



CHAPTER iii.

An Act to confirm a Provisional Order of the Minister of Health relating to West Surrey Water. A.D. 1928.
[19th December 1928.]

WHEREAS the Minister of Health has made the Provisional Order set forth in the schedule hereto under the provisions of the Gas and Water Works Facilities Act 1870 and the Gas and Water Works Facilities Act 1870 Amendment Act 1873 : 33 & 34 Vict. c. 70. 36 & 37 Vict. c. 89.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore 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 :—

1. The Order as amended and set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (No. 6) Act 1928. Short title.

A.D. 1928.

SCHEDULE.

WEST SURREY WATER.

*West
Surrey
Order.*

*Provisional Order under the Gas and Water Works
Facilities Act 1870 and the Gas and Water Works
Facilities Act 1870 Amendment Act 1873 for
empowering the West Surrey Water Company to
acquire hold and use lands to extend the limits of
supply and for other purposes.*

The Minister of Health in pursuance of the powers given to him by the Gas and Water Works Facilities Act 1870 the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and of all other powers enabling him in that behalf hereby orders as follows :—

Short and
collective
titles.

1. This Order may be cited as the West Surrey Water Order 1928 and the West Surrey Water Act 1869 the West Surrey Water Act 1877 the West Surrey Water Act 1888 the West Surrey Water Act 1901 the West Surrey Water Company (Capital Issues) Consent 1921 the West Surrey Water Company (Modification of Charges) Order 1922 the West Surrey Water Order 1926 and this Order may be cited together as the West Surrey Water Acts and Orders 1869 to 1928.

Commence-
ment of
Order.

2. This Order shall come into force and have effect upon the day when the Act of Parliament confirming this Order is passed which date is hereinafter referred to as “the commencement of this Order.”

Incorporation of Acts.

3. So far as the same relate to the powers conferred by this Order the provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) and of the Waterworks Clauses Acts 1847 and 1863 are (except where expressly varied by this Order) incorporated with and form part of this Order :

Provided that Section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Order 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.

For the purpose of such incorporation the term “special Act” in the said Acts shall be construed to mean this Order and the term “Company” shall mean the Undertakers.

Interpreta-
tion.

4. The several words terms and expressions to which by the Acts incorporated with this Order and by the Gas and Water

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Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings.

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5. The West Surrey Water Company shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Undertakers.

6. The purchase by the Undertakers prior to the commencement of this Order of the lands described in the Schedule to this Order annexed is hereby confirmed.

Confirmation
of purchase
of lands.

7. The Undertakers upon the lands described in the Schedule to this Order annexed so long as they are possessed of the same may erect maintain alter enlarge extend improve and renew new or additional waterworks with all necessary machinery and apparatus and do all such acts as may be proper for storing and supplying water within the existing limits of supply :

Power to
construct
additional
waterworks
&c.

Provided that nothing in this Order contained shall authorise the Undertakers to construct any works for taking or intercepting water from the said lands.

8. The Undertakers may by agreement take purchase or lease and hold for the general purposes of the undertaking any lands not exceeding in the whole with the lands already acquired and held by them under the provisions of Section 26 of the West Surrey Water Act 1869 and Section 21 of the West Surrey Water Act 1888 thirty-five acres but the Undertakers shall not upon any such lands create or permit any nuisance and no buildings shall be erected on such lands except such as may be used for offices and dwellings for persons in their employ or such buildings and works as may be incidental to or connected with the purposes of the undertaking.

Purchase of
lands by
agreement.

9.—(1) The limits of the Undertakers for the supply of water shall extend to and include in addition to their existing limits of supply so much of the parish of Laleham in the rural district of Staines and county of Middlesex as is situate to the eastward of the centre line of the road leading from Chertsey to Littleton (hereinafter called "the extended limits") as from the date on which by virtue of the South West Suburban Water Act 1928 such extended limits cease to lie within the limits of supply of the South West Suburban Water Company.

Extension
of limits of
supply.

(2) As from such date the Undertakers shall have and may exercise within the extended limits all and the like powers rights privileges and authorities and be subject to all and the like duties and obligations as they now have and are subject to within the limits of supply under their existing Acts.

(3) As from such date the Undertakers may continue maintain and use any water mains pipes and other works belonging

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to or vested in them at the commencement of this Order within the extended limits as if the same had been laid down or constructed under the powers of this Order and the provisions of the West Surrey Water Acts and Orders 1869 to 1928 and of the Acts incorporated therewith shall apply to the said mains pipes and works in all respects as if the same had been laid down or constructed under the authority of this Order.

Ordinary
meetings.

10. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 or in any Act relating to the Undertakers the ordinary general meeting of the Undertakers shall be held in each year in the month of February or at such other time as the Directors of the Undertakers may appoint and it shall not be obligatory on the Undertakers to hold half-yearly general meetings or to balance their accounts or make up a balance sheet half-yearly.

Interim
dividends.

11. The Directors of the Undertakers may in any year declare and pay an interim half-yearly dividend on any class or classes of shares or stock in the capital of the Undertakers out of the profits of the Undertakers without the sanction or direction of a general meeting but no such half-yearly dividend shall exceed one-half of the prescribed maximum rate of dividend payable on such shares or stock.

Power to
make super-
annuation
and other
allowances.

12.—(1) It shall be lawful for the Directors to make superannuation and other allowances and to pay pensions to any officers servants or employees of the Undertakers who may be temporarily or permanently disabled by sickness infirmity or age.

(2) The Directors may enter into and carry into effect agreements with any insurance company or other association or company or make such other provision as may seem advisable for securing to any officers servants or employees such pensions allowances or payments as are by this section authorised to be granted or made.

(3) The Directors may subscribe or make donations to any fund raised in case of national emergency and to infirmaries hospitals convalescent homes and other institutions and objects and to the benevolent and sick funds of the employees.

(4) The Directors may apply the revenues of the Undertakers for the purposes of this section.

Costs of
Order.

13. All costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers.

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The SCHEDULE referred to in the foregoing Order. A.D. 1928.

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A piece of land situate in Weybridge Lane in the parish of Walton-on-Thames in the county of Surrey comprising the field or enclosure numbered 1009 on the 1/2500 Ordnance Map Edition 1914 Surrey Sheet XI—8 and now belonging to or contracted to be purchased by the Undertakers containing thirteen acres or thereabouts.

Given under the Official Seal of the Minister of Health
this Twenty-ninth day of February One thousand nine
hundred and twenty-eight.

(L.S.)

E. H. RHODES
Assistant Secretary Ministry of Health.

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