

## SECTIONS 1 TO 13

[6 & 7 Geo. 5.] *Yeadon Waterworks Act, 1916.* [Ch. xlv.]

And whereas the Company have expended on purposes to which capital is properly applicable the whole of the money raised by the issue of stock and debentures as above stated and in addition a sum of two thousand seven hundred pounds and upwards: A.D. 1916.

And whereas it is expedient that the creation and issue by the Company under the Act of 1889 of stock producing (together with the premiums) a sum exceeding twenty-eight thousand pounds as aforesaid be confirmed and that the Company be authorised to raise additional capital by the issue of shares and stock and by borrowing:

And whereas it is expedient that further powers be conferred upon the Company and further provision be made with reference to their undertaking as in this Act contained:

And whereas plans and sections showing the lines and levels of the works authorised by this Act such plans showing also the lands which may be taken compulsorily under the powers of this Act and 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 lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the West Riding of the county of York and are hereinafter respectively referred to as the deposited plans sections and book of reference:

And whereas the purposes of this Act cannot be effected 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:—

1.—(1) This Act may be cited as the *Yeadon Waterworks Act 1916.* Short and collective titles.

(2) The Act of 1870 the Act of 1889 and this Act may be cited together as the *Yeadon Waterworks Acts 1870 to 1916.*

2. The following Acts and parts of Acts so far as the same are applicable for the purposes of this Act and not inconsistent with the provisions of the Act of 1870 the Act Incorporation of Acts.

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A.D. 1916. of 1889 and this Act are subject to the provisions of this Act hereby incorporated with this Act (namely):—

The Lands Clauses Acts;

The Companies Clauses Consolidation Act 1845 except the provisions thereof with respect to the conversion of borrowed money into capital;

The Companies Clauses Act 1863 as amended by subsequent Acts except Part IV. (relating to change of name);

The Waterworks Clauses Acts 1847 and 1863:

Provided that section 44 of the Waterworks Clauses Act 1847 shall be read and 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 and as if the words "in case the occupier shall make default in payment of such rent and the owner shall have required a supply of water to such house" were inserted in that section in lieu of the words "in his default."

Interpreta-  
tion.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction:

The respective expressions "the Act of 1870" and "the Act of 1889" mean respectively the Yeadon Waterworks Act 1870 and the Yeadon Waterworks Act 1889;

The expression "the new waterworks" means the several works described in the section of this Act of which the marginal note is "Power to make new waterworks";

The expression "the existing limits" means the limits within which the Company are by the Act of 1870 as extended by the Act of 1889 authorised to supply water;

The expression "the limits of supply" includes the existing limits and the parish of Hawksworth;

The expression "the Reva Reservoir" means the storage reservoir of the Company in the parish of Hawksworth constructed under the powers conferred by the Act of 1889;

The expression "Reva Road" means the public road leading from Eldwick to Menston past the Gaping Goose Farm.

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4. Subject to the provisions of this Act the Company may make and maintain in the West Riding of the county of York and in the situations and according to the lines and levels shown on the deposited plans and sections the new waterworks hereinafter described (that is to say):—

Power to  
make new  
waterworks.

In the parish of Hawksworth—

- (1) An enlargement of the Reva Reservoir to be formed by means of an extension and enlargement of the existing dam of that reservoir:
- (2) A catchwater (No. 1) commencing in the stream or feeder which crosses under Reva Road at a distance of 415 yards or thereabouts westwards of Hillings Lane and terminating in the Reva Reservoir:
- (3) A catchwater (No. 2) in the inclosure numbered 79 on the Ordnance map scale  $\frac{1}{2500}$  (edition of 1908) Yorkshire (West Riding) sheet CLXXXVI.—15 commencing in the stream or feeder which flows across that inclosure in a south-westerly direction towards the western corner of the Company's Reva Reservoir property and terminating by a junction with the existing conduit of the Company situate under the said inclosure and authorised by the Act of 1889 and therein described as Aqueduct No. 1:
- (4) A catchwater (No. 3) commencing in the stream or feeder which flows in a southerly direction near the fence wall running northwards from the Gaping Goose Farm and forming the eastern boundary of Hawksworth Moor and terminating by a junction with the said existing conduit of the Company:
- (5) A well (already partly sunk) and pumping-station on the lands of the Company adjoining and on the eastern side of the Reva Reservoir:
- (6) A rising main (consisting of one or more lines of pipes) commencing in the well and pumping-station by this Act authorised and terminating in the Reva Reservoir:

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In the urban district of Rawdon—

- (7) A service tank on Billing Hill near the eastern side of the inclosure numbered 111 on the Ordnance map scale  $\frac{1}{2500}$  (edition of 1908) Yorkshire (West Riding) sheet CCII.-2:
- (8) A conduit (No. 1) (consisting of one or more lines of pipes) commencing by a junction with the Company's existing conduit in Canada Road Rawdon and terminating in the service tank on Billing Hill by this Act authorised:
- (9) A conduit (No. 2) (consisting of one or more lines of pipes) commencing in the service tank on Billing Hill by this Act authorised and terminating by a junction with the Company's said existing conduit in Canada Road aforesaid:

And for the purposes and as part of the pumping-station and rising main by this Act authorised the Company may use any works already constructed or made by them within the limits of deviation for such pumping-station and main as shown on the deposited plans and the expenditure of any capital already incurred for and in connexion with such works is hereby sanctioned and confirmed.

Additional  
works.

5. In addition to the new waterworks the Company may upon any of the lands included within the respective limits of deviation for the new waterworks shown upon the deposited plans make and maintain all such channels grips watercourses waterways catchwaters tunnels adits headings drifts pipes conduits culverts drains sluices shafts wells bores water towers overflows waste-water channels bye-washes gauges filters tanks banks walls fences bridges embankments piers roads approaches engines pumps machinery and appliances as may be necessary or convenient in connexion with or subsidiary to the new waterworks or any of them or necessary or expedient for the purpose of augmenting or improving the supply of water.

Limits of  
deviation.

6. In the construction of the new waterworks the Company may deviate to any extent within the limits of deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding in the case of the enlargement of the Reva Reservoir and the service tank by this Act authorised five feet upwards and downwards and in the case of other works three



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feet upwards and to any extent downwards Provided as follows A.D. 1916.  
(that is to say):—

- (A) The Company shall not construct the extension and enlargement by this Act authorised of the dam of the Reva Reservoir of a greater height above the general surface of the ground than that shown on the deposited sections and three feet in addition:
- (B) No part of the conduits by this Act authorised shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

7. If the new waterworks are not completed within the period of seven years from the termination of the present war then on the expiration of that period the powers by this Act granted to the Company for executing the same or in relation thereto respectively shall cease except as to so much thereof as is then completed Provided always that subject to the restrictions and provisions of this Act the Company may at any time after the expiration of the said period lay down additional lines of pipes as part of the rising main and conduits (No. 1) and (No. 2) by this Act authorised and alter enlarge extend and renew the new waterworks or any of them as they may think expedient to provide for the requirements of their water supply.

Period for  
completion  
of new  
waterworks.

8.—(1) Subject to the provisions of this Act the Company may for the purposes of their water undertaking—

Power to  
take waters.

- (A) Collect take divert convey impound use and appropriate the following streams in the parish of Hawksworth (that is to say):—

(1) The stream or feeder which crosses under Reva Road about 420 yards westwards of Hillings Lane and flows thence in a south-easterly and southerly direction;

(2) The stream or feeder which flows in an easterly direction from near Reva Side Farm along the southerly boundary of the inclosure numbered 131 on the Ordnance map scale  $\frac{1}{2500}$  (edition of 1909) Yorkshire (West Riding) sheet CLXXXVI.-16;

(3) The stream or feeder (situate partly underground in pipes) which flows near the eastern side of Boulder Pits and along the north-eastern and

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eastern sides of the Company's Reva Reservoir property into the stream or goit known as the Jum Beck;

(4) The stream or feeder which flows in a south-westerly direction across the inclosure numbered 79 on the Ordnance map scale  $\frac{1}{2500}$  (edition of 1908) Yorkshire (West Riding) sheet CLXXXVI.-15 towards the western corner of the Company's said Reva Reservoir property and thence into the Jum Beck; and

(5) The stream or feeder (situate partly underground in pipes) which flows southwards near the fence wall forming the eastern boundary of Hawksworth Moor and thence into the Black Beck;

and any other streams feeders springs and waters which will or may be taken or intercepted by the Catchwaters Nos. 1 2 and 3 or by the enlargement of the Reva Reservoir or any works in connexion therewith respectively by this Act authorised or which may be found in on or under any of the lands included within the limits of deviation for the said catchwaters and enlargement of reservoir as shown on the deposited plans; and

(B) Pump collect divert take and use all or any of the underground waters which will or may be taken or intercepted by the pumping-station by this Act authorised or any of the works constructed in connexion therewith under the powers of this Act.

(2) The proviso to section 8 (Power to take lands and waters) of the Act of 1889 is hereby repealed.

Limiting  
powers of  
Company to  
abstract  
water.

9. The Company shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament Provided that nothing in this section shall be deemed to prohibit the deepening or enlargement of any existing well or bore hole of the Company.

Compensa-  
tion water.

10.—(1) From and after the date when the Company shall have commenced to take divert appropriate or use any waters

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by means of the Catchwaters Nos. 1 2 and 3 and any works ancillary thereto by this Act authorised they shall in every day of twenty-four hours deliver from the Reva Reservoir into the goit mentioned in subsection (1) of section 10 of the Act of 1889 at a point in that goit situate not more than two hundred and twenty yards from the foot of the outer slope of the embankment of the said reservoir a quantity of not less than twenty-five thousand two hundred and fifty gallons of water in addition to the quantity of one hundred and forty-eight thousand seven hundred and fifty gallons of water mentioned in the said subsection making together a total quantity of one hundred and seventy-four thousand gallons of water in every day. A.D. 1916.

(2) The said delivery shall be as nearly as possible regular and continuous throughout each day and subsections (2) (3) (4) (6) and (7) of the said section 10 of the Act of 1889 shall as far as may be apply thereto.

(3) The provisions of this section shall be accepted and taken by all persons interested as full compensation for any waters which can be taken diverted appropriated or used by the Company under the powers of this Act.

11. The Company may enter upon take and use the lands in the parish of Hawksworth in the rural district of Wharfedale hereinafter mentioned (that is to say):— Power to acquire lands.

(1) For the purpose of the new waterworks such of the lands shown on the deposited plans and described in the deposited book of reference in connexion with the new waterworks as they may require:

(2) For the purpose of protecting from pollution fouling or contamination the waters which they are by this Act authorised to appropriate and use and for other purposes of their undertaking the following lands shown on the deposited plans (that is to say):—

(A) Lands situate on the north side of Reva Road containing by admeasurement 10 acres or thereabouts and comprising part of the inclosure numbered 52 on the Ordnance map scale  $\frac{1}{2500}$  (edition of 1909) Yorkshire (West Riding) sheet CLXXXVI.-12 and the south-western corner of the inclosure numbered 61 on the said Ordnance map;

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(B) Lands and premises situate on the southern side of the said Reva Road between points situate respectively 205 yards or thereabouts measured along that road eastwards from the south-western corner of the Gaping Goose Farm and 405 yards or thereabouts westwards from Hillings Lane containing by admeasurement 50 acres or thereabouts and extending southwards from Reva Road for a distance of 430 yards or thereabouts.

Period for compulsory purchase of lands.

12. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Company may acquire easements only in certain cases.

13.—(1) The Company may in lieu of acquiring any lands for the purposes of the new waterworks where the same are intended to be constructed or placed underground acquire such easements only in such lands as they may require for such purposes and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts.

(2) As regards any lands in respect of which the Company have acquired easements only under the provisions of this section the Company shall not 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 subject to such easements have the same rights to use and cultivate the said lands at all times as if this Act had not passed.

(3) Provided always that nothing in this section contained shall authorise the Company to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Company to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision.

Persons under disability may grant easements &c.

14. 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 Company any easement right or privilege (not being an easement right or