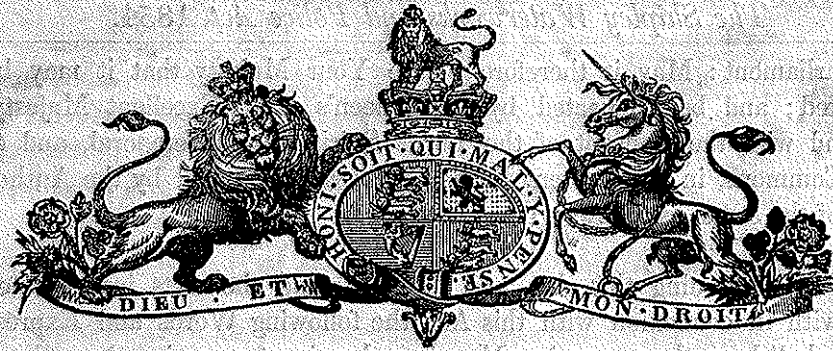


YL06692

Shipley Waterworks & Police Act 1854



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

# VICTORIÆ REGINÆ.

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## Cap. lxxvii.

An Act to make Provision with respect to Water Supply and Police for *Shipley, Baildon, and Windhill*, in the West Riding of the County of *York*.  
[3d July 1854.]

**W**HEREAS by an Order of Her Majesty in Council, bearing Date the Twenty-first Day of *February* One thousand eight hundred and fifty-three, "The Public Health Act, 1848" was applied to the District of *Shipley* in the Township of *Shipley* in the West Riding of the County of *York*, and certain Persons have been elected the Local Board of Health within and for the said District: And whereas the said District is not at present sufficiently supplied with Water, and it is expedient that the said Local Board of Health should be enabled to supply the same: And whereas the Township or Place of *Windhill*, adjoining or near to the said Township of *Shipley*, is also at present insufficiently supplied with Water, and it is expedient that the said Local Board should be enabled to extend their Supply to such Township or Place upon proper Terms and Conditions: And whereas it is expedient that better Provision should be made with respect to Police in the said Townships or Places of *Shipley* and *Windhill*: And whereas the Objects aforesaid cannot be effected without the Authority

[Local.]

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of Parliament: 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 Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Interpreta-  
tion of Terms.

I. In construing this Act, and in construing the Acts incorporated herewith in connexion with this Act, the following Words and Expressions shall have the respective Meanings herein-after assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the *Shipley* District" shall mean the District to which "The Public Health Act, 1848," is applied, which includes the Town or Village of *Shipley*; and the Expression "*Shipley* Board" shall mean the Local Board of Health for such District:

The Expression "*Windhill* District" shall mean any District or Districts to which "The Public Health Act, 1848," now is or hereafter shall be applied, which shall include the Town or Village of *Windhill*, or any Part thereof; and the Expression "*Windhill* Board" shall mean the Local Board or Boards of Health for such District or Districts:

The Expression "Quarter Sessions" shall mean any Quarter Sessions holden in and for the West Riding of the County of *York*, or any Adjournment thereof:

The Word "Owner" shall mean the Person for the Time being receiving the Rackrent of the Lands or Premises in connexion with which the said Word is used, whether on his own Account or as Agent or Trustee for any other Person, or who would so receive the same if such Lands or Premises were let at a Rackrent.

1849 Vict.  
c. 18. and  
1851 Vict.  
c. 17. incorporated  
with this Act.

II. "The Lands Clauses Consolidation Act, 1845," and "The Waterworks Clauses Act, 1847," (except the Sections of the last-mentioned Act with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit, and with respect to the yearly Receipt and Expenditure of the Undertakers,) are hereby incorporated with this Act, except so far as the same are expressly varied by this Act, and in construing those Acts in connexion with this Act, the Expressions "the Undertakers" and "the Promoters of the Undertaking" respectively shall mean the *Shipley* Local Board.

Limits of Act  
for Water  
Supply.

III. Subject to the Provisions of this Act, and the Acts incorporated herewith, it shall be lawful for the *Shipley* Board to supply with Water the said Districts, or any or either of them.

Power to  
construct  
Works.

IV. It shall be lawful for the *Shipley* Board for the Purposes of any such Supply to make and maintain the following Waterworks in the West

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West Riding of the County of *York*, with all proper Buildings, Mains, Pipes, Culverts, and other Works of any Description connected therewith respectively; (that is to say,)

A Reservoir on *Eldwick Beck* between *Intake Wood* and *Load Saddles Lane* in the Township and Parish of *Bingley* :

A Reservoir near *West Lane* in the Township of *Baildon* and Parish of *Otley* :

A Conduit from the first-mentioned Reservoir to the last-mentioned Reservoir, with necessary Works to intercept in its Course the Waters of *Glovershaw Beck* and all or any Streams flowing into such Beck or into *Eldwick Beck*, except as herein-after mentioned :

A Cut or Drain from the said Reservoir near *West Lane* to *Green Lane* in the Township of *Baildon* :

A Main Pipe or Conduit from the Reservoir near *West Lane* into the Township of *Shipley*.

V. And whereas a Plan and Section, showing the Situation, Line, and Levels of the said Waterworks, and a Book of Reference to such Plans, containing the Names of the Owners and Lessees, or of the reputed Owners and Lessees, and of the Occupiers of the Lands and Streams required to be taken or used for the Purposes of the said Waterworks, have been deposited with the Clerk of the Peace of the West Riding of the County of *York*: Be it enacted, That, subject to the Provisions and Powers of Deviation in this Act and the Acts incorporated herewith contained, the said Waterworks shall be made in the Line and upon the Lands delineated on the said Plan and described in the said Book of Reference, and according to the Levels defined on the said Section, and to enter upon, take, and use such of the said Lands, Streams, and Waters as may be necessary for that Purpose, except as herein-after mentioned, and to take from the said Streams and Waters so much Water as the *Shipley Board* may require for the Purposes of this Act.

Works to be made according to deposited Plan, &c.

VI. It shall be lawful for the *Shipley Board*, in constructing the Works by this Act authorized, to deviate from the Line and Levels defined on the said Plan and Section to such Extent as they may think proper, not exceeding the Limits of Deviation defined on the said Plan, or the Boundary of any Road or Highway where the Line of the Work passes along the same, and no Limits of Deviation are defined upon the Plan, and not exceeding Three Feet from the Levels defined on the said Section.

Power to deviate.

VII. The Reservoir on the *Eldwick Beck* shall be so constructed as to leave a Space of not less than One hundred Superficial Square Yards within the Lands of *William Rookes Crompton Stansfield Esquire* below such Reservoir for the Erection of a Mill thereupon, or upon the adjoining Property of the said *William Rookes Crompton Stansfield*, having a Fall

As to Construction of Eldwick Reservoir.

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Fall of Twenty Feet at the least, and such Space shall be left in such Position as to make the Water to be discharged from such Reservoir available for the Use of any Mill to be constructed thereon, and the said *William Rookees Crompton Stansfield*, his Heirs and Assigns, shall be at liberty to use such Water accordingly, with such Fall of Twenty Feet at the least as aforesaid.

W. R. C. Stansfield to have exclusive Right of fishing, &c. on Eldwick Reservoir.

VIII. The said *William Rookees Crompton Stansfield*, his Heirs or Assigns, shall have the exclusive Right of fishing, shooting, and sporting within or upon the said Reservoir on the *Eldwick Beck*, and may keep a Boat thereon for the Purposes aforesaid, but so that the Water or Works of or connected with such Reservoir be not fouled or injured.

No Water to be diverted from Eldwick Beck till Completion of Reservoir on the Eldwick Beck.

IX. The *Shipley* Board shall not, except with the Consent in Writing of the Owners and Occupiers of Mills on the *Eldwick Beck*, and of the Undertakers of the *Aire and Calder* Navigation, below the said intended Reservoir on that Beck, and of *Titus Salt* Esquire, his Heirs or Assigns, divert or appropriate, for the Supply of the Inhabitants within the Limits of this Act, any of the Waters of the said Beck, or of any Stream flowing into the said Beck, unless and until it shall have been certified by Two Justices that the said Reservoir has been completed and filled with Water.

Certain Quantity of Water to be daily discharged down the Eldwick Beck.

X. After the said Reservoir shall have been completed and filled with Water the *Shipley* Board shall, on every Day except *Sunday, Christmas Day, and Good Friday* in every Year, cause to flow down the said *Eldwick Beck*, between the Hours of Five in the Morning and Eight in the Afternoon, a continuous Quantity of Water, not being less than Two Fifth Parts of the average Quantity of Water daily throughout the Twenty-four Hours flowing down the said Beck, to be ascertained as herein-after mentioned.

How the average Quantity of Water at present flowing down the Beck is to be ascertained.

XI. For the Purpose of ascertaining the average Quantity of Water daily throughout the Twenty-four Hours flowing down the said Beck the *Shipley* Board shall construct all necessary and proper measuring Gauges and Apparatus immediately above the said Reservoir upon the said Beck, and shall maintain the same in good Order, and shall permit the Owners and Occupiers of Mills upon the said Beck and upon the River *Aire* below the Point where the said Beck enters the same, and the Undertakers of the said Navigation or their Agent to have Access thereto at all Times, and shall not divert any Water from the said Beck, or remove any of the said Gauges or Apparatus until the average Quantity of Water daily flowing down the same shall have been fully ascertained and settled between them and the Owners and Occupiers of the said Mills.

Gauge to be constructed for regu-

XII. In addition to the Gauges and Apparatus for ascertaining the average Quantity of Water daily flowing down the said Beck, the *Shipley* Board

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Board shall construct a suitable measuring Gauge on the said Beck for regulating the Quantity of Water to be daily discharged down the said Beck out of the said intended Reservoir, and such Gauge shall be open to the Inspection and Examination of the Owners and Occupiers of the several Mills on the said Beck and on the said River below the Point where the said Beck enters the same, and the Undertakers of the said Navigation or their Agent.

lating daily Discharge of Water down the Beck.

XIII. The said Reservoir on the *Eldwick Beck* and the said Gauge, and all Works in connexion therewith respectively, shall be constructed and for ever after maintained and kept in good Order and Repair by and at the Expense of the *Shipley Board*; and the Expense of keeping Superintendents and other Officers or Servants at or about such Reservoir, and of regulating the Supply of Water therefrom, shall also be borne and paid by the said Board; and in case any such Superintendents, Officers, or Servants shall neglect or refuse to carry out the Regulations of this Act, he shall, on Complaint being made to the said Board, and Proof given by any of the said Owners or Occupiers of Mills, or by the Undertakers of the said Navigation, or the said *Titus Salt*, his Heirs, Tenants, or Assigns, or any of them, of such Neglect or Refusal, be forthwith dismissed by the said Board, who shall without Delay appoint some other Person in his Stead, and such other Person shall be liable to be dismissed in like Manner on a like Complaint being made and proved against him.

Reservoir and Works to be maintained by the Board.

XIV. In case any Dispute shall arise between the *Shipley Board* and the Owners and Occupiers of Mills on the said Beck and on the said River below the Point where the said Beck enters the same and the Undertakers of the said Navigation touching the average Quantity of Water daily flowing down the said Beck, or the Gauges or Apparatus for ascertaining the same, or touching the Quantity of Water which shall hereafter be discharged down the said Beck, in order to comply with the Provisions of this Act, or touching the Gauge to be erected for regulating such Discharge, or touching the Sufficiency, Condition, or State of Repair of any of the said Gauges or Apparatus, or of any Works in connexion therewith, then and in every such Case the Dispute shall be settled by an Engineer, to be nominated by the President for the Time being of the Institution of Civil Engineers, at the Request of both or either of the said Parties.

Disputes to be settled by Engineer to be appointed by President of Institution of Civil Engineers.

XV. The *Shipley Board* shall at all Times hereafter pay and make good to the Proprietors of every Navigation or Canal, whether incorporated or not, and every Person whomsoever, all Loss, Costs, Damages, and Expenses whatsoever, for all Injury of what Nature or Kind soever, as well immediate as consequential, which they may suffer, sustain, incur, or be put unto, by reason or in consequence of the bursting, breaking down, or giving way of the said Reservoir, or any Embankment or other

Shipley Board to be liable for all Damages consequent on the bursting of the Reservoir.