CHAPTER i.

An Act to confirm a Scheme made by the Minister of Health under the Public Works Facilities Act 1930 and relating to the Thorne and District Water Company. A.D. 1930.

[19th December 1930.]

WHEREAS under the provisions of the Public Works Facilities Act 1930 the Minister of Health has made a Scheme which needs confirmation by Parliament: 20 & 21 Geo. 5. c. 50.

Be it therefore 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:—

1. The Scheme of the Minister of Health which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Scheme in schedule confirmed.

2. This Act may be cited as the Public Works Facilities Scheme (Thorne and District Water) Confirmation Act 1930. Short title.

[*Price 2d. Net.*]

A.D. 1930.

SCHEDULE.

THORNE AND DISTRICT WATER.

Thorne and District Water.

Scheme under the Public Works Facilities Act 1930 *empowering the Thorne and District Water Company to construct waterworks and for other purposes.*

WHEREAS the Thorne and District Water Company are desirous of providing constructing and carrying out the works described in this Scheme;

And whereas the powers contained in this Scheme are required by the Company for the purpose of enabling them to execute those works or are incidental or consequential provisions necessary for giving full effect to the Scheme;

And whereas the Minister of Health is satisfied—

(*a*) that the works will materially contribute to the relief of unemployment; and

(*b*) that the relief to unemployment will be materially expedited by reason of the powers being conferred by this Scheme instead of by a local Act; and

(*c*) that the powers conferred by this Scheme are such as are customarily conferred on statutory undertakers by local Acts; and

(*d*) that the powers so conferred will not enable the Company to undertake functions of a different nature from those already within their statutory powers:

Now therefore the Minister of Health in pursuance of the powers given to him by section 1 of the Public Works Facilities Act 1930 and of all other powers enabling him in that behalf hereby makes the following Scheme:—

Short title.

1. This Scheme may be cited as the Thorne and District Water Scheme 1930.

Commencement of Scheme.

2. This Scheme shall come into force and have effect upon the day when the Act confirming this Scheme is passed which date is in this Scheme referred to as "the commencement of this Scheme."

Incorporation of Acts.

3. So far as the same relate to the powers conferred by this Scheme the provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the

promoters of the undertaking) and the Waterworks Clauses Acts 1847 and 1863 are (except where expressly varied by this Scheme) incorporated with and form part of this Scheme:

Provided that section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Scheme have effect as if the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" were omitted therefrom.

For the purpose of such incorporation the term "special Act" in the said Acts shall be construed to mean this Scheme and the term "Company" shall mean the Undertakers.

Interpretation.

4. The several words terms and expressions to which by any Act wholly or partly incorporated with this Scheme meanings are assigned have in this Scheme the same respective meanings And—

"the undertaking" means the undertaking of the Undertakers authorised by the Thorne and District Water Act 1910;

"the limits of supply" means the limits from time to time for the supply of water by the Undertakers;

"the deposited plans" "the deposited sections" and "the deposited plans and sections" refer as the case may be to the plans and sections deposited with the clerk of the County Council of the West Riding of the County of York for the purposes of this Scheme.

Undertakers.

5. The Thorne and District Water Company shall be the Undertakers for the purposes of this Scheme and are in this Scheme referred to as "the Undertakers."

Power to construct waterworks.

6. Subject to the provisions of this Scheme the Undertakers may in upon or under the lands shown on the deposited plans so long as they are possessed of the same construct and maintain in the lines and according to the levels shown on the deposited plans and sections the following works in the West Riding of the county of York:—

A well or borehole and pumping station situate in the parish of Hatfield in the rural district of Thorne in the enclosure numbered in that parish 1407 on the 1/2500 Ordnance map (West Riding Sheets CCLXXVII—4 and 8 edition of 1930).

Power to take waters.

7. Subject to the provisions of this Scheme the Undertakers may pump collect impound take use divert and appropriate for the purposes of the undertaking all such springs streams or waters as may be intercepted by the works by this Scheme authorised.

Limits of deviation.

8. In the construction of the works authorised by this Scheme the Undertakers may deviate laterally to any extent

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within the limits of deviation shown on the deposited plans and they may also deviate vertically from the level shown on the deposited sections to any extent not exceeding three feet upwards and to any extent downwards.

Completion of work.

9. The new works authorised by this Scheme shall be commenced constructed and completed within three years from the commencement of this Scheme and on the expiration of that period the powers by this Scheme granted to the Undertakers of completing the works authorised by this Scheme or otherwise in relation thereto shall cease except as to so much thereof as is then completed unless the time be prolonged by the special direction of the Minister of Health Provided always that subject to the restrictions and provisions of this Scheme the Undertakers may alter enlarge renew deepen improve and extend their engines machinery tanks wells filters pipes mains connections and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

Discharge of water into streams.

10.—(1) For the purpose of constructing enlarging extending repairing cleansing emptying or examining any of the works authorised by this Scheme the Undertakers may cause the water in such works to be discharged into any available stream sewer or watercourse.

(2) In the exercise of the powers conferred by this Article the Undertakers shall do as little damage as may be and shall make compensation to all persons interested for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration under and pursuant to the provisions of the Arbitration Act 1889.

Application of *provisions of* Telegraph Act 1878.

11. When confirmed by Parliament this Scheme shall for the purposes of the Telegraph Act 1878 be deemed to be an Order confirmed by Act of Parliament.

Costs of Scheme.

12. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Scheme and otherwise in relation thereto shall be paid by the Undertakers.

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