

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

*Bedwelty Urban* [Ch. xxxvii.]  
*District Council Act, 1936.*



## CHAPTER xxxvii.

An Act to alter the incidence of rating for certain purposes in the urban district of Bedwelty to confer further powers on the urban district council of Bedwelty for and in connection with their electricity undertaking and the improvement good government and finances of their district and for other purposes.

A.D. 1936.

[29th May 1936.]

**W**HEREAS the urban district of Bedwelty (in this Act referred to as "the district") is an urban district under the government of the urban district council of Bedwelty (in this Act referred to as "the Council"):

And whereas the Council are constituent members (in respect of certain parts of their district) of the Western Valleys (Monmouthshire) Sewerage Board the Rhymney Valley Sewerage Board and the Rhymney Valley Water Board and by reason of the statutory enactments and other provisions contained in the Acts and Orders specified in the First Schedule to this Act the contributions of the Council towards the deficiencies in the revenue of the said boards are payable out of the produce of rates levied in the parts of the district included within the areas or limits of supply of the said boards:

And whereas by the County of Monmouth Review Order 1935 the district was extended by the inclusion

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A.D. 1936. — therein as from the first day of April one thousand nine hundred and thirty-five of an area which previously formed part of the urban district of Mynyddislwyn and portions of that area were by the said Order included within the constituent area of the Council for the purposes of determining the contributions of the Council towards the deficiencies in the revenue of the said boards :

2 & 3 Geo. 5. Health Acts the Bedwellty Urban District Council  
c. 1. Act 1912 and the Bedwellty Urban District Council  
9 & 10 Geo. 5. Act 1919 the Council are required to carry to the  
c. lxiv. general rate fund in respect of the whole of the district  
any profits and to charge to the said general rate fund  
any losses in connection with the said undertakings  
irrespective of the areas in which gas water and  
electricity are supplied :

And whereas the existing statutory and other provisions lead to serious administrative difficulties as well as injustice as between the ratepayers in different parts of the district and it is expedient that the incidence of rating should be made equal throughout the district and that the provisions hereinbefore recited with respect to the charging of contributions payable on the precepts of the said boards to special rating areas within the district should be amended :

And whereas it is expedient that further powers should be conferred upon the Council in relation to their electricity undertaking and that further and better provision should be made for the good government and improvement of the district and that the powers of the Council in regard thereto should be enlarged as in this Act provided :

And whereas it is expedient that the provisions in regard to the finances of the Council which are contained in this Act should be made :

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 :

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And whereas in relation to the promotion of the Bill for this Act the requirements of sections 253 254 and 255 of the Local Government Act 1933 have been observed :

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23 & 24  
Geo. 5. c. 51.

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 1936.*

Short and  
collective  
titles.

(2) The *Bedwelty Urban District Council Acts 1912 to 1925* and this Act may be cited together as the *Bedwelty Urban District Council Acts 1912 to 1936.*

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

Division of  
Act into  
Parts.

Part I.—Preliminary.

Part II.—Rating.

Part III.—Electricity.

Part IV.—Streets and buildings.

Part V.—Financial and miscellaneous.

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

Interpreta-  
tion.

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

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

“ The district ” means the urban district of *Bedwelty*;

“ The clerk ” means the clerk of the Council;

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38 & 39  
Vict. c. 58.

“The Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same;

“The electricity undertaking” means the electricity undertaking of the Council for the time being authorised;

“The electricity limits” means the limits within which the Council are for the time being authorised to supply electricity;

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

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

“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

38 & 39  
Vict. c. 83.

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passed or to be passed but does not include A.D. 1936.  
the power to borrow by way of temporary  
loan or overdraft which is conferred by  
paragraph (a) of subsection (1) of section 215  
of the Local Government Act 1933.

## PART II.

### RATING.

4.—(1) The portion of subsection (1) of section 23 Deficiencies  
(Contributions by Bedwelty and Tredegar Councils in revenue  
and application of section 90 of the Act of 1903) of of certain  
the Western Valleys (Monmouthshire) Sewerage Board boards.  
Act 1907 commencing with the words “but in the 7 Edw. 7.  
application of that section” and concluding with the c. cxxvi.  
words “such amounts accordingly” shall as from the  
thirty-first day of March one thousand nine hundred  
and thirty-seven cease to apply to the Council in respect  
of the amount of any deficiency in the net revenue  
of the Western Valleys (Monmouthshire) Sewerage Board  
apportioned to and payable by the Council in pursuance  
of section 90 (Contributions by constituent authorities)  
of the Western Valleys (Monmouthshire) Sewerage 3 Edw. 7.  
Board Act 1903. c. ccxlviii.

(2) Subsection (5) of section 102 (Contributions by constituent authorities) of the Rhymney Valley 2 & 3 Geo. 5.  
Sewerage Board Act 1912 shall as from the thirty-first c. lxxxviii.  
day of March one thousand nine hundred and thirty-seven  
cease to apply to the Council in respect of the amount  
of any deficiency in the net revenue of the Rhymney  
Valley Sewerage Board apportioned to and payable  
by the Council in pursuance of that section.

(3) Section 94 (Separate assessments in parts of certain urban districts) of the Rhymney Valley Water 11 & 12  
Act 1921 and section 7 (Deficiencies in revenue of Geo. 5.  
Rhymney Valley Water Board) of the Bedwelty Urban c. lxxxiii.  
District Council Act 1925 shall as from the thirty-first 15 & 16  
day of March one thousand nine hundred and thirty-seven Geo. 5. c. liv.  
cease to apply to the Council in respect of the amount  
of any deficiency in the net revenue of the Rhymney  
Valley Water Board apportioned to and payable by the  
Council in pursuance of section 92 (Apportionment of  
deficiency in net revenue of the board) of the Rhymney  
Valley Water Act 1921.

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(4) Notwithstanding anything contained in any of the sections referred to in subsections (1) (2) and (3) of this section or in any of the Acts and Orders referred to in the First Schedule to this Act the amount apportioned to and payable by the Council of any deficiency in the net revenue of the boards referred to in those subsections shall as from the first day of April one thousand nine hundred and thirty-seven be paid out of the general rate.

(5) In the application of—

- (a) subsection (5) of section 90 of the Western Valleys (Monmouthshire) Sewerage Board Act 1903;
- (b) subsection (6) of section 102 of the Rhymney Valley Sewerage Board Act 1912; and
- (c) subsection (5) of section 92 of the Rhymney Valley Water Act 1921;

to the district the rate which may be raised by any officer of the boards mentioned in the said subsections shall be levied only upon that portion of the district which is within the portion of Bedwellty to which the said subsections applied immediately before the passing of this Act.

(6) Section 7 (Deficiencies in revenue of Rhymney Valley Water Board) and section 42 (Extinction of special rates) of the Bedwellty Urban District Council Act 1925 shall be repealed as from the thirty-first day of March one thousand nine hundred and thirty-seven.

Differential  
rating.

5.—(1) During each of the financial years mentioned in column 1 of the Second Schedule to this Act the total amount in the pound of the aggregate of any general rates levied by the Council upon any hereditament situate within so much of the district as is situate within the Sirhowy portion of Bedwellty as described in the First Schedule to the Western Valleys (Monmouthshire) Sewerage Board Act 1907 shall be less by the sum stated in column 2 of the Second Schedule to this Act than the total amount in the pound of the aggregate of those rates levied upon hereditaments within the remainder of the district.

(2) The total relief from rates allowed under this section shall not exceed in any financial year the total amount in the pound of that part of the aggregate of any general rates which is levied to meet the expenses of the Council in respect of that financial year. A.D. 1936.  
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(3) The abatement from the general rate afforded in pursuance of the provisions of this section shall be entered on all demand notes for rates issued to rate-payers of the area to which the abatement extends and the net amount in the pound of the rate shall be distinguished.

### PART III.

#### ELECTRICITY.

6.—(1) Where the charges made by the Council for electricity supplied by them for one purpose are less than the charges made by them for electricity supplied for another purpose electricity supplied by the Council for the first-mentioned purpose shall not without the consent in writing of the Council be used (whether after transformation or conversion or not) for the last-mentioned purpose and if any person to whom any electricity is supplied uses it or suffers it to be used in contravention of the provisions of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings. Use for one purpose of electricity supplied for another purpose.

(2) Where a person is convicted of an offence under this section in respect of the use of electricity for any purpose the court may direct that all or any portion of the electricity which has been supplied to him by the Council within one year previous to the date when the proceedings were instituted at a rate of charge lower than the rate of charge appropriate for electricity supplied for the said purpose shall be charged for at the last-mentioned rate.

(3) For the purposes of this section electricity shall not be deemed to be used for lighting purposes by reason only that it is used for the purposes of some electrical apparatus which contains a lamp if the purposes of the apparatus as a whole are not lighting purposes.

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Further  
powers as to  
entry upon  
premises.

45 & 46 Vict.  
c. 56.

7.—(1) The powers conferred on the Council by section 24 of the Electric Lighting Act 1882 of entering premises shall be extended as follows:—

(a) The premises which may be entered shall include all premises in the electricity limits in which electric fittings are being or have been installed with a view to taking a supply of electricity from the Council;

(b) The purposes for which premises may be entered shall include the following purposes that is to say the inspection of all meters and electric fittings on the premises whether belonging to the Council or not the ascertainment of whether or not there is or has been any contravention of any of the Acts or Orders applying to the Council or of any regulation or byelaw made thereunder and (where the Council are authorised under the provisions of any such Act Order regulation or byelaw to cut off the supply of electricity to the premises) the cutting off of such supply.

The Council shall not have any power of entry into any such premises except through an officer duly authorised by the Council who shall if so required produce his authority.

(2) Any person who shall refuse to admit any such officer of the Council to any premises which they are entitled to enter in pursuance of the said section 24 as amended by this section or shall hinder any such officer from entering any such premises or from exercising the powers conferred by the said section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(3) For the purposes of this section "electric fittings" includes electric lines meters accumulators fittings works and apparatus for the supply of electricity.

(4) The provisions of this section shall not apply to or in respect of any building or premises (not being a dwelling-house) belonging to and used by any railway company for the purpose of their railway and forming part of any station or goods depot.



8. Notwithstanding anything in any Act or Order relating to the Council or the electricity undertaking the Council on the one hand and any authority company body or person (other than authorised distributors) to whom the Council are authorised to supply electricity on the other hand may enter into and carry into effect contracts or agreements for or with respect to the supply of electricity by the Council to such authority company body or person and at such price and on such terms and conditions as may be agreed and the Council may supply electricity accordingly Provided that the Council shall not in making any such contract or agreement show any undue preference to any such authority company body or person.

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Agreements  
for supply of  
electricity.

9. If the Council commence proceedings for the summary recovery of a sum due for the supply of electricity any other sum due or payable to the Council in respect of the sale or hire of any apparatus or fittings supplied by them for or in connection with the consumption or use of electricity or the provision of materials and work in connection therewith or the fixing setting up repairing altering maintaining or removal thereof may be included in the same summons and may be recovered summarily provided that the amount due or payable in respect thereof does not exceed twenty pounds.

As to  
recovery  
summarily  
of sums due  
for fittings.

10. The provisions of section 59 of the Rating and Valuation Act 1925 relating to the sending or service of demand notes shall apply to demand notes for any charges made in connection with the electricity undertaking.

Service of  
electricity  
demand  
notes.  
15 & 16  
Geo. 5. c. 90.

11. The Council may if they think fit make an allowance by way of discount on all sums of money due to them for the supply of electricity from any person who pays the same within such time of the demand thereof as the Council think fit to prescribe in that behalf and notice to that effect shall (if and so long as the Council shall allow such discount) be endorsed on every demand note in respect of such charges Provided that the Council shall make the same allowance to all consumers under similar conditions.

Discounts  
for prompt  
payment.

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PART IV.

STREETS AND BUILDINGS.

Disused  
bridges  
and level  
crossings.

**12.**—(1) If at any time the Council determine that any bridge or level crossing which may have been constructed for the purpose of carrying a light railway or tramway (other than a light railway or tramway constructed under statutory authority) over under or across any highway and the use of which has been discontinued for a period of not less than three years is a nuisance or obstruction or is from neglect or otherwise in such a structural condition as to be dangerous they may give notice to the owner of such bridge or level crossing requiring him within one month after the service of such notice to remove such bridge or level crossing and to restore and make good the highway to as good a condition as that of the adjoining portions of the highway at the time of removal and to clear away any surplus paving metalling material and rubbish occasioned by such work.

(2) If the owner of any such level crossing or bridge cannot after inquiry be ascertained the notice required by subsection (1) of this section shall be placed in some conspicuous position on or near such level crossing or bridge.

(3) If default is made in complying with any notice under this section the Council may themselves carry out the requirements of the notice and the expenses incurred by them in so doing may be recovered by the Council from the owner summarily as a civil debt.

No buildings  
to be erected  
until street  
formed.

**13.**—(1) Any person who lays out or intends to lay out a new street or part of a new street shall as soon as any building is erected and roofed in abutting on such new street or part of a new street if required by the Council so to do construct the carriageway of such new street or such part of the new street as may be required by the Council with a foundation of suitable materials and of sufficient depth to be capable of carrying the traffic which will make use of the same and shall also if required sewer such street or such part of such street :

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Provided that where any new street is or is intended to be constructed of a length exceeding one hundred yards the Council shall not be empowered to require such new street to be constructed in its entire length by one operation but such street may be constructed in parts and in such event nothing in this section shall prevent the erection or roofing in of a new building abutting on any part of such street in reference to which the foregoing provisions of this section have been complied with. A.D. 1936.  
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(2) The execution of any works under the provisions of this section shall not relieve any person of any liability under the Private Street Works Act 1892 or under the local Acts for the time being in force within the district. 55 & 56 Vict.  
c. 57.

(3) Any person offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

(4) Nothing in this section shall apply to any street or part of a street repairable by a railway company and forming the approach to any station or depot of such company not being a street laid out or intended to be laid out for dwelling-houses.

14.—(1) At any time within one month after the deposit of the plans of any new building intended or adapted for use as a dwelling-house (or where such plans have been approved but the erection of the building has not been commenced before the passing of this Act then at any time before the erection of such building is commenced) the Council may by notice in writing require the provision either before the building is erected or before it is sold let or occupied (as the Council shall specify) of sufficient means of communication between the building and a street which is either a highway repairable by the inhabitants at large or has been laid out and constructed in accordance with the byelaws for the time being in force with respect to new streets. Means of  
access to  
buildings.

(2) If it appears to the Council to be necessary that the means of communication to be provided under this section shall be in the form of a street the Council may by their notice require a new street to be laid out and if the construction of such means of communication

A.D. 1936. — appears to them necessary they may by their notice require constructional work in connection with such means of communication not exceeding that required for a new street by the byelaws in force with respect to the construction of new streets.

(3) The Council may if they think fit contribute towards the cost of the provision of means of communication or of the work required under this section.

(4) Where notice of a requirement under this section has been given by the Council a person shall not begin to erect or proceed with the erection of any building to which the notice relates nor sell let or occupy such building (as the case may be) until the notice of the Council has been complied with or until security has been given to the satisfaction of the Council that the notice will be complied with.

(5) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

(6) Any person aggrieved by any requirement of the Council under this section may within fourteen days after the date on which the Council give notice of their requirement appeal to a court of summary jurisdiction provided he give twenty-four hours' written notice of the 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.

(7) Notice of the right of appeal shall be endorsed on every notice communicating a requirement of the Council under this section.

Provisions  
as to tents  
vans &c.  
51 & 52 Vict.  
c. 52.

**15.**—(1) Any tent van shed or similar structure standing upon land abutting upon a street shall for the purpose of section 3 of the Public Health (Buildings in Streets) Act 1888 in its application to the district be deemed to be a house or building within the meaning of those words where they first occur in the said section.

(2) It shall not be lawful without the written consent of the Council to place any tent van shed or similar structure used for human habitation so as to stand upon any square court alley or passage to which

the public have access or which is required by law to be kept free from obstructions. A.D. 1936

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

**16.**—(1) (a) No tent van shed or similar structure used or intended to be used for human habitation shall be placed or kept on any land without the previous approval of the Council. Prohibition  
of tents vans  
&c.

(b) It shall not be lawful for any person without the previous consent of the Council to let or permit to be used any land for occupation by any tent van shed or similar structure used or intended to be used for human habitation unless the surface of such land is covered with concrete or other suitable material and unless and until such land is provided with sufficient roads sanitary accommodation drains and sewers and is furnished with a separate supply of water to the satisfaction of the Council.

(c) Land furnished in compliance with this subsection with a separate supply of water shall be deemed to be a house for the purposes of the provisions relating to the supply of water for domestic purposes.

(2) Any person aggrieved by the withholding by the Council of any approval under the provisions of this section may within twenty-one days from the date of the decision of the Council appeal to a court of summary jurisdiction provided he give notice in writing of such appeal and of the grounds thereof to the clerk before lodging the appeal and such court may make such order on such terms and conditions as to the court may seem just. The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(3) This section shall not apply to—

(a) any tent van shed or similar structure belonging to any person and situate within the curtilage of the dwelling-house of such person and occupied by such person or any member of his family or household; or

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- (b) any person dwelling in a tent or van or other similar structure who is a roundabout proprietor travelling showman or stallholder travelling with a travelling show not being a pedlar or hawker; or
- (c) any tent or van which is used as a sole means of habitation by a gipsy and which is not used in the district for more than six weeks in any year ending on the thirty-first day of December.

(4) This section shall not apply to any tent van shed or similar structure belonging to or occupied by any person whilst the same is used by him for holiday or recreational purposes only unless it is used or intended to be used by the occupier as a sole or principal means of habitation for an unbroken period exceeding six weeks.

The exemption conferred by this subsection in respect of any tent van shed or similar structure shall apply only for so long as the person to or by whom such tent van shed or similar structure belongs or is used shall continue to make reasonable arrangements for the maintenance of good order amongst the persons using such tent van shed or similar structure.

(5) This section shall not apply to any tent van shed or similar structure provided by or belonging to or used by—

- (a) any duly constituted religious or charitable society or body operating throughout Great Britain to the main objects of which the provision ownership or use of tents vans sheds or similar structures is merely subsidiary;
- (b) any association incorporated by royal charter or any organisation constituted by any such association in pursuance of their charter;
- (c) a cadet unit of the British National Cadet Association officially recognised by the Army Council.

The exemption conferred by paragraph (a) of this subsection in respect of any tent van shed or similar structure shall apply only for so long as the society or body to or by whom such tent van shed or similar

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structure belongs or is provided or used shall continue to make and enforce reasonable arrangements (i) for the maintenance of good order amongst the persons using such tent van shed or similar structure (ii) for the proper management and sanitary condition of the ground occupied by the tent van shed or similar structure and (iii) for the supply of water to the occupiers of such tent van shed or similar structure. A.D. 1936.

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

17.—(1) It shall not be lawful for any person (other than a person employed by the Council in connection with any refuse tip used by the Council for the disposal of refuse) to sort over or disturb the material deposited upon any refuse tip. Prohibiting sorting of contents of refuse tips and ashbins.

(2) It shall not be lawful for any person (other than a person appointed by the Council for the purpose of emptying ashbins or other receptacles for refuse) to sort over or disturb the contents of any such ashbin or receptacle when placed in any street or in any forecourt adjoining any street for the purpose of the removal of such contents by the Council.

(3) Any person acting in contravention of the provisions of this section shall be liable to a penalty not exceeding five pounds.

## PART V.

### FINANCIAL AND MISCELLANEOUS.

18.—(1) The Council shall have power in addition and without prejudice to their powers of borrowing under the Local Government Act 1933 from time to time to borrow without the consent of any sanctioning authority the sum or sums requisite for the payment of the costs charges and expenses of this Act and they shall pay off all moneys so borrowed within such period as the Council may determine not exceeding five years from the passing of this Act. Power to borrow.

(2) The provisions of Part IX of the Local Government Act 1933 so far as they are not inconsistent with

A.D. 1936. — this Part of this Act shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

Application  
of Local  
Government  
Act 1933 to  
existing  
sinking  
funds.

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

Renewal  
and repairs  
fund.

20.—(1) The Council may if they think fit in any year carry from the general rate fund or from the proceeds of the general rate to the credit of a fund to be called "the renewal and repairs fund" any sum not exceeding an amount equal to twelve and one half per centum of the cost incurred by the Council (otherwise than for the purposes of any undertaking of the Council from which revenue is derived) in connection with the provision of horses carts mechanically propelled vehicles stables garages depots boilers and equipment and apparatus in connection therewith as shown in the accounts at the thirty-first day of March in any such year.

(2) The maximum amount standing to the credit of the renewal and repairs fund shall not at any time exceed two thousand pounds.

(3) The renewal and repairs fund shall be applicable only to meet expenses requisite for the maintenance and renewal of the appliances plant and equipment referred to in subsection (1) of this section which are not comprised in any undertaking of the Council from which revenue is derived and shall be so applied from time to time for the purpose of equalising so far as may be the annual charge to revenue in respect of such expenses.

(4) (a) Pending the application of moneys forming part of the renewal and repairs fund to the purposes authorised by subsection (3) of this section such moneys shall be invested in statutory securities.



(b) Any income arising from the investment of the moneys in the renewal and repairs fund in manner provided by this subsection together with any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund and (subject to the limitation imposed by subsection (2) of this section) an amount equivalent to such income shall be credited to the renewal and repairs fund. A.D. 1936.

**21.**—(1) Notwithstanding anything contained in any other Act or Order all moneys received by the Council whether on capital or revenue account including (but without prejudice to the generality of this provision)— Receipts and expenses.

(a) all money received on account of the revenue of any of the undertakings of the Council;

(b) interest and other annual proceeds received on the investments forming part of any fund accumulated for the redemption of debt or as a reserve renewals repairs depreciation contingency or other similar fund (including any interest payable to any such fund or any other fund in pursuance of section 8 (Use of moneys forming part of reserve fund) of the *Bedwellty Order 1928* which was scheduled to and confirmed by the *Ministry of Health Provisional Orders Confirmation (No. 11) Act 1928*); and 18 & 19 Geo. 5. c. lviii.

(c) all moneys received by the Council in respect of special services;

shall be carried to and form part of the general rate fund and all payments and expenses made and incurred by the Council in respect of any of the said undertakings or in carrying into execution the powers and provisions of this or any other Act (including interest on moneys borrowed by the Council and all sums required by law to be paid or transferred or which the Council may determine to pay or transfer to any such fund as is referred to in paragraph (b) of this subsection) shall be paid or transferred out of the general rate fund:

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Provided that in the accounts of the Council—

- (i) an amount equivalent to the interest and other annual proceeds as aforesaid shall (subject in the case of any of the said funds to any prescribed limit on the amount thereof) be credited to the fund on the investments of which the same is received;
- (ii) an amount equivalent to the money received by the Council in respect of the special services shall be credited to and an amount equivalent to the payments and expenses made and incurred by the Council in respect of the special services shall be debited against the specified rating areas.

(2) Nothing in this section shall authorise the Council to apply capital money to any purpose other than a purpose to which capital money is properly applicable.

(3) In this and the next succeeding section of this Act the expression “special services” means the services for the time being provided by or at the cost of the Council and in respect of which any payments and expenses made and incurred by the Council are chargeable separately on a part of the rating area of the Council by additional items of the general rate under subsection (5) of section 2 of the Rating and Valuation Act 1925.

Accounts of  
under-  
takings.

**22.**—(1) The Council shall keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of each of the undertakings of the Council as from time to time existing from which revenue is derived (each of which is in this section separately referred to as “the undertaking”) and in respect of each of the special services on the one side all receipts in respect of the undertaking or special service (including the income from any such fund as is referred to in paragraph (b) of subsection (1) of the last preceding section of this Act authorised in connection with the undertaking) and on the other side all payments and expenses in respect of the undertaking or special service

such payments and expenses being divided so as also to show in each case the amounts representing— A.D. 1936.

- (a) the working and establishment expenses and cost of maintenance of the undertaking or special service;
- (b) the interest on moneys borrowed by the Council for the purposes of or connected with the undertaking or special service;
- (c) the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking or special service;
- (d) all other expenses (if any) of the undertaking or special service properly chargeable to revenue;
- (e) the amount (if any) paid to any reserve fund which the Council are from time to time authorised to maintain; and
- (f) any money expended on any of the purposes mentioned in the section of this Act of which the marginal note is "Application of revenue of undertakings."

(2) The Council shall show in their accounts relating to any undertaking or purpose or special service all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Council keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

**23.**—(1) If in respect of any year the moneys received by the Council on account of the revenue of any of the undertakings of the Council (including the interest and other annual proceeds received by the Council in that year on the investments representing or forming part of any such fund as is referred to in

Application  
of revenue  
of under-  
takings.

A.D. 1936.

— paragraph (b) of subsection (1) of the section of this Act of which the marginal note is "Receipts and expenses" provided in connection with the undertaking) shall exceed the moneys expended or applied by the Council in respect of that undertaking for the several purposes mentioned in paragraphs (a) (b) (c) and (d) of subsection (1) of the last preceding section of this Act the Council may in respect of that year (if they think fit but subject to the provisions hereinafter contained) apply out of the general rate fund a sum not exceeding the amount of such excess to any of the following purposes:—

- (a) In reduction of capital moneys borrowed for the purposes of the undertaking;
- (b) In the renewal and (subject in the case of the electricity undertaking to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) the construction extension or improvement of any works and conveniences for the purposes of the undertaking; and
- (c) In providing a reserve fund in respect of any of the undertakings of the Council by setting aside such an amount as they may from time to time think reasonable and (unless the amounts so set aside are used in the manner authorised by section 8 (Use of moneys forming part of reserve fund) of the *Bedwelty Order 1928*) investing the same in statutory securities until the fund so formed amounts in the case of the electricity undertaking to a sum equal to one-tenth of the aggregate capital expenditure of the Council on that undertaking and in the case of other undertakings to the maximum reserve fund from time to time prescribed by the Council.

(2) Any reserve fund which has been provided in respect of any undertaking of the Council and which is in existence on the first day of April one thousand nine hundred and thirty-six shall be carried to and form part of any reserve fund provided under this section in respect of such undertaking.

A.D. 1936.

Provided that in the accounts of the Council—

- (i) an amount equivalent to the interest and other annual proceeds as aforesaid shall (subject in the case of any of the said funds to any prescribed limit on the amount thereof) be credited to the fund on the investments of which the same is received;
- (ii) an amount equivalent to the money received by the Council in respect of the special services shall be credited to and an amount equivalent to the payments and expenses made and incurred by the Council in respect of the special services shall be debited against the specified rating areas.

(2) Nothing in this section shall authorise the Council to apply capital money to any purpose other than a purpose to which capital money is properly applicable.

(3) In this and the next succeeding section of this Act the expression "special services" means the services for the time being provided by or at the cost of the Council and in respect of which any payments and expenses made and incurred by the Council are chargeable separately on a part of the rating area of the Council by additional items of the general rate under subsection (5) of section 2 of the Rating and Valuation Act 1925.

Accounts of  
under-  
takings.

**22.**—(1) The Council shall keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of each of the undertakings of the Council as from time to time existing from which revenue is derived (each of which is in this section separately referred to as "the undertaking") and in respect of each of the special services on the one side all receipts in respect of the undertaking or special service (including the income from any such fund as is referred to in paragraph (b) of subsection (1) of the last preceding section of this Act authorised in connection with the undertaking) and on the other side all payments and expenses in respect of the undertaking or special service

(b) Any income arising from the investment of the moneys in the renewal and repairs fund in manner provided by this subsection together with any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund and (subject to the limitation imposed by subsection (2) of this section) an amount equivalent to such income shall be credited to the renewal and repairs fund. A.D. 1936.

**21.**—(1) Notwithstanding anything contained in any other Act or Order all moneys received by the Council whether on capital or revenue account including (but without prejudice to the generality of this provision)— Receipts and expenses.

(a) all money received on account of the revenue of any of the undertakings of the Council;

(b) interest and other annual proceeds received on the investments forming part of any fund accumulated for the redemption of debt or as a reserve renewals repairs depreciation contingency or other similar fund (including any interest payable to any such fund or any other fund in pursuance of section 8 (Use of moneys forming part of reserve fund) of the *Bedwellty Order 1928* which was scheduled to and confirmed by the Ministry of Health Provisional Orders Confirmation (No. 11) Act 1928); and 18 & 19 Geo. 5. c. lviii.

(c) all moneys received by the Council in respect of special services;

shall be carried to and form part of the general rate fund and all payments and expenses made and incurred by the Council in respect of any of the said undertakings or in carrying into execution the powers and provisions of this or any other Act (including interest on moneys borrowed by the Council and all sums required by law to be paid or transferred or which the Council may determine to pay or transfer to any such fund as is referred to in paragraph (b) of this subsection) shall be paid or transferred out of the general rate fund:

(3) Any reserve fund provided under this section may be applied— A.D. 1936.

- (a) in making good to the general rate fund any deficiency at any time happening in the income of the Council from the undertaking in connection with which it is formed; or
- (b) in meeting any extraordinary claim or demand at any time arising against the Council in respect of that undertaking; or
- (c) (subject in the case of the electricity undertaking to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) in or towards the payment of the cost of renewing improving or extending any works forming part of the undertaking or otherwise for the benefit thereof;

and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(4) Resort may be had to a reserve fund provided under this section although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

**24.**—(1) In lieu of the provisions of subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 and of the amendments to that subsection set out in the Fifth Schedule to the Electricity (Supply) Act 1926 the following provisions (in addition to the provisions of the section of this Act of which the marginal note is “Application of revenue of undertakings”) shall apply with respect to the electricity undertaking (namely):—

Provisions  
as to surplus  
electricity  
revenue.  
62 & 63 Vict.  
c. 19.  
16 & 17  
Geo. 5. c. 51.

If in respect of any year the moneys received by the Council on account of the revenue of the undertaking (including the interest and annual proceeds received by the Council in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is

A.D. 1936.  
—

“Receipts and expenses” provided in connection with the undertaking) shall exceed the aggregate of the moneys paid or expended in respect of the undertaking for the several purposes mentioned in paragraphs (a) to (f) of subsection (1) of the section of this Act of which the marginal note is “Accounts of undertakings” then—

(a) if the reserve fund in respect of the electricity undertaking does not amount to more than one-twentieth of the aggregate capital expended for the time being upon the undertaking the charges for electricity supplied by the Council shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the said excess;

(b) if the said reserve fund amounts to more than one-twentieth of the said aggregate capital the Council shall fix such amount as they may think fit (not being less in any case in which the said excess is more than a sum equal to one and a half per centum of the outstanding debt of the undertaking than the difference between that sum and the said excess) and the charges for electricity supplied by the Council shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount so fixed.

(2) The Council shall in every year so long as any reserve fund provided in respect of the electricity undertaking is less than the prescribed maximum transfer to that reserve fund out of the general rate fund an amount equal to the interest and other annual proceeds received by the Council in respect of all investments forming part of the said reserve fund and carried to the general rate fund.

Date of  
operation of  
certain  
sections and  
repeal.

**25.**—(1) The four last preceding sections of this Act shall be deemed to have come into operation on the first day of April one thousand nine hundred and thirty-six.



(2) As from the said date the following enactments shall be repealed (that is to say) :— A.D. 1936.

*Bedwelty Urban District Council Act 1912—*

- Section 126 (Expenses of executing Act);
- Section 130 (Application of revenue and deficiency of receipts in respect of water undertaking);
- Section 131 (Application of revenue and deficiency of receipts in respect of gas undertaking);
- Section 132 (Separate water and gas accounts to be kept and audited).

*Bedwelty Urban District Council Act 1919—*

- Section 37 (Application of parts of Act of 1912) so far as it applies section 126 of the *Bedwelty Urban District Council Act 1912* to the Council and to expenses incurred by the Council under the *Bedwelty Urban District Council Act 1919*.

*Bedwelty Urban District Council Act 1925—*

- Section 53 (Application of financial provisions of Act of 1912) so far as it applies section 126 of the *Bedwelty Urban District Council Act 1912*.

**26.** For the purposes of section 15 of the Rating and Valuation Act 1925 the rates due from the person rated for any hereditament within the district shall be deemed to be in arrear if such rates are not paid within two months after lawful demand in writing has been made for the same. As to recovery of rates from tenants and lodgers.

**27.** If a justice is satisfied on complaint by any officer of the Council duly authorised that any person is quitting or about to quit any premises in the district and has failed to pay on demand any general rate or any gas water or electricity charge which may be due from him and intends to evade payment of the same by departing from the district the justice may in addition to issuing a summons for non-payment of the same issue a warrant under his hand authorising the said Recovery of rate &c. from persons removing.

A.D. 1936. — officer to seize forthwith and detain the goods and chattels of such person until the complaint is determined upon the return of the summons.

As to  
appeals.

**28.**—(1) Any person aggrieved by an order made by a court of summary jurisdiction under the provisions of this Act may appeal against the order to a court of quarter sessions and the Council may likewise appeal against the refusal of a court of summary jurisdiction to make any such order.

12 & 13 Vict.  
c. 45.

(2) Any person aggrieved by an order judgment determination or requirement or by the withholding of any certificate licence consent or approval of or by the Council or of or by any officer thereof under the provisions of Part IV (Streets and buildings) of this Act may if no other mode of appeal is provided by this Act appeal in manner provided by the Quarter Sessions Act 1849 to the next practicable court of quarter sessions held not less than thirty days after notice of the decision appealed against has been sent to him and the notice of appeal shall be given to the Council and to the clerk of the peace.

Application  
of provisions  
of former  
Acts.

**29.** The following provisions of the *Bedwellty Urban District Council Act 1912* and the *Bedwellty Urban District Council Act 1925* shall with any necessary alterations or modifications and subject to the provisions of this Act extend and apply for the purposes of this Act as if the same were re-enacted in this Act (that is to say):—

*Bedwellty Urban District Council Act 1912*—

- Section 141 (Evidence of appointments and authority);
- Section 142 (Authentication and service of notices &c.);
- 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);

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

*Bedwellty Urban* [Ch. xxxvii.]  
*District Council Act, 1936.*

- Section 151 (Saving for indictments); A.D. 1936.  
Section 152 (Judges not disqualified);  
Section 153 (Powers of Act cumulative);  
Section 154 (Crown rights).

*Bedwellty Urban District Council Act 1925—*

- Section 57 (Power to enter premises) with the substitution of references to Part IV (Streets and buildings) of this Act;  
Section 60 (Apportionment of expenses in case of joint owners);  
Section 61 (Expenses may be declared private improvement expenses);  
Section 62 (Penalty on occupier refusing execution of Act) with the substitution of references to Part IV (Streets and buildings) of this Act;  
Section 63 (Summons or warrant may contain several sums).

**30.** The following provisions of the *Bedwellty Urban District Council Acts 1912 to 1925* are hereby repealed:—

*Bedwellty Urban District Council Act 1912—*

- Section 112 (Certain provisions of Public Health Acts not to apply);  
Section 114 (Provisions as to mortgages);  
Section 115 (Appointment of receiver);  
Section 116 (Protection of lenders from inquiry);  
Section 119 (Sinking fund);  
Section 122 (Power to re-borrow);  
Section 123 (Power to use one form of mortgage for all purposes);  
Section 124 (Council not to regard trusts or bound to see to application of moneys).

*Bedwellty Urban District Council Act 1919—*

- Section 25 (Testing place);  
Section 26 (Testing for calorific power);

A.D. 1936.

- Section 27 (Provision as to testing for calorific power);
- Section 28 (Penalties for deficient calorific power);
- Section 29 (Pressure of gas);
- Section 30 (Saving as to penalties);
- Section 31 (Power to Board of Trade to vary standard calorific power);
- Section 37 (Application of parts of Act of 1912) so far as it applies sections 112 114 115 116 119 122 124 and 125 of the *Bedwelty Urban District Council Act 1912* to the Council and to moneys borrowed by the Council under the *Bedwelty Urban District Council Act 1919*.

*Bedwelty Urban District Council Act 1925*—

- Section 52 (Sinking fund payments);
- Section 53 (Application of financial provisions of Act of 1912) so far as it applies sections 112 114 115 116 119 122 and 124 of the *Bedwelty Urban District Council Act 1912*;
- Section 55 (Return to Minister of Health with respect to repayment of debt).

Costs of Act.

**31.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council in the first instance out of the general rate fund and general rate but ultimately out of moneys to be borrowed under the authority of this Act for that purpose.

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

*Bedwellty Urban* [Ch. xxxvii.]  
*District Council Act, 1936.*

The SCHEDULES referred to in the  
foregoing Act. A.D. 1936.

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### FIRST SCHEDULE.

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A.—Western Valleys (Monmouthshire) Sewerage Board—

The Western Valleys (Monmouthshire) Sewerage Board Act 1903; 3 Edw. 7.  
c. cxxlviii.

The Western Valleys (Monmouthshire) Sewerage Board Act 1906; 6 Edw. 7.  
c. clxii.

The Western Valleys (Monmouthshire) Sewerage Board Act 1907. 7 Edw. 7.  
c. cxxvii.

B.—Rhymney Valley Sewerage Board—

The Rhymney Valley Sewerage Board Act 1912; 2 & 3 Geo. 5.  
c. lxxxviii.

The Rhymney Valley Sewerage Board Order 1931 which was scheduled to and confirmed by the Ministry of Health Provisional Order Confirmation (Rhymney Valley Joint Sewerage District) Act 1931; 21 & 22  
Geo. 5.  
c. lxxvii.

The County of Monmouth Review Order 1935.

C.—Rhymney Valley Water Board—

The Rhymney Valley Water Act 1921; 11 & 12 Geo. 5.  
c. lxxxiii.

The Bedwellty Urban District Council Act 1925; 15 & 16 Geo. 5  
c. liv.

The Rhymney Valley Water Act 1926; 16 & 17 Geo. 5  
c. xlvi.

The Rhymney Valley Water Board (Precepting) Order 1931;

The County of Monmouth Review Order 1935.

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A.D. 1936.

SECOND SCHEDULE.

RELIEF FROM GENERAL RATE.

1. Year commencing 1st April.	2. Relief.
	<i>s. d.</i>
1937 - - - - -	2 3
1938 - - - - -	2 0
1939 - - - - -	1 9
1940 - - - - -	1 6
1941 - - - - -	1 3
1942 - - - - -	1 0
1943 - - - - -	0 9
1944 - - - - -	0 6
1945 - - - - -	0 3

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