CHAPTER cxxxiv.

An Act to amend the Acts relating to the Tees Valley Water Board and to confer further borrowing and other powers on the Tees Valley Water Board. A.D. 1905

[4th August 1905.]

WHEREAS under the provisions of the Acts and of the Orders confirmed by Parliament which are specified in the schedule to the Tees Valley Waterworks Act 1899 and of the Tees Valley Water Act 1901 the Tees Valley Water Board (formerly called "the Stockton and Middlesbrough Water Board") are authorised to supply and do supply water within the boroughs of Stockton-on-Tees Middlesbrough and Thornaby-on-Tees (formerly the district of the local board for South Stockton) and other places in the neighbourhood by the said Acts specified in that behalf:

And whereas it is expedient to extend the time limited by section five of the Stockton and Middlesbrough Waterworks Act 1890 for the completion of the Grassholm Reservoir and Conduit No. 1 therein mentioned and also to extend the time limited by section thirteen of the same Act for the completion of Conduit No. 9 and Conduit No. 10 authorised by the same Act and also to extend the time limited by section fourteen of the Tees Valley Waterworks Act 1899 for the completion of the Long Newton Reservoir authorised by that Act:

And whereas it is expedient to increase the amount of the reserve fund mentioned in section fifty-one of the Stockton and Middlesbrough Corporations Waterworks Act 1876 (hereinafter referred to as "the Act of 1876") from thirty thousand pounds to two hundred thousand pounds:

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And whereas it is expedient to amend the provisions of section fifty-one of the Act of 1876 and of sections three and four of the South Stockton Local Board (Water) Act 1884 relating to the application of the revenue of the Board:

And whereas it is expedient to make such other provisions as this Act contains:

And whereas after allowing for the unexhausted borrowing powers of the respective corporations for the purposes of the Acts and Orders relating to the Board estimates have been prepared showing that the following sums will be required (namely):—

	£
For purchase of lands - - - -	6,500
For the completion of reservoirs and works connected therewith - - - -	367,202
For the construction of Conduits Nos. 9 and 10 authorised by the Act of 1890 - -	64,826
For workshops and workmen's houses - -	7,800
	446,328

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years:

And whereas it is expedient to empower the said corporations to borrow for the above purposes the several sums next hereinafter mentioned (that is to say):—

	£
In the case of the corporation of Stockton -	185,970
In the case of the corporation of Middlesbrough	223,164
In the case of the corporation of Thornaby-on-Tees - - - - - -	37,194
	446,328

and also to borrow the requisite sums for payment of the costs charges and expenses of obtaining this Act:

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

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. 1905.

Short title.

1. This Act may be cited as the Tees Valley Water Act 1905.

Interpretation.

2. In this Act unless the context otherwise requires—

"The Board" means the Tees Valley Water Board;

"The corporations" means the mayor aldermen and burgesses of the borough of Stockton-on-Tees the mayor aldermen and burgesses of the county borough of Middlesbrough and the mayor aldermen and burgesses of the borough of Thornaby-on-Tees;

"The Water Acts" means the Acts and Orders confirmed by Parliament which are specified in the schedule to the Tees Valley Waterworks Act 1899 together with the said Act of 1899 and the Tees Valley Water Act 1901.

Extension of time for completion of works.

3.—(1) The time limited by section five of the Stockton and Middlesbrough Waterworks Act 1890 for the completion of the Grassholm Reservoir and of Conduit No. 1 mentioned in the last paragraph of the said section is hereby extended to the thirty-first day of December one thousand nine hundred and fourteen and that paragraph shall be read and have effect accordingly.

(2) The time limited by section thirteen of the said Act of 1890 for the completion of works (other than the deviations A B and C) authorised by the said Act is hereby extended as regards Conduit No. 9 and Conduit No. 10 authorised by the said Act to the thirty-first day of December one thousand nine hundred and fourteen and that section shall be read and have effect accordingly.

(3) The time limited by section fourteen of the Tees Valley Waterworks Act 1899 for the completion of the works authorised by the said Act is hereby extended as regards the Long Newton Reservoir authorised by the said Act to the thirty-first day of December one thousand nine hundred and six and that section shall be read and have effect accordingly.

Alteration of amount of reserve fund under Act of 1876.

4. Section fifty-one of the Act of 1876 shall as regards the reserve fund therein mentioned be read and have effect as if the words "two hundred thousand pounds" were therein inserted in

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place of the words "thirty thousand pounds" and when and so long as the fund amounts to two hundred thousand pounds the resulting income thereof shall from time to time be carried to the revenue account of the Board.

Modification of application of revenue of board.

5. The paragraphs of section fifty-one of the Act of 1876 commencing respectively with the words "fifthly" and "sixthly" are hereby repealed and the following paragraph is hereby substituted for them (namely):—

Fifthly In paying to the corporations the sums required by them for payment of interest on moneys borrowed under the Water Acts and this Act and for instalments or contributions to their sinking funds in respect of those moneys in the following proportions (namely):—

Six-twelfths to the corporation of Middlesbrough;

Five-twelfths to the corporation of Stockton; and

One-twelfth to the corporation of Thornaby-on-Tees:

Provided always that the sums to be from time to time so paid to the corporation of Thornaby-on-Tees shall irrespective of the amount from time to time actually required by that corporation for the payment of interest on borrowed money or for providing instalments or contributions to the sinking fund in no case be less than one-twelfth part of the whole amount at the time being available for distribution amongst the corporations for such payments.

The two provisoes to section four of the South Stockton Local Board (Water) Act 1884 are hereby repealed.

Power for corporation of Thornaby to mortgage borough fund and rate.

6. For the purpose of securing repayment of any moneys which the corporation of Thornaby-on-Tees are now authorised to borrow but have not yet borrowed under any of the Water Acts the said corporation may mortgage their borough fund and borough rate as well as their district fund and general district rate and their share of the revenue of the waterworks undertaking of the board:

Provided that this section and the provisions of the section of this Act of which the marginal note is "Power of corporations to borrow" shall not affect the obligation of the corporation to repay moneys borrowed by them under the Water Acts and this Act and to pay the interest on the same out of the district fund and general district rate so far as their share of the revenue of the waterworks undertaking shall be insufficient for those purposes.

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Annual return as to sinking funds to be made by Thornaby borough accountant.

7. Section thirty-two of the Stockton and Middlesbrough Waterworks Act 1890 (Annual return to Local Government Board with respect to sinking fund) and section twenty-one of the Tees Valley Waterworks Act 1899 shall be read and have effect as if the accountant of the corporation of Thornaby-on-Tees had been named in section thirty-two of the said Act of 1890 instead of the clerk of the local board:

Provided that in the event at any time of a borough accountant not being appointed by any one of the three corporations it shall be the duty of the town clerk of that corporation to make the annual return required by section thirty-two of the said Act of 1890 under and subject to the provisions of that section.

Power of corporations to borrow.

8. The corporations may borrow on the security of the funds and rates hereinafter mentioned and of their respective shares of the revenue of the waterworks undertaking (in addition to any sums which they are already authorised to borrow) such sums of money as they may require not exceeding the amounts following (that is to say):—

For the purposes of the purchase of lands and the completion of reservoirs conduits and works connected therewith and for workshops and workmen's houses sums not exceeding—

In the case of the corporation of Stockton one hundred and eighty-five thousand nine hundred and seventy pounds;

In the case of the corporation of Middlesbrough two hundred and twenty-three thousand one hundred and sixty-four pounds;

In the case of the corporation of Thornaby-on-Tees thirty-seven thousand one hundred and ninety-four pounds:

For the purpose of defraying their proportions of the costs charges and expenses preliminary to and of and incidental to preparing obtaining and passing this Act such sums as may be required.

The Stockton and Middlesbrough Corporations may mortgage their respective borough funds and borough rates and their respective shares of the revenue of the waterworks undertaking and the Thornaby-on-Tees Corporation may mortgage their

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district fund and general district rate and their share of the revenue of the waterworks undertaking and their borough fund and borough rate as a security for the repayment of the money so borrowed accordingly.

Period of repayment.

9. All moneys borrowed or reborrowed under the authority of this Act shall be repaid within sixty years from the first borrowing of the same except that all moneys borrowed or reborrowed for the construction of Conduits Nos. 9 and 10 authorised by the Act of 1890 shall be repaid within forty years from the first borrowing of the same and all moneys borrowed or reborrowed for the purpose of defraying any costs charges or expenses preliminary to and of or incidental to preparing obtaining and passing this Act shall be repaid within five years from the passing of this Act.

Mode of *borrowing.*

10. Subject to the provisions of this Act the corporations of Stockton and Middlesbrough may respectively borrow and reborrow all moneys which they are by this Act authorised to borrow in manner provided by the Act of 1876 as amended by any subsequent Act or Order confirmed by Parliament and the provisions of that Act as extended or amended by any such subsequent Act or Order shall extend and apply to the borrowing of the moneys by this Act authorised to be borrowed by those corporations and to the security for the same and otherwise in relation thereto as though the authority to borrow the same had been conferred by section forty of the Act of 1876 The corporation of Thornaby-on-Tees may borrow and reborrow all moneys which they are by this Act authorised to borrow in manner provided by the South Stockton Local Board (Water) Act 1884 as amended by the Stockton and Middlesbrough Waterworks Acts 1888 and 1890 and by this Act and the provisions of those Acts and of this Act shall extend and apply to the borrowing of the moneys by this Act authorised to be borrowed by the corporation of Thornaby-on-Tees and to the security for the same and otherwise in relation thereto as though the authority to borrow the same had been conferred on the said corporation by the South Stockton Local Board (Water) Act 1884:

Provided that any of the corporations having for the time being power to raise money by the creation and issue of corporation stock may if they see fit exercise their borrowing powers under this Act by the creation and issue of such stock.

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Application of section 105 of Act of 1876.

11. Section one hundred and five of the Act of 1876 (As to rating of railways &c.) shall extend and apply to all rates which may be assessed and levied under the authority or for any of the purposes of this Act or to raise or pay any moneys which by or by virtue of this Act may be charged on the borough funds or borough rates of the boroughs as if such rates had been assessed and levied under the authority or for any of the purposes of the Act of 1876 or to raise or pay any moneys which by or by virtue of the Act of 1876 had been charged on such borough funds or borough rates.

As to sinking fund.

12. If any repayment of moneys borrowed or reborrowed under this Act shall be made by means of a sinking fund the corporations shall in every year reckoned from the date of the borrowing of such money appropriate and set apart out of the funds rates and revenue on the security of which such money shall have been borrowed such equal annual sums as will with the accumulations thereof by way of compound interest at a rate not exceeding three per centum per annum be sufficient to pay off the whole of the principal money borrowed on such security within the prescribed periods.

Application of sections 32 33 and 35 of Act of 1890.

13. Section thirty-two (Annual return to Local Government Board with respect to sinking funds) as amended by this Act section thirty-three (Power to reborrow) and section thirty-five (Precepts for payment of moneys by corporations) of the Stockton and Middlesbrough Waterworks Act 1890 shall apply in the case of moneys borrowed under this Act as if they were with the necessary adaptations set out and re-enacted in this Act.

Costs of Act.

14. The costs charges and expenses preliminary and of and incidental to preparing obtaining and passing this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall in the first instance be paid by the Board out of the common fund as defined by the Act of 1876 and shall be repaid thereto by the corporations in the proportions in which they are respectively interested in the waterworks undertaking out of moneys to be borrowed by them under this Act.

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