stock	5	117,983	111,765 2 9	—	
" E " ordinary stock	7	372,430	505,197 10 10	—	500,000
" F " ordinary stock	7	133,030	216,583 9 4	—	
Ordinary or preference stock	—	—	583,416 10 8	—	800,000
		£1,284,293	£1,578,201 16 2	£583,416 10 8	£2,090,000

LOAN CAPITAL.

Description of stock.	Nominal amount issued.	Net amount realised.	Remaining to be issued.	Total amount authorised.
4 per cent. consolidated debenture stock	£ 469,320	£ 431,102 8 3	—	£ 1,129,174
3 per cent. redeemable debenture stock 1961	160,000	156,048 13 11	—	
4½ per cent. redeemable debenture stock 1949	99,840	98,609 9 6	—	400,014
Redeemable or consolidated debenture stock	—	—	400,014	
	£729,160	£685,760 11 8	400,014	£1,129,174

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