



CHAPTER xlii.

An Act to amend the provisions of the Sheffield Corporation Water Acts relating to the Water Rents to be taken by the Corporation and to extend the time limited by the Sheffield Waterworks Act 1881 for the completion of certain Reservoirs and for other purposes. A.D. 1893.

[9th June 1893.]

WHEREAS by section one hundred and five of the Sheffield Waterworks Act 1864 it was enacted to the effect that the provisions of the Sheffield Waterworks Act 1853 relative to the water rents or rates to be taken by the company of proprietors of the Sheffield Waterworks (herein-after called "the company") should during a period of twenty-five years (terminating in the year one thousand eight hundred and eighty-nine) have effect as if the several maximum water rents or rates in those provisions specified were increased in each instance by twenty-five per centum :

And whereas in the year one thousand eight hundred and eighty-seven the company promoted a Bill for continuing permanently the said additional twenty-five per centum :

And whereas the mayor aldermen and burgesses of the borough of Sheffield (in this preamble called "the Corporation") opposed the said Bill and themselves promoted a Bill for the acquisition of the undertaking of the company :

And whereas the company's Bill was rejected while the Bill of the Corporation passed into law as the Sheffield Corporation (Water) Act 1887 :

And whereas the committee of the House of Lords to which both Bills were referred expressed the opinion that the terms of purchase should be not only fair but liberal and that accordingly in fixing the price for the transfer of the company's works their value should be calculated as though the additional twenty-five per centum expiring in the year one thousand eight hundred and eighty-nine had been continued for five additional years :

A.D. 1893.

And whereas the Corporation subsequently acquired the undertaking of the company on terms embodying that calculation and accordingly the said Act of 1887 contains a provision (in section eleven) continuing the said additional twenty-five per centum for five additional years which will expire on the thirty-first day of December one thousand eight hundred and ninety-four :

And whereas the Corporation are under the obligation of making heavy annual payments into a sinking fund for repayment of the moneys borrowed by them for the purchase of the company's undertaking and the discharge of the company's debenture debt and although the existing revenue of the water undertaking in the hands of the Corporation is sufficient to meet these payments as well as all other charges yet it is anticipated that the revenue will for a few years be insufficient for those purposes if the additional twenty-five per centum is allowed to lapse after the thirty-first December one thousand eight hundred and ninety-four :

And whereas in these circumstances it is expedient to authorise the continuance of the additional twenty-five per centum for such moderate period as will prevent the necessity of any resort to the general rates of the borough for water purposes :

And whereas having regard to such continuance it is expedient to repeal the power of charging in certain circumstances a special water rate or rates which was conferred by the said Act of 1887 and otherwise to amend that Act.:

And whereas the Broomhead and More Hall reservoirs and the Wadsley service reservoir which the Corporation are authorised to make subject to their being completed on or before the thirty-first day of December one thousand nine hundred have not yet been commenced and will not then be required and it is expedient that the period limited for completion thereof and of the lines of pipes and works connected therewith be extended :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas an absolute majority of the whole number of the council at a meeting held on the twelfth day of October one thousand eight hundred and ninety-two after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the "Sheffield and Rotherham Independent" a local newspaper published or circulating in the borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the revenue of the water undertaking :

A.D. 1893

And whereas such resolution was published twice in the said newspaper and has received the approval of the Local Government Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held on the eleventh day of January one thousand eight hundred and ninety-three in pursuance of a similar notice being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

And whereas since the introduction of the Bill for this Act Her Majesty has by Royal Charter dated the thirteenth day of February one thousand eight hundred and ninety-three ordained and declared that the borough shall be constituted a city and that the mayor aldermen and burgesses shall be one body politic and corporate by the name of "the Mayor Aldermen and Citizens of the City of Sheffield":

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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 Sheffield Corporation (Water) Act 1893. Short title.

2. In the following provisions of this Act—
"The city" means the city of Sheffield;
"The Corporation" means the mayor aldermen and citizens of the city. Interpretation.

3. This Act shall be carried into execution by the Corporation acting by the council within the city and the several parishes and places within the authorised limits of supply for the time being of the Corporation. Execution and limits of Act.

4. Sub-section (3) of section eleven of the Sheffield Corporation (Water) Act 1887 is hereby repealed and the provisions of the Sheffield Waterworks Act 1853 relative to the water rents or rates to be taken by the company and section one hundred and five of the Sheffield Waterworks Act 1864 shall have effect as if "forty-one years" were substituted for "twenty-five years" in that section and that section shall be deemed to be altered accordingly. Provision as to continuance of the twenty-five per centum.

A.D. 1893. — that after the thirty-first day of December one thousand eight hundred and ninety-seven section one hundred and five of the Sheffield Waterworks Act 1864 shall have effect as if twelve and a-half per centum were substituted for twenty-five per centum.

Amendment of section forty-four and repeal of sections forty-five and forty-six of Act of 1887.

5. Section forty-four of the Sheffield Corporation (Water) Act 1887 shall be read and have effect as if in the last paragraph thereof the words "and all other" were inserted after the word "domestic."

Sections forty-five and forty-six of the same Act are hereby repealed.

Restriction on use of district rate.

6. In lieu of section forty-six of the Sheffield Corporation (Water) Act 1887 the following provision shall have effect:—

The Corporation shall not be entitled to provide for any deficiency of revenue of the water undertaking out of the general district rate unless and until the amount actually produced by the water rates according to the scale for the time being in force exceeds by at least twenty per centum the amount which was actually produced by the water rates according to the scale in force at the date of the passing of the said Act of 1887 but (subject as aforesaid) if the amount standing to the credit of the water account shall at any time be insufficient for the payment of the charges thereon the deficiency shall be made up out of the general district rate by carrying an adequate sum therefrom to the credit of the water account and the Corporation from time to time in preparing the estimates of the amount required in their judgment to be raised by means of a general district rate for the purposes of the city may include therein such sums (if any) as in the judgment of the Corporation are necessary to be provided in aid of the deficiency from time to time arising as aforesaid in the water account and shall collect the same as part of such general district rate. Provided that nothing in this section contained shall in any way prejudice the security for or the payment of the annuities.

Extension of period for completion of works.

7. The period by section seventeen of the Sheffield Waterworks Act 1881 limited in relation to the Broomhead and More Hall reservoirs and Wadsley service reservoir (including the lines of pipes and works connected therewith) is hereby extended for ten years computed from the expiration of the period by that section limited in relation to the said reservoirs pipes and works respectively.

Costs of Act.

8. All the costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act (including the costs incurred by the Corporation in or with the object of complying with

[56 Vict.] *Sheffield Corporation (Water) Act, 1893.* [Ch. xlii.]

the provisions of the Act of the session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty chapter ninety-one with respect to the Bill for this Act) as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the revenue of their water undertaking. A.D. 1893.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

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