STATUTORY INSTRUMENTS

1973 No. 1287

WATER, ENGLAND AND WALES

The North West Water Authority Constitution Order 1973

Made - - -	25*th July* 1973
Coming into Operation	26*th July* 1973

The Secretary of State for the Environment and the Minister of Agriculture, Fisheries and Food, acting jointly in exercise of the powers conferred on them by sections 2(4) and (6) and 3(1) and (6) of the Water Act 1973(**a**) and of all other powers enabling them in that behalf, hereby order as follows:—

Citation and commencement

1. This order may be cited as the North West Water Authority Constitution Order 1973 and shall come into operation on 26th July 1973.

Interpretation

2.—(1) In this order, unless the context otherwise requires—

"the Act" means the Water Act 1973;

"the 1945 Act" means the Water Act 1945(**b**);

"the 1972 Act" means the Local Government Act 1972(**c**);

"county", "district" (except in the expression "rural district"), "county council" and "district council" mean respectively a county, district, county council, and district council established by the 1972 Act;

"existing statutory water undertakers" means statutory water undertakers within the meaning of the 1945 Act who are in existence at the date of the making of this order;

"the Minister" means the Minister of Agriculture, Fisheries and Food;

"rural district" means a rural district as it exists at the date of the making of this order;

"the water authority" means the North West Water Authority;

(2) An article or schedule referred to only by number in this order means the article or schedule so numbered in this order.

(3) The Interpretation Act 1889(**d**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Establishment and general area of North West Water Authority

3.—(1) There shall be established a regional water authority, which shall come into existence on the date on which this order comes into operation, and which shall be known as the North West Water Authority, for the area assigned to the water authority by virtue of section 2(2) of, and Schedule 1 to, the Act, that is to say the area comprising the areas of the Cumberland, Lancashire, and Mersey and Weaver River Authorities, and in this article "the general water authority area" means the area so assigned.

(**a**) 1973 c. 37.
(**b**) 1945 c. 42.
(**c**) 1972 c. 70.
(**d**) 1889 c. 63.

(2) For the purposes of this order, and without prejudice to paragraphs 2 to 5 of Schedule 2 to the Act, the seaward boundaries of the area of any river authority named in column (1) of Schedule 1 to this order shall be taken as being the seaward boundaries having effect by virtue of the instrument specified in relation to that authority in column (2) of the said Schedule 1.

(3) Where the water authority perform any of their functions in any area which lies outside the general water authority area and within the area assigned to another water authority by virtue of section 2(2) of, and Schedule 1 to, the Act, they shall perform those functions in consultation with that authority.

(4) The provisions of this order shall be without prejudice to the provisions of section 126 (which relates to certain border rivers) of the Water Resources Act 1963(**a**).

Members of water authority

4.—(1) The water authority shall consist of twenty-seven members.

(2) The number of members specified for the purposes of paragraph (*b*) of section 3(1) of the Act as the number to be appointed by the Minister is three.

(3) The number of members specified for the purposes of paragraph (*c*) of section 3(1) of the Act as the number to be appointed by the Secretary of State is nine.

(4) (*a*) The number of members to be appointed by each of the councils of counties specified in column (1) of Schedule 2, or by the councils of each group of districts so specified, shall be the number specified in relation to that county or to that group in column (2) of that schedule.

(*b*) Where in the said schedule the number to be appointed is specified in relation to a group of districts, the councils of the districts comprised in the group shall between them appoint that number.

(*c*) The year specified for the purposes of paragraph 4 of Schedule 3 to the Act (which provides that the first members to whom that paragraph applies shall hold office until the end of May in such year as may be specified for the purposes of that paragraph) is the year 1975 in the case of a member appointed by the councils of a group of districts and the year 1977 in the case of a member appointed by the council of a county.

Water supply area

5. The area within which it shall be the duty of the water authority to supply water under Part II of the Act shall be the area comprising the limits of supply of the existing statutory water undertakers named in Schedule 3 and the parish of Ulpha in the rural district of Millom.

Article 3

SCHEDULE 1

SEAWARD BOUNDARIES

(1) *River Authority*	(2) *Instrument*
Cumberland River Authority	The Cumberland River Authority (Seaward Boundaries of Area) Order 1964(**b**)
Lancashire River Authority	The Lancashire River Authority (Seaward Boundaries of Area) Order 1964(**c**)
Mersey and Weaver River Authority	The Mersey and Weaver River Authority (Seaward Boundaries of Area) Order 1964(**d**)

(**a**) 1963 c. 38.
(**b**) S.I. 1964/1501.
(**c**) S.I. 1964/1512.
(**d**) S.I. 1964/1492.

SCHEDULE 2

Article 4

NUMBERS OF MEMBERS TO BE APPOINTED BY LOCAL AUTHORITIES

(1)	(2) *Number of Members*
Metropolitan County	
Greater Manchester	Two
Merseyside	Two
Non-Metropolitan County	
Cheshire	One
Cumbria	One
Lancashire	One
Metropolitan District	
Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford, Wigan	Two between them
Knowsley, Liverpool, St. Helens, Sefton, Wirral	Two between them
Non-Metropolitan District	
Chester, Congleton, Crewe, Ellesmere Port, Halton, Macclesfield, Vale Royal, Warrington	One between them
Allerdale, Barrow-in-Furness, Carlisle, Copeland, Eden, South Lakeland	One between them
Blackburn, Blackpool, Burnley, Chorley, Fylde, Hyndburn, Lancaster, Pendle, Preston, Ribble Valley, Rossendale, South Ribble, West Lancashire, Wyre.	One between them

SCHEDULE 3

Article 5

EXISTING STATUTORY WATER UNDERTAKERS

Bolton Corporation
Carlisle Corporation
Liverpool Corporation
Manchester Corporation
St. Helens Corporation
Widnes Corporation

Calder Water Board
Eden Water Board
Furness Water Board
Fylde Water Board
Lakes and Lune Water Board
Lune Valley Water Board
Macclesfield District Water Board
Makerfield Water Board
Mid Cheshire Water Board
North Calder Water Board
Preston and District Water Board
South Cumberland Water Board
Stockport and District Water Board
Warrington, Runcorn and District Water Board
West Cumberland Water Board
West Lancashire Water Board
West Pennine Water Board
Wirral Water Board

Signed by authority of
the Secretary of State.
25th July 1973.

R. Graham Page,
Minister of Local Government and Development,
Department of the Environment.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto hereto affixed on 20th July 1973.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Water Act 1973 requires the Secretary of State and the Minister of Agriculture, Fisheries and Food by Order to establish regional water authorities for the areas specified in the Act. This Order accordingly establishes the North West Water Authority. The Authority will consist of twenty-seven members appointed as follows:—

(*a*) a chairman appointed by the Secretary of State;

(*b*) three members appointed by the Minister of Agriculture, Fisheries and Food;

(*c*) nine members appointed by the Secretary of State;

(*d*) seven members appointed by the county councils specified in Article 4 of the Order; and

(*e*) seven members appointed by the councils of the groups of district councils specified in Article 4 of the Order.

The first members to be appointed by district councils will hold office until the end of May 1975, and those appointed by county councils until May 1977; otherwise the terms of office of the chairman and members will be governed by paragraphs 3 and 4 of Schedule 3 to the Act.

The North West Water Authority will come into existence on the day on which the Order comes into operation.

Except in so far as Article 5 (relating to water supply) specifies a particular area for the exercise of particular functions of the authority, the Act requires the authority (subject to the general provisions of the Act) to exercise their functions as respects the area specified as their area in Schedule 1 to the Act, namely the areas of the Cumberland, Lancashire, and Mersey and Weaver River Authorities.

SI 1973/1287
ISBN 0-11-031287-2

