



## CHAPTER liv.

An Act to make further provision in regard to the water and gas undertakings of the urban district council of Bedwellty and the health local government and improvement of their district to consolidate the rates of the district and for other purposes. [31st July 1925.]

A.D. 1925.

**W**HEREAS the urban district of Bedwellty in the county of Monmouth (in this Act referred to as "the district") is an urban district within the meaning of the Local Government Act 1894 and is under the management and control of the urban district council of Bedwellty (in this Act referred to as "the Council"):

And whereas by an agreement made the seventeenth day of June one thousand nine hundred and twenty between the urban district council of Tredegar (hereinafter referred to as "the Tredegar Council") of the one part and the Council of the other part which was scheduled to and confirmed by the Tredegar Urban District Council Act 1920 provision was made for the cancellation of a prior agreement for the supply by the Tredegar Council to the Council of water in bulk as from the date when the Tredegar Council should be able to supply to the Council a quantity of filtered water for domestic and other purposes to the extent of four hundred thousand gallons per day at least upon the terms and conditions therein contained and as from such date the Tredegar Council undertook to supply and the Council agreed to take in perpetuity a minimum daily quantity of four hundred

A.D. 1925. — thousand gallons of filtered water for domestic or other purposes within the then existing water limits of the Council in the district and the Council were required to pay therefor a certain yearly rent of four thousand two hundred and fifty-eight pounds six shillings and eight-pence in respect of four hundred thousand gallons of water per day whether such quantity should be taken or not and in addition to the said yearly rent a further sum of four pence halfpenny for each one thousand gallons of water which should be supplied and taken in any one day over and above the said quantity of four hundred thousand gallons but the Tredegar Council were to be under no obligation to supply or the Council to take such additional quantity :

And whereas by the Rhymney Valley Water Act 1921 the water limits of the Council were restricted and the waterworks vested in or belonging to the Council exclusively for the purposes of or in connection with the supply and distribution of water within the portion of the district situate within the watershed of the Rhymney Valley were transferred to and vested in the Rhymney Valley Water Board leaving only within the water limits of the Council that part of the district which is situated within the watershed of the Sirhowy Valley and by reason of the change of circumstances resulting from the said transfer which were not within the contemplation of the parties to the said agreement the Council are now precluded by the provisions of the said agreement from supplying for use and consumption within the said portion of the district so much of the minimum quantity of water which they are required to take from the Tredegar Council or pay for as is in excess of the requirements of the part of the district which is situate within the watershed of the Sirhowy Valley :

And whereas it is expedient that the supplemental agreement between the Tredegar Council and the Council of which a copy is set forth in the First Schedule to this Act should be confirmed :

And whereas it is expedient that better provision should be made with reference to streets buildings sewers and drains within the district and that the powers of the Council in relation to the health local government and improvement of the district should be enlarged as by this Act provided :

And whereas the district is co-terminous with the parish of Bedwelty and it is expedient to constitute the Council the overseers of such parish and to make provision for the consolidation of the rates levied in the district:

A.D. 1925.

And whereas it is expedient that further borrowing powers for the purposes of this Act and for the other purposes hereinafter referred to should be conferred upon the Council:

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

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

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed:

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.—(1) This Act may be cited as the Bedwelty Urban District Council Act 1925.

Short and collective titles.

(2) The Bedwelty Urban District Council Act 1912 the Bedwelty Urban District Council Act 1919 and this Act may be cited together as the Bedwelty Urban District Council Acts 1912 to 1925.

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

Act divided into Parts.

Part I.—Preliminary.

Part II.—Water and gas.

Part III.—Streets buildings sewers drains &c.

Part IV.—Infectious diseases and sanitary provisions.

Part V.—Rating.

Part VI.—Finance.

Part VII.—Miscellaneous.

And shall except as otherwise provided come into operation on the passing of this Act.

A.D. 1925.  
Incorporation of  
Lands  
Clauses  
Acts.

3. The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845 and except the provisions with respect to the taking of lands otherwise than by agreement (so far as the same are applicable for the purposes of and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act.

Interpretation.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith and by the Public Health Act 1875 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

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

“The district” means the urban district of Bedwellty;

“The Council” means the urban district council of the district;

“The parish” means the parish of Bedwellty;

“The overseers” means the overseers of the parish and includes the Council when acting as such overseers in pursuance of this Act;

“The poor rate” means the poor rate of the parish;

“The consolidated rate” means the poor rate as by this Act authorised to be levied and collected;

“The clerk” “the surveyor” “the medical officer” and “the sanitary inspector” mean respectively the clerk the surveyor the medical officer of health and the sanitary inspector of the Council and respectively include any person duly authorised to discharge temporarily the duties of those offices;

“The district fund” and “the general district rate” mean respectively the district fund and the general district rate of the district;

“The Act of 1912” means the Bedwellty Urban District Council Act 1912;

“The Act of 1919” means the Bedwellty Urban District Council Act 1919;

“Child” means a person under the age of fourteen years;

“Daily penalty” means a penalty for each day on which any offence is continued by a person after conviction; A.D. 1925.

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Council;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed.

## PART II.

### WATER AND GAS.

5. The agreement made the thirtieth day of June one thousand nine hundred and twenty-five between the Council of the one part and the urban district council of Tredegar of the other part set forth in the First Schedule to this Act is hereby confirmed and made binding on the parties thereto. Confirmation of agreement with Tredegar Urban District Council.

6. Notwithstanding the provisions of section 70 of the Waterworks Clauses Act 1847 the Council may from time to time by resolution declare that all or any of the rates rents and charges which they are by the Act of Dates for payment of water rates &c.



A.D. 1925. 1912 authorised to demand and make shall commence and be payable at such time or times and be collected by the overseers either together with or separately from the consolidated rate or by such other persons and in such other manner as the Council may by any such resolution determine. Provided nevertheless that nothing herein contained shall authorise the Council to collect any rate rent or charge under this Act more than three months in advance.

Deficiencies  
in revenue  
of Rhymney  
Valley  
Water  
Board.

7. Section 94 (Separate assessments in parts of certain urban districts) of the Rhymney Valley Water Act 1921 shall as from the thirty-first day of March one thousand nine hundred and twenty-six cease to apply to the Council in respect of the amount of any deficiency in the net revenue of the Rhymney Valley Water Board payable by the Council in pursuance of section 92 (Apportionment of deficiency in net revenue of board) of the said Act and notwithstanding anything in either of the said sections contained any such amount shall be raised by a rate to be levied as an additional item of the consolidated rate. Provided always that the amount in the pound of the rate so levied as an additional item of the consolidated rate in respect of hereditaments situate in such part of the district as is outside the watershed of the River Rhymney as shown on the map referred to in section 49 (Limits of supply) of the said Act shall be three-fourths of the amount in the pound of the rate for the time being levied as an additional item for the said purpose in respect of hereditaments situate in such part of the district as is within the said watershed.

Sale of gas  
mains &c. in  
Gelligaer.

8.—(1) The Council may sell and the Rhymney and Aber Gas Company may purchase on such terms as may be mutually agreed the whole or any part of the mains pipes and other apparatus used by the Council for the purpose of supplying gas in such part of the Rhymney Valley within the urban district of Gelligaer as is situate between the Abertwsswg Brook on the north and the Cefn Brithdir Colliery pit on the south.

(2) Upon such sale and purchase being carried into effect the said part of the urban district of Gelligaer shall be excluded from the limits of the Council for the supply of gas as defined by section 48 (Gas limits) of the Act of 1912 and shall be included within the limits for the supply of gas of the Rhymney and Aber Gas Company

and the provisions of the various Acts and Orders relating to the supply of gas within the existing limits of that company shall apply to such part. A.D. 1925.

### PART III.

#### STREETS BUILDINGS SEWERS DRAINS &C.

9.—(1) Whenever application shall be made to the Council to approve the formation of a new street on any estate or lands it shall be lawful for the Council to require that the new street shall be formed of such width as the Council shall require : Width of  
new streets.

Provided that in the event of the Council requiring any new street to be of any greater width than the following (in this section referred to as "the prescribed width") namely—

(a) in the case of a new street which in the opinion of the Council will form a main thoroughfare or a continuation of a main thoroughfare or means of communication between main thoroughfares in the district or a continuation of a main approach or means of communication between main approaches to the district sixty feet; or

(b) in the case of any other new street the width required for such street by any Act or byelaw for the time being in force within the district;

the Council shall purchase from the owner of such estate or lands and such owner shall sell to the Council any additional land necessary to make such new street of such greater width as aforesaid and shall also make compensation to such owner for any loss or damage sustained by him by reason of the Council requiring the street to be of such greater width as aforesaid.

(2) The compensation payable by the Council in respect of any such additional land as aforesaid shall in default of agreement be a sum equal to the pro rata proportion of the amount which shall at the date on which the Council require the new street to be of such greater width be the value of so much of the undeveloped land of the same owner as is or will be developed or improved by the intended works of street formation on the estate of which such additional land forms part.

A.D. 1925.

(3) If by reason of the Council requiring any new street to be of any such greater width as aforesaid any land of any owner adjoining such new street will be or has become so reduced in area that it cannot having regard to the provisions of any Act or byelaw in force within the district be used for building purposes and such owner shall within three months from the date of his receiving notice of such requirement give to the Council written notice so desiring the Council shall in lieu of paying such owner compensation as aforesaid purchase from such owner and such owner shall sell to the Council such reduced area of land and the compensation payable in respect of any such reduced area as aforesaid shall be the amount which shall be the value thereof at the date on which the Council require the new street to be of such greater width.

(4) The amount of any compensation payable under this section and any difference thereunder as to whether any land has become so reduced in area as aforesaid shall in default of agreement be determined by arbitration in accordance with the provisions of the Acquisition of Land (Assessment of Compensation) Act 1919 but in estimating the amount of any such compensation the benefit accruing to the property of which such additional land forms part by reason of the street being of such greater width shall be fairly estimated and set off against such compensation.

(5) Nothing contained in this section shall require an owner to incur any greater expense in the execution of any street works than he would have been required to incur if the new street had been of no greater width than the width required for such street under any byelaw for the time being in force within the district and any additional expense incurred in the execution of street works by reason of the new street being of such greater width shall be borne by the Council.

Byelaws as  
to inter-  
secting  
streets.

10. The power of the Council to make byelaws with respect to new streets under the provisions of section 157 of the Public Health Act 1875 shall extend to enable them to require intersecting streets in connection with the laying out of new streets at such intervals as the byelaws may determine For the purposes of this section the expression "intersecting street" means a side or cross street forming a junction with another street.



**11.** The Council may provide and maintain orderly bins or other receptacles for the collection and temporary deposit of street refuse and waste paper and the storage of sand grit or cinders in upon or under the streets of the district of such dimensions and in such positions as the Council may from time to time determine : A.D. 1925.  
—  
Street or-  
derly bins.

Provided that the Council shall not place or maintain any bin or receptacle in such a position as to interfere with or render less convenient the access to or exit from any station or depôt of a railway company nor except with the consent in writing of that company on any bridge carrying any street or road over the railways of such company.

**12.** The Council may erect or fix street fire alarms in such positions in any street road or public place within the district as they think fit Provided that nothing in this section shall authorise the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869. Fire alarms.

**13.—(1)** Before any person shall erect on any land a retaining wall of greater height than six feet abutting on or adjacent to or within twelve feet of any street or road he shall submit to the Council plans sections and specifications thereof and no such wall shall be erected except in accordance with such plans sections and specifications as approved by the Council. As to erection of retaining walls.

(2) Any person who shall erect a retaining wall contrary to the provisions of this section or any owner who after erection shall after reasonable notice in writing from the Council requiring him so to do fail to put such wall in proper repair shall without prejudice to any other right or remedy of the Council be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

**14.** If any drain (including any joint or combined drain) shall not be well and sufficiently maintained and kept in good repair to the satisfaction of the Council it shall be lawful for the Council if in their opinion such drain can be sufficiently repaired at a cost not exceeding thirty pounds to cause the same to be repaired and the expenses of such repairs may be recovered by them from the owner or owners thereof in such proportions as the surveyor shall determine Provided that where such As to repair of private drains.

A.D. 1925.

expenses do not exceed twenty shillings the Council may remit the payment of the same by the owner or owners if they think fit.

Prohibiting  
entry of  
petrol &c.  
into sewers.

**15.**—(1) Every person who wilfully or negligently turns or permits to enter into any sewer of the Council or any drain communicating therewith any petroleum spirit or carbide of calcium from any workshop motor garage or other like premises shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds.

(2) In this section the expression “petroleum spirit” means such crude petroleum oil made from petroleum coal shale peat or other bituminous substances and other products of petroleum and mixtures containing petroleum as when tested in manner set forth in the First Schedule to the Petroleum Act 1879 gives off an inflammable vapour at a temperature of less than seventy-three degrees of Fahrenheit’s thermometer.

Provisions  
as to com-  
bined drain-  
age for two  
or more  
houses.

**16.** The powers given by section 19 of the Public Health Acts Amendment Act 1890 in relation to two or more houses belonging to different owners shall extend and apply to two or more houses belonging to the same owner.

Partial  
saving as to  
railway  
companies.

**17.** Nothing in this Part of this Act except the section of which the marginal note is “Prohibiting entry of petrol &c. into sewers” shall extend or apply to any building (not being a dwelling-house) railway or work constructed by or belonging to or which may hereafter be constructed by or belong to any railway company in the exercise of their statutory powers or to any lands held or acquired or which may hereafter be held or acquired by any such company and used for the purposes (other than for a dwelling-house) of their undertaking with the authority of Parliament.

#### PART IV.

#### INFECTIOUS DISEASES AND SANITARY PROVISIONS.

Power to  
close Sun-  
day schools  
and exclude  
children  
from enter-  
tainments.

**18.**—(1) If the Council or any committee of the Council acting on the advice of the medical officer with the view of preventing the spread of infectious disease in the district require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time or the exclusion

of children from places of public entertainment or assembly for a specified time such requirement shall be at once complied with. A.D. 1925.

(2) Any person responsible for the conduct or management of any school or any department thereof or place of public entertainment or assembly wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding twenty shillings.

(3) For the purposes of this section the expression "infectious disease" includes measles German measles whooping cough chicken pox and influenza and the expression "Sunday school" means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether or not on a Sunday.

**19.**—(1) If the owner of any dwelling-house or premises occupied therewith represents to the Council that the occupier of such dwelling-house or premises habitually maintains the same in a filthy condition any officer of the Council duly authorised in that behalf may enter upon such dwelling-house or premises and inspect the same and if the Council are satisfied of the truth of the representation of such owner the occupier shall be liable on the information of the medical officer to a court of summary jurisdiction to be ordered to quit the dwelling-house or premises within such time as may be specified in the order and any such order may be enforced in the manner provided by section 34 of the Summary Jurisdiction Act 1879. As to filthy premises.

(2) Any expenses incurred by the Council under this section and not paid by the occupier shall be recoverable from the owner of the dwelling-house or premises.

**20.**—(1) If the medical officer or sanitary inspector has reasonable cause to suppose that any house is infested with vermin he may enter into such house and may inspect and examine the same and any articles therein for the purpose of ascertaining whether such house is infested with vermin. Houses infested with vermin to be cleansed.

(2) Where on the certificate of the medical officer or sanitary inspector it appears to the Council that any house is infested with vermin the Council shall give notice in writing to the occupier of such house or if the same be vacant to the owner thereof requiring him within a period

A.D. 1925. to be specified in such notice to cleanse such house or the portion thereof specified in the notice and any articles therein and if so required in the notice to remove the wall paper or other covering from the walls of such house or the portion thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable to a penalty not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Council may if they think fit at any time after the expiration of the period specified in the notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Council in so doing shall (subject as hereinafter provided) be recoverable from the person making the default.

(4) Every person who shall wilfully obstruct any authorised officer or servant of the Council in carrying out the provisions of this section shall be liable to a penalty not exceeding forty shillings.

(5) Upon any proceedings under this section the court may inquire as to whether any requirement contained in any notice given or any work done by the Council was reasonable and as to whether the costs and expenses incurred by the Council in doing such work or any part thereof ought to be borne wholly or in part by the person to whom notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

(6) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation and the word "vermin" includes bugs fleas lice and itchmites and their eggs larvæ and pupæ.

Cleansing of children and their clothing.

**21.**—(1) The medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may within the district examine the person and clothing of any child (other than children in boarding schools including reformatory and industrial schools) and if on examination the medical officer or any such authorised person as aforesaid shall be of opinion that the person or clothing of any such child is infested

A.D. 1925.

with vermin or is in a foul or filthy condition the medical officer may give notice in writing to the parent or guardian or other person who is liable to maintain or has the actual custody of such child requiring such parent guardian or other person to cleanse properly the person and clothing of such child within twenty-four hours after the receipt of such notice.

(2) If the person to whom any such notice as aforesaid is given fails to comply therewith within the prescribed time the medical officer or some person provided with and if required exhibiting the authority in writing of the medical officer may remove the child referred to in such notice and may cause the person and clothing of such child to be properly cleansed in suitable premises and with suitable appliances and if necessary for that purpose may without any warrant other than this Act convey to such premises and there detain such child until such cleansing is effected.

(3) Where after the person or clothing of a child has been cleansed under the provisions of this section it is again necessary by reason of the neglect or default of the parent guardian or other person who is liable to maintain or has the actual custody of the child to proceed under this section the parent guardian or other person shall on summary conviction be liable to a fine not exceeding ten shillings.

(4) The examination or cleansing of females under this section shall only be effected either by a registered medical practitioner or by a female person being a member of the staff of the medical officer.

(5) Any notice required to be given under this section shall be deemed to be properly served by giving it to the person to whom it is addressed or leaving it for him with some inmate of his residence or by sending the same by post in a registered letter to his usual or last known residence. In any such notice it shall be sufficient to designate the person to be served as the parent guardian or other person liable to maintain or having the actual custody of the child whose person or clothing requires to be cleansed.

**22.**—(1) The Council may from time to time provide free of charge temporary shelter or house accommodation with any necessary attendants and apparatus for cleansing and freeing from vermin the person and clothes of any

Cleansing of  
verminous  
persons.



A.D. 1925.

person who shall be certified by the medical officer to be infested with vermin or in a foul or filthy condition or suffering from any contagious or infectious disease of the skin and may on the certificate of the medical officer cause any such person who consents to leave his house or whose parent or guardian (where the person is under the age of sixteen) consents to his leaving the house to be removed therefrom to such temporary shelter or house accommodation for the purpose of disinfecting and cleansing his person and clothing and in the like case and on the like certificate may cause any such person who or (where the person is under the age of sixteen) whose parent or guardian does not consent to his leaving the house to be removed therefrom to and detained in any such temporary shelter or house accommodation where a court of summary jurisdiction on the application of the Council and on being satisfied of the necessity of the removal and detention make an order for the removal and detention subject to such conditions (if any) as are imposed by the order. The Council shall in every case cause the removal and detention to be effected and the condition of any order satisfied without charge to the person removed or to the parent or guardian of that person.

(2) Any person who wilfully disobeys or obstructs the execution of an order under this section shall be liable to a penalty not exceeding five pounds.

(3) The examination or cleansing of females under this section shall only be effected either by a registered medical practitioner or by a female person being a member of the staff of the medical officer.

(4) If any person at the request of the Council or under an order of such court shall cease his employment in order to comply with such order the Council may and in case of an order of the court shall make compensation to him for any loss he may suffer thereby.

(5) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation.

(6) This section shall not apply to any child.

**23.** Any person who being in charge of the body of any person who has died from any infectious disease shall permit or allow any other person unnecessarily to come into contact with such body shall be liable to a penalty not exceeding five pounds.

For prevent-  
ing contact  
with body of  
person who  
has died of  
infectious  
disease.

**24.**—(1) The owner of any dwelling-house erected after the passing of this Act which is not provided with a proper and sufficient water supply within such dwelling-house who shall occupy or allow to be occupied such dwelling-house shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

A.D. 1925.

—  
As to houses without water supply.

(2) Section 40 (Provisions as to houses without water supply) of the Act of 1912 is hereby repealed.

**25.**—(1) Public notice of the foregoing provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the district and by a notice affixed outside the Council offices and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained.

Public notice to be given of provisions of this Part of Act.

(2) Copies of the newspapers containing the advertisement shall be sufficient evidence that the provisions of this section so far as they relate to advertisements in newspapers have been complied with and the production of a certificate signed by an officer or servant of the Council that the notice required by this section has been affixed outside the Council offices and that handbills have been distributed amongst persons affected or likely to be affected so far as such persons could readily be ascertained shall be sufficient evidence that the other provisions of this section have been complied with.

**26.**—(1) It shall not be lawful for any collector of or dealer in rags or bones or similar articles or any person carrying on the business of rag and bone merchant or any person acting on behalf of any such person as aforesaid to sell or distribute any article of food or clothing or any bladder or balloon inflated or capable of inflation by human breath from any cart barrow or other vehicle used for the collection of rags bones or similar articles or in or from any shop or premises used for or in connection with the business of rag and bone merchants.

Rag and bone dealers not to sell food or bladders and balloons.

(2) Every person who shall offend against this section shall be liable to a penalty not exceeding five pounds.

**27.**—(1) Any person who in the manufacture storage or preparation for sale of sausages pressed cooked or pickled meat or other similar commodity does any act or thing likely to expose such commodity to infection

As to contamination of sausages and other foods.

A.D. 1925.

or contamination or omits to take any proper precaution for the due protection of such commodity from infection or contamination shall be liable for every such offence to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) No person shall be convicted of an offence under this section unless before the commission of the offence with which he is charged he shall have had written notice that such an act or thing as the one complained of is an offence against this section.

Conditions applicable to premises used for sale &c. of food.

**28.**—(1) The following provisions shall apply to any room shop or other part of a building in which any food (other than meat to which the Public Health (Meat) Regulations 1924 apply) is sold or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale (that is to say):—

- (a) No urinal water-closet earth-closet privy ashpit or other like sanitary convenience shall be within such room shop or other part of the building or shall communicate therewith except through the open air or through an intervening ventilated space;
- (b) No drain or pipe for carrying off faecal or sewage matter shall have any inlet or opening within such room shop or other part of the building and no gully or water-closet shall be placed in such a position that offensive odours from such gully or water-closet can gain access to such room shop or other part of the building;
- (c) Refuse or filth whether solid or liquid shall not be deposited or allowed to accumulate in any such room shop or other part of the building except so far as may be reasonably necessary for the proper carrying on of the trade or business;
- (d) Such room shop or other part of the building and the walls and ceilings thereof shall be white-washed cleansed or purified at reasonable intervals and whenever so required by the Council on the report of the medical officer or the sanitary inspector and all articles apparatus and utensils therein shall at all times be kept clean and wholesome and due cleanliness shall be observed by persons engaged in such room shop or other part of the building.

A.D. 1925.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of the building wherein any of the conditions prohibited by this section exist or does or knowingly permits any act or thing therein in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not apply to any factory within the meaning of the Factory and Workshop Act 1901.

**29.**—(1) No room shop or other part of a building in which any food is sold or prepared or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale shall be used as a sleeping place.

Places used for storage &c. of human food not to be used as sleeping places.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part of a building as a sleeping place in contravention of this section he shall be liable to a penalty not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The medical officer and the sanitary inspector and any other officer duly authorised by the Council in that behalf shall be entitled at all reasonable times to enter into and inspect any premises on which he suspects that there is any contravention of the provisions of this section and any person refusing such entry or inspection or obstructing any such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

**30.**—(1) Any premises used or proposed to be used for the preparation or manufacture of potted or preserved meat fish or other food intended for the purposes of sale shall be registered by the owner or occupier thereof with the Council from time to time and no premises shall be used for the purposes aforesaid unless the same are registered as aforesaid.

Registration of premises used for manufacture &c. of potted meats.

(2) Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

A.D. 1925.

(3) Provided that the provisions of this section shall have no application to any premises occupied as a factory or workshop of which notice is required by subsection (1) of section 127 of the Factory and Workshop Act 1901 to be given or shall in any way affect the operation of that Act.

(4) This section shall not apply to any premises used as a hotel restaurant or club.

Byelaws as to food.

**31.** The Council may make byelaws for promoting sanitary and cleanly conditions in the manufacture preparation storage transport or exposure for sale of any article intended to be sold for the food of man Provided that before confirming any byelaws made as regards any business carried on in any factory or workshop to which the Factory and Workshop Acts apply the Minister of Health shall consult the Secretary of State :

Provided also that at least one month before applying to the Minister of Health for confirmation of any byelaws made under this section applicable to the storage or transport by a railway company of any article intended for the food of man the Council shall give to the company affected notice of their intention to make such application accompanied by a copy of the proposed byelaws and the company shall be entitled to make representations to the Minister of Health with regard thereto.

Larders to be provided.

**32.—**(1) Every dwelling-house erected after the passing of this Act shall be provided with sufficient and properly ventilated food storage accommodation and any owner who shall occupy or allow to be occupied any such dwelling-house not so provided shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(2) (a) Every dwelling-house erected before the passing of this Act shall where reasonably practicable be provided with sufficient and properly ventilated food storage accommodation and any owner who shall occupy or allow to be occupied any such dwelling-house which can reasonably be so provided but which is not so provided after one month's notice from the Council requiring the same to be done shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(b) Any owner aggrieved by any requirement of the Council under this subsection may appeal to a court of



summary jurisdiction within seven days after the service of such notice provided he give twenty-four hours' written notice of such appeal and of the grounds thereof to the clerk and the court shall have power to make such order as the court may think fit and to award costs. Notice of the right of appeal shall be endorsed on every requirement of the Council under this subsection.

A.D. 1925.

(c) If in any case the owner alleges that the occupier of any dwelling-house in respect of which any work is required to be executed under the provisions of this subsection ought to bear or contribute to the expenses of the execution of such work he may apply to a court of summary jurisdiction and such court shall have power to make such order as the court may think fit.

**33.**—(1) The provisions of section 131 of the Public Health Act 1875 shall be extended so as to enable the Council to subscribe to any hospital infirmary nursing institution nursing association or other institution or association of a similar character any sums not exceeding in the aggregate in any year the amount which would be produced by the levying of a general district rate of one halfpenny in the pound.

Subscriptions to hospitals and other institutions.

(2) Subsection (1) of section 133 (Power to Council to subscribe to hospitals and other institutions) of the Act of 1912 is hereby repealed.

## PART V.

### RATING.

**34.** This Part of this Act shall save as herein otherwise expressly provided come into operation as from the first day of April one thousand nine hundred and twenty-six.

Commencement of this Part of Act.

**35.**—(1) Notwithstanding anything to the contrary contained in any Act or Order from and after the commencement of this Part of this Act the Council shall be the overseers of the parish and all powers duties and liabilities exerciseable by or attaching to overseers shall be exerciseable by and extend and apply to the Council acting as overseers:

Council to be overseers.

Provided that:—

(a) Any person designated by the Council as hereinafter mentioned to perform duties in

A.D. 1925.  
—

relation to the preparation of the jurors' book and the register of electors shall have the powers and duties and be subject to the liabilities of overseers under the enactments relating to these subjects;

- (b) In the application to the parish of section 54 of the Poor Law Amendment Act 1834 the said section shall be read and construed as if for the references therein to any overseer there were substituted references to any guardian representing any ward of the parish;
- (c) In the application to the parish of sections 13 to 16 and section 20 of the Lunacy Act 1890 and section 2 of the Lunacy Act 1891 the said sections shall be read and construed as if references therein to an overseer had been omitted therefrom;
- (d) The clerk shall have the powers and duties and be subject to the liabilities of an overseer or overseers with respect to the matters specified in the Second Schedule to this Act and any other powers and duties of an overseer or overseers with respect to matters similar in character to the matters specified in the said Second Schedule which may be transferred to the clerk by order of the Minister of Health who is hereby empowered to make any such order accordingly.

(2) The overseers of the parish shall go out of office at the commencement of this Part of this Act.

(3) Separate accounts shall be kept of the transactions of the Council acting as the overseers and the enactments relating to the audit of the accounts of overseers shall apply to such separate accounts.

(4) (a) After the thirty-first day of March one thousand nine hundred and twenty-six every precept issued by the guardians of the poor of the Bedwelty Union for the purpose of obtaining money which is ultimately to be raised by the Council acting as overseers out of the consolidated rate to be raised within the district under the provisions of this Act shall be sent to the Council at their office addressed to the Council or the clerk.

(b) Any document required to be signed by the overseers may be signed by the clerk. A.D. 1925.

(5) References in any Act to the overseers shall be construed as references to the Council and the legal interest in all property vested in the overseers (other than property connected with the affairs of the church or held for an ecclesiastical charity within the meaning of the Local Government Act 1894) shall vest in the Council.

(6) Where the overseers as such are either alone or jointly with any other persons trustees of any parochial charity such number of members of the Council or other persons not exceeding the number of the overseer trustees as the Council may appoint shall be trustees in their place.

**36.**—(1) The Council may appoint and remove such officers as they deem necessary to assist in the discharge of the duties of overseers and may fix the remuneration to be paid to such officers.

As to appointment of officers to assist overseers.

(2) The registration officer may before the preparation of the spring and autumn registers in any year require the Council to designate one or more of the assistant overseers or other officers appointed under this section to perform the duties of the overseers in relation to the preparation of the registers of electors in that year and the registration officer may also before the preparation of the autumn register give a similar requirement in relation to the preparation of the jurors' book and the Council shall forthwith comply with any such requirement of the registration officer. The remuneration of or expenses incurred by any such officer in respect of the performance of such duties shall continue to be payable in accordance with the provisions of the enactments relating to these subjects.

(3) (a) Any assistant overseer appointed by the Council and all officers appointed or to be appointed by the Council to assist in the discharge of the duties of the overseers shall give such security to the Council for the due performance of their duties as may be required by the Council and the district auditor appointed by the Minister of Health shall report thereon annually to the Council and such securities shall be deposited with the Council and not with the guardians of the poor of the Bedwellty Union.

A.D. 1925.

(b) Assistant overseers appointed by the Council shall not be required to give security to the guardians of the poor of the Bedwellty Union under section 61 of the Poor Law Amendment Act 1844.

Expenses of Council to be paid out of consolidated rate.

37. Instead of making assessing and levying a general district rate for the purpose of defraying the expenses chargeable on the district fund which that fund is insufficient to meet the Council shall acting as the overseers raise by the poor rate and pay to the district fund out of the poor rate the sum which the Council would have raised by a general district rate if this Part of this Act had not been enacted.

Poor rate to be called "the consolidated rate."

38. The poor rate (inclusive of the contributions to the district fund levied in pursuance of the provisions of this Act) shall be called "the consolidated rate" but except as expressly provided by this Act that rate shall continue to be subject to all Acts passed and to be passed relating to the poor rate and to be made assessed levied and recovered as the poor rate.

Water rent may be collected with consolidated rate.

39.—(1) Any water rent or charge payable to the Council may be collected together with the consolidated rate and the same books may be used for the said rents charges and rates.

(2) The consolidated rate and the demand note and any other necessary documents to be used for the purposes of or in connection with the consolidated rate and any water rent or charge to be collected therewith shall be in such form as the Minister of Health may from time to time prescribe.

Application of Poor Rate Assessment and Collection Act 1869.

40. The following provisions shall have effect in the application of the Poor Rate Assessment and Collection Act 1869 (in this section called "the said Act") within the district and the parish:—

(1) The Council shall be substituted for and have all the powers of the vestry in and in relation to the provisions of the said Act:

(2) Ten pounds shall be substituted for eight pounds in sections 3 and 4 of the said Act and the said sections shall apply to hereditaments let in separate apartments and hereditaments in respect of which the rents become payable or are collected at any shorter period than quarterly in the same way as it applies to hereditaments

whereof the rateable value does not exceed ten pounds : A.D. 1925.

- (3) The abatement and deduction and the further abatement and deduction to be allowed under section 4 of the said Act of fifteen per centum and not exceeding fifteen per centum respectively shall be of such amounts not exceeding fifteen per centum and not exceeding fifteen per centum respectively as the Council may from time to time determine :
- (4) The amount of such commission or abatement and deduction as aforesaid may vary according to the rateable value of the hereditament to which for the time being it shall be determined by the Council to apply but save as aforesaid such amount shall be the same for the time being in the case of all hereditaments for the time being of a like rateable value :
- (5) The words " within such period as the Council may determine not being less than three months after the rate has been demanded " shall be substituted for the words " before the fifth day of June in any year " in section 5 of the said Act and the words " previously to the preceding fifth day of January " shall be omitted :
- (6) Notwithstanding anything in this Act contained the provisions of this section shall come into operation on the passing of this Act but so that any resolution thereafter passed by the Council under the said provisions and any agreement with or notice by any owner thereafter made or given under either of the said sections 3 and 4 of the said Act shall not take effect until after the commencement of this Part of this Act and any agreement with or notice given by any owner under either of the said sections in force at the passing of this Act shall be and the same is hereby determined on and from the commencement of this Part of this Act.

41. The provisions contained in this section shall have effect with respect to the consolidated rates to be made and levied by the overseers (that is to say) :—

Differential consolidated rate in certain cases.

- (1) The owner of any tithes or any tithe commutation rentcharge or the occupier of any land used as



A.D. 1925.  
—

arable meadow or pasture ground only or as woodlands allotments orchards market gardens or nursery grounds and the occupier of any land covered with water or used only as a canal or towing path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed to the consolidated rate in respect of such hereditaments on the full rateable value thereof but (subject as next hereinafter provided) shall be liable to pay in each year in respect of such hereditaments a rate calculated on the basis of seventy per centum only of the amount in the pound of the rate payable in respect of hereditaments not within the provisions of this section :

Provided that during the continuance of the Tithe Rentcharge (Rates) Act 1899 such Act shall have effect within the district as if the following provision were substituted for section 1 thereof (that is to say):—

“ The owner of tithe rentcharge attached to a benefice shall be liable to pay only forty-seventieths of the amount payable under subsection (1) of the section of the *Bedwellty Urban District Council Act 1925* of which the marginal note is “ *Differential consolidated rate in certain cases* ” in respect of any rate which is assessed on him as owner of that tithe rentcharge and the remaining thirty-seventieths thereof shall on demand being made by the collector of the rate on the surveyor of taxes for the district or any income tax district therein be paid by the Commissioners of Inland Revenue out of the sums payable by them to the local taxation account on account of the estate duty grant.”

(2) Provided also that—

(a) During the continuance of the *Agricultural Rates Act 1896* and of the *Agricultural Rates Act 1923* the occupier of any agricultural land as defined in the first named Act shall be liable to pay in each year in respect of such land a rate calculated on the basis of only twenty-five per centum of the amount in the

pound of the rate payable in respect of hereditaments not within the provisions of this section;

A.D. 1925.

(b) In the event of the Agricultural Rates Act 1923 being discontinued during the continuance of the Agricultural Rates Act 1896 such occupier shall as from such discontinuance and during the continuance of such last-mentioned Act be liable to pay in each year in respect of such land a rate calculated on the basis of forty per centum of the amount in the pound of the rate payable in respect of hereditaments not within the provisions of this section.

(3) Save as in this section expressly provided nothing in this section shall in any way affect—

(a) The share of the annual grant payable under the Agricultural Rates Act 1896 to any spending authority or the operation of that Act; or

(b) The operation of the Agricultural Rates Act 1923 or the power of the Minister of Health to estimate as respects each half year after the commencement of this Part of this Act the amount of the deficiency which would have arisen by reason of section 1 of that Act if this Act had not been passed in the produce of any rate for the purpose of the issue from the local taxation account of the share of any spending authority in the additional annual grant under the Agricultural Rates Act 1923; or

(c) The operation of the Ecclesiastical Tithe Rentcharges (Rates) Acts 1920 and 1922; or

(d) The amount of the contribution for any purposes to be made by the parish out of the poor rate; or

(e) The calculation of the amount in the pound of the part of the consolidated rate levied for the purposes of the relief of the poor and other expenses of the guardians county contributions and expenses of the overseers respectively which is required to be stated in the demand note for the poor-rate.

A.D. 1925.

(4) (a) If any occupier referred to in subsection (1) of this section claims that in respect of any rate made or levied he is not receiving the full benefit to which he is entitled under the said subsection he may appeal to the next court of quarter sessions for the county of Monmouth holden not less than twenty-one days after the demand of the rate and according to the provisions of the Summary Jurisdiction Acts but no such appeal shall be entertained by such quarter sessions unless fourteen days' notice in writing of such appeal and of the grounds thereof be given by the appellant to the Council;

(b) On appeals under this subsection the court to which such appeal shall be made shall have power to determine the amount payable by the occupier in respect of such rate and to award costs between the parties to the appeal.

Extinction  
of special  
rates.

**42.** As from the first day of April one thousand nine hundred and twenty-six the expenditure falling to be raised by means of separate assessments to the general district rate directed to be levied—

(a) under section 23 (Contributions by Bedwellty and Tredegar Councils and application of section 90 of Act of 1903) of the Western Valleys (Monmouthshire) Sewerage Board Act 1907 for the purpose of defraying the expenses of sewerage and sewage disposal upon the respective parts of the district therein referred to; and

(b) under section 102 (Contributions by constituent authorities) of the Rhymney Valley Sewerage Board Act 1912 for the purpose of defraying the expenses of sewerage and sewage disposal upon the part of the district therein referred to

shall cease to be levied by separate assessment to the general district rate and shall be levied in the respective parts of the parish together with and as additional items of the consolidated rate.

Amend-  
ment of  
consolidated  
rate.

**43.**—(1) Section 221 of the Public Health Act 1875 shall apply to the district in respect of the consolidated rate as if the overseers were an urban authority and the rate therein mentioned were the consolidated rate.

A.D. 1925.

(2) The powers of section 221 of the Public Health Act 1875 as applied to the consolidated rate by subsection (1) of this section shall extend to enable the overseers to amend any rate made by them so as to make the assessment to such rate accord with any new or supplementary valuation list during the currency of such rate.

44. For the purposes of section 133 of the Lands Clauses Consolidation Act 1845 the poor's rate shall be deemed to be sixty per centum of the amount in the pound of the consolidated rate.

Application of section 133 of Lands Clauses Consolidation Act 1845.

45. No warrant of commitment in respect of non-payment of the consolidated rate shall be issued against any person who shall satisfy the court that his failure to pay the said rate is due to circumstances over which he had or has no control and that he has not divested himself of means for the purpose of evading payment of the said rate.

As to recovery of consolidated rate.

46. Section 267 of the Public Health Act 1875 shall apply to any demand for the consolidated rate to be served by the overseers.

Service of demands.

47.—(1) The overseers may by notice in writing require the owner or occupier or reputed owner or occupier of any hereditament in the parish (other than land used as arable meadow or pasture ground only or as woodlands) to send to them a return in writing in the form set forth in the Third Schedule to this Act and containing the particulars therein mentioned or referred to:

Overseers may require returns.

Provided that (except for purposes connected with the preparation of and preliminary to a general revaluation for rating) the powers conferred by this section shall only be exercised—

- (a) Upon any change in the occupation or ownership of any hereditament; or
- (b) Upon any change in the nature or use of any hereditament whether by way of addition to or adaptation of premises or otherwise such as may affect the value of the hereditament; or
- (c) In the case of any hereditament in respect of which the overseers are of opinion that special circumstances exist which make it desirable that a return should be rendered in accordance with the provisions of this section.

A.D. 1925:

(2) Any person who wilfully refuses or neglects to make a return lawfully required under this section within fourteen days after receipt of such notice as aforesaid shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings and any person who wilfully makes or causes to be made a false return shall be liable to a penalty not exceeding ten pounds.

(3) The overseers shall whenever required by the assessment committee of the Bedwelty Union produce from time to time to such committee the returns or any of them obtained by the overseers under the provisions of this section.

(4) Nothing in this section shall require any railway company or committee of railway companies to include in any return which they may be required to send to the overseers particulars with respect to their running lines sidings or stations or any hereditament therein.

Consolidated rate may include working balance.

48. The purposes to which the district fund is applicable shall include the provision of a working balance for the payment of current expenses that may be incurred by the Council in the exercise or performance of the powers and duties the cost of which is charged on the district fund and the Council may (in estimating the amount sufficient for those purposes and in making the consolidated rate) include such a sum as they may consider to be necessary for the provision of such working balance.

Repeal of provisions as to consolidated rate.

49. Section 36 (Power to levy consolidated rate) of the Act of 1919 is hereby repealed.

Saving for Minister of Health.

50. Nothing in this Act shall be deemed to restrict any power conferred upon the Minister of Health by any Act of Parliament relating to the relief of the poor and passed before the commencement of this Part of this Act.

## PART VI.

### FINANCE.

Power to borrow.

51.—(1) The Council may independently of any other borrowing power borrow at interest the sum requisite for paying the costs charges and expenses of this Act and they shall pay off all moneys so borrowed within the period of five years from the passing of this Act.



(2) (a) The Council may also with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act. A.D. 1925.

(b) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Council may mortgage or charge such fund or rate as may be prescribed by the Minister of Health.

(c) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister of Health.

(3) The provisions of this section prescribing the fund or rate which may be mortgaged or charged shall not limit the powers conferred upon the Council by section 123 (Power to use one form of mortgage for all purposes) of the Act of 1912.

**52.** Section 119 (Sinking fund) of the Act of 1912 is hereby amended by the substitution of "three pounds ten shillings per centum per annum or such other rate as may from time to time be sanctioned by the Minister of Health" for the words "three per centum per annum." Sinking fund payments.

**53.** The following provisions of the Act of 1912 shall apply and have effect as if they were with the necessary alterations re-enacted in this Act namely:— Application of financial provisions of Act of 1912.

Section 112 (Certain provisions of Public Health Acts not to apply);

Section 113 (Mode of raising money);

Section 114 (Provisions as to mortgages);

Section 115 (Appointment of receiver);

Section 116 (Protection of lenders from inquiry);

Section 118 (Mode of payment off of moneys borrowed);

Section 119 (Sinking fund) as amended by this Act;

Section 122 (Power to re-borrow);

Section 124 (Council not to regard trusts or bound to see to application of moneys);

Section 126 (Expenses of executing Act);

Section 128 (Application of money borrowed);  
and

Section 129 (Application of moneys arising from sale of lands).

A.D. 1925.

—  
Power to  
invest all  
sinking  
funds in  
statutory  
securities.

**54.** When under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Council are empowered or required to form a sinking fund for the payment off of money borrowed or payable by them they may (in addition to any other powers for the time being vested in them) invest such sinking fund and the interest on the investments of such sinking fund in statutory securities.

Return to  
Minister of  
Health with  
respect to  
repayment  
of debt.

**55.**—(1) The clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Council under any statutory borrowing power.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the clerk or other the chief accounting officer of the Council and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Council shall notify the Minister as soon as the order is complied with and any such order

shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court. A.D. 1925.

(4) Section 125 (Return respecting sinking fund to Local Government Board) of the Act of 1912 is hereby repealed.

## PART VII.

### MISCELLANEOUS.

**56.**—(1) Subject as hereinafter provided the Council may set apart such portion not exceeding six acres in extent of the park or open space known as the Show Field Blackwood (lying between Bedwellty Road and Sunnybank Road) as they may determine and as may be described on a notice board affixed or set up in some conspicuous position in such park or open space for the purpose of athletic meetings cricket football or any other game or recreation and may exclude the public from such portion of the said park or open space.

Appropriation of part of Show Field Blackwood for games &c.

(2) The Council may upon any such portion of the said park or open space so set apart erect construct and maintain all proper and convenient houses pavilions dressing rooms and other buildings works and conveniences.

(3) The Council may let such portion of the said park or open space for terms not exceeding twelve months to any club company body or person.

(4) The powers of this section shall not be exercised by the Council until they have provided for the use of the public as a park or open space an area adjoining the said park or open space equivalent to the area to be set apart for the purposes of subsections (1) and (2) of this section.

(5) No power given by this section shall be exercised in such a manner as to contravene any covenant or condition subject to which the said park or open space was given to the Council without the consent of the donor or other person or persons entitled in law to the benefit of such covenant or condition.

(6) Save as aforesaid nothing herein contained shall affect the jurisdiction of the Charity Commissioners in respect of the said park or open space.

A.D. 1925.

—  
Power to enter premises.

**57.** The provisions of sections 102 and 103 of the Public Health Act 1875 shall extend and apply to the purposes of Part III. (Streets buildings sewers drains &c.) and Part IV. (Infectious diseases and sanitary provisions) of this Act as if those purposes had been mentioned in the said section 102.

As to breach of conditions of consent of Council.

**58.** Where under this Act or under any general or local Act for the time being in force in the district the Council give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Consents of Council to be in writing.

**59.** All consents given by the Council under the provisions of this Act or of any local Act Provisional Order byelaw or regulation for the time being in force within the district shall be given in writing and unless otherwise prescribed shall be given under the hand of the clerk or other duly authorised officer of the Council.

Apportionment of expenses in case of joint owners.

**60.** Where under the provisions of this Act or any local Act in force in the district the Council shall construct or do any works for the common benefit of two or more buildings belonging to different owners the expenses which under those Acts or any of them are recoverable by the Council from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor or in case of dispute by a court of summary jurisdiction.

Expenses may be declared private improvement expenses.

**61.** The Council may declare any expenses incurred by them under the provisions of this Act which are recoverable from the owner or owners of any premises to be private improvement expenses and thenceforth those expenses may be recovered and shall be charged upon the premises in respect of which they were incurred in accordance with the provisions of section 257 of the Public Health Act 1875.

Penalty on occupier refusing execution of Act.

**62.** If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Council under Part III. (Streets buildings sewers drains &c.) or Part IV. (Infectious diseases and sanitary provisions) of this Act or under any

byelaw made thereunder then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Council to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

A.D. 1925.

**63.** Where the payment of more than one sum by any person is due under this Act any summons or warrant issued for the purposes of this Act in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Summons or warrant may contain several sums.

**64.** The following provisions of the Act of 1912 shall apply and have effect as if they were with the necessary alterations re-enacted in this Act namely:—

Application of miscellaneous provisions of Act of 1912.

- Section 137 (Power to retain and sell lands);
- Section 139 (Inquiries by Local Government Board);
- Section 140 (Informations by whom to be laid);
- Section 141 (Evidence of appointments and authority);
- Section 142 (Authentication and service of notices &c.);
- Section 143 (Confirmation of byelaws);
- Section 144 (As to appeal);
- Section 145 (Recovery of penalties &c.);
- Section 146 (Recovery of demands);
- Section 147 (Damages and charges to be settled by justices);
- Section 148 (Penalties to be paid over to treasurer);
- Section 149 (Determination of compensation);
- Section 150 (Persons acting in execution of Act not to be personally liable);
- Section 151 (Saving for indictments);
- Section 152 (Judges not disqualified);
- Section 153 (Powers of Act cumulative); and
- Section 154 (Crown rights):



A.D. 1925.

— Provided that section 139 (Inquiries by Local Government Board) of the Act of 1912 shall have effect for the purposes of this Act as if the words " five guineas " were substituted for " three guineas " in that section.

Costs of Act.

**65.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall after taxation by the taxing officer of the House of Lords or of the House of Commons be paid by the Council in the first instance out of the district fund and general district rate and ultimately may be paid out of money to be borrowed under the powers of this Act for that purpose.

The SCHEDULES referred to in the  
foregoing Act.

---

A.D. 1925.

FIRST SCHEDULE.

THIS INDENTURE made the thirtieth day of June one thousand nine hundred and twenty-five between the URBAN DISTRICT COUNCIL OF TREDEGAR in the county of Monmouth (who with their successors are hereinafter referred to as "the Tredegar Council") of the one part and the URBAN DISTRICT COUNCIL OF BEDWELTY in the county of Monmouth (who with their successors are hereinafter referred to as "the Bedwelty Council") of the other part supplemental to an agreement made the seventeenth day of June one thousand nine hundred and twenty between the Tredegar Council of the one part and the Bedwelty Council of the other part which was scheduled to and confirmed by the Tredegar Urban District Council Act 1920 (hereinafter referred to as "the principal agreement").

WHEREAS by the principal agreement provision was made for the cancellation of a prior agreement for the supply by the Tredegar Council to the Bedwelty Council of water in bulk as from the date when the Tredegar Council should be able to supply to the Bedwelty Council a quantity of filtered water for domestic and other purposes to the extent of four hundred thousand gallons per day at least upon the terms and conditions therein contained and as from such date the Tredegar Council undertook to supply and the Bedwelty Council agreed to take in perpetuity a minimum daily quantity of four hundred thousand gallons of filtered water for domestic or other purposes within the then existing water limits of the Bedwelty Council in the urban district of Bedwelty and the Bedwelty Council were required to pay therefor a certain yearly rent of four thousand two hundred and fifty-eight pounds six shillings and eightpence in respect of four hundred thousand gallons of water per day whether such quantity should be taken or not and in addition to the said yearly rent a further sum of fourpence halfpenny for each one thousand gallons of water which should be supplied and taken in any one day over and above the

A.D. 1925.

said quantity of four hundred thousand gallons but the Tredegar Council were to be under no obligation to supply or the Bedwellty Council to take such additional quantity :

And whereas by the Rhymney Valley Water Act 1921 the water limits of the Bedwellty Council were restricted and the waterworks vested in or belonging to the Bedwellty Council exclusively for the purposes of or in connection with the supply and distribution of water within the portion of the urban district of Bedwellty which is situate within the watershed of the Rhymney Valley were transferred to and vested in the Rhymney Valley Water Board leaving only within the limits of the Bedwellty Council that part of the urban district of Bedwellty which is situated within the watershed of the Sirhowy Valley and by reason of the change of circumstances resulting from the said transfer which were not within the contemplation of the parties to the principal agreement the Bedwellty Council are now precluded by the provisions of the principal agreement from supplying for use and consumption within the said portion of the urban district of Bedwellty so much of the minimum quantity of water which they are required to take from the Tredegar Council or pay for as is in excess of the requirements of the part of the urban district of Bedwellty which is situate within the watershed of the Sirhowy Valley :

And whereas the supply by the Tredegar Council to the Bedwellty Council under the principal agreement commenced on the fourteenth day of September one thousand nine hundred and twenty-two :

And whereas it has been agreed between the parties that the principal agreement shall be modified as hereinafter provided :

Now this indenture witnesseth that in pursuance of the said agreement the Tredegar Council and the Bedwellty Council do and each of them doth hereby mutually and interchangeably covenant and agree with the other of them in manner following (that is to say) :—

1. Notwithstanding anything contained in the principal agreement the Bedwellty Council may sell to the Rhymney Valley Water Board the whole or any part of the water which the Bedwellty Council can require the Tredegar Council to supply to them under the principal agreement or which the Tredegar Council may be willing to supply to them under the principal agreement and which is not required for use within the water limits of the Bedwellty Council in the urban district of Bedwellty Provided that the quantity of water so sold shall not exceed one hundred and eighty thousand gallons in any one day.

2. Nothing in this agreement shall prejudice or affect the provisions of the principal agreement as to the prior claim to the

said water of the area of the Bedwellty Council situate in the Sirhowy Valley. A.D. 1925.

3. If by reason of the supply of water by the Bedwellty Council to the Rhymney Valley Water Board under the provisions of clause 1 of this agreement the quantity of water obtained from the Tredegar Council exceeds four hundred thousand gallons per day the Bedwellty Council shall pay for any additional quantity of water which may be supplied to them by the Tredegar Council under clause 5 of the principal agreement for supply to the Rhymney Valley Water Board beyond the said quantity of four hundred thousand gallons per day at the rate of sevenpence per thousand gallons in lieu of fourpence halfpenny per thousand gallons as therein mentioned.

4. During such time as the Abertillery and District Water Board require to take a supply of water from the Tredegar Council (but not exceeding in any case six years from the date of this agreement) the Bedwellty Council shall afford all reasonable facilities to enable the Tredegar Council to supply water in bulk through the mains of the Bedwellty Council to the Abertillery and District Water Board on such terms and conditions and pressure (not being less favourable than those at present in operation) as shall be agreed between the parties and the Bedwellty Council shall not operate any valve or other apparatus on the trunk main between the meters at the northern boundary of the urban district of Bedwellty and the point at Argoed at which the supply to the Abertillery and District Water Board is taken from the main (except such valves or other apparatus as may be necessary in connection with the execution of any work for giving full and complete effect to clause 4 of the principal agreement) so as to interfere with the free flow of the water supplied by the Tredegar Council through the said trunk main of the Bedwellty Council to the Abertillery and District Water Board and the water engineer for the time being of the Tredegar Council shall at any time be at liberty to inspect such trunk main and the apparatus connected therewith Provided that the Bedwellty Council shall have priority for four hundred thousand gallons of water per day from the Tredegar Council immediately the Bedwellty Council have executed the said work necessary for giving full effect to clause 4 of the principal agreement.

5. This agreement shall continue in operation until—

- (a) the expiration of one calendar month after the date upon which the area in which the water to be supplied to the Rhymney Valley Water Board under clause 1 of this agreement is distributed is supplied with water by the Rhymney Valley Water Board by gravitation from the said board's existing sources of supply (other than the Britannia Colliery); or

A.D. 1925

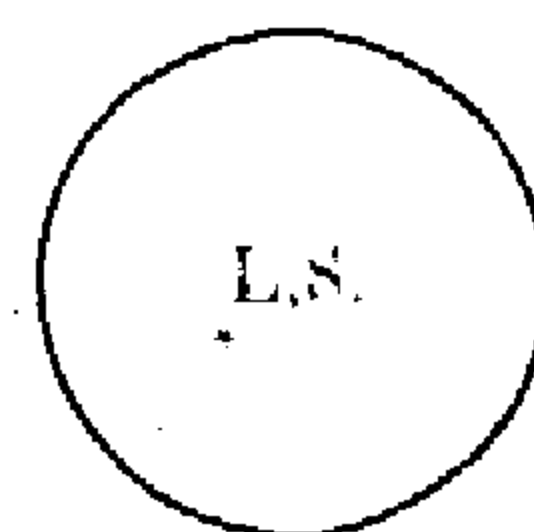
(b) the expiration of one calendar month after the date upon which the Taf Fechan Reservoir is completed and filled with water within the meaning of section 4 (Interpretation of terms) of the Taf Fechan Water Act 1921

whichever may be the earlier but not being later in any event than the thirty-first day of August one thousand nine hundred and thirty After the expiration of the period referred to in paragraph (a) hereof or the period referred to in paragraph (b) hereof or the said thirty-first day of August one thousand nine hundred and thirty (whichever shall be the earlier) the principal agreement shall continue in operation without modification except so far as the provisions of clause 4 of this agreement may still remain operative.

6. This agreement is made subject to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein either party may withdraw from the agreement.

In witness whereof the parties to these presents have hereunto affixed their respective common seals the day and year first before written.

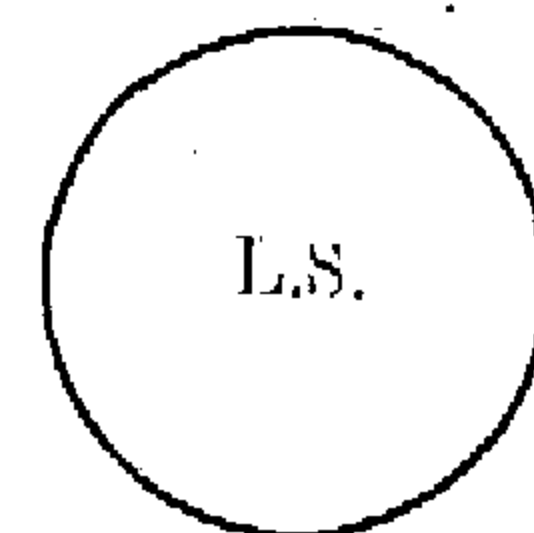
The common seal of the urban district council of Tredegar was hereunto affixed in the presence of



D. J. JERMINE  
Chairman.

J. TREVELYAN PHILLIPS  
Clerk.

The common seal of the urban district council of Bedwellty was hereunto affixed in the presence of



W. B. JONES  
Chairman.

W. D. R. LEWIS  
Clerk.



**SECOND SCHEDULE.**

A.D. 1925.

**DUTIES OF OVERSEERS TRANSFERRED TO CLERK.**

Subject Matter.	Act &c. imposing the duty.
Liquor licences - - -	Licensing (Consolidation) Act 1910 sections 15 and 25.
Pawnbrokers certificates -	Pawnbrokers Act 1872 section 42.
Notices under Education Act - - - -	Education Act 1921 section 161.
Army Reserve - - -	Reserve Forces Act 1882 section 24.
Territorial Army - - -	Territorial and Reserve Forces Act 1907 section 19.
Air Force Reserve - - -	{ The two last-mentioned enactments as applied by or under any other Act.
Auxiliary Air Force - - -	

**THIRD SCHEDULE.**

**RETURN OF RENT OR ANNUAL VALUE AND OF OTHER PARTICULARS TO BE RENDERED UNDER THE BEDWELLYT URBAN DISTRICT COUNCIL ACT 1925.**

<p>1. Name of the street or road &amp;c. in which the property is situate -                      Number of the house - - - -                      (If not numbered state the name by which known.)                      Whether occupied with or without stables or other premises as part of the same property - - - -                      The quantity of land (if any) and how used - - - -</p>	
<p>2. Full Christian name and surname of occupier - - - -</p>	
<p>3. Name and address of owner or immediate lessor - - - -                      (If not known state the name and address of the agent or person to whom the rent is paid.)</p>	



A.D. 1925.

<p>10. (a) Amount of land tax (if any) -          (b) Amount of tithe rentcharge or          of any rate or assessment in lieu          of tithes paid in the year 19          (State in each case whether borne          by the landlord or tenant.)</p>	<p>(a) £ . Borne by the           (b) £ . Borne by the</p>
<p>11. Whether all usual tenant's rates          and taxes are paid and borne by          the occupier in addition to the          rent - - - - -</p>	
<p>12. Whether the landlord or the tenant          undertakes to bear the cost of          repairs insurance and other          expenses necessary to maintain          the property - - - - -          (If each undertakes to bear part          only of the cost of repairs state          the particulars.)</p>	

DECLARATION.

I declare that the foregoing particulars are in every respect  
 fully and truly stated to the best of my judgment and belief.

Printed by EYRE and SPOTTISWOODE, LTD.,  
 FOR  
 WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of  
 Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:  
 Adastral House, Kingsway London, W.C. 2; 28, Abingdon Street, London, S.W. 1;  
 York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;  
 or 120, George Street, Edinburgh;  
 or through any Bookseller.

