CHAPTER ix

An Act to amend the provisions of certain enactments relating to the discharge of compensation water by the lord mayor aldermen and citizens of the city of Cardiff and for other purposes. [27th July 1955.]

WHEREAS the city of Cardiff (hereinafter referred to as "the city") is a county borough under the management and local government of the lord mayor aldermen and citizens of the city (hereinafter referred to as "the Corporation"):

And whereas the Corporation are the owners of a water undertaking and under the provisions of various Acts and Orders supply water in the city and in certain parishes and places adjacent thereto in the counties of Glamorgan and Monmouth:

And whereas under the provisions of the Cardiff Corporation Act 1884 as amended by the Cardiff Corporation Act 1934 the Corporation are required to discharge compensation water into the river Taf Fawr from the Llwyn-on Reservoir of the Corporation (being the reservoir referred to in the said Act of 1884 as Reservoir No. 3 and altered and enlarged under the powers of the Cardiff Corporation Act 1909) or the works immediately connected therewith:

And whereas the said provisions relating to the discharge of compensation water were subsequently amended by the Cardiff Corporation Act 1943:

And whereas the quantity of water required to be distributed by the Corporation is increasing and in order that the Corporation may have available sufficient water to comply with the increasing demands it is expedient that the said provisions relating to the discharge of compensation water should be further amended as by this Act provided:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

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

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited as the Cardiff Corporation Act 1955.

Interpretation.

2. In this Act—

"the city" means the city and county borough of Cardiff; and

"the Corporation" means the lord mayor aldermen and citizens of the city acting by the council of the city.

Amendment of Cardiff Corporation Act 1934.

3.—(1) Paragraphs (*b*) and (*c*) of subsection (2) of section 40 (As to compensation water) of the Cardiff Corporation Act 1934 shall have effect as if for the references therein to the quantity of six million gallons there were substituted references to the quantity of four million gallons.

(2) Paragraph (2) of section 41 (For protection of local authorities) of the said Act of 1934 shall have effect as if—

(*a*) for the references therein to seven and three-quarter million gallons there were substituted references to five and three-quarter million gallons; and

(*b*) for the reference therein to six million gallons there were substituted a reference to four million gallons.

Amendment of Cardiff Corporation Act 1943.

4. Section 6 (Alteration of obligations of Corporation as to discharge of compensation water) of the Cardiff Corporation Act 1943 shall have effect as if for the references therein to six million gallons and to seven and three-quarter million gallons there were respectively substituted references to four million gallons and five and three-quarter million gallons.

For protection of local authorities and others.

5. For the protection of the county councils of the administrative counties of Brecon and Glamorgan the Mountain Ash Urban District Council the Vaynor and Penderyn Rural District Council and the Glamorgan River Board (in this section referred

to as " the protected authorities ") the following provisions shall unless otherwise agreed in writing between the Corporation and the protected authorities apply and have effect:—

(1) Notwithstanding anything in this Act during every day of twenty-four hours (not being more than one hundred days in any year) in respect of which the Glamorgan River Board (hereinafter referred to as " the river board ") shall have given not less than forty-eight hours' notice in writing to the water engineer of the Corporation requiring the Corporation to discharge additional compensation water the Corporation shall discharge into the river Taf Fawr from the Llwyn-on Reservoir of the Corporation in a regular and continuous flow not less than six million gallons of water:

Provided that on any day on which the Taf Fechan Water Board are required by the Corporation under and in accordance with the provisions of the agreement made between the said board and the Corporation on the twenty-ninth day of September nineteen hundred and forty-two a copy of which agreement is set out in the First Schedule to the Cardiff Corporation Act 1943 to discharge into the river Taf Fechan a quantity of water additional to the compensation water discharged on that day by the said water board into that river pursuant to the Taf Fechan Water Supply Act 1921 for the reference to the said quantity of six million gallons there shall be substituted a reference to the quantity by which such six million gallons exceeds the quantity discharged by the said board on that day under and in accordance with the provisions of the said agreement:

Provided also that in respect of the year nineteen hundred and fifty-five for the reference to the aforesaid period of one hundred days there shall be substituted a reference to a period of such number of days as bears the same proportion to the number of days between the date of the passing of this Act and the thirty-first day of December nineteen hundred and fifty-five as one hundred bears to three hundred and sixty-five:

(2) The Corporation shall operate the said agreement so that except with the consent of the river board the compensation water discharged by the Corporation into the river Taf Fawr from the said Llwyn-on Reservoir shall not during any day of twenty-four hours be less than two million gallons.

Power to borrow.

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

(2) The provisions of Part IX of the said Act of 1933 so far as such provisions are not inconsistent with this Act shall extend and apply to money borrowed under this section as if it were borrowed under the said Part IX and the period fixed under this section for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purposes of the said Part IX.

Costs of Act.

7. All the costs charges and expenses preliminary to and of and incidental to the preparation of and the application for and the obtaining and passing of this Act or otherwise in relation thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund of the city or out of moneys to be borrowed under this Act for that purpose.

Table of Statutes referred to in this Act

Short title	Session and chapter
Cardiff Corporation Act 1884	47 & 48 Vict. c. ccxxii
Cardiff Corporation Act 1909	9 Edw. 7. c. clxi
Taf Fechan Water Supply Act 1921	11 & 12 Geo. 5. c. lxxxix
Local Government Act 1933	23 & 24 Geo. 5. c. 51
Cardiff Corporation Act 1934	24 & 25 Geo. 5. c. xcv
Cardiff Corporation Act 1943	6 & 7 Geo. 6. c. xvi

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