



### CHAPTER iii.

An Act to extend the time limited for the completion of certain works to confer further powers on the Yeadon Waterworks Company and for other purposes.

A.D. 1927.

[12th April 1927.]

**W**HEREAS by the Yeadon Waterworks Act 1870 the Yeadon Waterworks Company (hereinafter called "the Company") were incorporated and by that Act and the Yeadon Waterworks Act 1889 and the Yeadon Waterworks Act 1916 (hereinafter called "the Act of 1916") were authorised to construct and maintain works and to supply water within limits which now consist of the urban districts of Yeadon and Rawdon and the parish of Hawksworth in the rural district of Wharfedale and to exercise other powers :

And whereas it is expedient to extend the period limited by the Act of 1916 for the completion of the enlargement of the Reva reservoir and the catchwaters in the said parish of Hawksworth authorised by that Act and to empower the Company in constructing the said enlargement of the Reva reservoir to execute an extension thereof as in this Act mentioned :

And whereas the statements set out in the schedule to this Act show the total amounts of share and loan capital which the Company have been authorised by the said Acts to raise and the total amounts thereof which have been raised and it is expedient to authorise the Company to raise additional capital as by this Act provided :

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And whereas it is expedient to sanction and confirm the construction by the Company of certain works used for obtaining a supply of water in bulk from the Burley-in-Wharfedale Urban District Council and to make further provision with reference to the Company's undertaking as in this Act contained :

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

And whereas plans and sections of the works authorised or sanctioned and confirmed by this Act and a book of reference thereto containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands in which such works will be or are situate were duly deposited with the clerk of the peace for the west riding of the county of York and are hereinafter respectively referred to as the 1927 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 :—

Short and  
collective  
titles.

1.—(1) This Act may be cited as the Yeadon Waterworks Act 1927.

(2) The Yeadon Waterworks Acts 1870 to 1916 and this Act may be cited together as the Yeadon Waterworks Acts 1870 to 1927.

Incorpora-  
tion of Acts.

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

The Lands Clauses Acts except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement;

The Companies Clauses Consolidation Act 1845 except the provisions thereof with respect to the conversion of borrowed money into capital;

The Companies Clauses Act 1863 as amended by subsequent Acts except Part IV (Change of name);

The Waterworks Clauses Acts 1847 and 1863 :

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Provided that section 44 of the Waterworks Clauses Act 1847 shall be read and have effect as if the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner." were omitted therefrom and as if the words "in case the occupier shall make default in payment of such rent and the owner shall have required a supply of water to such house" were inserted in that section in lieu of the words "in his default."

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

Interpreta-  
tion.

"The Company" means the Yeadon Waterworks Company;

"The Act of 1870" "the Act of 1889" and "the Act of 1916" respectively mean the Yeadon Waterworks Acts of those respective years;

"The existing Acts" means the Act of 1870 the Act of 1889 and the Act of 1916;

"The Reva reservoir" means the storage reservoir of the Company in the parish of Hawksworth constructed under the powers conferred by the Act of 1889;

"The limits of supply" means the limits within which the Company are for the time being authorised to supply water;

"The undertaking" means the undertaking of the Company for the time being authorised;

"The Burley Council" means the Burley-in-Wharfedale Urban District Council;

"The Wharfedale Council" means the Wharfedale Rural District Council;

"The parish of Hawksworth" means the parish of Hawksworth in the rural district of Wharfedale;

"The 1916 plans" and "the 1916 sections" respectively mean the deposited plans and the deposited sections referred to in the Act of 1916.

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Extension  
of time for  
completion  
of certain  
works.

4. The period limited by section 7 of the Act of 1916 for the completion of the enlargement of the Reva reservoir and of the catchwaters Nos. 1 2 and 3 authorised by section 4 of that Act is hereby extended until the thirty-first day of December nineteen hundred and thirty-four.

Extension  
of autho-  
rised  
enlargement  
of Reva  
reservoir.

5.—(1) Notwithstanding anything in the Act of 1916 the Company in constructing the enlargement of the Reva reservoir authorised by that Act may—

- (a) execute the same in accordance with the 1927 deposited plans and sections and so as to extend laterally over the lands of the Company in the parish of Hawksworth shown on those plans beyond the northward limit of deviation shown on the 1916 plans; and
- (b) deviate laterally to any extent within the limits of deviation shown on the 1927 deposited plans but the Company shall not deviate vertically from the levels shown on the 1927 deposited sections or on the 1916 sections to any greater extent than is permitted by section 6 (Limits of deviation) of the Act of 1916.

(2) All the provisions of the Act of 1916 shall have effect as if any reference therein to the enlargement of the Reva reservoir meant such enlargement as extended under the powers of this section but nothing in this Act shall authorise the Company to collect divert impound or appropriate any streams feeders springs or waters other than those which they are authorised by the Act of 1916 to collect divert impound or appropriate.

Confirma-  
tion of  
Burley  
main.

6.—(1) The construction of the works hereinafter described and shown on the 1927 deposited plans and sections together with all ancillary works and apparatus connected therewith is hereby sanctioned and confirmed and (subject to the provisions of this Act and so long as the Company possess the necessary easements for the purpose) the Company may maintain the said works in the lines and situations shown on the 1927 deposited plans and sections and may use those works for the purpose of obtaining a supply of water in bulk from the Burley Council and for other purposes of the undertaking.

The works hereinbefore referred to are :—

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- (i) A line of pipes (No. 1) in the urban district of Burley-in-Wharfedale commencing at the outlet pipe on the east side of the Carr Bottom reservoir of the Burley Council and terminating by a junction with the main of the Wharfedale Council at a point about 130 yards westwards of Bee Stone House on or near the northern boundary of the property of the Wharfedale Council used in connection with the Menston waterworks ;
- (ii) A line of pipes (No. 2) in the parish of Hawksworth commencing by a junction with the said main of the Wharfedale Council at or near the south-easternmost corner of the said property of the Wharfedale Council and terminating in the Reva reservoir.

(2) For the purpose of enabling the Company to convey water from the said reservoir of the Burley Council to the Reva reservoir the Company may enter into and carry into effect contracts and agreements with the owners and lessees of any lands in which the said lines of pipes are situate with respect to the maintenance repair inspection and user thereof by the Company and with the Wharfedale Council with respect to the user by the Company of the said main of the Wharfedale Council for the passing of water from the said line of pipes (No. 1) to the said line of pipes (No. 2).

#### FINANCIAL PROVISIONS.

7. The Company may from time to time raise additional capital to such an amount as shall be sufficient to produce after taking into account premiums or discounts (if any) which may be obtained or allowed respectively on the issue thereof the sum of twenty thousand pounds by the creation and issue of ordinary and preference shares and stock or wholly or partially by one or more of those modes Provided that the Company shall not under the powers of this section issue any share of less nominal value than one pound.

8. The creation and issue by the Company under the Act of 1916 of B stock to a nominal amount of seven thousand eight hundred pounds producing with

A.D. 1927. the premiums received on the sale thereof the sum of ten thousand and eighty-seven pounds is hereby confirmed and all stock so created and issued shall be deemed to be as valid in all respects as if the said sum of ten thousand and eighty-seven pounds were mentioned in section 25 (Power to Company to raise additional capital) of the Act of 1916 in lieu of the sum of ten thousand pounds in both places where the last-named sum is mentioned and the Act of 1916 shall be read and have effect accordingly.

issued under  
Act of  
1916.

Amendment  
of section 27  
of Act of  
1916.

9. Section 27 (New shares or stock to be sold by auction or tender) of the Act of 1916 shall have effect as if the word "fourteen" were substituted for the words "twenty-eight" in subsection (2) (a) of that section.

Borrowing  
powers.

10.—(1) The Company may at any time after the passing of this Act and without obtaining the certificate of a justice under the fortieth section of the Companies Clauses Consolidation Act 1845 borrow on mortgage of the undertaking in respect of the capital of the Company issued prior to the passing of this Act any sum or sums not exceeding in the whole (inclusive of the total amount for the time being outstanding on the debentures referred to in the schedule to this Act) the sum of thirty thousand pounds. The powers of borrowing conferred by this subsection shall be in substitution for and not in addition to any powers conferred by the Act of 1916 of borrowing in respect of the capital of the Company issued under the powers of the existing Acts.

(2) The Company may also borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one half of the amount which at the time of borrowing has been actually raised by the Company (including premiums) on the issue of any shares or stock forming part of the additional capital but no sum shall be borrowed in respect of any shares or stock so issued until the Company have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole amount payable on the issue of the shares or stock in respect of which the borrowing powers are exercised and of the premium (if any) realized on the sale thereof have been paid up.

**11.**—(1) Section 34 (Appointment of receiver) of the Act of 1916 is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the passing of this Act.

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Appoint-  
ment of  
receiver.

(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 six thousand pounds in the whole.

**12.** The principal moneys secured by all debentures granted by the Company in pursuance of the existing Acts and subsisting at the date of the passing of this Act shall during the continuance of such debentures have priority over the principal moneys secured by any mortgages or debentures granted after the passing of this Act.

Priority of  
principal  
moneys  
secured by  
existing  
debentures.

**13.** The provisions hereinafter mentioned of the Act of 1916 shall apply to any shares stock debenture stock or mortgages issued or granted under the powers of this Act in like manner as those sections apply to any shares stock debenture stock or mortgages issued or granted under the powers of the Act of 1916 and as if the said sections were with any necessary modifications re-enacted herein.

Application  
of sections  
of Act of  
1916.

The sections above referred to are :—

Section 27 (New shares or stock to be sold by auction or tender) as amended by this Act;

Section 28 (New shares or stock to be subject to the same incidents as other shares or stock);

Section 29 (Restrictions as to votes in respect of preference capital);

Section 30 (Limit of dividend);

Section 31 (Dividends on different classes of shares or stock to be paid rateably);

Section 35 (Power to create debenture stock);

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Section 36 (Priority of mortgages and debenture stock over other debts);

Section 38 (Issue of redeemable preference capital and debenture stock).

Application  
of funds.

**14.**—(1) 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 shares or stock under the provisions of this Act shall not be considered as part of the capital of the Company entitled to dividend.

(2) The Company may apply to any of the purposes of this Act to which capital is properly applicable any moneys which they have raised or are authorised to raise under the existing Acts.

## MISCELLANEOUS.

As to  
liability of  
owners for  
water rates  
in certain  
cases.

**15.** Nothing in section 60 (Rates payable by owners of small houses) of the Act of 1916 shall limit or affect the operation of section 72 (Owners of houses not exceeding ten pounds rent to be liable to water rates) of the Waterworks Clauses Act 1847.

Supply to  
certain  
premises.

**16.**—(1) The Company shall not be bound to supply with water otherwise than by meter—

(a) any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purposes for which water is required; or

(b) any workhouse hospital asylum (whether public or private) sanatorium school club hotel public-house or inn; or

(c) any boarding-house capable of accommodating at least twelve persons; or

(d) any public institution which is habitually occupied by at least twenty persons.

(2) Section 64 (Supply to houses partly used for trade &c.) of the Act of 1916 is hereby repealed.

Procedure  
on applica-  
tion for

**17.** It shall be lawful for the Yeadon Urban District Council or the Rawdon Urban District Council (each of whom is in this section included in the



expression "the council") to present to the court of quarter sessions any such petition as may be presented under section 80 of the Waterworks Clauses Act 1847 by two water ratepayers within the limits of supply and for the court on the petition of the council to appoint some accountant or other competent person for making any such examination and report as is referred to in the said section.

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reduction  
of water  
charges.

**18.** Section 35 of the Waterworks Clauses Act 1847 in its application to the Company shall be read and construed as if the words "one-eighth part" were substituted therein for the words "one-tenth part."

Amendment  
of section 35  
of Water-  
works Clauses  
Act 1847.

**19.** Every person who shall wilfully (without the consent of the Company) or negligently close or shut off or interfere with any valve cock or other work or apparatus belonging to the Company whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Company) be liable on conviction to a penalty not exceeding five pounds and the Company may in addition thereto recover the amount of any damage by them sustained Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe.

Penalty for  
closing  
valves and  
apparatus.

**20.** Section 73 (Recovery of demands) of the Act of 1916 shall have effect as if the words "or any subsequent Act relating to the Company" were inserted therein after the words "any incorporated enactment."

Amendment  
of section 73  
of Act of  
1916.

**21.** All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole or in part be paid by the Company as part of their expenses on revenue account to the extent of not exceeding one-third part of such costs charges and expenses in any one year.

Costs of  
Act.

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SCHEDULE referred to in the  
foregoing Act.

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STATEMENT OF CAPITAL (STOCK).

Act.	Description of Capital.	Total paid up.						Total Amount Authorised.		
		Nominal.			Premium.					
		£	s.	d.	£	s.	d.	£	s.	d.
Act of 1870 -	10% stock	21,991	9	0	Nil			21,991	9	0
Act of 1889 } Act of 1916 } section 26 }	7% stock	26,000	0	0	2,296	14	8	28,296	14	8
Act of 1916 } section 25 }	7% stock	7,800	0	0	2,287	0	0	10,000	0	0

STATEMENT OF LOAN CAPITAL.

Act.	Description of Capital.	Rate of Interest.	Borrowed.			Total Amount Authorised.		
			£	s.	d.	£	s.	d.
Act of 1870 } Act of 1889 } Act of 1916 }	Debentures	5 per cent.	19,965	0	0	20,093	6	8

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