ELIZABETH II

1979 CHAPTER xv

An Act to repeal the Dudley Sewage Act 1879; to confer powers on the Severn-Trent Water Authority; and for other purposes. [6th December 1979]

WHEREAS the Severn-Trent Water Authority (hereinafter in this Act referred to as "the Authority") were, in pursuance of the Water Act 1973, constituted as the authority responsible for water conservation, the supply of water, the provision of public sewerage and sewage disposal, land drainage, the prevention of pollution, water recreation and the management and improvement of salmon, trout and freshwater fisheries in an area comprising parts of the counties of Avon, Clwyd, Derbyshire, Dyfed, Gloucestershire, Gwynedd, Hereford and Worcester, Humberside, Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire, Oxfordshire, Powys, Salop, South Yorkshire, Staffordshire, Warwickshire and West Midlands: 1973 c. 37.

And whereas by virtue of the said Act of 1973 the Authority are responsible for implementing the provisions of the Dudley Sewage Act 1879: 1879 c. c.

And whereas the sewage system authorised by the said Act of 1879 is outmoded and it is expedient to repeal that Act and to revoke the agreement confirmed thereby:

And whereas it is expedient that the other provisions in this Act should be enacted:

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 Queen'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:—

Short title.

1. This Act may be cited as the Severn-Trent Water Authority Act 1979.

Interpretation.

1879 c. c.

2. In this Act—

" the Act of 1879 " means the Dudley Sewage Act 1879;

" the Authority " means the Severn-Trent Water Authority;

" the existing sewage system " means the sewage system authorised by the Act of 1879, including all pipes, wells, tanks, apparatus, works and conveniences forming part thereof;

" the relevant date " has the meaning given by section 3 of this Act;

" the scheduled agreement " means the agreement set forth in the Schedule to the Act of 1879.

Relevant date.

3.—(1) In this Act " the relevant date " means the date on which the Lower Gornal Sewage Works of the Authority is in a proper state to receive the sewage carried by the existing sewage system, such date to be certified by the Director of Operations of the Authority.

(2) As soon as practicable after the relevant date the Authority shall cause notice of the relevant date to be published in the London Gazette and in one or more newspapers circulating in the area in which the existing sewage system is situated.

Repeal.

4.—(1) Subject to the provisions of this section, on the relevant date—

(*a*) the Act of 1879 shall be repealed; and

(*b*) the scheduled agreement shall be revoked.

(2) After the relevant date the Authority may abandon and discontinue the use of any part of the existing sewage system and, notwithstanding subsection (1) above, they may retain, use and appropriate for the general purposes of their sewerage and sewage disposal functions any part of the said system not so abandoned:

Provided that without prejudice to the foregoing provisions of this subsection the Authority shall have in relation to any part of the said system so retained, used or appropriated the same rights and duties as if that part were a public sewer for the purposes of the Public Health Act 1936. 1936 c. 49.

5. Section 229 of the Local Government Act 1972 (photographic copies of documents) shall apply to the Authority as if— Application of section 229 of Local Government Act 1972. 1972 c. 70.

(*a*) references to a local authority were references to the Authority;

(*b*) the reference to the proper officer of the local authority were a reference to an authorised officer of the Authority.

6. All costs, charges and expenses of, and incidental to, the preparing, applying for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Authority. Costs of Act.

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