



CHAPTER xxxix

An Act to confirm a Provisional Order of the Minister of Housing and Local Government relating to the Colne Valley Sewerage Board. [28th March 1956.]

WHEREAS under the provisions of the Hertfordshire County Council (Colne Valley Sewerage &c.) Act 1937 the Minister of Housing and Local Government has made a Provisional Order which needs confirmation by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Order of the Minister of Housing and Local Government which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Confirmation of Order in schedule.

2. This Act may be cited as the Ministry of Housing and Local Government Provisional Order Confirmation (Colne Valley Sewerage Board) Act 1956. Short title.

SCHEDULE

COLNE VALLEY SEWERAGE BOARD

Provisional Order altering a local Act

THE Minister of Housing and Local Government in exercise of his powers under subsection (1) of section 118 of the Hertfordshire County Council (Colne Valley Sewerage &c.) Act 1937 and of all other powers enabling him in that behalf hereby orders as follows:—

Short title and commencement.

1. This Order may be cited as the Colne Valley Sewerage (No. 2) Order 1955 and shall come into operation on the date of the Act of Parliament confirming it.

Interpretation.

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

2.—(1) In this Order unless the context otherwise requires—

“the Act of 1937” means the Hertfordshire County Council (Colne Valley Sewerage &c.) Act 1937;

“the product of a penny rate” in relation to a constituent district means the amount produced by a rate of a penny in the pound levied in that constituent district calculated in the manner for the time being provided for the purposes of subsection (2) of section 9 of the Rating and Valuation Act 1925 and references to such product as estimated shall be construed as references to that product estimated in the manner aforesaid.

15 & 16 Geo.
5 c. 90.

(2) In this Order the several words and expressions to which meanings are assigned by the Act of 1937 shall unless the context otherwise requires have the same respective meanings.

Amendment of
Act of 1937.

3. Section 76 (Contributions by constituent authorities) of the Act of 1937 shall have effect in relation to any precepts issued by the Board thereunder in respect of any period beginning on or after the first day of April 1956 as if for subsections (2) and (3) thereof there were substituted the following provisions that is to say:—

“(2) Not less than six weeks before the commencement of each year the Board shall—

(a) make an estimate of the expenses to be defrayed out of the common fund in respect of interest on loans (after deduction of income tax) and the repayment of loans and also in respect of any payments to be made by the Board under the provisions of section 74 (As to borrowing by constituent authorities) and section 77 (Payment of loan charges of constituent authorities by Board) of this Act (all of which expenses are in this section referred to as “capital charges”);

(b) make an estimate of the expenses to be defrayed out of the common fund other than for capital charges and an estimate of the revenue to be received by the Board otherwise than under precept;

(c) apportion the amount of the estimate made under paragraph (a) above and of the balance of the estimates made under paragraph (b) above among the constituent

authorities in proportion to the estimated product of a penny rate for the next ensuing year in the several constituent districts;

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(d) issue precepts to the constituent authorities for each of the sums so apportioned to them respectively.

(3) The constituent authorities shall pay to the Board the sums so apportioned to them respectively by such instalments and on such dates as shall be specified in the precepts.

(3A) (a) For the purpose of enabling the Board to make the apportionments required by subsection (2) of this section each constituent authority shall as soon as may be in the year current at the commencement of the Colne Valley Sewerage (No. 2) Order 1955 and before the first day of January in each succeeding year transmit to the Board an estimate of the product of a penny rate in their constituent district for the next ensuing year.

(b) Where any constituent authority fails to transmit an estimate as aforesaid the Board may for the purposes of this section make such estimate themselves.

(3B) As soon as reasonably practicable after the end of each year—

(a) each constituent authority shall transmit to the Board a statement of the product of a penny rate in the constituent district for that year;

(b) the Board shall ascertain the amount of the expenses which have been defrayed out of the common fund in that year in respect of capital charges and shall—

(i) apportion that amount; and

(ii) reapportion the amount of the balance of the estimates made under paragraph (b) of subsection (2) of this section for that year;

among the constituent authorities in proportion to the product of a penny rate in the several constituent districts for that year;

(c) the Board shall thereupon deliver to each constituent authority a demand for the sums apportioned and reapportioned to them under the last foregoing paragraph and such demand shall distinguish the parts of the sum so apportioned which are attributable to interest (after deduction of income tax if any) and the repayment of loans respectively.

(3C) The difference between the total of the sums so demanded of any constituent authority in respect of any year and of the sums paid by that authority under precept as aforesaid for that year shall be paid to or by the Board by or to the authority (as the case may require) within a period of six weeks after the delivery of the demand.

(3D) Any difference between the aggregate of the contributions made by the constituent authorities in pursuance of this section in respect of any year and the total amount of the

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SCH.
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expenses defrayed by the Board out of the common fund in that year shall be carried forward and credited or debited (as the case may require) to that fund in the next year subject to the retention of such reasonable sum as may be required by the Board for working capital.”

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