

[21 & 22 GEO. 5.] *Public Works Facilities* [Ch. lxviii.]  
*Scheme (Newport (Mon.) Corporation)*  
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**CHAPTER lxviii.**

An Act to confirm a Scheme made by the Minister of Health under the Public Works Facilities Act 1930 relating to the Newport (Mon.) Corporation. A.D. 1931.  
—  
[31st July 1931.]

**W**HEREAS under the provisions of the Public Works Facilities Act 1930 the Minister of Health has made a Scheme which needs confirmation by Parliament : 20 & 21  
Geo. 5. c. 50.

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 Scheme of the Minister of Health which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Scheme in  
schedule  
confirmed.

2. This Act may be cited as the Public Works Facilities Scheme (Newport (Mon.) Corporation) Confirmation Act 1931. Short title.

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SCHEDULE.

NEWPORT (MON.) CORPORATION.

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*Scheme under the Public Works Facilities Act 1930  
empowering the mayor aldermen and burgesses of  
the county borough of Newport to construct waterworks  
and for other purposes.*

WHEREAS the mayor aldermen and burgesses of the county borough of Newport (hereinafter called "the Corporation") are desirous of providing constructing and carrying out the works described in this Scheme;

And whereas the powers contained in this Scheme are required by the Corporation for the purpose of enabling them to execute those works or are incidental or consequential provisions necessary for giving full effect to the Scheme;

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows:—

- (a) For the purchase of lands for and in connection with the construction of the works by this Scheme authorised ten thousand one hundred pounds;
- (b) For the construction of the works by this Scheme authorised four hundred and six thousand one hundred and thirty-nine pounds;
- (c) For the construction of buildings and other purposes in connection with the works by this Scheme authorised seventeen thousand two hundred and seventy-nine pounds;

And whereas the Minister of Health is satisfied—

- (a) that the works will materially contribute to the relief of unemployment; and
- (b) that the relief to unemployment will be materially expedited by reason of the powers being conferred by this Scheme instead of by a local Act; and
- (c) that the powers conferred by this Scheme are such as are customarily conferred on local authorities by local Acts; and
- (d) that the powers so conferred will not enable the Corporation to undertake functions of a different nature from those already within their statutory powers:

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Now therefore the Minister of Health in pursuance of the powers given to him by section 1 of the Public Works Facilities Act 1930 and of all other powers enabling him in that behalf hereby makes the following Scheme :—

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PART I.

PRELIMINARY.

1. This Scheme may be cited as the Newport Corporation Scheme 1931. Short title.

2. This Scheme shall come into force and have effect upon the day when the Act confirming the Scheme is passed which date is in this Scheme referred to as "the commencement of this Scheme." Commence-  
ment of  
Scheme.

3. The following Acts and parts of Acts so far as the same are applicable for the purposes of and are not inconsistent with the provisions of this Scheme are subject to the provisions of this Scheme hereby incorporated with this Scheme (namely) :— Incorpora-  
tion of Acts.

(1) The Lands Clauses Acts with the following exceptions and modifications :—

(a) section 127 of the Lands Clauses Consolidation Act 1845 shall not be so incorporated with this Scheme;

(b) the bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be sufficient without the addition of the sureties mentioned in that section;

(c) in lieu of section 92 of the Lands Clauses Consolidation Act 1845 the following provision shall have effect :—

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

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the person interested shall be required to sell to the local authority or statutory undertakers that part of the house building manufactory park or garden :

- (2) The Waterworks Clauses Act 1847 except—
- (a) the words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” in section 44 ;
  - (b) sections 75 to 82 (with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit); and
  - (c) section 83 (with respect to the yearly receipt and expenditure of the undertakers) :
- (3) The Waterworks Clauses Act 1863 :
- (4) The Railways Clauses Consolidation Act 1845 with the following exceptions and modifications :—
- (a) sections 45 to 64 76 86 to 107 and 115 to 125 shall not be incorporated with this Scheme ;
  - (b) sections 30 to 44 (with respect to the temporary occupation of lands near the railway during the construction thereof) and sections 77 to 85 (with respect to mines lying under or near the railway) of the Railways Clauses Consolidation Act 1845 shall extend and apply not only to the railway but also to the reservoir roads and aqueduct (Works Nos. 9 10 11 and 13) by this Scheme authorised and in those sections the expression “the railway” shall include the said reservoir roads and aqueduct and “the centre of the railway” shall in relation to the said reservoir mean the boundaries thereof and “the Company” shall mean the Corporation ;
  - (c) the sections of the Railways Clauses Consolidation Act 1845 so incorporated (other than sections 30 to 44 and 77 to 85) shall extend and apply only to the railway by this Scheme authorised :
- (5) Part I. (relating to construction of a railway) of the Railways Clauses Act 1863 except sections 6 and 7.

Interpre-  
tation.

4.—(1) The several words and expressions to which by the Public Health Act 1875 or the Acts wholly or partially incorporated with this Scheme meanings are assigned shall in this Scheme except where otherwise expressly provided have the same respective meanings unless there is something in the subject or context repugnant to such construction.

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(2) In this Scheme unless the subject or context otherwise requires— A.D. 1931.

“The borough” means the county borough of Newport;

“The Corporation” means the mayor aldermen and burgesses of the borough;

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

“The new waterworks” means the several works other than the railway described in the section of this Scheme of which the marginal note is “Power to construct new works”;

“The railway” means the railway by this scheme authorised and the works in connection therewith;

“The county council” means the county council for the county of Brecknock;

“The deposited plans” “the deposited sections” and “the deposited book of reference” refer as the case may be to the plans sections and book of reference deposited with the clerk of the county council for the purposes of this Scheme;

“The Ordnance map” means the second edition of the 1/2500 Ordnance map;

“Statutory undertakers” has the meaning given to that expression by section 6 of the Public Works Facilities Act 1930;

“The Usk Conservators” means the Usk Board of Conservators;

“The railway company” means the Great Western Railway Company;

“The Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and by this Scheme;

“The abandoned works” means the works to be abandoned under the section of this Scheme of which the marginal note is “Abandonment of works”;

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

“Daily penalty” means the penalty for each day on which an offence is continued after conviction thereof;

“The Act of 1902” “the Act of 1906” “the Act of 1914” “the Act of 1920” and “the Act of 1925” respectively mean the Newport Corporation Acts of those respective years;

“The Act of 1930” means the Newport Corporation (No. 1) Act 1930.

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Abandon-  
ment of  
works.

PART II.

ABANDONMENT OF WORKS.

5. The Corporation shall abandon the construction of the following works authorised by the Act of 1920 and described in section 4 of that Act (that is to say) :—

Work No. 1

Work No. 2

Work No. 3

Work No. 4

and shall abandon so much of Work No. 5 (one line of pipes of which has already been constructed) as extends from the commencement of the Caerfanell aqueduct authorised by the Act of 1920 to its junction with the proposed Talybont aqueduct by this Scheme authorised and the works incidental or subsidiary to those works respectively.

PART III.

NEW WORKS.

Power to  
construct  
new works.

6. Subject to the provisions of this Scheme the Corporation may make and maintain in the lines and situations and upon the lands delineated upon the deposited plans and described in the deposited book of reference and according to the levels shown upon the deposited sections the works in the county of Brecknock hereinafter described (that is to say) :—

Work No. 9 An impounding reservoir (to be called and in this Scheme referred to as the Talybont reservoir) in the Glyn Collwn to be formed by means of a dam across the Caerfanell stream above Aber Clydach ;

Work No. 10 A diversion of so much of the public road leading from Talybont to Torpantau railway station (hereinafter referred to as "the Torpantau road") as lies between the road leading to Berth-lwyd-fawr and a point four hundred and sixty-eight yards or thereabouts north-east of the barn of Ffynnon-wen farm ;

Work No. 11 A diversion of the public road leading from Talybont to Dolygaer railway station (hereinafter referred to as "the Dolygaer road") commencing by a junction with Work No. 10 by this Scheme authorised at the western extremity of the intended dam and terminating at a point two hundred and seventy yards or thereabouts south of Pont Rhyd-y-bine ;

Work No. 12 A railway 2 furlongs 8·9 chains or thereabouts in length commencing by a junction with the

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railway (Brecon and Merthyr branch) of the railway company at or near Aber Clydach and terminating on the eastern bank of the Caerfanell stream on the site of the intended dam ;

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Work No. 13 An aqueduct (consisting of a conduit or line or lines of pipes and in this Scheme referred to as the Talybont aqueduct) commencing in the Talybont reservoir and terminating by a junction with the Caerfanell aqueduct authorised by the Act of 1920 at a point 280 yards or thereabout southwards of Aber bridge.

7. In addition to the foregoing works the Corporation may subject to the provisions of this Scheme upon any lands delineated on the deposited plans make and maintain all such buildings machinery works and apparatus of whatever character as may be necessary or convenient in connection with or subsidiary to any of the works by this Scheme authorised but nothing in this section shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Subsidiary works.

8. The following provisions of the Act of 1920 shall so far as applicable extend and apply to the new waterworks and to the Corporation in respect thereof in as full and complete a manner as if those provisions (with all necessary alterations and the substitution of the words "this Scheme" for the words "this Act" the words "the Talybont reservoir" for the words "the Caerfanell reservoir" and the words "the Talybont aqueduct" for the words "the Caerfanell aqueduct") were re-enacted in this Scheme (that is to say) :—

Application of sections of Act of 1920 to new works.

- Section 6 (Limits of deviation);
- Section 17 (Works to form part of water undertaking);
- Section 19 (For protection of Usk Board of Conservators);
- Section 20 (Limiting powers of Corporation to abstract water);
- Section 29 (As to exercise of powers of section 12 of Waterworks Clauses Act 1847);
- Section 61 (Accommodation for workmen employed on construction of works).

9.—(1) For the purpose of constructing altering emptying cleansing or examining any reservoir aqueduct line of pipes or other work authorised by this Scheme the Corporation may cause the water in any such work to be temporarily discharged into any available surface-water sewer stream or watercourse :

Temporary discharge of water into streams.

Provided that water discharged under the power conferred by this section shall be as free as may be reasonably practicable

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from mud or soil or offensive matter and other matter injurious to fish or spawn or spawning beds or food of fish.

(2) In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall make full compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such power the amount of such compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

(3) The powers of this section shall not be exercised so as to damage or injuriously affect the railways or works of the railway company.

Application of sections of Act of 1920 to railway.

10. The following provisions of the Act of 1920 shall so far as applicable extend and apply to the railway and to the Corporation in respect thereof in as full and complete a manner as if those provisions (with all necessary alterations and the substitution of the words "this Scheme" for the words "this Act" the words "the Talybont reservoir" for the words "the Caerfanell reservoir" and the words "railway company" for the words "the Brecon Company") were re-enacted in this Scheme (that is to say) :—

- Section 7 (Gauge of railway);
- Section 8 (As to fencing);
- Section 11 (Power to work railway);
- Section 12 (Restriction of speed);
- Section 13 (Railway not to be used for public traffic);
- Section 14 (Agreements with Brecon Company);
- Section 15 (Discontinuance of railway).

Provision for construction of Talybont reservoir.

11. If the construction of the Talybont reservoir is not completed within a period of ten years after the commencement of this Scheme the powers by this Scheme granted to the Corporation for the construction thereof shall cease except as to so much thereof as is then completed.

New works to be substituted for abandoned works.

12. The Works Nos. 9 10 11 12 and 13 authorised to be constructed by the section of this Scheme of which the marginal note is "Power to construct new works" shall be deemed to be in substitution for and to take the place of the Works Nos. 1 2 3 4 and so much of Work No. 5 respectively as are by this Scheme authorised to be abandoned.

Amendment of subsections (2) to (9) of section 18 (Power to take waters) of Act of 1920.

13. Subsections (2) to (9) both inclusive of section 18 of the Act of 1920 shall as from the commencement of this Scheme be read and have effect as if—

- (a) the words "this Scheme" were substituted for the words "this Act" except in subsections (8) and (9) where the latter expression shall be deemed to include this Scheme;



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- (b) the words "the Talybont reservoir" were substituted for the words "the Caerfanell reservoir";
- (c) the words "the Talybont aqueduct" were substituted for the words "the Caerfanell aqueduct";
- (d) the rate of five million gallons were substituted for the rate of three million eight hundred and sixty-nine thousand gallons referred to in paragraph (B) of subsection (2);
- (e) the quantity of five million gallons were substituted for the quantity of three million eight hundred and sixty-nine thousand gallons wherever the last mentioned quantity is referred to in paragraph (c) of subsection (2); and
- (f) the quantity of one thousand and seventy million gallons and the quantity of one thousand eight hundred and twenty-five million gallons were respectively substituted for the quantity of eight hundred and twenty-seven million nine hundred and sixty-six thousand gallons and the quantity of one thousand four hundred and twelve million one hundred and eighty-five thousand gallons respectively referred to in sub-paragraphs (i) and (ii) of paragraph (c) of subsection (2);

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and shall as so amended be deemed to be incorporated with this Scheme.

PART IV.

LANDS.

14. Subject to the provisions and for the purposes of this Scheme the Corporation may enter upon take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference:

Power to take lands.

Provided that the Corporation shall not under the provisions of this Scheme acquire otherwise than by agreement any land which is the property of any local authority or has been acquired by any statutory undertakers for the purposes of their undertaking.

15. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Scheme shall cease after the expiration of three years from the first day of October nineteen hundred and thirty-one.

Period for compulsory purchase of lands.

16.—(1) The Corporation may stop up and extinguish all rights of way over—

Stopping up of roads and footpaths.

- (a) so much of the Torpantau road as lies between the commencement and termination of the road (Work No. 10) by this Scheme authorised; and

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- (b) so much of the Dolygaer road as lies between its junction with the Torpantau road near the filter house of the Corporation and the termination of the road (Work No. 11) by this Scheme authorised :

Provided that such stopping up shall not take place until Work No. 10 or Work No. 11 as the case may be has been completed to the reasonable satisfaction of the County Council and is open for public use or in case of difference between the Corporation and that council two justices acting for and residing in the county of Brecon shall have certified that such work has been completed to their satisfaction and is open for public use Provided also that before applying to the justices for their certificate the Corporation shall give to the said council fourteen days' notice of their intention to apply for the same.

As from the completion of Work No. 10 or Work No. 11 as the case may be to the reasonable satisfaction of the said council or as from the date of the said certificate all rights of way over or along the said portion of the existing road shall be extinguished.

(2) The Corporation may also stop up and extinguish all rights of way over—

- (a) so much of the existing road leading from Pont Rhyd-y-bine past Ty-newydd and Ffynnon-fawr farms to Aber Cynafon farm as lies between a point one hundred and fifty-five yards or thereabouts southwards of Pont Rhyd-y-bine and a point four hundred and fifty-seven yards or thereabouts eastward of the ford across the Caerfanell stream near Aber Cynafon farm ;  
and  
(b) so much of the road running in a westerly direction north of Rhyd-y-bine farm as lies between its junction with the Torpantau road and the road (Work No. 10) by this Scheme authorised ;

but such roads shall not be stopped up until the Corporation are owners in possession of all houses and lands on both sides thereof except so far as the owners lessees and occupiers of those houses and lands may otherwise agree.

(3) All public rights of way over so much of any other highways (whether roads or footpaths) as will be submerged by the construction of the Talybont Reservoir shall as from the commencement of the filling of that reservoir be extinguished.

(4) The Corporation may subject to the provisions of the Waterworks Clauses Act 1847 with respect to mines appropriate and use for the purposes of their water undertaking the sites of any portions of roads and footpaths stopped up under the provisions of this section.

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(5) The Corporation shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement. A.D. 1931.  
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(6) Section 24 of the Act of 1920 is hereby repealed.

17.—(1) The respective roads (Work No. 10 and Work No. 11) by this Scheme authorised shall respectively be maintained in repair by and at the cost of the Corporation for twelve months after the completion of such road and from and after the expiration of the said period of twelve months such road shall be maintained in repair by and at the expense of the county council. Maintenance  
of new  
roads.

(2) Section 25 of the Act of 1920 is hereby repealed.

18. The following provisions of the Act of 1902 the Act of 1914 the Act of 1920 the Act of 1925 and the Act of 1930 shall so far as the same are applicable extend and apply to and with respect to any lands authorised to be acquired under this Scheme and to the Corporation in respect thereof in as full and complete a manner as if those provisions were (with all necessary alterations and the substitution of the expression "this Scheme" for the expression "this Act") re-enacted in this Scheme with reference thereto (that is to say) :— Application  
of sections  
of former  
Acts to  
lands.

Act of 1902—

Section 24 (Power to take easements &c. by agreement);

Section 25 (Correction of errors &c. in deposited plans and books of reference);

Section 28 (Power to retain sell &c. lands);

Section 29 (Proceeds of sale of surplus lands).

Act of 1914—

Section 25 (Power to Corporation to enter upon property for survey and valuation);

Section 38 (Power to purchase and hold lands and exercise powers for protection of waters).

Act of 1920—

Section 23 (Corporation may acquire easements only in certain cases);

Section 27 (Sheep washing);

Section 28 (Purchase of additional lands by agreement).

Act of 1925—

Section 8 (Extinction of private rights of way).

Act of 1930—

Section 42 (Compensation in case of recently acquired interest) :

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Provided that for the purposes of this Scheme (A) section 25 of the Act of 1902 shall be read as though the words "county of Brecknock" were inserted therein in lieu of the words "county of Monmouth" (B) section 28 of the Act of 1902 shall be subject to the provisions of subsection (2) of section 41 of the Act of 1930 (C) section 23 of the Act of 1920 shall be read and have effect as if the following words were omitted from subsection (3) thereof " (except in the case of an aqueduct to be constructed at a depth of forty feet or more below the surface of the ground) " (D) section 27 of the Act of 1920 shall be read and have effect as if " the Talybont reservoir " were mentioned therein instead of " the Caerfanell reservoir " (E) section 42 of the Act of 1930 shall be read as though the date the first day of February 1931 were mentioned therein instead of the date the twenty-first day of November 1929 and (F) the expression " the tribunal " in section 42 of the Act of 1930 shall mean the official arbitrator to whom any question of disputed compensation under this Scheme is referred.

Dwelling-  
houses for  
persons in  
Corpora-  
tion's  
employment.

19.—(1) The Corporation may purchase or take on lease dwelling-houses and other buildings for persons employed by them for the purposes of their water undertaking and offices and other buildings for those purposes and may erect fit up maintain and let any such buildings upon any lands for the time being belonging to the Corporation for the purposes of their said undertaking and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for those purposes.

(2) Nothing contained in this section shall empower the Corporation to create or permit a nuisance.

Amendment  
of section 43  
of Act of  
1920.

20. Section 43 (Permanent supply in bulk in Monmouthshire) of the Act of 1920 shall as from the commencement of this Scheme be amended as follows :—

(a) The expression " the first instalment works " shall mean the whole of Works Nos. 9 10 11 and 12 by this Scheme authorised Work No. 6 authorised by the Act of 1920 the first line of pipes forming part of the Talybont aqueduct the first line of pipes forming part of the Caerfanell aqueduct the first section of the service reservoir (Work No. 7) authorised by the Act of 1920 as completed in connection with the first line of pipes forming part of the Caerfanell aqueduct and the abandoned works and includes all filters and others works constructed before or after the commencement of this Scheme in connection with or ancillary to any of the said works ;

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- (b) The expression "the second instalment works" shall mean the second line of pipes forming part of the Talybont aqueduct the second line of pipes forming part of the Caerfanell aqueduct and the second section of the service reservoir (Work No. 7) authorised by the Act of 1920 as completed in connection with the second line of pipes forming part of the Caerfanell aqueduct and includes any additional filters or other works constructed in connection with the last mentioned second line of pipes and the above mentioned second section of the service reservoir;
- (c) The expression "the Talybont reservoir" shall be substituted for the expression "the Caerfanell reservoir";
- (d) The expression "the Caerfanell aqueduct" means the Caerfanell aqueduct as defined in section 4 of the Act of 1920 except so much thereof as shall be abandoned under the provisions of the section of this Scheme of which the marginal note is "Abandonment of works";
- (e) The following shall be substituted for paragraph (A) of subsection (8):—

(8) (A) For the purposes of paragraph (A) of subsection (7) hereof the capital expended shall include the actual expenditure of the Corporation under the final section of the Act of 1920 and under the final section of this Scheme and in the purchase of lands and easements for and in or in connection with the construction of the first instalment works or any part thereof together with interest with annual rests at the rate of six per centum per annum (i) from the date of expenditure to the date of completion of the first line of pipes of the Talybont aqueduct and the Caerfanell aqueduct and the first section of the service reservoir (Work No. 7) authorised by the Act of 1920 on so much of such expenditure (other than under the final section of the Act of 1920 and the final section of this Scheme) as shall have been expended prior to such last mentioned date and (ii) from the date of expenditure until the commencement of the supply of reserved water on so much of such expenditure as shall have been expended after the last mentioned date in paragraph (i) aforesaid and prior to the said commencement of supply;

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(f) The following shall be substituted for subsection (18) :—

(18) The Corporation shall keep separate accounts of their receipts and payments on capital account and of their income and expenditure on revenue account of the works authorised by the Act of 1920 (other than Work No. 8 by that Act authorised but including the abandoned works) and of the works by this Scheme authorised and such accounts shall be at all reasonable times open to the inspection of the authorities ;

and shall as so amended be read and have effect as if incorporated with this Scheme.

PART V.

PROTECTIVE PROVISIONS.

Application  
of protective  
provisions  
of Act of  
1920.

21. The following protective provisions of the Act of 1920 in so far only as applicable shall extend and apply to and with respect to Works Nos. 9 10 11 12 and 13 by this Scheme authorised and to the Corporation in respect thereof in as full and complete a manner as if those provisions (with all necessary alterations and the substitution of the words " this Scheme " for the words " this Act " the words " the Talybont reservoir " for the words " the Caerfanell reservoir " the words " the Talybont aqueduct " for the words " the Caerfanell aqueduct " and Works Nos. 9 10 11 12 and 13 for Works Nos. 1 2 3 4 and 5 respectively) were re-enacted in this Scheme :—

Section 44 (For protection of Postmaster-General) ;

Section 45 (For protection of Monmouthshire and Breconshire County Councils) so far as relates to the Breconshire County Council as if references therein to main roads were references to county roads ;

Section 46 (For further protection of Breconshire County Council) ;

Section 47 (For protection of Guardians of the Poor of Brecknock Union) as if references therein to the Guardians of the Poor of the Brecknock Union were references to the county council ;

Section 48 (For protection of Brecknock Rural District Council) as if references to the Brecknock Rural District Council were references to the county council in all matters affecting roads and bridges ;

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Section 54 (For protection of Brecon and Merthyr Tydfil Junction Railway Company) as if references therein to the Brecon Company were references to the railway company and references to the Brecon Railway were references to the railway (Brecon and Merthyr branch) of the railway company. A.D. 1931.  
 —  
*Newport (Mon.) Corporation.*

22. Any question or difference which by the provisions incorporated in the section of this Scheme of which the marginal note is "Application of protective provisions of Act of 1920" is required to be settled by arbitration shall (except where otherwise expressly stated) be referred to a single arbitrator who in default of agreement between the parties shall be appointed on the application of any party to the question or difference by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to the reference. As to arbitration.

PART VI.

MISCELLANEOUS.

23. The Corporation may apply for the purposes of this Scheme any portion of the sum of £1,541,400 referred to in subsection (1) of section 63 of the Act of 1920 which may have been borrowed before the commencement of this Scheme and may not be required for the purposes of that Act. Power to apply money authorised by Act of 1920 to be raised.

24. The borrowing powers conferred on the Corporation by section 63 of the Act of 1920 shall apply to the moneys required to be borrowed for the purposes of this Scheme as if— Borrowing powers.

- (i) land purchased for the purposes of and works constructed under this Scheme were respectively purchased and constructed under the authority of that Act;
- (ii) the purposes of this Scheme were purposes of that Act; and
- (iii) the moneys borrowed under the section of this Scheme of which the marginal note is "Costs of Scheme" were moneys required for paying sums payable by the Corporation under the final section of that Act.

25. The proviso to section 64 (Application of financial provisions of Acts of 1906 and 1914) of the Act of 1920 shall be read and have effect as if after the words "the Act of 1914" were added the words "or in section 88 (Sinking fund) of the Act of 1925" and as if "the purposes (A)" mentioned in the said proviso referred to and included in addition to such purposes the purchase of land for and the execution of the works by this Scheme authorised. Alteration of section 64 of Act of 1920.

[Ch. lxxviii.] *Public Works Facilities* [21 & 22 GEO. 5.]  
*Scheme (Newport (Mon.) Corporation)*  
*Confirmation Act, 1931.*

A D. 1931.

*Newport  
(Mon.)  
Corporation.*  
Incorporation of  
general  
sections  
of Acts of  
1906 and  
1914.

26. Section 57 (Compensation &c. how to be determined) and section 61 (Powers of Act cumulative) of the Act of 1906 section 121 (Expenses incurred by the Corporation) of the Act of 1925 and section 76 (Inquiries by Minister) of the Act of 1930 are incorporated with this Scheme and shall extend and apply to and for the purposes thereof as if they were (with any necessary alterations and the substitution of the words "this Scheme" for the words "this Act") re-enacted in this Scheme.

For protection of  
Postmaster-  
General.

27.—(1) Notwithstanding the stopping up of the portion of the Torpantau Road under paragraph (a) of subsection (1) of the section of this Scheme the marginal note of which is "Stopping up of roads and footpaths" the Postmaster-General may if he so desires (without derogation from any other right vested in him) remove from the said portion of the road any telegraphic line of the Postmaster-General which is in upon under along over or across the same and the Corporation shall pay to the Postmaster-General the expenses incurred by him of and incidental to the removal of such telegraphic line and of any telegraphic line connected therewith which in consequence will be rendered useless and the substitution of a telegraphic line in such other place as the Postmaster-General may require.

(2) When confirmed by Parliament this Scheme shall for the purposes of the Telegraph Act 1878 be deemed to be an Order confirmed by Act of Parliament.

Costs of  
Scheme.

28. All the costs charges and expenses of and incident to the applying for preparing obtaining and confirming this Scheme and otherwise in relation thereto shall be paid by the Corporation out of the general rate fund and general rate and the Corporation are hereby authorised to borrow the requisite sum.

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