STATUTORY INSTRUMENTS

2017 No. 243

WATER INDUSTRY, ENGLAND AND WALES

The County of Merseyside Act 1980 (Amendment) Regulations 2017

Made - - - -	*28th February 2017*
Laid before Parliament	*3rd March 2017*
Coming into force - -	*1st April 2017*

The Secretary of State makes these Regulations in exercise of the powers conferred by regulation 61 of the Water and Sewerage Undertakers (Exit from Non-household Retail Market) Regulations 2016(**a**).

The Secretary of State makes these Regulations having received a request to do so from United Utilities Water Limited, a relevant undertaker that has made an exit application, and with the agreement of the acquiring licensee in accordance with regulation 61(1) of the Water and Sewerage Undertakers (Exit from Non-household Retail Market) Regulations 2016.

Citation and commencement

1. These Regulations may be cited as the County of Merseyside Act 1980 (Amendment) Regulations 2017 and come into force on 1st April 2017.

Amendments to the County of Merseyside Act 1980

2.—(1) The County of Merseyside Act 1980(**b**) is amended as follows.

(2) In section 2(1), after the definition of "public service vehicle" insert—

""sewerage licensee" means a holder of a sewerage licence under section 17BA of the Water Industry Act 1991(**c**);

"sewerage undertaker" means a limited company appointed under section 6 of the Water Industry Act 1991(**d**) to be a sewerage undertaker for an area within the city of Liverpool and the metropolitan borough of Sefton;".

(3) For section 83(3) substitute—

"(3) Unless otherwise agreed from time to time between the sewerage undertaker and the sewerage licensee providing sewerage services to the Docks Company, on and from 1st April 2017, no charge shall be made by the sewerage undertaker under Part 5 of the Water

(**a**) S.I. 2016/744.
(**b**) 1980 c. x.
(**c**) 1991 c.56; section 17BA was inserted by section 4(1) of the Water Act 2014 (c. 21) and was amended by paragraph 7 of Schedule 5 to that Act.
(**d**) Section 6 was amended by section 36(2) of, and paragraph 3 of Schedule 8 to, the Water Act 2003 (c. 37), paragraph 28(4)(b) to Schedule 23 to the Deregulation Act 2015 (c. 20), and paragraph 6 of Schedule 7 to the Water Act 2014.

Industry Act 1991 in respect of any service performed, facility provided or right made available for the Docks Company in respect of any part of the Dock Estate which lies within the city of Liverpool and the metropolitan borough of Sefton, being a service, facility or right in respect of which the sewerage undertaker would, but for this subsection, be entitled to demand, take and recover charges by reason of the provision of, connection to, or use of public sewers, but nothing in this subsection shall affect charges which may be made by the sewerage undertaker in respect of the treatment and disposal of sewage.

(3A) Unless otherwise agreed from time to time between the sewerage licensee providing sewerage services to the Docks Company and the Docks Company, on and from 1st April 2017, no charge shall be made by that sewerage licensee to the Docks Company in respect of any service performed, facility provided or right made available for the Docks Company in respect of any part of the Dock Estate which lies within the city of Liverpool and the metropolitan borough of Sefton, being a service, facility or right in respect of which the sewerage undertaker would, but for subsection (3), be entitled to demand, take and recover charges by reason of the provision of, connection to, or use of public sewers from the sewerage licensee, but nothing in this subsection shall affect charges which may be made by the sewerage licensee to the Docks Company in respect of the treatment and disposal of sewage.".

Thérèse Coffey
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

28th February 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the County of Merseyside Act 1980 (c. x) in relation to the exit of the existing water and sewerage undertaker from the retail market following a successful application under regulation 4 of the Water and Sewerage Undertakers (Exit from Non-household Retail Market) Regulations 2016 (S.I. 20126/744).

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

© Crown copyright 2017

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 978-0-11-115525-7

£4.25

UK2017030213 03/2017 19585

http://www.legislation.gov.uk/id/uksi/2017/243