

[11 & 12 GEO. 5.] *Metropolitan Water Board (Various Powers) Act, 1921.* [Ch. cxv.]



CHAPTER cxv.

An Act to empower the Metropolitan Water Board to make waterworks and to acquire lands and for other purposes. A.D. 1921.

[19th August 1921.]

WHEREAS the Metropolitan Water Board (in this Act referred to as "the Board") are charged with the duty of supplying water within an area which comprises the whole of the county of London and parts of the counties of Middlesex Surrey Kent Essex and Hertford :

And whereas it is expedient that the Board should be empowered to construct the waterworks and other works and to acquire the lands hereinafter referred to :

And whereas it is expedient that the time now limited for the completion of certain works and the compulsory purchase of certain lands by the Board should be extended :

And whereas it is expedient that the Board should be empowered to borrow money for the purposes of this Act and for the general purposes of their undertaking :

And whereas the Board were authorised by the enactments referred to in the first column of the table set forth in the First Schedule to this Act to exercise the powers referred to in the second column of the said table and for those purposes to borrow the amounts respectively specified in the third column of the said table and (by virtue of a sanction of the Ministry of Health given in pursuance of a provision contained in the Metropolitan Water Board Act 1915) the further

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921. — sums specified in the fourth column of the said table the total amounts so authorised being shown in the fifth column of the said table :

And whereas the Board have determined to abandon the construction of such of the works authorised by the said enactments as are referred to in the sixth column of the said table but the cost of exercising the said powers (other than the execution of the said works proposed to be abandoned) is estimated at the sums respectively specified in the seventh column of the said table and it is expedient that the Board should be authorised to borrow for the purposes of the said powers as proposed to be exercised (with such variations as are referred to in this Act) the sums referred to in the said fifth column and in addition the further sums respectively set forth in the eighth column of the said table :

And whereas it is expedient that such further powers should be conferred upon the Board and that such further provisions should be made as are contained in this Act :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas plans and sections showing the lines and levels of the works authorised by this Act (other than Aqueduct No. 17A) and plans showing the lands required or which may be taken for the purposes or under the powers of this Act and also a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were in the month of November one thousand nine hundred and twenty duly deposited with the several clerks of the peace for the counties of London Middlesex Kent Surrey Essex and Hertford :

And whereas a plan and section showing the line and levels of the Aqueduct No. 17A authorised by this Act (the said plan also showing the lands which may be taken or used for the purposes of that aqueduct) and also a book of reference to that plan containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were in the month of April one thousand nine hundred and twenty-one duly deposited with the clerk of the peace for the county of London :

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):— A.D. 1921.

PART I.

PRELIMINARY.

1. This Act may be cited as the Metropolitan Water Board (Various Powers) Act 1921. Short title.

2. This Act is divided into Parts as follows—

Part I.—Preliminary.

Part II.—Works &c.

Part III.—Lands.

Part IV.—Financial Provisions.

Part V.—Miscellaneous Provisions.

Division of Act into Parts.

3. The following Acts and parts of Acts are incorporated with this Act namely—

The Lands Clauses Acts (except sections 127 and 133 of the Lands Clauses Consolidation Act 1845 and the words "with two sufficient sureties to be approved of by two justices in case the parties differ" in section 85 of that Act):

Incorporation of general Acts.

The provisions of the Waterworks Clauses Act 1847 with respect to the following matters (that is to say):—

The construction of the waterworks;

The construction of works for the accommodation of lands adjoining the waterworks;

The breaking up of streets for the purpose of laying pipes;

The provision for guarding against fouling the water of the undertakers;

The recovery of damages not specially provided for and of penalties and the determination of any other matter referred to justices or to the sheriff; and

Access to the special Act:

The Waterworks Clauses Act 1863 (except section 12 of that Act and the words "under any agreement for the supply of water for other than domestic purposes" in section 13 of the said Act); and

[Ch. cxv.] *Metropolitan Water Board (Various Powers) Act, 1921.* [11 & 12 GEO. 5.]

A. D. 1921.

The provisions of theses Railways Clau Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and section 16 of that Act :

Provided that for the purposes of the said section 85 of the Lands Clauses Consolidation Act 1845 as incorporated with this Act the Board shall be deemed to be a railway company and section 36 (except paragraph (4) thereof) of the Railway Companies Act 1867 shall apply accordingly.

Interpreta-
tion.

4.—(1) The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction Provided that in and for the purposes of this Act the expressions “the undertakers” or “the promoters of the undertaking” or “the company” used in such incorporated Acts shall mean the Board Provided also that for the purposes of the incorporated provisions of the Railways Clauses Consolidation Act 1845 the works by this Act authorised shall be deemed to be the railway and the centre lines of the embankments shown on the deposited plans of such of the said works as consist of reservoirs and the centre lines of the remainder of the said works shown on the said plans shall respectively be deemed to be the centre of the railway.

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

“The Board” means the Metropolitan Water Board;

“The originally deposited plans and sections” means the plans and sections deposited with reference to the Bill for this Act with the several clerks of the peace for the counties of London Middlesex Kent Surrey Essex and Hertford in the month of November one thousand nine hundred and twenty;

“The amended deposited plan and section” means the plan and section deposited with reference to the Bill for this Act with the clerk of the peace for the county of London in the month of April one thousand nine hundred and twenty-one;

“The deposited plans and sections” means the originally deposited plans and sections or the amended deposited plan and section or both of them as the case may require; A.D. 1921.

“The deposited book of reference” means the book of reference to the originally deposited plans or to the amended deposited plan as the case may require;

“The limits of deviation” means the limits of deviation marked on the deposited plans and where on any road or footpath (whether public or private) no such limits are marked on the said plans means the boundaries of the road or footpath;

“The Act of 1902” means the Metropolis Water Act 1902;

“The Act of 1907” “the Act of 1911” “the Act of 1913” and “the Act of 1915” mean respectively the Metropolitan Water Board (Various Powers) Act 1907 the Metropolitan Water Board (New Works) Act 1911 the Metropolitan Water Board Act 1913 and the Metropolitan Water Board Act 1915;

“The water fund” means the water fund established by the Board under the Act of 1902;

“The arbitrator” means the arbitrator to whom any question of disputed compensation is referred pursuant to the Acquisition of Land (Assessment of Compensation) Act 1919;

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

PART II.

WORKS &C.

5. Subject to the provisions of this Act the Board 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 on the deposited sections and may use the waterworks hereinafter described (that is to say):— Power to make waterworks.

Works shown on originally deposited plans.

A.D. 1921. In the county of Middlesex—

A cut (to be called Cut No. 2) being a diversion of the River Ash wholly in the said parish of Laleham commencing by a junction with the said River Ash at a point 8 chains or thereabouts southward of the north-eastern corner of the field partly shown on the $\frac{1}{2500}$ scale Ordnance map edition 1914 (Middlesex Sheet XXIV-4) and thereon numbered 5 and terminating by a junction with the said River Ash at a point 4 chains or thereabouts northward of the southernmost corner of the enclosure numbered 44 on the $\frac{1}{2500}$ scale Ordnance map edition 1914 (Middlesex Sheet XXIV-7):

An enlargement of the Reservoir No. 7 authorised by the Act of 1911 such enlargement commencing in the parish of Littleton in the said rural district of Staines and terminating in the urban district of Sunbury-on-Thames:

A deviation of Conduit No. 1 authorised by the Act of 1913 such deviation commencing in the said parish of Littleton and terminating in the parish of Hanworth in the said rural district of Staines:

A conduit or line or lines of pipes (to be called Conduit No. 1) commencing in the said urban district of Sunbury-on-Thames by a junction with Conduit No. 1 authorised by the Act of 1913 near the bridge in the said parish carrying the London and South Western Railway (Thames Valley line) over the Staines aqueduct of the Board and terminating in the urban district of Hampton at or near the south-eastern corner of the reservoir numbered 178 on the $\frac{1}{2500}$ scale Ordnance map edition 1915 (Middlesex Sheet XXV-6 and 10):

A conduit or line or lines of pipes (to be called Conduit No. 2) commencing in the said urban district of Sunbury-on-Thames by a junction with an existing pipe of the Board at the distribution reservoir at the termination of the said Staines aqueduct and terminating in the said urban district of Hampton in Upper Sunbury Road by a junction with an existing pipe of the Board near the junction of Upper Sunbury Road with Kempton Park Road:

An aqueduct or line or lines of pipes (to be called Aqueduct No. 1) commencing in the urban district of Willesden by a junction with Aqueduct No. 1 authorised by the Act of 1913 within the premises of the existing Cricklewood pumping station of the Board and terminating in the borough of Hornsey in the Reservoir No. 2 by this Act authorised: A.D. 1921.

An aqueduct or line or lines of pipes (to be called Aqueduct No. 2) commencing in the urban district of Finchley by a junction with the Aqueduct No. 1 by this Act authorised at a point $4\frac{1}{2}$ chains or thereabouts south-eastward of the north-western corner of the field numbered 470 on the $\frac{1}{2500}$ scale Ordnance map edition 1914 (Middlesex Sheet XI-8) and terminating in the said borough of Hornsey in the Reservoir No. 1 by this Act authorised:

An aqueduct or line or lines of pipes (to be called Aqueduct No. 3) commencing in the said borough of Hornsey in the said Reservoir No. 1 and terminating in the said urban district of Finchley in the stream known as Mutton Brook at the south-western corner of the field numbered 437 on the $\frac{1}{2500}$ scale Ordnance map edition 1914 (Middlesex Sheet XI-8):

A Reservoir (No. 1) partly in the said urban district of Finchley and partly in the said borough of Hornsey comprising the whole or part of the enclosures respectively numbered on the $\frac{1}{2500}$ scale Ordnance maps edition 1914 (Middlesex Sheet XI-8) edition 1913 (Middlesex Sheet XII-5) edition 1915 (Middlesex Sheet XI-12) edition 1914 (Middlesex Sheet XI-9) 474 476 and 479 in the said urban district of Finchley and 41 and 61 in the said borough of Hornsey:

A Reservoir (No. 2) wholly in the said borough of Hornsey comprising the whole or part of the enclosures respectively numbered 23 and 23E on the $\frac{1}{2500}$ scale Ordnance map edition 1913 (Middlesex Sheet XII-5):

A Reservoir (No. 3) wholly in the said borough of Hornsey comprising the whole or part of the enclosures respectively numbered 23 and 23A on the last-mentioned Ordnance map.

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921. In the counties of Middlesex and London—

An aqueduct or line or lines of pipes (to be called Aqueduct No. 6) commencing in the urban districts of Hendon and Willesden or one of them in the county of Middlesex by a junction with the Aqueduct No. 1 by this Act authorised in Edgware Road at or near the junction of that road with Temple Road and terminating in the city of Westminster at the junction of Edgware Road Bayswater Road and Marble Arch by a junction with an existing pipe of the Board.

In the counties of Surrey and London—

An aqueduct or line or lines of pipes (to be called Aqueduct No. 7) commencing in the urban district of the Maldens and Coombe in the county of Surrey by a junction with an existing pipe of the Board in Kingston Hill at a point 7 chains or thereabouts south-westward of the junction of Warren Road with Kingston Hill and terminating in the metropolitan borough of Wandsworth by a junction with an existing pipe of the Board in the enclosure numbered 150 on the $\frac{1}{2500}$ scale Ordnance map edition 1916 (London Sheet VIII-15).

In the county of London—

An aqueduct or line or lines of pipes (to be called Aqueduct No. 8) wholly in the said metropolitan borough of Wandsworth commencing by a junction with an existing pipe of the Board in Putney Hill at or near the junction of that road with Putney Heath Lane and terminating on the southern approach to Putney Bridge by a junction with an existing pipe of the Board:

An aqueduct or line or lines of pipes (to be called Aqueduct No. 9) commencing in the metropolitan borough of Fulham by a junction with an existing pipe of the Board on the northern approach to Putney Bridge and terminating in the metropolitan borough of Chelsea in King's Road by a junction with an existing pipe of the Board at or near the junction of that road with Gunter Grove:

An aqueduct or line or lines of pipes (to be called Aqueduct No. 10) commencing in the metropolitan borough of Hampstead by a junction with the

[11 & 12 GEO. 5.] *Metropolitan Water* [Ch. cxv.]
Board (Various Powers) Act, 1921.

Aqueduct No. 6 by this Act authorised in Abbey Road at or near the junction of that road with Belsize Road and terminating in the metropolitan borough of Finsbury by a junction with an existing pipe of the Board in Saint John Street at or near the junction of that street with Chadwell Street : A.D. 1921.

An aqueduct or line or lines of pipes (to be called Aqueduct No. 11) commencing in the metropolitan borough of Saint Pancras by a junction with the Aqueduct No. 10 by this Act authorised at the junction of Gloucester Gate and Albert Road and terminating in the metropolitan borough of Islington by a junction with an existing pipe of the Board in Camden Road at or near the junction of that road with Hillmarton Road :

An aqueduct or line or lines of pipes (to be called Aqueduct No. 12) commencing in the said metropolitan borough of Saint Pancras by a junction with the said Aqueduct No. 10 by this Act authorised in Tavistock Place at or near the junction thereof with Woburn Place and terminating in the metropolitan borough of Holborn by a junction with an existing pipe of the Board at or near the junction of Theobald's Road with Southampton Row.

In the county of Middlesex—

An aqueduct or line or lines of pipes (to be called Aqueduct No. 13) commencing in the said borough of Hornsey in the works of the Board adjoining the Cranley Gardens Station on the Great Northern Railway and terminating in the urban district of Southgate in Reservoir Road by a junction with an existing pipe of the Board at a point 5 chains or thereabouts southward of the junction of that road with East Barnet Road :

An aqueduct or line or lines of pipes (to be called Aqueduct No. 14) wholly in the said borough of Hornsey commencing by a junction with the Aqueduct No. 13 by this Act authorised in Muswell Hill Road at or near the junction of that road with Cranley Gardens and terminating in Cromwell Avenue by a junction with an existing pipe of the Board at or near the junction of Cromwell Avenue with Winchester Road.

A.D. 1921. In the county of Essex—

An aqueduct or line or lines of pipes (to be called Aqueduct No. 15) commencing in the urban district of Leyton within the premises of the Board at Lea Bridge and terminating in the urban district of Walthamstow in the reservoir No. 4 by this Act authorised:

A Reservoir (No. 4) wholly in the said urban district of Walthamstow adjoining the western side of the existing Woodford reservoir of the Board.

In the county of London—

An aqueduct or line or lines of pipes (to be called Aqueduct No. 16) commencing in the said metropolitan borough of Wandsworth in High Street by a junction with an existing pipe of the Board in that street at or near the junction thereof with Clapham Park Road and terminating in the metropolitan borough of Lambeth in Lyham Road by a junction with the Aqueduct No. 6 authorised by the Act of 1915 at a point 8 chains or thereabouts northward of the junction of Thornbury Road with Lyham Road.

Work shown on the amended deposited plan.

In the county of London—

An aqueduct or line or lines of pipes (to be called Aqueduct No. 17A) wholly in the metropolitan borough of Camberwell commencing in Cross Road by a junction with an existing main of the Board in that road near the junction thereof with Peckham Rye and terminating in Homestall Road at a point one hundred feet or thereabouts south-eastward of the junction thereof with Peckham Rye.

Works shown on the originally deposited plans.

In the county of London—

An aqueduct or line or lines of pipes (to be called Aqueduct No. 17) being part of the Aqueduct No. 17 shown on the originally deposited plans wholly in the metropolitan borough of Camberwell commencing in Homestall Road by a junction with Aqueduct No. 17A by this Act authorised at the point of termination thereof hereinbefore described and terminating in the existing Beachcroft reservoir of the Board at Honor Oak.

[11 & 12 GEO. 5.] *Metropolitan Water Board (Various Powers) Act, 1921.* [Ch. cxv.]

In the county of Kent—

A.D. 1921.

A Reservoir (No. 5) wholly in the parish of Shoreham in the rural district of Sevenoaks in the county of Kent comprising parts of the enclosures respectively numbered 117 and 117A on the $\frac{1}{2500}$ scale Ordnance map edition 1919 (Kent Sheet XVI-16).

6. Subject to the provisions of this Act the Board may in connexion with and as part of the works referred to in the section of this Act of which the marginal note is "Power to make waterworks" make and maintain upon or in any lands within the limits of deviation for the said works respectively all such buildings machinery works and apparatus of whatever character as may be necessary or convenient whether for constructing inspecting maintaining repairing cleansing managing working and using the said works or for the general purposes of their undertaking.

Subsidiary works in connexion with waterworks.

If any electrical works and apparatus shall be made or maintained by the Board under this section the same shall be constructed and used in such manner as to prevent any interference with any telegraphic line of the Postmaster-General or with telegraphic communication by means of such line.

7. It shall be lawful for the Board at any point outside their limits of supply to make maintain and use junctions connexions and communications between all or any of the works referred to in the section of this Act of which the marginal note is "Power to make waterworks" and any mains pipes conduits aqueducts culverts and other works of the Board made or to be made:

Power to Board to make junctions &c.

Provided that the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall apply to the making maintenance and use of any such junctions connexions or communications in any street.

8. For the purpose of making or maintaining any of the works referred to in the section of this Act of which the marginal note is "Power to make waterworks" or any subsidiary work in connexion with such works the Board may (but subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes which provisions shall apply except so far as they are inconsistent

Breaking up of roads and footpaths.

A.D. 1921. with the express provisions of this section) open and break up any public road or public footpath shown on the deposited plans in connexion with such works in under across or over which any of such works are authorised to be constructed. Provided that where they open or break up any such road or footpath they shall be subject to the following obligations:—

- (1) They shall with all convenient speed complete the work on account of which they open or break up the road or footpath and subject to the making and maintenance of the said work fill in the ground and make good the surface and restore the portion of the road or footpath to as good a condition as that in which it was when it was opened or broken up and clear away all surplus paving or metalling material or rubbish occasioned thereby:
- (2) They shall in the meantime cause the place where the road or footpath is opened or broken up to be fenced and watched and to be properly lighted at night:
- (3) Where they require under the powers of this section to open or break up any such road within the metropolitan police area for the purpose of laying mains pipes or other works across the same they shall not except as hereinafter provided execute their works in such a way as to obstruct the entire width of the carriageway at any one time but shall make provision for the accommodation of a single line of vehicular traffic at the point at which the works are executed. Provided that if and whenever it shall be necessary for any such purpose as aforesaid for the Board to obstruct the entire width of the carriageway of any road within the metropolitan police area at any one time it shall be lawful for them to do so but in that case they shall provide and during the continuance of the obstruction maintain at the point at which the works are executed such temporary accommodation (if any) for vehicular traffic as the Commissioner of Police of the metropolis may require.

Power to deviate.

9. In constructing the works by this Act authorised the Board may deviate from the lines thereof shown on

[11 & 12 GEO. 5.] *Metropolitan Water Board (Various Powers) Act, 1921.* [Ch. cxv.]

the deposited plans to any extent not exceeding the limits of deviation and may also deviate from the levels shown on the deposited sections to any extent upwards not exceeding five feet and to any extent downwards Provided that no part of the works by this Act authorised and therein described as aqueducts or lines of pipes shall be constructed above the surface of the ground except so far as is shown on the deposited sections. A.D. 1921.

10. Subject to the other provisions of this Act the Board may for the purposes of and in connexion with the several works authorised by this Act and within the limits of deviation for such works raise sink or otherwise alter the position of or may remove any sewer drain gas or water main or pipe or any other obstruction of a like nature making in case of alterations proper substituted works in the meantime and causing as little detriment and inconvenience as circumstances admit and making compensation to any person who suffers damage by any such alteration or removal Provided that nothing in this section shall extend to authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply otherwise than in accordance with such provisions Provided also that the Board shall not raise sink or otherwise alter the position of any telegraphic line ~~belonging to or used by~~ the Postmaster-General except under and in accordance with the provisions of the Telegraph Act 1878. Alteration of position of mains and pipes.

11. In addition to any powers of stopping up diverting or interfering with roads or footpaths which the Board may lawfully exercise within their limits of supply the Board during the execution and for the purposes of any works by this Act authorised or any subsidiary works in connexion with such works may temporarily stop up divert and interfere with any road or footpath outside their limits of supply which is shown on the deposited plans in connexion with such works and may for any reasonable time prevent all persons other than those bonâ fide going to or returning from any house in any such road from passing along and using the same but the Board shall provide reasonable access for persons bonâ fide going to or returning from any such house or any station goods-yard or other railway premises to which such road affords access. Temporary stoppage of roads and footpaths.

A.D. 1921.

Power to
divert
streams &c.

12.—(1) It shall be lawful for the Board to divert and alter the course of any streams watercourses or ditches on any lands to be acquired or appropriated by them under the powers of this Act and the bed banks and channel of the diverted portion of such streams watercourses and ditches shall by virtue of this Act vest in the Board and may be appropriated and used by the Board for the purposes of this Act or for any other purpose of their undertaking.

(2) Nothing in this section or done by the Board thereunder shall in any way alter or affect the boundary between any local areas formed by any such stream watercourse or ditch as aforesaid but such boundary shall continue as if the stream watercourse or ditch forming the same had not been diverted and this Act had not been passed.

Under-
pinning of
houses near
works.

13. And whereas in order to avoid in the execution and maintenance of any works authorised by this Act injury to the houses and buildings within fifty feet of any of such works it may be necessary to underpin or otherwise strengthen the same Therefore the Board at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say):—

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened:
- (2) Each such notice if given by the Board shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the principal office of the Board:
- (3) If any owner lessee or occupier of any such house or building or the Board as the case may require shall within seven days after the giving of such notice give a counter-notice in writing that he or they as the case may be disputes or dispute the necessity of such underpinning or strengthening the question of the

[11 & 12 GEO. 5.] *Metropolitan Water* [Ch. cxv.]
Board (Various Powers) Act, 1921.

necessity shall be referred to the arbitration of an engineer to be agreed upon or in case of difference appointed at the instance of either party by the Board of Trade : A.D. 1921.

- (4) The arbitrator shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Board may and shall proceed forthwith so to underpin or strengthen the said house or building :
- (5) The Board shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment :
- (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Board such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Board then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the arbitrator the Board shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof :
- (7) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Board from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act :

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921.

- (8) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions of the Lands Clauses Acts :
- (9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

General provisions for protection of gas water and electricity mains and sewers.

14.—(1) Before commencing any of the works by this Act authorised in or under any street or road in or under which any mains pipes syphons or other works (hereinafter called “ apparatus ”) of any company body or authority authorised by any Act of Parliament or Provisional Order confirmed by an Act of Parliament or other order having the force of an Act of Parliament to supply gas water hydraulic power or electricity or any sewers drains electric lines pipes syphons or other works (hereinafter called “ pipes ”) of any main or other sewerage authority constituted by Act of Parliament or of the council of any municipal or metropolitan borough or of any urban or rural district or of any parish (each of which companies bodies authorities and councils is hereinafter referred to as “ the protected body ”) are situate the Board shall deliver to the protected body plans sections and descriptions of all works so proposed to be executed describing the proposed manner of executing the same and such plans sections and descriptions shall be delivered to the protected body at least one month before the commencement of any such work.

If it should appear to the protected body that such works will interfere with or endanger any of their apparatus or pipes or any pipes connected therewith or impede the supply of gas water or electricity by means of such apparatus or the flow of sewage or drainage through such pipes the protected body may give notice to the Board to lower or otherwise alter the position of such apparatus or pipes or to support the same or to substitute temporarily or otherwise other apparatus or pipes in such manner as may be considered necessary and to lay or place under any apparatus or pipes cement concrete or other like substance and any difference as to the necessity of such lowering alteration support substitution or laying or placing cement concrete or other like substance (hereinafter called “ protective works ”) shall be settled as hereinafter provided All such protective works shall save as hereinafter provided be done and

executed by and at the expense of the Board but to the satisfaction and under the superintendence of the engineer of the protected body and the reasonable costs charges and expenses of such superintendence shall be paid by the Board. If any protected body by notice in writing to the Board within twenty-one days after the receipt by them of notice of the intended commencement by the Board of any such works of the Board so require the protected body may by their own engineer or workmen do and execute protective works so far as they affect the apparatus or pipes of the protected body and the Board shall on the completion thereof pay to the protected body the reasonable expenses incurred by them in the execution of such protective works. A.D. 1921.

(2) If within twenty-one days from the delivery of the plans sections and descriptions to the protected body as aforesaid the protected body do not intimate to the Board any objection or make any requirement with reference thereto the works shown and described thereon shall be executed in strict accordance therewith.

(3) The protected body may if they deem fit employ watchmen or inspectors to watch and inspect the works whereby any apparatus or pipes of the protected body or any pipes connected therewith will be interfered with or affected during the construction repair or renewal of such works and the reasonable wages of such watchmen or inspectors shall be borne by the Board and be paid by them to the protected body.

(4) If any interruption in the supply of gas water or electricity by means of any apparatus or in the flow of sewage or drainage through any pipes shall without the written authority of the protected body be in any way occasioned either by reason of the exercise of the statutory powers conferred upon the Board or by the act or default of the Board or of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Board shall forfeit and pay to the protected body for the use and benefit of the protected body a sum not exceeding ten pounds for every day during which such interruption shall continue.

(5) The expense of all repairs or renewals of any apparatus or pipes of the protected body or any works in connexion therewith which may be rendered necessary either by reason of the exercise of the statutory powers

A.D. 1921. — conferred upon the Board or by the acts or defaults of the Board their contractors agents workmen or servants or any person in the employ of them or any or either of them or rendered necessary by reason of any subsidence resulting from the works of the Board whether during the construction of such works or within twelve months of the completion thereof shall be borne and paid by the Board.

(6) It shall be lawful for the protected body and the engineers workmen and others in their employ at all times when it may be necessary to enter upon the lands works and premises of the Board at any point or place where there are existing apparatus or pipes of the protected body or pipes connected with such apparatus or pipes and to do all such works in and upon such lands and premises as may be necessary for repairing maintaining or removing or replacing or extending such apparatus or pipes under or over the same lands and premises Provided always that in so doing the protected body their engineers or workmen or others in the employ of the protected body shall not interrupt the user of any of the works of the Board by this Act authorised Provided also that the protected body shall make good and reimburse to the Board all damage to such works occasioned by the exercise of the powers by this section reserved to the protected body.

(7) If any difference shall arise with respect to any matter under this section between the Board and the protected body or their engineer or concerning any plans sections or descriptions to be delivered to the protected body under the foregoing provisions of this section the matter in difference shall be referred to and settled by arbitration and the costs of such arbitration shall be borne and paid as the arbitrator shall direct and in settling any question under this section an arbitrator shall have regard to any duties or obligations which the protected body may be under in respect of their apparatus or pipes and may if he thinks fit require the Board to execute any temporary or other works so as to avoid so far as may be reasonably possible interference with any purpose for which the protected body's apparatus or pipes are used.

Temporary discharge of water into streams.

15.—(1) For the purpose of constructing maintaining repairing cleansing or examining any of the works by this Act authorised or for the purpose of disposing

[11 & 12 GEO. 5.] *Metropolitan Water Board (Various Powers) Act, 1921.* [Ch. cxv.]

of any water flowing into any excavation made by the Board during the construction and for the purposes of any of the said works the Board may cause the water in any such work to be temporarily discharged into any available river stream ditch or watercourse. A.D. 1921.

(2) In the exercise of the powers conferred by this section the Board 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 powers the amount of compensation to be settled in case of difference by arbitration.

(3) In exercising the powers of this section the Board shall take all reasonable precautions for preventing so far as practicable the introduction of any solid matter whether in suspension or otherwise into the River Thames (as defined by section 197 of the Port of London (Consolidation) Act 1920) or any tributary (as defined by section 226 of the same Act) of that river or into any portion of the River Thames or its tributaries in respect of which any rights powers and duties are vested in the conservators of that river or into any stream or watercourse in the county of Middlesex which is under the control or jurisdiction of the county council of that county.

(4) Nothing contained in this section shall prejudice or affect the powers of the Port of London Authority under sections 226 to 239 inclusive of the Port of London (Consolidation) Act 1920.

16. If the works referred to in the section of this Act of which the marginal note is "Power to make waterworks" are not completed ~~within fifteen years~~ from the passing of this Act then on the expiration of that period the powers by this Act granted to the Board for the making thereof or otherwise in relation thereto shall cease ~~except as to such of them as are or so much thereof~~ ^{respectively as is then completed.} Period for completion of works.

17. The works authorised by this Act shall be deemed part of the undertaking of the Board. Works to be part of undertaking of Board.

18.—(1) Subject to the provisions of this Act the Board may in the said county of Middlesex stop up— Power to stop up road and footpaths.

(A) So much of the road in the said parish of Littleton formerly leading from Ashford Common to Littleton as was not stopped up under the

A.D. 1921.

- powers of the Act of 1911 and as is situate northward of a point 2 chains or thereabouts northward of the intersection of that road with the road leading from Littleton to Charlton;
- (B) The public footpath in the said parish of Littleton traversing from south-east to north-west the enclosure numbered 57 on the $\frac{1}{2500}$ scale Ordnance map edition 1914 (Middlesex Sheet XXIV-8); and
- (c) So much of the public footpath in the urban district of Wood Green and the borough of Hornsey known as Cross Lane as extends between points respectively 11 chains and 20 chains or thereabouts northward of the northern side of High Street.

(2)—(A) Before stopping up the said portion of public footpath described in paragraph (c) of subsection (1) of this section the Board shall construct and complete a new footpath not less than four feet in width between the lines marked "Limits of deviation of new footpath" and lettered C D E and F upon the plan marked "X" signed in quadruplicate by John Ralph Starkey the Chairman of the Committee of the House of Commons to which the Bill for this Act was referred which plans are deposited with the Clerk of the Parliaments of the House of Lords in the Private Bill Office of the House of Commons with the Board and with the mayor aldermen and burgesses of the borough of Hornsey (in this section referred to as "the corporation").

(B) The stopping up of the portion of public footpath referred to in paragraph (c) of subsection (1) of this section shall not take place ~~until~~ the construction of the new filter beds is being proceeded ~~with~~ and until the said new footpath is completed paved and provided with proper means of lighting to the satisfaction of the corporation and is open for public use ~~or~~ in case of difference between the Board and the corporation until two justices shall have certified that the new footpath has been completed to their satisfaction and is open for public use.

(c) Before applying to the justices for a certificate in the case of the said new footpath the Board shall give to the corporation seven days' notice in writing of their intention to apply for the same.

A.D. 1921.

(3) Upon the stopping up of the said footpath and portion of road and footpath referred to in paragraphs (A) and (B) of subsection (1) of this section and as from the completion of the new footpath referred to in subsection (2) of this section to the satisfaction of the corporation or as from the date of the said certificate as the case may be all public rights of way over the footpath or portion of road or footpath stopped up shall be extinguished and the Board may subject to the provisions of the Waterworks Clauses Act 1847 with respect to mines appropriate and use for the purposes of the works by this Act authorised or other the purposes of their undertaking the site of the footpath or portion of road or footpath stopped up.

19. The following provisions shall unless otherwise agreed have effect for the protection of the London County Council (hereinafter in this section called "the council") that is to say:—

For protection of London County Council.

(1) Notwithstanding anything contained in this Act subsections (1) (2) (3) (4) and (9) of section 29 of the Act of 1915 are incorporated with and form part of this Act and shall extend and apply to any works matters or things by this Act authorised as fully and effectually to all intents and purposes as if the same had been repeated and expressly re-enacted in this Act with reference thereto:

(2) Notwithstanding anything contained in this Act or shown on the deposited plans the Board shall not enter upon break up or open any part of the surface of the open spaces known as Peckham Rye Common or Peckham Rye Park except so far as may be necessary for the purpose of laying Aqueduct No. 17A.

The said aqueduct shall so far as reasonably practicable be laid in or through the said open spaces in the lines and situations respectively shown on the deposited plans but so that no part of the said aqueduct shall be less than three feet six inches below the existing surface. All works in connexion with the said aqueduct affecting the said open spaces shall be carried out in accordance with plans and sections submitted to and reasonably approved by the council

A.D. 1921.

and subject to such conditions and requirements as the council may reasonably impose as to the manner in which and the times at which the works shall be carried out and maintained. The consideration to be paid to the council by the Board in respect of the entering upon breaking up or opening of the said open spaces shall be such annual or other consideration as may be agreed upon between the council and the Board or failing agreement as may be determined in accordance with the provisions of the Lands Clauses Acts with respect to the acquisition of lands otherwise than by agreement:

- (3) The Board shall not construct Aqueducts Nos. 8 and 9 so far as the same are situate under the approaches to or on or over Putney Bridge or Stanley Bridge except in accordance with plans and sections submitted to and reasonably approved by the council:
- (4) Nothing in this Act shall exempt the Board in the execution of any works or the erection construction or execution of any buildings or structures or additions to or alterations of buildings or structures from such of the provisions of the London Building Acts 1894 to 1920 and any Act amending the same and of any byelaws and regulations in force thereunder as are applicable to the Board:
- (5)—(A) Fourteen days before commencing to construct any works under the powers of this Act which are within fifteen feet of any tramway of the council or any of the works or conveniences connected therewith (in this subsection referred to as "the said works") the Board shall deliver to the council plans sections and specifications of the said works and if within fourteen days from such delivery the council do not approve the same or state their reasonable requirements with respect thereto they shall be deemed to have approved thereof.
(B) The said works shall be constructed in accordance with the said plans sections and specifications as approved or settled by arbitration and under the superintendence (if given) and to the reasonable satisfaction of the council.

(c) If during the execution or within six months after the completion of any works under the powers of this Act any subsidence of any tramway of the council or any of the works or conveniences connected therewith shall be caused by such execution the Board shall pay to the council compensation for any loss occasioned by reason of such subsidence.

A.D. 1921.

(d) Any difference arising between the council and the Board under this subsection shall be determined by arbitration.

20. Notwithstanding anything contained in this Act or shown on the deposited plans and sections the following provisions for the protection and benefit of the mayor aldermen and councillors of the metropolitan borough of Fulham (in this section called "the council") shall except so far as may be otherwise agreed in writing between the council and the Board apply and have effect (that is to say):—

For protection of Fulham Borough Council.

(1) Aqueduct No. 9 by this Act authorised (in this section referred to as "the said aqueduct") shall be so constructed that the upper surface thereof shall whenever reasonably possible in the said borough be at a depth of not less than three feet six inches below the surface of any roads or streets:

(2) Notwithstanding the provisions of the section of this Act of which the marginal note is "Period for completion of works" the said aqueduct so far as it is to be constructed within the said borough shall be completed within five years from the passing of this Act and if the said aqueduct is not completed within the said period then on the expiration of that period the powers by this Act granted to the Board for the making thereof or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

21. For the protection of the metropolitan borough of Lambeth the following provision shall apply:—

For protection of Lambeth Metropolitan Borough Council.

Aqueduct No. 16 shall be so constructed in Lyham Road that the upper surface thereof shall throughout its entire length be at a depth of not less than three feet below the surface.

A.D. 1921.

For protec-
tion of
Hampstead
and Saint
Marylebone
Borough
Councils.

22. Notwithstanding anything contained in this Act the following provisions for the protection and benefit of the mayor aldermen and councillors of the metropolitan borough of Hampstead and of the mayor aldermen and councillors of the metropolitan borough of Saint Marylebone (each of whom is in this section called "the council") shall except so far as may be otherwise agreed in writing apply and have effect (that is to say):—

- (1) Any additional expense incurred by the council in repairing and making good any street or road to which traffic is diverted owing to the execution of the works authorised by this Act shall be repaid to them by the Board but in determining the amount to be so paid due allowance shall be made for any sum paid by the Board for repairing the road from which the traffic was so diverted for the period of three months after the reinstatement thereof:
- (2) If any question shall arise between the council and the Board under this section that question shall be determined by an arbitrator appointed unless otherwise agreed by the Minister of Health.

For protec-
tion of
Middlesex
County
Council.

23. The following provisions for the protection of the county council of the administrative county of Middlesex (in this section referred to as "the county council") shall apply and have effect as regards the works authorised by this Act unless otherwise agreed in writing between the Board and the county council (that is to say):—

- (1) The Board shall not under the powers of this Act break up at any one time a greater continuous length in any one place than one hundred yards of any main road (which expression in this section includes a main road and any other road which at the time of the execution of the works of the Board therein is maintainable by or at the expense of the county council) or county or main road bridge or the approaches thereto:
- (2) The Board shall in constructing Cut No. 2 by this Act authorised make the same with good and sufficient banks and in such manner that the stream as diverted shall be as commodious

in all respects as the same was before such diversion and all such banks and works of diversion and works connected therewith shall be made and maintained by the Board in a good and substantial manner and to the reasonable satisfaction of the engineer of the county council for a period of twelve months from the date of their completion :

- (3) The said Cut No. 2 and all permanent works executed by the Board under the powers of the section of this Act of which the marginal note is "Temporary discharge of water into streams" for the purpose of causing water to be discharged into any such streams or watercourses as aforesaid shall be carried out in accordance with plans sections and particulars previously submitted by the Board to and reasonably approved by the county council :
- (4) Sections 30 and 31 of the Waterworks Clauses Act 1847 in their application to any works by this Act authorised so far as such works affect any main road or county or main road bridge or the approaches thereto in the county of Middlesex shall (except in cases of emergency arising from accident leakage or burst in which cases notice shall be given as soon as possible) be read and construed as if the notice required by the said section 30 to be given were not less than seven days and as if every such notice were to be accompanied by the plan required by section 31 of the said Act which plan shall be of sufficient scale and with sufficient sections to show clearly the proposed works :
- (5) If during the execution or within six months after the completion of any such works of the Board as aforesaid any subsidence of any light railway or tramway of the county council shall be caused by such execution the Board shall pay to the county council compensation for any loss occasioned by reason of such subsidence :
- (6) If any difference arises at any time between the county council and the Board touching this section or anything to be done or not to be done thereunder such difference shall be determined by arbitration :

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921.

- (7) The provisions of this section shall be in addition to and not in substitution for or derogation from any other provisions of this Act or any Act incorporated therewith which may enure for the protection or benefit of the county council.

For protec-
tion of
Hornsey
Corporation.

24. For the protection of the mayor aldermen and burgesses of the borough of Hornsey (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed in writing between the Board and the corporation have effect (that is to say):—

- (1) The sewers of the corporation shown upon the plan marked "A" and signed in quadruplicate by John Ralph Starkey the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (of which plan one copy has been deposited in the Private Bill Office of the House of Commons one copy has been deposited in the Parliament Office of the House of Lords and other copies with the Board and the corporation respectively) shall if any works of the Board are so constructed as to be over interfere with or obstruct reasonable access to such sewers be diverted or altered at the expense in all things of the Board in accordance with the following stipulations and as shown upon the said plan (that is to say):—

(A) If the existing eighteen-inch sewer A to B cannot be diverted to a position adjacent to its existing line and reconnected to the forty-five inches by thirty inches sewer in a similar manner as at present at some point near B it shall be diverted along the line A C D E as shown on the said plan or along some other convenient line approved by the corporation on the north and east side of the Reservoir No. 3 by this Act authorised as shown on the deposited plans with four inspection manholes at the points shown on the said plan fitted with all necessary flushing discs and be connected by a tumbling bay to the main forty-five inches by thirty inches sewer in Woodside Avenue at the point E;

(B) The diverted sewer along the line A C D shall be laid at a depth below the surface

of thirty-four feet or thereabouts as shall be necessary in the opinion of the engineer for the time being of the corporation; A.D. 1921.

(c) At D a tumbling bay shall be constructed to a level of ten feet or thereabouts (as required by the engineer of the corporation) above the invert of the main sewer to be connected to the same at springing level that is to say eighty-nine feet or thereabouts (as may be required as aforesaid) below the level of the surface of the carriageway;

(D) If the existing twenty-four inch storm-water sewer from F to G cannot be diverted to a position adjacent to its existing line and reconnected with the twenty-four inch storm-water sewer in a similar manner as at present at some point near G it shall be diverted along the line F H J G and connected to the existing storm-water manhole in Woodside Avenue at G or along some other convenient line approved by the corporation on the north-east and south sides of the said Reservoir No. 3 the diverted storm-water sewer to be provided with five inspection manholes and to be at a depth of seventeen feet or thereabouts (as required by the engineer of the corporation) below the surface of the ground and carriageway of Woodside Avenue;

(E) The stipulations in this subsection contained shall be without prejudice to the application of the other provisions in this section to the subject matter of such stipulations:

- (2) If the construction of the said Reservoir No. 3 shall interfere with the footpath which is the subject of an agreement between the Board and the corporation dated the twenty-third day of July one thousand nine hundred and twelve or the proposed electric cable route which is the subject of an agreement between the Board and the corporation dated the twenty-third day of June one thousand nine hundred and thirteen the Board shall agree to a substituted line or lines for such footpath and

A.D. 1921.

cable route as convenient so far as practicable to the lines of the footpath now existing and the proposed cable route but subject in other respects to the same terms as are contained in the said agreements respectively :

- (3) If the Board shall divert or alter the course of any stream watercourse or ditch within the borough of Hornsey they shall do so without prejudicially affecting the drainage into the altered bed of the stream watercourse or ditch of the surrounding lands streets and buildings and the disused channel only of any stream watercourse or ditch so diverted or altered shall vest in the Board :
- (4) The Board shall at all times afford reasonable access for the purpose of renewal maintenance repair or inspection of all sewers storm-water sewers and other works or property vested in the corporation by the servants of the corporation without hindrance or compensation :
- (5) If any question shall arise between the Board and the corporation under the provisions of this section such question shall be determined by arbitration.

For protec-
tion of
Hendon
Urban
District
Council.

25. For the protection of the council of the urban district of Hendon (hereinafter referred to as "the council" and "the district" respectively) the following provisions shall unless otherwise agreed in writing between the Board and the council apply and have effect (that is to say) :—

- (1) Notwithstanding anything contained in this Act or shown on the deposited sections the Board shall wherever reasonably possible make and maintain so much of the aqueduct or line or lines of pipes (to be called Aqueduct No. 1) by this Act authorised as will be situate in the district at the same level as the existing line of pipes Aqueduct No. 5 authorised by the New River Water Company's Act 1897 and approximately parallel to which the same is to be laid and in making and maintaining that portion of the aqueduct the Board shall not unreasonably interrupt or restrict the free flow of water in the watercourse under the road

known as "The Vale" in the district and shown on the deposited plans at a point situate about one mile one furlong and one and a half chains from the commencement of the same aqueduct :

A.D. 1921.

- (2) If any difference shall arise between the council and the Board under the provisions of this section the same shall be determined by arbitration :
- (3) The provisions of this section shall be in addition to and not in derogation of all other protection afforded to the council by any other provision of this Act or of any Act incorporated therewith.

26. The following provisions for the protection of the Leyton Urban District Council (in this section referred to as "the council") shall unless otherwise agreed in writing between the Board and the council have effect (that is to say) :—

For protection of Leyton Urban District Council.

- (1) In this section the expression "tramway" shall mean any tramway of the council and shall include any posts cables wires or other apparatus connected therewith :
- (2) If during the execution or within six months after the completion of the works by this Act authorised any subsidence of any tramway shall be caused by such execution the Board shall pay to the council compensation for any loss occasioned by reason of such subsidence :
- (3) Any difference arising between the council and the Board under this section shall be determined by arbitration :
- (4) The approval by the council of any plans sections or specifications or the superintendence by the council of any such works shall not exonerate the Board from any liability or affect any claim for damages under this section.

27. For the protection of the commissioners of sewers for the levels of Havering and Dagenham Ripple Barking East Ham Leyton and Walthamstow in the county of Essex (in this section referred to as "the commissioners") the following provisions shall notwithstanding anything contained in this Act or shown on

For protection of Havering Commissioners.

A.D. 1921. the deposited plans unless otherwise agreed in writing
— between the commissioners and the Board have effect
(that is to say):—

- (1) The Board shall not permanently divert or alter the course of the Dagenham Brook in the urban district of Leyton in the county of Essex and shall not acquire any greater or other estate or interest in the said brook or the banks thereof than an easement or right of constructing maintaining inspecting repairing renewing cleansing and using Aqueduct No. 15 by this Act authorised under the same:
- (2) Nothing in this Act or done thereunder shall alter or affect the existing rights of the commissioners of passing to over and along lands abutting upon the said Dagenham Brook and of passing and repassing to and along so much of the lands on each side of the said brook as is situate within a distance of ten feet from the nearest bank thereof.

For protec-
tion of
Alexandra
Park Trus-
tees.

28. For the protection of the Alexandra Park Trustees or other the owners for the time being of the Alexandra Park and Palace in the county of Middlesex (all of whom are in this section included in the expression "the trustees") the following provisions shall notwithstanding anything contained in this Act or shown on the deposited plans and sections apply and have effect unless otherwise agreed in writing between the trustees and the Board (that is to say):—

- (1) The Board shall not be entitled to purchase or acquire any lands belonging to or vested in the trustees but may acquire such easement or right only as may be necessary for the purposes of constructing maintaining repairing and renewing so much of the Aqueduct No. 13 by this Act authorised and the works connected therewith as will be situate upon lands belonging to or vested in the trustees (which said aqueduct and works are hereinafter included in the expression "the said works") and the provisions of the Lands Clauses Acts shall apply to the acquisition by the Board of such easement or right as if the same were lands within the meaning of those Acts:

A.D. 1921.

- (2) The said works shall be constructed and maintained in all respects in accordance with plans sections and particulars to be previously submitted to the trustees and reasonably approved in writing by the surveyor to the trustees (hereinafter referred to as "the said surveyor") Provided that if within a period of one month after the submission by the Board to the trustees of such plans sections and particulars as aforesaid the said surveyor shall fail to give notice to the Board of any objection thereto or of his requirements in connexion therewith he shall be deemed to have approved thereof:
- (3) No part of the said works shall in any year be carried out during the period commencing the twentieth day of March and ending the fifteenth day of November but the trustees shall during that period afford to the Board all such facilities as the Board may reasonably require for the carrying out of the preliminary operations in connexion with the execution of the said works (including the deposit of materials):
- (4) During the construction of the said works the Board shall provide to the reasonable satisfaction of the trustees means of communication for vehicular and passenger traffic along the said road and also for foot passengers and horses across the said road between the property of the trustees situate on either side thereof and the Board shall at all times while the said road or any part thereof shall be opened or broken up cause the same to be properly fenced guarded and lighted:
- (5) No surplus soil or material excavated in the construction of the said works shall be deposited on any part of the Alexandra Park or other property vested in the trustees:
- (6) The Board shall on the commencement of the said works or any section thereof proceed with all practicable despatch to execute and complete the same and shall as soon as practicable reinstate in a like condition to that existing when the works were commenced the said road and the adjoining land and the drains sewers pipes wires and gullies therein or thereunder and

A.D. 1921.

any grass margins fences gates and buildings which may have been interfered with for the purposes or in consequence of the construction of the said works and shall make good any subsidence occurring within twelve months after the completion of any such works as aforesaid and any injury or damage which may be caused by any such subsidence to the said road and adjoining land drains sewers pipes wires gullies grass margins fences gates buildings or other property of the trustees and shall keep the said road in good repair to the reasonable satisfaction of the trustees for a period of three months after the completion of the said works and for so long thereafter not exceeding twelve months as the said road or the soil thereof shall continue to subside :

(7) Notwithstanding anything in this Act contained or the approval of the said plans sections and particulars by the said surveyor or any superintendence by him the Board shall be responsible for and make good to the trustees all losses or damages and all reasonable costs and expenses (including the reasonable fees of their surveyor in connexion with the approval of plans sections and particulars or any superintendence by him or in connexion with or consequent on the construction or execution of any such works as aforesaid) which may be occasioned to the trustees or to any of their property or to any persons or traffic passing along or across the said road or otherwise by reason or in consequence of the execution or failure of any such works as aforesaid or of any act or omission of the Board or of any persons in their employment or their contractors or agents and the Board shall effectually indemnify and hold harmless the trustees from all claims and demands upon or against them by reason of such execution or failure and of any such act or omission :

(8) The Board shall not after the completion of the said works open break up or otherwise interfere with the said road or any property of the trustees except for the purpose of execut-

ing any necessary works of maintenance and repair in connexion with the said works and the Board shall give to the trustees not less than one month's previous notice in writing of their intention to execute such works of maintenance or repair (except in cases of emergency when notice shall be given to the trustees as soon as reasonably practicable) accompanied by full particulars of the works proposed to be executed and the provisions of this section (other than subsections (1) and (2) thereof) shall apply and have effect mutatis mutandis in the case of any such works of maintenance and repair :

A.D. 1921.

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- (9) Any difference which may arise under this section between the trustees and the Board or between the said surveyor and the engineer of the Board shall unless otherwise agreed in writing be determined by arbitration.

29. The following provisions for the protection of the Great Central Railway Company (in this section called "the company") shall apply and have effect (that is to say) :—

For protection of Great Central Railway Company.

Notwithstanding anything contained in this Act or shown upon the deposited plans the Board shall in constructing the aqueducts or lines of pipes numbered 6 and 10 where they cross over the railway and works of the company construct and thereafter maintain the same in accordance with the plans and sections marked "B" and signed in quadruplicate by John Ralph Starkey the Chairman of the Select Committee of the House of Commons to whom the Bill for this Act was referred of which plans and sections one copy has been deposited in the Private Bill Office of the House of Commons one copy has been deposited in the Office of the Clerk of the Parliaments of the House of Lords and other copies have been deposited with the company and the Board respectively.

30. For the protection of the London and North Western Railway Company the Great Northern Railway Company the London and South Western Railway Com-

For protection of certain railway companies.

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921. — pany the Midland Railway Company the Great Central Railway Company the Great Eastern Railway Company the North London Railway Company the West London Extension Railway Company the Metropolitan Railway Company the Metropolitan District Railway Company and the London Electric Railway Company (in this section referred to collectively and severally as "the railway company") the following provisions in addition to any other provision for their protection contained in this Act or the Acts incorporated therewith shall unless otherwise agreed apply (that is to say):—

- (1) In the work of constructing laying down maintaining repairing renewing or removing any aqueduct or line or lines of pipes or any other works in exercise of any of the powers conferred by this Act (which work and works and any of them and any part thereof are in this section referred to as "the Board's work") upon along across under or over the railways works lands or property of the railway company or under over or across any level crossing over any such railway or under over across or in any way affecting the structure of any bridge over or under such railways or the approaches to or roads over any such bridge or any other road which the railway company are or may be liable to maintain the Board's work shall be executed under the superintendence and to the reasonable satisfaction of the chief engineer of the railway company whose railways bridges works lands or other property or level crossing may be affected or by whom any such road is liable to be maintained (in this section called "the engineer") and shall be in accordance with plans specifications sections and detailed drawings (in this section referred to as "the plans") previously submitted to and approved in writing by the engineer or in case of difference settled by arbitration in manner hereinafter provided Provided that if the engineer shall not within twenty-eight days after the plans shall have been submitted for his approval notify to the Board in writing his disapproval thereof he shall be deemed to have approved the plans:

- (2) The Board's work shall subject as hereinafter provided be executed by and at the expense of the Board who shall also make good and restore to the reasonable satisfaction of the engineer any property or works of the railway company or any roads or footpaths liable to be maintained by them affected by the Board's work and shall to the like satisfaction maintain such roads or footpaths (so far as the same may have been interfered with by the execution of the Board's work) for three months after such restoration and for such further time (if any) not being more than twelve months in the whole as such roads or footpaths shall continue to subside :
- (3) The Board shall give twenty-eight days' notice in writing to the railway company before commencing any of the Board's work affecting the railways bridges level crossings works lands or property of the railway company or within ten yards of the railway company's boundary :
- (4) The Board's work shall be executed by the Board at such times and in such manner as the engineer may reasonably direct and so as to cause as little injury as may be to the railways bridges level crossings works lands and property of the railway company or to any road which the railway company may be liable to maintain :
- (5) If the railway company at any time or times hereafter require (of which they shall be the sole judges) to adapt their railways or any part or parts thereof for working by electrical power or to construct any additional or other works upon their lands or railways or in connexion therewith or to widen alter reconstruct or repair their railways bridges or works upon across over or under the Board's work or if at any time or times hereafter a bridge shall be constructed in substitution for a level crossing upon across over or under the Board's work the railway company may on giving to the Board twenty-eight days' notice in writing under the hand of their secretary or general manager at the cost of the railway company divert alter support or carry the

A.D. 1921

A.D. 1921.

Board's work across over or under the railways lands works or property of the railway company at any other point to the satisfaction of the engineer of the Board doing as little damage as may be and without being liable to pay compensation in respect of such diversion alteration supporting or carrying of the Board's work Provided always that such diversion or alteration shall be done without unduly interfering with the supply of water by the Board :

- (6) In the execution or alteration by the railway company of the Board's work under the last preceding subsection the same shall be done under the superintendence and to the reasonable satisfaction of the engineer of the Board and in accordance with plans specifications sections and detailed drawings previously submitted to and approved in writing by the said engineer or in case of difference settled by arbitration and if the said engineer shall not within twenty-eight days after the said plans specifications sections and detailed drawings shall have been submitted for his approval notify to the railway company in writing his disapproval of the same he shall be deemed to have approved thereof and the railway company shall not at any time or in any manner cause any avoidable interruption in the supply of water by the Board and if any such interruption shall be caused by or be attributable to the works of the railway company or to any acts or defaults of the railway company or their officers servants contractors or workmen or any other person employed by them in connexion with such works or from the failure of any such works the railway company shall indemnify and save harmless the Board from all and any claims and demands which may be made upon the Board in connexion with such interruption and shall also make compensation to the Board in respect of any loss or injury which they may sustain or any expense to which they may be put in connexion with such interruption and the amount of such compensation shall in case of difference be settled by arbitration :

- (7) In executing the Board's work the Board shall not at any time or in any manner cause any damage or injury to the railways or works of the railway company or any injury or danger or (so far as can be avoided) any interruption impediment or delay to the safe passage and conduct of traffic over the railways or at to or from the stations sidings or works of the railway company : A.D. 1921.
- (8) If any damage injury danger interruption impediment or delay shall be caused by or be attributable to the Board's work or by or to the acts or defaults of the Board or their officers servants contractors or workmen or any other person employed in connexion with the Board's work or by or to the failure of the Board's work (such damage injury danger interruption impediment or delay not being the result of inevitable accident) the Board shall indemnify and save harmless the railway company from all and any claims and demands which may be made upon the railway company in connexion with such damage injury danger interruption impediment delay or failure and shall also make compensation to the railway company in respect of any damage loss or injury which they may sustain or any expense to which they may be put in connexion with any such damage injury danger interruption impediment delay or failure and the amount of such compensation shall in case of difference be settled by arbitration :
- (9) The Board shall not without the consent in writing of the railway company under their common seal purchase or acquire any of the lands or property of the railway company but the Board may acquire and the railway company shall if required grant to the Board an easement or right of constructing laying down maintaining repairing and renewing the Board's work in or through such lands and property and the sum to be paid for the acquisition of such easement or right shall be settled in the manner provided by the Lands Clauses Acts with respect to the purchase of lands otherwise than by agreement Provided always that where

A.D. 1921.

the Board shall have acquired under the powers of this Act any such easement or right as aforesaid nothing in this Act shall prevent the railway company from using their lands and property as they may think fit subject to such reasonable protection for the Board's work as may be agreed or settled by arbitration :

- (10) The railway company if they so elect to do may themselves execute at the cost charges and expenses of the Board the Board's work affecting their railways bridges level crossings lands works or property except the provision of pipes and laying and jointing the same which shall be done by the Board :
- (11) If having regard to the proposed position of the Board's work in relation to the position of the works of the railway company it becomes reasonably necessary that any of the works of the railway company should be altered the railway company may execute the works reasonably necessary for such alteration and the reasonable costs of executing such works shall be repaid by the Board to the railway company :
- (12) Nothing in this Act contained shall enable the Board to deviate upwards from the levels as shown on the deposited sections under any land belonging to the railway company or to raise sink remove or otherwise alter the position of any railways sidings embankments bridges level crossings stations or works of a similar character belonging to the railway company :
- (13) If by reason of the execution of the Board's work it shall become necessary to reconstruct alter strengthen or in anywise interfere with the structure of any bridge or other work of the railway company such reconstruction alteration or strengthening shall be carried out by the railway company at such times and in such manner as they may reasonably think expedient or necessary and the reasonable cost thereof shall be borne by the Board :
- (14) The Board shall bear and on demand pay to the railway company affected by the Board's work all reasonable costs of the superintendence

by the railway company of the Board's work and of watching lighting supporting and protecting the railways and works of the railway company with reference to and during the execution of the Board's work but such superintendence shall not relieve the Board from liability for any accidents which may be occasioned by or through any act or default of the Board or any contractor agent or workman or other person or persons employed in or about the execution of the Board's work : A.D. 1921.

- (15) Any dispute or difference which may arise between the railway company and the Board with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out by the Board or by the railway company shall (except as otherwise expressly provided by this section) be settled by arbitration.

31. The provisions of the section of this Act of which the marginal note is "For protection of certain railway companies" shall apply and have effect for the protection of the London Electric Railway Company and the Metropolitan District Railway Company in respect of their cable subway in and under King's Road Chelsea and the cables and appliances in such cable subway as if the said cable subway and the cables and appliances in such cable subway were referred to and included in such section as part of the works or property of the said companies. For protection of London Electric and Metropolitan District Railway Companies.

32. For the protection of the Great Eastern Railway Company (hereinafter in this section referred to as "the company") the following provision shall apply and have effect :— For protection of Great Eastern Railway Company.

Aqueduct No. 15 shall be carried under the railway and property of the company by means of a culvert which shall be constructed and thereafter maintained by the Board so as to admit of such aqueduct being examined to ascertain the condition and state of repair thereof so that the repairs and renewals thereto can be effected without interference with the railway lands or property of the company In constructing such culvert

A.D. 1921.

suitable provision shall be made as may reasonably be required by the chief engineer of the company in connexion with the drainage of the railway.

For protec-
tion of Met-
ropolitan
Electric
Tramways
Limited.

33. The following provisions for the protection of the Metropolitan Electric Tramways Limited (in this section referred to as "the company") shall unless otherwise agreed in writing between the Board and the company have effect in relation to the exercise by the Board of the powers of executing works conferred by this Act (that is to say):—

(1) In this section the expression "tramway" shall mean any tramway or light railway of the company and shall include any posts cables wires or other apparatus connected therewith:

(2)—(A) Fourteen days before commencing to construct any works under the powers of this Act which are within fifteen feet of any tramway (in this section called "the said works") the Board shall deliver to the company plans sections and specifications of the said works and if within fourteen days from such delivery the company do not approve the same or state their reasonable requirements with respect thereto they shall be deemed to have approved thereof:

(B) The said works shall be constructed in accordance with the said plans sections and specifications as approved or settled by arbitration and under the superintendence (if given) and to the reasonable satisfaction of the company:

(C) If during the execution or within six months after the completion of the said works any subsidence of any tramway shall be caused by such execution the Board shall pay to the company compensation for any loss occasioned by reason of such subsidence:

(3) Any difference arising between the company and the Board under this section shall be determined by arbitration:

(4) The approval by the company of any plans sections or specifications or the superintendence by the company of any works under the provisions of this section shall not exonerate the Board from any liability or affect any claim for damages under such section or otherwise.

34. The provisions of the section of this Act of which the marginal note is "General provisions for protection of gas water and electricity mains and sewers" shall extend and apply for the protection of the London United Tramways Limited with respect to the main ducts and cables from the generating station at Lots Road Chelsea to the said company's transforming station at Wimbledon as if such mains ducts and cables were "apparatus" and the said company were a "protected body" within the meaning of that section.

A.D. 1921.
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For protection of London United Tramways Limited.

35. The following provisions for the protection of the Regent's Canal and Dock Company (in this section called "the company") shall unless otherwise agreed between the Board and the company and notwithstanding anything in this Act or shown on the deposited plans apply and have effect (that is to say) :—

For protection of Regent's Canal and Dock Company.

(1) The Board shall not purchase any land or property of the company but may acquire and the company shall if so required by the Board sell to the Board such easements as may be necessary for the construction enlargement renewal repair maintenance inspection and user of Aqueduct No. 6 Aqueduct No. 10 and Aqueduct No. 11 or any of them and any subsidiary works connected therewith respectively by this Act authorised across the land and property of the company in manner authorised by this Act and subject to the provisions of this section The consideration to be paid for any such easement as aforesaid shall in case of dispute be determined in manner provided by the Lands Clauses Acts with respect to the taking and purchase of land otherwise than by agreement :

(2) The said Aqueduct No. 6 and all works connected therewith where situate on the bridge carrying Grove Road over the Regent's Canal or on the approaches to that bridge shall be so constructed as not to interfere with the structure of the said bridge or any structural work supporting the said approaches Provided that if the said aqueduct and works or any of them cannot be so constructed as aforesaid in the roadway of the said bridge and approaches it shall be

A.D. 1921.

lawful for the Board to carry the same across the said canal outside the said bridge and approaches and attached thereto :

- (3) The said Aqueducts Nos. 10 and 11 shall be carried over the Regent's Canal and the towing-path and banks thereof with in each case a clear span between the abutments or supports for carrying the aqueduct of not less than forty-five feet measured on the square or the width of the company's property (whichever is the less) and a clear headway of not less than ten feet over the said towing-path and banks and over the top-water level of the canal at the point of crossing and in the construction of the said aqueducts the Board shall not without the consent of the said engineer deviate from the centre lines thereof respectively as shown on the deposited plans except so far as may be necessary in order to provide such span and headway as aforesaid :
- (4) No part of the abutments or supports for carrying the said Aqueducts Nos. 10 and 11 over the Regent's Canal nor any works (other than temporary works) in connexion with those aqueducts shall be constructed or placed on the banks or towing-path of the canal and in the construction of the said aqueducts and works and in the execution of any such temporary works or any subsequent alterations repairs or renewals thereof the Board shall not prevent the use of the said towing-path or banks or of the canal or unreasonably interfere with the same :
- (5) The said Aqueducts Nos. 6 10 and 11 and all works connected therewith (whether temporary or permanent) so far as the same will be situate over or under or within ten yards of the Regent's Canal or of any bridge approach or other property of the company and all future alterations repairs or renewals of such portions of the said aqueducts and works shall be constructed and executed according to plans sections and specifications to be submitted to and reasonably approved (previously to the commencement of the work to which the same

relates) by the said engineer or if his approval be unreasonably withheld to be settled by arbitration. Provided that if within twenty-one days after the submission to him of the said plans sections and specifications the said engineer shall not intimate in writing to the Board his disapproval thereof he shall be deemed to have approved thereof. All such works and operations as aforesaid shall after commencement thereof be completed with all reasonable despatch and shall be executed under the superintendence (if given) and to the reasonable satisfaction of the said engineer and the Board shall bear and on demand pay to the company the reasonable charges of the said engineer for his approval of the plans and sections and for his superintendence on behalf of the company of the execution of the said works and operations :

A.D. 1921.

- (6) The said portions of the said aqueducts and other works referred to in subsection (5) of this section shall be maintained in good and substantial repair by and at the expense of the Board and in the event of the Board at any time neglecting (after notice from the company) so to maintain the same the company may if they think fit execute such repairs as may be reasonably necessary and the reasonable expenses incurred by the company in so doing shall on demand be repaid to them by the Board :
- (7) If in the construction maintenance alteration repair or renewal of the works of the Board or by reason or in consequence of the construction or use thereof or of any defect failure or want of repair thereof or by reason or in consequence of the exercise by the Board of any of the powers of this Act any damage or injury to the Regent's Canal or the towing-path or banks thereof or to any bridge bridge approaches or other property of the company or any obstruction or impediment to the traffic on the canal or the free flow of water along the same or the passage along the said towing-path shall (except in the case of unavoidable accident) at

A.D. 1921.

any time be occasioned or arise or be reasonably apprehended the Board shall forthwith when required in writing by the company so to do at their own expense and to the reasonable satisfaction of the said engineer restore the canal towing-path or bank (as the case may be) to the same state and condition as before the happening of such damage or injury or remove the cause of such obstruction or impediment or take all steps reasonably necessary to prevent the occurrence of any such damage injury obstruction or impediment as the case may require and in case of default by the Board in so doing or in cases of emergency it shall be lawful for the company to do the same and to take all steps which may be reasonably necessary to prevent the occurrence of such damage injury obstruction or impediment as the case may be and the reasonable expense incurred by them in so doing (except if and so far as such expense shall be necessitated by any such unavoidable accident as aforesaid) shall on demand be repaid by the Board to the company :

- (8) The Board shall during the construction of the works of the Board over on under or within ten yards of the canal or any property of the company or the execution of any alteration repairs or renewals thereof bear and on demand pay to the company the reasonable expense of the employment of a sufficient number of inspectors or watchmen to be appointed by the company for watching their property with reference to and during the execution of the said works and for preventing so far as may be any damage obstruction or accident which may arise from any of the operations or from the acts or defaults of the Board or of their contractors or of any person in the employment of the Board or of their contractors or otherwise :
- (9) Notwithstanding anything contained in the section of this Act of which the marginal note is "Temporary discharge of water into streams" the Board shall not discharge any water into the Regent's Canal or any feeder thereof except

with the consent of the company which consent shall not be unreasonably withheld: A.D. 1921.

(10) The acquisition by the Board of any such easement as is referred to in subsection (1) of this section shall not prevent the company from using any of their land or property for any purpose they may think fit which is not inconsistent with the enjoyment by the Board of the said easement. Provided that if at any time it is found necessary in order to enable the company to carry out any widening alteration or diversion of the Regent's Canal or the towing-path thereof that the position of any aqueduct or work of the Board shall be altered the Board shall on receiving notice in writing from the company so to do with all reasonable despatch alter the position of such aqueduct or work so far as may be necessary to enable the company to carry out such widening alteration or diversion and the company shall on demand repay to the Board the cost reasonably incurred by them in complying with any such requirement by the company. The foregoing provisions of this section shall apply to the said aqueduct or work of the Board in its altered position:

(11) Nothing in this Act shall interfere with the right of the company at any time or times to build remove alter widen raise or rebuild any bridge belonging to them or crossing the Regent's Canal or any approach to any such bridge and over or near to which bridge or approach any aqueduct or work of the Board is carried in the same manner as they might have built removed altered widened raised or rebuilt such bridge or approach if this Act had not been passed and such aqueduct or work had not been laid over or near to such bridge or approach and the company shall not except in cases of their own negligence or default make any compensation to the Board for any expense or loss to which the Board may be put in consequence of any such building removal alteration widening raising or rebuilding. In the event of any such bridge or approach over or near

A.D. 1921.

to which any such aqueduct or work of the Board is laid or carried being built removed altered widened raised or rebuilt as aforesaid the Board shall (if and so far as it may be reasonably necessary so to do in order to enable the company to carry out the work or works aforesaid) alter the position of such aqueduct or work of the Board or of any works or thing by which the same is carried over or near to such bridge or approach as aforesaid and the company shall on demand repay to the Board the cost reasonably incurred by them in complying with any such requirement :

- (12) During any such widening alteration or diversion of the Regent's Canal or the towing-path thereof as is referred to in subsection (10) of this section or any such building removal alteration widening raising or rebuilding of a bridge or approach as is referred to in subsection (11) of this section the company shall afford free of charge all reasonable facilities to enable the Board to carry temporarily any aqueduct or work across the canal and property of the company so as not to interrupt the supply of water through such aqueduct :
- (13) In addition and without prejudice to the foregoing provisions of this section the Board shall except in the case of unavoidable accident compensate and indemnify the company for and in respect of all loss costs damage expenses claims and demands which the company may sustain or incur or which may be made against them by reason or in consequence of the construction maintenance alteration repair renewal or use of the works of the Board or of the failure or want of repair thereof or by reason of any act or omission of the Board their contractors agents workmen or servants :
- (14) The fact that any work or thing has been executed or done in accordance with a plan approved by the company or to the satisfaction of such engineer shall not relieve the Board from any liability for damage caused to the property of the company or affect any claim competent to the company under this Act

Provided that this subsection shall not apply as respects any such liability or claim as aforesaid arising out of or consequent on the execution or doing of any work or thing by the Board pursuant to the direction or award of an arbitrator and not in accordance with the proposals of the Board as submitted to the arbitrator :

A.D. 1921.

- (15) If any difference shall arise between the Board and the company, or their respective engineers under the provisions of this section such difference shall be settled by arbitration.

36. Nothing contained in the section of this Act of which the marginal note is "General provisions for protection of gas water and electricity mains and sewers" shall apply to the South Metropolitan Gas Company or to any mains pipes syphons or other works or apparatus of that company.

For protection of South Metropolitan Gas Company.

37. Nothing in this Act shall affect the rights of any metropolitan borough council or the liabilities of the Board under the Metropolis Management Act 1855 or any Act amending the same.

Application of Metropolis Management Acts.

38. If any work authorised by this Act involves the removal or alteration of any Post Office letter box the Board shall not remove or alter such box but shall give notice to the Postmaster-General of the removal or alteration required, and the Postmaster-General shall remove or alter the box as he may think fit and the Board shall pay to the Postmaster-General all expenses incurred by him in relation to such removal or alteration.

As to removal of Post Office letter boxes.

PART III.

LANDS.

39. Subject to the provisions of this Act the Board may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the works authorised by this Act.

Power to acquire lands for purposes of works.

40. Subject to the provisions of this Act the Board may for the purposes of the aqueducts or lines of pipes by this Act authorised remove appropriate and use

As to use of subsoil of streets for aqueducts.

A.D. 1921: — without payment of compensation therefor the subsoil and under-surface of any public street road footway or place shown on the deposited plans with reference thereto and described in the deposited book of reference or so much thereof as shall be necessary for the purposes aforesaid.

Acquisition
of lands for
various
purposes.

41. Subject to the provisions of this Act the Board may purchase and take for the purposes hereinafter specified the lands hereinafter described which are delineated on the deposited plans and described in the deposited book of reference or any of them or any outstanding estate or interest therein (that is to say):—

(1) For the purposes of repairing and protecting the banks of the New River—

(A) Strips of land in the metropolitan borough of Stoke Newington extending along the right bank of the New River—

(i) Between the eastern side of Green Lanes and a point 6 chains or thereabouts north-eastward thereof;

(ii) Between the southern side of Woodberry Down Bridge and a point 3 chains or thereabouts south-westward thereof;

(iii) Between the northern side of Woodberry Down Bridge and the south-eastern side of Seven Sisters Road Bridge:

(B) Strips of land in the borough of Hornsey in the county of Middlesex extending along the left bank of the New River—

(i) Between the southern side of the bridge carrying Hampden Road over the said river and a point 5 chains or thereabouts southward thereof;

(ii) Between the northern side of the bridge carrying Hampden Road over the said river and a point 2 chains or thereabouts north-westward thereof;

(iii) Between Denmark Road and the eastern side of the footpath leading from Hampden Road to Turnpike Lane:

(C) Strips of land in the urban district of Southgate in the county of Middlesex extending along the right bank of the New River—

(i) Between the northern side of the bridge carrying Ford's Grove over the

said river and the northern boundary of the enclosure numbered 444 on the $\frac{1}{2500}$ scale Ordnance map edition 1913 (Middlesex Sheet VII-10);

A.D. 1921;

(ii) Between the south-eastern corner of the enclosure numbered 441 on the last-mentioned Ordnance map and the southern side of the bridge carrying Firs Lane over the said river :

(D) Strips of land in the urban district of Edmonton in the county of Middlesex extending along the right bank of the New River—

(i) Between a point 6 chains or thereabouts south-westward of the northern corner of the enclosure numbered 40 on the $\frac{1}{2500}$ scale Ordnance map second edition 1896 (Middlesex Sheet VII-7) and a point $1\frac{1}{2}$ chains south-westward of the eastern corner of the said enclosure;

(ii) Between a point 3 chains or thereabouts north-eastward of the southern corner of the enclosure numbered 37 on the last-mentioned Ordnance map and the eastern corner of the said enclosure :

(E) A strip of land in the said urban district of Edmonton extending along the left bank of the New River between the south-eastern side of the footbridge over the said river near the commencement of the strip of land (D) (i) hereinbefore described and the south-western side of the bridge carrying Bush Hill Road over the said river :

(F) Strips of land in the parish of Broxbourne and rural district of Ware in the county of Hertford extending along the left bank of the New River—

(i) Between the south-western corner of the enclosure numbered 353 on the $\frac{1}{2500}$ scale Ordnance map second edition 1898 (Hertfordshire Sheet XXXVI-16) and the north-western corner of that enclosure;

(ii) Between the south-western corner of the enclosure numbered 355 on the last-mentioned Ordnance map and the north-eastern corner of the enclosure numbered

A.D. 1921.

218 on the $\frac{1}{2500}$ scale Ordnance map second edition 1898 (Hertfordshire Sheet XXXVI-12):

(G) Strips of land in the urban district of Hoddesdon in the county of Hertford extending along the right bank of the New River—

(i) Between Upper Marsh Lane and the north-eastern corner of the enclosure numbered 240 on the $\frac{1}{2500}$ scale Ordnance map second edition 1898 (Hertfordshire Sheet XXXVII-5);

(ii) Between the bridge carrying Essex Road over the said river and a point $2\frac{1}{2}$ chains or thereabouts eastward of the southern corner of the enclosure numbered 125 on the $\frac{1}{2500}$ scale Ordnance map second edition 1898 (Hertfordshire Sheet XXXVII-5).

(2) For the general purposes of the undertaking of the Board—

Lands in the parish of Eynsford in the rural district of Dartford in the county of Kent being part of the enclosure numbered 221 on the $\frac{1}{2500}$ scale Ordnance map edition 1909 (Kent Sheet No. XVII-10) and the bed and banks of that part of the River Darent on which the said lands abut.

Provisions as to cellars under streets not referenced.

42. Nothing in this Act contained shall authorise the Board to enter upon take or use (except by agreement) any cellar or vault in or under any street belonging to or connected with any building unless such cellar or vault or the building with which it is connected is described in the deposited book of reference.

Persons under disability may grant easements &c.

43. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Board any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

44. The Board may in lieu of acquiring any lands for the purposes of so much of the aqueducts or lines of pipes by this Act authorised as will be laid underground acquire such easements and rights in such lands as they may require for the purpose of constructing placing laying inspecting maintaining cleansing repairing conducting managing renewing or enlarging aqueducts or pipes and may give notice to treat in respect of such easements and rights and may in such notice describe the nature thereof and the provisions of the Lands Clauses Acts shall apply to such easements and rights as fully as if the same were lands within the meaning of such Acts :

A.D. 1921.
Power to
acquire
easements
only.

Provided that as regards any lands taken or used by the Board for the purpose of any such aqueducts or pipes where such aqueducts or pipes are laid underground the Board shall not (unless they give notice to treat for such lands and not merely for easements therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Board :

Provided also that (except as to land forming part of a street) nothing in this section contained shall authorise the Board to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Board to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and (except as aforesaid) every notice to treat for the acquisition of an easement shall be endorsed with notice of this proviso :

Provided also that where the Board shall have acquired under the powers of this Act an easement or right of constructing or maintaining works upon the lands or property of any railway company nothing in this Act shall prevent such railway company from using such lands or property for railway purposes subject to such reasonable protection for the works of the Board as may be agreed or settled by arbitration.

45. The following provisions shall at the option of the Board be applicable with regard to all or any of the lands to be acquired by the Board for the purposes

Rights of
passage
over lands
acquired by

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921.
 Board to be reserved in certain cases.

of such parts of the aqueducts or lines of pipes by this Act authorised as are to be laid underground (that is to say) :—

- (1) The Board shall not be required to fence off or sever such lands from any adjoining lands of the vendor but they shall upon the acquisition of such first-mentioned lands grant to the vendor thereof and all persons lawfully claiming or to claim through or under him a full and free right of way or passage thereover at all times (except at such times as the said aqueducts or lines of pipes shall be in actual course of construction repair or renewal) and either with or without horses carts carriages or wagons for all purposes of or connected with the use or enjoyment of such adjoining lands of the same description in all respects as he or they would have enjoyed or been entitled to exercise if the Board had not acquired such lands and also the right of constructing maintaining and using across the lands so acquired by the Board (but in such position and in such manner as the Board shall in writing first approve) roadways dedicated or intended eventually to be dedicated to the use of the public :
- (2) The arbitrator shall in assessing the amount of such compensation take into account the provisions of this section and the benefits to accrue to the vendor thereunder :
- (3) The provisions of this section shall not apply with respect to any lands unless such provisions shall be stated in the notice to treat for the acquisition thereof.

Limiting quantity of common lands to be taken or used.

46. The quantity of common or commonable lands which may be taken or used by the Board under the powers of this Act shall not exceed the following (that is to say) :—

Work.	Name of Common.	Parish.	Estimated area to be purchased or affected by easements.
Aqueduct No. 17A	Peckham Rye	Camberwell	A. R. P. 1 2 4

47.—(1) Notwithstanding anything contained in this Act or shown on the deposited plans the Board shall not purchase any part of Leyton playing fields but they may acquire compulsorily or by agreement the easement or right of placing laying maintaining repairing renewing and inspecting Aqueduct No. 15 by this Act authorised under the surface of the said playing fields.

A.D. 1921.
—
Board to acquire easement only in Leyton playing fields.

(2) So much of the said Aqueduct No. 15 as crosses the said playing fields shall be laid in such position within the limits of deviation marked on the deposited plans as may be agreed between the Board and the Leyton Urban District Council or in default of agreement as may be settled by arbitration.

(3) Whenever the Board shall open the surface of the said playing fields for any purpose connected with the said aqueduct they shall as soon as practicable after the completion of the work for which such opening was made restore the surface of the ground to the condition in which it was immediately before they commenced such opening.

48. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Board of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Board and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect :—

Owners may be required to sell to Board parts only of certain lands and buildings.

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of the Board or each or any of them are in this section included in the term "the owner" and the said properties are in this section referred to as "the scheduled properties :"
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Board that he

A.D. 1921.

alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Board such portion only without the Board being obliged or compellable to purchase the whole the Board paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

- (3) If within such twenty-one days the owner shall by notice in writing to the Board allege that such portion cannot be so severed the arbitrator shall in addition to the other questions required to be determined by him determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Board have compulsory powers of purchase) can be so severed :
- (4) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Board the portion which the arbitrator shall have determined to be so severable without the Board being obliged or compellable to purchase the whole the Board paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the arbitrator :
- (5) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the arbitrator may in his absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner :

- (6) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not he shall determine that any other portion can be so severed) the Board may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice : A.D. 1921.
- (7) If the arbitrator determines that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Board in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the arbitrator shall having regard to the circumstances of the case and his final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

49. The Board may appropriate and use for the purposes of the works by this Act authorised or other the purposes of this Act any lands already vested in them and not required for the purposes for which the same are now authorised to be held by the Board : Power to appropriate lands for purposes of Act.

Provided that nothing contained in this section or done thereunder shall confer upon the Board in relation to any such lands any power of taking impounding

A.D. 1921.

or appropriating water which would not be exerciseable by them in relation to such lands if this Act had not been passed.

Limit of time for compulsory purchase of lands &c. by Board. Correction of errors in deposited plans and book of reference.

50. The powers of the Board for the compulsory purchase or taking of lands or easements under this Act shall cease after the expiration of five years from the passing of this Act.

51. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Board after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices acting for the county in which such lands are situate (or in the case of lands situate within the metropolitan police area to a metropolitan police magistrate instead of to two justices) for the correction thereof and if it appear to the justices or magistrate that the omission misstatement or wrong description arose from mistake they or he shall certify the same accordingly and shall in their or his certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county in which the said lands are situate and such certificate shall be kept by such clerk of the peace with the other documents to which the same relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Board to take the lands and execute the works in accordance with such certificate.

Compensation in case of recently altered buildings acquired by Board.

52. In settling any question of disputed purchase money or compensation under this Act the arbitrator shall not award any sum of money for or in respect of any improvement alteration or building made or erected or for or in respect of any interest in the lands created after the first day of November one thousand nine hundred and twenty if in the opinion of the arbitrator the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

53. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished. Provided that the Board shall make full compensation to all parties interested in respect of any such rights 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. 1921.

As to private rights of way over lands taken compulsorily.

54. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Board may retain hold and use for such time as they may think fit and may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands acquired by them under the powers of this Act or any interest therein and may sell exchange or dispose of any rents reserved on the sale exchange lease or disposition of such lands and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take money for equality of exchange.

Power to retain sell &c. lands.

55. In addition to any other lands which they are by this or any other Act authorised to acquire the Board may by agreement but not otherwise purchase or acquire and may hold any lands which they may deem necessary for the purpose of protecting their waterworks and sources of water supply against pollution fouling and contamination but the Board shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings and works as may be incident to and connected with their undertaking.

Power to acquire lands for protection of waterworks.

56. For the protection of the Highgate Golf Club (hereinafter in this section referred to as "the golf club") the following provisions shall have effect (that is to say):—

For protection of Highgate Golf Club.

- (1) The Board shall only acquire or interfere with so much of the land in the urban district of

A.D. 1921.

Finchley and the borough of Hornsey leased to the golf club as is reasonably necessary from time to time for the construction of Aqueducts Nos. 2 and 3 and Reservoir No. 1 by this Act authorised and when any works in connexion therewith are commenced the Board shall as far as is reasonably possible proceed with due diligence until completion thereof and on completion of any work shall at their own expense cover in and turf over the aqueduct and reservoir and make good the surface of the ground which has been disturbed so as to be as far as reasonably possible proper and suitable for a golf course including all greens and bunkers and such part of the course when so made good and completed shall remain unfenced and thereafter during the golf club's lease continue to form part of the golf course and the Board shall only demand rent in respect of the land acquired by the Board in pro rata proportion to the rent now or hereafter paid by the golf club in respect of the remainder of the land leased to them and forming part of the golf course During the construction renewal or maintenance of the said works the Board shall have regard to the interests of the golf club by not depriving it at any time of more land than is reasonably necessary for the economical and convenient construction renewal or maintenance of any works :

- (2) The conditions contained in subsection (1) of this section shall be taken into consideration when assessing any compensation or other payment in respect of the use of the site or sites :
- (3) Any difference arising under this section between the golf club and the Board shall failing agreement be determined by a surveyor to be appointed as arbitrator on the application of either party by the President of the Surveyors' Institution.

For protection of
Kempton
Park Race-
course.

57. Except so far as may be otherwise agreed in writing between the Kempton Park Racecourse Company Limited and the Board the Board shall not enter upon take use or interfere with the lands numbered 5 on the

deposited plans for the parish of Hampton for the purposes of Conduit No. 1 or Conduit No. 2 authorised by this Act or otherwise for the purposes of this Act. A.D. 1921.
 Company Limited.

PART IV.

FINANCIAL PROVISIONS.

58.—(1) The Board may from time to time (in addition to any moneys which they are now or may by any other Act be authorised to borrow) borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the water fund and all their revenues and they shall pay off all moneys so borrowed within the respective periods (in this Act referred to as “the prescribed periods”) mentioned in the third column thereof (namely):—

Power to borrow.

Purpose.	Amount.	Period for repayment.
(A) For the construction of reservoirs cuts and diversions of streams under the powers of this Act and of filter beds on lands already belonging to the Board.	£ 1,516,000	Sixty years from the date of borrowing.
(B) For the construction under the said powers of conduits aqueducts or lines of pipes and the erection of buildings.	2,283,000	Fifty years from the date of borrowing.
(C) For the provision of machinery	275,000	Twenty-five years from the date of borrowing.
(D) For the acquisition of lands under the said powers.	289,700	Sixty years from the date of borrowing.
(E) For the general purposes of the undertaking of the Board.	3,000,000	Thirty years from the date of borrowing.
(F) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	Five years from the passing of this Act.

(2)—(A) The Board may also with the consent of the Ministry of Health borrow such further sum or

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921. — sums of money as may be required for any of the purposes of this Act.

(B) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Ministry of Health.

(C) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Board may mortgage or charge the water fund and all their revenues.

Application of provisions of Act of 1902 and Metropolitan Water Board Act 1906.

59.—(1) Section 27 (Provisions as to local inquiries) of the Act of 1902 shall apply for the purposes of this Act and the following sections of the Metropolitan Water Board Act 1906 and the schedule to that Act shall extend and apply to and with respect to moneys authorised to be borrowed under the powers of this Act and the repayment thereof as if such sections and schedule had been in terms re-enacted in this Act:—

Marginal Note.	No. of Section.
Formation maintenance and application of sinking fund -	8
Increase reduction or discontinuance of payments to sinking fund.	9
Surplus of sinking fund - - - - -	10
Power to re-borrow - - - - -	11
Form of mortgage - - - - -	12
Register of mortgages - - - - -	13
Transfer of mortgages - - - - -	14
For protection of lenders - - - - -	15
Board not to regard trusts - - - - -	16
Application of borrowed moneys - - - - -	17
Power to raise money by creation and issue of additional amounts of metropolitan water stock.	18
Receiver - - - - -	19
Return to Local Government Board as to repayment of debt.	20

Provided as follows (that is to say):—

- (i) In construing the provisions of the said sections for the purposes of this Act the periods for the repayment of moneys borrowed under the powers of this Act shall be the prescribed periods;
- (ii) The said section 27 of the Act of 1902 shall for the purposes of this Act have effect as

if the words "not exceeding three guineas a day" were omitted from subsection (3) thereof. A.D. 1921.

(2) The repayment of the said moneys shall be effected—

Either by equal yearly or half-yearly instalments of principal or of principal and interest;

Or by means of a sinking fund;

Or partly by such instalments and partly by a sinking fund.

(3) Every such instalment and payment to the sinking fund shall be paid out of the water fund and the first payment by instalments or to the sinking fund shall be made within twelve months after the date of the borrowing of the money in respect of which such payment is made.

~~60~~ Nothing in anything contained in section 8 (Formation maintenance and application of sinking fund) of the Act of 1906 (whether for the purposes of that Act or for the purposes of this or any other Act to which the said section is applied) the Board may from time to time with the approval of the Ministry of Health vary the maximum rate of accumulation of any sinking fund as prescribed by subsection (1) (B) of that section. Power to vary rate of accumulation of sinking funds.

61.—(1) For all or any of the purposes respectively referred to in the second column of the table set forth in the First Schedule to this Act (other than the works referred to in the sixth column of that table) and for the purposes of the aqueducts or lines of pipes proposed to be constructed by the Board in lieu of Aqueduct No. 8 authorised by the Act of 1911 and of portions of Aqueduct No. 6 authorised by the Act of 1915 (which proposed aqueducts or lines of pipes shall for the purposes of this section be deemed to have been authorised by the Act of 1911 and the Act of 1915 respectively) the Board may borrow the sums referred to in the fifth column of the said table and in addition thereto the further sums specified in the eighth column of that table. Additional borrowing powers for purposes of Acts of 1911 1913 and 1915.

(2) The provisions as to borrowing and repayment contained in the Acts by which the said purposes were

A.D. 1921. respectively authorised shall apply to the borrowing by the Board of all such sums as are referred to in this section and to the repayment of such sums.

Amendment
of powers as
to tempo-
rary bor-
rowing.

62.—(1) Notwithstanding anything contained in section 82 (As to temporary borrowing for current expenses) of the Act of 1913 the sums which the Board may borrow under the powers of that section shall until the thirtieth day of June one thousand nine hundred and twenty-three be such sums as they may from time to time require for defraying expenses incurred by them on revenue account and not otherwise provided for and the Board shall not be required to repay or discharge any sums so borrowed before the said date until the expiration of a period of twelve months from the end of the financial year in which they were borrowed.

(2) Subsection (2) of the said section 82 shall be read and have effect as if the period of ten years from the ~~thirty-first day of March one thousand nine hundred~~ and twenty-two had been therein referred to instead of the period of five years from the thirty-first day of March one thousand nine hundred and fourteen.

Expenses of
execution of
Act.

63. All expenses incurred by the Board in the execution of the purposes of this Act and not otherwise provided for including the payment of interest on any ~~stock issued or moneys borrowed~~ for those purposes and the redemption of such stock and the repayment of such moneys (but excluding expenses properly chargeable to capital and payable out of borrowed moneys) shall be paid out of the water fund.

PART V.

MISCELLANEOUS PROVISIONS.

Extension
of time for
compulsory
purchase of
lands.

64. The periods limited by the enactments specified in the first column of the next following table for the compulsory purchase or taking of lands and easements for the purposes set forth in the second column of that table (as extended to the dates respectively set forth in the third column of the said table by Orders under the Special Acts (Extension of Time) Act 1915) are hereby further extended to the dates respectively set

[11 & 12 GEO. 5.] *Metropolitan Water Board (Various Powers) Act, 1921.* [Ch. cxv.]

forth in the fourth column of the said table and the Acts specified in the said first column shall be read and have effect as if the said periods as extended by this section had been the periods limited by those Acts respectively for the compulsory purchase or taking of the said lands and easements. A.D. 1921.

Enactment.	Purposes for which lands may be acquired.	Date to which powers are now extended or about to be extended.	Date to which powers are to be further extended.
Act of 1911— Section 58.	Reservoir No. 5 so much of Conduit No. 12 as is situate eastward of the River Colne Conduits Nos. 13 14 15 and 23 so much of Aqueduct No. 10 as is situate southward of the existing 42-inch main of the Board where that main crosses the field numbered on the deposited plans referred to in the Act of 1911 107 in the parish and urban district of Wembley Aqueduct No. 11 filter beds at Stanwell.	18th August 1921.	18th August 1923.
Act of 1913— Section 48.	Conduit No. 1 Aqueduct No. 1.	15th August 1921.	15th August 1923.
Act of 1915— Section 43.	Aqueduct No. 5 filter beds at Walton-upon-Thames.	29th July 1921.	29th July 1923.

65. The periods limited by the enactments specified in the first column of the next following table for the completion of the works set forth in the second column of that table are hereby extended from the dates respectively set forth in the third column of the said table (being the dates to which the said periods as now limited extend) to the dates respectively set forth in the fourth column of the said table and the Acts specified in the said first column shall be read and have effect as if the said periods as extended by this section had been the periods limited by those Acts respectively for the completion of the said works. Extension of time for completion of works.

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921.

Enactment.	Works.	Date to which powers are now limited.	Date to which powers are to be extended.
Act of 1911— Section 19.	Reservoir No. 5 so much of Conduit No. 12 as is situate eastward of the River Colne Conduits Nos. 13 14 15 23 27 and 28 so much of Aqueduct No. 10 as is situate southward of the existing 42-inch main of the Board in the parish and urban district of Willesden Aqueduct No. 11.	18th August 1926.	18th August 1936.
Act of 1913— Section 21.	Conduit No. 1 Aqueduct No. 1.	15th August 1928.	15th August 1936.
Act of 1915— Section 19.	Aqueduct No. 4 - -	29th July 1930.	29th July 1936.

As to damage caused by defective fire plugs.

66. The reasonable cost incurred from time to time by the Board of and incidental with the reinstatement of streets and paving damaged by the leakage of water from any fire plug hydrant or other apparatus provided in pursuance of section 34 of the Metropolis Water Act 1871 or of section 32 of the Metropolitan Fire Brigade Act 1865 and any compensation for damage to property arising out of such leakage which may be legally payable by the Board or the London County Council shall be paid by the Board and the said council in any such proportions as they may agree.

Abolition of office of water examiner.

67.—(1) Section 36 (Appointment and duties of water examiner) of the Metropolis Water Act 1871 is hereby repealed and as from the passing of this Act the office of water examiner to examine the water supplied by the Board shall be abolished.

(2) The Board shall pay to the person at the date of the passing of this Act holding the office of water examiner such compensation in respect of the cesser of his office as may be agreed between the Board and such person or as failing such agreement may be determined by the Ministry of Health and any such compensation as aforesaid may be by way of pension superannuation allowance or gratuity as may be agreed or determined as aforesaid and shall be paid out of the water fund.

A.D. 1921.

68. Section 65 (Local authorities may contract by way of guarantee or otherwise for supply of water) of the Act of 1907 shall extend and apply as if the county council of any county wholly or partly within the limits of supply of the Board were referred to in that section in addition to such urban and rural district councils as are therein referred to.

Extension to county councils of powers of local authorities to give guarantees.

69. Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of a supply of water by the Board who shall without the authority of the Board turn on any sluice cock valve or other apparatus attached to any service main or pipe connected with any main of the Board and provided or available for the purpose of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly.

Penalty for interfering with sluices &c.

70. Notwithstanding anything contained in the Metropolitan Water Board (Charges) Act 1907 the Board shall not be required to furnish a supply of water for domestic purposes to any house or building or part of a house or building situate in that part of their limits of supply which prior to the passing of the Kent Waterworks Act 1888 comprised the limits of supply of the Kent Waterworks Company and being at a greater height than that to which water can be supplied by gravitation from the service reservoir from which water is for the time being supplied by the Board in the area in which such house or building or part of a house or building is situate.

Relief from obligation to supply to certain premises in part of area of supply.

71. For the protection of the council of the metropolitan borough of Woolwich and of the Erith Urban District Council the following provisions shall unless otherwise agreed in writing between the Board on the one hand and (as respects the metropolitan borough of Woolwich) the first-named council and (as respects the urban district of Erith) the secondly-named council on the other hand apply and have effect (that is to say):—

For protection of Woolwich Borough Council and Erith Urban District Council.

Whereas it will be practicable for the Board to furnish from and by means of a service reservoir and works now in course of construction or from

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921.

and by means of their existing service reservoirs and works from which water is now being supplied in the metropolitan borough of Woolwich and the urban district of Erith a supply of water by gravitation to every house or building erected or which may at any time after the passing of this Act be erected in the said metropolitan borough and urban district therefore the provisions of the section of this Act of which the marginal note is "Relief from obligation to supply to certain premises in part of area of supply" shall not apply to any such house or building.

Arbitration.

72. Where under this Act any question or dispute is to be referred to or determined by an arbitrator or arbitration the reference shall be subject to the provisions of the Arbitration Act 1889 and except where otherwise provided the arbitrator shall failing agreement be appointed by the President of the Institution of Civil Engineers on the application of either party.

Crown rights.

73. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of Act:

74. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Board.

The SCHEDULES referred to in the foregoing Act.

[11 & 12 GEO. 5.] *Metropolitan Water Board (Various Powers) Act, 1921.* [Ch. cxv.]

THE FIRST SCHEDULE.

1	2	3	4	5	6	7	8
Enactment.	Purposes.	Amounts authorised by Acts to be borrowed.	Amounts authorised to be borrowed under sanction of Ministry of Health.	Total amounts authorised to be borrowed.	Works proposed to be abandoned.	Estimated cost of purposes as proposed to be carried into effect.	Additional amounts to be borrowed.
Act of 1911— Section 67 (1) (B)	Execution of works and purchase of lands.	£ 4,100,000	£ —	£ 4,100,000	Aqueducts Nos. 1 to 9 (inclusive) 12 and 13 a portion of Aqueduct No. 10 Reservoir No. 9 Roads Nos. 5 and 6 pumping station and machinery for supplying water from filter beds at Staines to Reservoirs Nos. 9 and 10.	£ 4,498,175	£ 398,175
Act of 1913— Section 71 (1) (B)	Purchase of lands construction of reservoirs and filter beds and diversion of streams.	£ 456,000	£ —	£ 456,000	—	£ 1,032,000	£ 576,000

A.D. 1921.

A.D. 1921.

1 Enactment.	2 Purposes.	3 Amounts authorised by Acts to be borrowed.	4 Amounts authorised to be borrowed under sanction of Ministry of Health.	5 Total amounts authorised to be borrowed.	6 Works proposed to be abandoned.	7 Estimated cost of purposes as proposed to be carried into effect.	8 Additional amounts to be borrowed.
Act of 1913 (<i>cont.</i>)— Section 71 (1) (c) -	Construction of railways wharf or landing-stage aqueducts conduits cuts or lines of pipes and other works.	£ 620,000	£ —	£ 620,000	Aqueducts Nos. 2 and 3	£ 2,208,365	£ 1,588,365
Section 71 (1) (D) -	Provision of locomotives rolling stock plant and apparatus for and in connexion with railways and of machinery for and in connexion with works.	180,000	—	180,000	—	531,000	351,000
Act of 1915— Section 51 (1) (B) -	Purchase of lands and interests in lands and construction of reservoirs well footpath subway or tunnel diversions of streams and filter beds.	285,150	340,720	625,870	Reservoir No. 6 subway or tunnel.	880,950	255,080

[11 & 12 GEO. 5.] *Metropolitan Water Board (Various Powers) Act, 1921.* [Ch. cxv.]

A.D. 1921.

Section 51 (1) (c) -	Construction of aqueducts or lines of pipes and pumping station and construction and provision of subsidiary works and conveniences (other than machinery).	365,350	660,644	1,025,994	Portion of Aqueduct No. 5 and portions of Aqueduct No. 6 main through subway or tunnel.	1,552,259	526,265
Section 51 (1) (D) -	Provision of machinery.	32,000	123,595	155,595	—	220,000	64,405
Totals -	-	£6,038,500	£1,124,959	£7,163,459	—	£10,922,749	£3,759,290

[Ch. cxv.] *Metropolitan Water* [11 & 12 GEO. 5.]
Board (Various Powers) Act, 1921.

A.D. 1921.

THE SECOND SCHEDULE.

DESCRIPTION OF PROPERTIES OF WHICH PORTIONS
 ONLY ARE REQUIRED TO BE TAKEN BY THE BOARD.

Work.	Parish.	Number on deposited plans.
Enlargement of Reservoir No. 7 authorised by the Metropolitan Water Board (New Works) Act 1911.	Littleton	- 24.
	Sunbury	- 5.
Deviation of Conduit No. 1 authorised by the Metropolitan Water Board Act 1913.	Littleton	- 30 36 37 38 39 40
	Sunbury	- 41.
Aqueducts Nos. 2 and 3 and Reservoir No. 1.	Finchley	- 25.
Aqueducts Nos. 2 and 3 and Reservoir No. 1.	Finchley	- 24.
Aqueducts Nos. 2 and 3 and Reservoir No. 1.	Hornsey	- 7 10 11.
Aqueduct No. 6 - - - -	Saint John Hampstead.	5 7.
Aqueduct No. 9 - - - -	Fulham -	11.
Aqueduct No. 10 - - - -	Saint John Hampstead.	9.
Reservoir No. 5 - - - -	Shoreham	- 3.
Land to be acquired for the purposes of repairing and protecting the banks of the New River.	Saint Mary	1 2 3 4 5.
	Stoke Newington.	
	Hornsey	- 30 31 32 33 34 35
		36 37 38 39 40
		41 43 44 45 46
		47 48.
	Southgate	- 15 16 17.
	Edmonton	- 1.
	Broxbourne	- 2 3.
	Hoddesdon	- 1 2 3 4 5.
Land to be acquired for the general purposes of the undertaking of the Board.	Eynsford	- 1.

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