

[26 GEO. 5. &
1 EDW. 8.]

*Rhymney Valley
Sewerage Board Act, 1936.*

[Ch. xxix.]



CHAPTER xxix.

An Act to alter the terms upon which sewage from certain areas comprised within the Magor and St. Mellons Rural District is received and disposed of by the Rhymney Valley Sewerage Board and for other purposes. [21st May 1936.] A.D. 1936.

WHEREAS the Rhymney Valley Sewerage Board was constituted and incorporated by the Rhymney Valley Sewerage Board Act 1912 (in this Act referred to as "the Act of 1912") and authorised to construct certain main trunk sewers and other works for the disposal of the sewage of the urban district of Rhymney and the portions of the urban districts of Gelligaer Caerphilly Bedwellty and Mynyddislwyn situate in the Rhymney Valley and the parish of Bedwas and the portion in the Rhymney Valley of the parish of Machen Upper in the rural district of St. Mellons : 2 & 3 Geo. 5. c. lxxxviii.

And whereas by section 72 of the Act of 1912 provision was made for the reception into the sewers of the Board of sewage from four parishes in the Llandaff and Dinas Powis Rural District (now the Cardiff Rural District) if the rural district council gave notice to the Board within twelve months of the passing of the Act that they required the Board to dispose of the sewage from the said parishes or from any area therein upon such terms and subject to such conditions as failing agreement should be settled by arbitration :

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A.D. 1936.

And whereas by section 73 of the Act of 1912 it was provided that as soon as the sewers and works authorised by the Act were ready for use the St. Mellons Rural District Council now the Magor and St. Mellons Rural District Council (in the Act of 1912 and in this Act referred to as "the St. Mellons Council") should be entitled to and should drain into the intercepting sewers authorised by the Act of 1912 the sewage from the areas in the parishes of St. Mellons Michaelstone-Y-Vedw and Machen Lower shown on a map signed on behalf of the Board and the St. Mellons Council and the said section also provided that the St. Mellons Council might at any time on giving to the Board notice in writing elect to drain into the said intercepting sewers the sewage from any additional area or areas in the said parishes and in the parish of Marshfield other than the areas mentioned in the said section :

And whereas the said section further provided that the St. Mellons Council should pay to the Board in respect of the sewers and works of the Board used for the discharge of sewage coming from the said parishes such annual sum as should be equivalent to a rate of fivepence in the pound on the assessable value for the purpose of a rate for special expenses of the property and hereditaments in any areas for the time being drained into the said intercepting sewers of the Board with a minimum payment of sixty pounds in any year and such rate of fivepence in the pound should be open to revision in default of agreement by arbitration on the application of the St. Mellons Council or the Board at the expiration of a period of thirty years from the time when the St. Mellons Council should first use the sewers of the Board and at the expiration of every subsequent period of seven years :

And whereas owing to the war the costs of the construction of the main trunk sewers and other works authorised by the Act of 1912 was six hundred and twenty-two thousand one hundred and nine pounds or two hundred and eighty per centum of the estimated cost and the charge for interest and sinking fund on the moneys borrowed by the Board has been and is very much higher than could have been anticipated in the year one thousand nine hundred and twelve :

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And whereas for the reasons aforesaid and also owing to the relief from rating either wholly or partially which in recent years has been afforded to certain classes of hereditaments the rate in the pound on the rateable value of the area of the Board required to meet the annual charges of the Board has greatly exceeded the rate which in the year one thousand nine hundred and twelve was estimated would be required :

A.D. 1936.

And whereas the Cardiff Rural District Council is paying to the Board for the reception and disposal of the sewage of the area which that council drain into the sewers of the Board a rate of one shilling and ninepence in the pound on the unreduced rateable value as defined in section 134 of the Local Government Act 1929 of the area so drained into the sewers of the Board :

19 Geo. 5.
c. 17.

And whereas the sewers of the St. Mellons Council in the area shown on the signed map were connected with the sewers of the Board in the year one thousand nine hundred and thirty and on the twenty-third day of June one thousand nine hundred and thirty-four the St. Mellons Council gave notice in writing to the Board of their election to drain into the intercepting sewers of the Board the sewage from an additional area in the parish of St. Mellons :

And whereas it is expedient to alter the terms upon which sewage from the said parishes in the Magor and St. Mellons Rural District is received into the sewers of the Board :

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 section 110 of the Act of 1912 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 (that is to say) :—

1. This Act may be cited as the Rhymney Valley Sewerage Board Act 1936. Short title.

A.D. 1936.

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Inter-
pretation.

2.—(1) In this Act the several words and expressions to which meanings are assigned by the Public Health Acts 1875 to 1925 shall 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 Board ” means the Rhymney Valley Sewerage Board;

“ The Act of 1912 ” means the Rhymney Valley Sewerage Board Act 1912;

“ The St. Mellons Council ” means the Rural District Council of Magor and St. Mellons;

“ The revenues of the Board ” has the same meaning as in the Act of 1912.

Alteration
of terms for
disposal of
sewage from
Magor and
St. Mellons
Rural
District.

3. As from the twenty-ninth day of September one thousand nine hundred and thirty-six subsection (5) of section 73 (For protection of St. Mellons Rural District Council) of the Act of 1912 shall be read and have effect as though the words “ one shilling and threepence ” had been substituted for the words “ five pence ” and as though the words “ one hundred and eighty ” had been substituted for the word “ sixty.”

Power to
borrow.

4. The Board may from time to time independently of any other borrowing power borrow at interest for paying the costs charges and expenses of this Act the sum requisite for that purpose and shall pay off all moneys so borrowed within the period of five years from the date of borrowing and in order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the Board may mortgage or charge the revenues of the Board.

Application
of Part IX
of Local
Government
Act 1933 to
borrowing
of money by
Board.

5.—(1) The provisions of Part IX (Borrowing) of the Local Government Act 1933 and the regulations made thereunder so far as they are not inconsistent with the provisions of this Act shall extend and apply to the Board and to money borrowed by the Board as if—

(a) the Board were a local authority within the meaning of the Local Government Act 1933;

23 & 24
Geo. 5. c. 51.

(b) the money so borrowed were borrowed under the said Part IX; and A.D. 1936.

(c) the revenues of the Board were the general rate fund or the revenues of the local authority;

and subject to any other modifications which may be necessary to adapt the said Part IX and regulations for the purposes of this section.

(2) The period mentioned in the section of this Act whereof the marginal note is "Power to borrow" shall as respects any money borrowed under that section be the fixed period for the purposes of the said Part IX.

6. Sections 213 and 214 of the Local Government Act 1933 shall apply with respect to any sinking fund formed by the Board for the repayment of any money borrowed (otherwise than by the issue of stock) before the passing of this Act under any statutory borrowing powers as if it had been borrowed by way of mortgage under Part IX of that Act and the Board shall make such adjustments of any existing sinking funds as may be proper. Application of Local Government Act 1933 to existing sinking funds.

7. For the purposes of the definition of "statutory securities" in section 218 (Definitions) of the Local Government Act 1933 any securities created by the Board shall be deemed to be securities created by a local authority. As to securities of Board.

8. The costs charges and expenses preliminary to and of and incidental to preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall after taxation by the taxing officer of the House of Lords or of the House of Commons be paid by the Board, out of the revenues of the Board or out of moneys to be borrowed by the Board under this Act. Expenses of Act.

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