STATUTORY INSTRUMENTS

1974 No. 2155 (S. 198)

WATER SUPPLY, SCOTLAND

The North of Scotland Water Board (Hoglinns Water) (Amendment) Water Order 1974

Made - - - -	16*th December* 1974
Coming into Operation	23*rd December* 1974

The Secretary of State, in exercise of the powers conferred on him by sections 21(2), 44(1) and 75 of the Water (Scotland) Act 1946(a), as amended by the Water (Scotland) Act 1949(b) and the Water (Scotland) Act 1967(c), and of all other powers enabling him in that behalf, on the application of the North of Scotland Water Board, hereby makes the following order:—

Citation and commencement

1.—(1) This order may be cited as the North of Scotland Water Board (Hoglinns Water) (Amendment) Water Order 1974 and shall come into operation on 23rd December 1974.

(2) This order and the Orkney County Council (Hoglinns Water) Water Order 1961(d) (hereinafter referred to as "the principal order") may be cited together as the North of Scotland Water Board (Hoglinns Water) Water Orders 1961 and 1974.

Interpretation

2. This order shall be construed as one with the principal order.

Amendment of the principal order

3. In article 2 of the principal order:—

(1) after "2." there shall be inserted "—(1)";

(2) between the definitions of "approved" and "Council" there shall be inserted the words " "Board" means the North of Scotland Water Board;";

(3) for the definition of "deposited plan" there shall be substituted:—

" "deposited plans" means the plans prepared in duplicate, sealed with the seal of the Secretary of State for Scotland and marked respectively "The

(a) 1946 c. 42.
(b) 1949 c. 31.
(c) 1967 c. 78.
(d) S.I. 1961/1847.

Orkney County Council (Hoglinns Water) Water Order 1961" and "The North of Scotland Water Board (Hoglinns Water) (Amendment) Water Order 1974 Plan of Works", one copy of each of which is deposited in the office of the Scottish Development Department, St. Andrew's House, Edinburgh, and the other in the office of the Clerk to the Board at Wick;";

(4) for the definition of "works" there shall be substituted:—

" "works" means:—

(*a*) a masonry weir, an intake pipe, a screening chamber and a discharge pipe situated at the point where the stream known as the Burn of Hoglinns flows out of the Hoglinns Water, which masonry weir, intake pipe, screening chamber and discharge pipe the Board in exercise of the powers conferred on them by section 24 of the Act, with the consent of the Secretary of State, and in the lines and situations and according to the levels shown on the deposited plans, have constructed and maintained for the purpose of providing a supply of water within their region, having acquired the necessary land or sufficient rights therein; and

(*b*) an approved gauge to be incorporated in the said screening chamber which gauge the Board in exercise of the powers conferred on them by section 24 of the Act, with the consent of the Secretary of State, and in the lines and situations and according to the levels shown on the deposited plan marked "The North of Scotland Water Board (Burn of Hoglinns) (Amendment) Water Order 1974 Plan of Works", propose to construct and maintain for the purpose of providing a supply of water within their region;";

(5) after the definition of "works" there shall be inserted the following paragraph:—

"(2) Where any provision of this order specifies both an imperial measure and a metric measurement the metric measurement shall for the purposes of the said provision be deemed to be equivalent to the imperial measure.".

4. In article 5(2) of the principal order for the words "70,000 gallons" there shall be substituted the words "150,000 gallons (680 cubic metres)".

5. After article 5(2) of the principal order there shall be inserted the following paragraph:—

"(3) After the completion of the works the Board shall by means of the discharge pipe discharge into the Burn of Hoglinns from the Hoglinns Water a sufficient quantity of water measured through or over the approved gauge incorporated in the screening chamber to maintain a minimum flow in the said Burn of 40,000 gallons (180 cubic metres) during every day of 24 hours reckoned from midnight.".

6. The Schedule to the principal order shall be deleted.

Miscellaneous

7. The North of Scotland Water Board shall at all times after the expiration of six months from the date on which this order comes into operation keep at their principal office a copy thereof and one copy of each of the deposited plans.

Given under the seal of the Secretary of State for Scotland.

(L.S.)

John Kerr,
Assistant Secretary.

Scottish Development Department,
St. Andrew's House,
EDINBURGH.

16th December 1974.