STATUTORY INSTRUMENTS

1973 No. 1289

WATER, ENGLAND AND WALES

The Yorkshire Water Authority Constitution Order 1973

Made - - -	*25th July* 1973
Coming into Operation	*26th 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 Yorkshire 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", "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 general water authority area" has the meaning assigned to it in article 3(1);

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

"the water authority" means the Yorkshire 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.

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

Establishment and general area of Yorkshire Water Authority

3.—(1) There shall be established a regional water authority, which shall come into existence on the day on which this order comes into operation, and which shall be known as the Yorkshire 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 of the Yorkshire River Authority, and in this order "the general water authority area" means the area so assigned.

(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 Yorkshire River Authority shall be taken as being the seaward boundaries having effect by virtue of the Humber (Seaward Boundaries of River Authority Areas) Order 1964(**a**).

(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 regional 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.

Members of water authority

4.—(1) The water authority shall consist of twenty-five 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 eight.

(4) (*a*) The number of members to be appointed by each of the councils of counties specified in column (1) of Schedule 1, 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 2.

Sewerage and sewage disposal area

6. The area of the water authority for the purposes of their functions relating to sewerage and sewage disposal shall be the general water authority area subject to—

(*a*) the exclusion of the area specified in Part 1 of Schedule 3; and

(*b*) the inclusion of the areas specified in Part 2 of that Schedule.

(**a**) S.I. 1964/1509.

SCHEDULE 1 Article 4

NUMBERS OF MEMBERS TO BE APPOINTED BY LOCAL AUTHORITIES

(1)	(2)
Metropolitan County	*Number of Members*
South Yorkshire	Two
West Yorkshire	Two
Non-Metropolitan County	
Derbyshire	One
Humberside	One
North Yorkshire	One
Metropolitan District	
Barnsley, Doncaster, Rotherham, Sheffield	Two between them
Bradford, Calderdale, Kirklees, Leeds, Wakefield	Two between them
Non-Metropolitan District	
Beverley, Boothferry, Cleethorpes, Glanford, Grimsby, Holderness, Kingston upon Hull, North Wolds, Scunthorpe	One between them
Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Scarborough, Selby, York	One between them

SCHEDULE 2 Article 5

EXISTING STATUTORY UNDERTAKERS

Barnsley Corporation
Bradford Corporation
Huddersfield Corporation
Kingston upon Hull Corporation
Leeds Corporation
Rotherham Corporation
Scarborough Corporation
Sheffield Corporation

Norton Urban District Council
Rawmarsh Urban District Council

Calderdale Water Board
Claro Water Board
Craven Water Board
Doncaster and District Joint Water Board
East Yorkshire (Wolds Area) Water Board
Mid Calder Water Board
Northallerton and the Dales Water Board
Pontefract, Goole and Selby Water Board
Rombalds Water Board
Ryedale Joint Water Board
Wakefield and District Water Board

York Waterworks Company

SCHEDULE 3 Article 6

SEWERAGE AND SEWAGE DISPOSAL AREA

PART 1

AREA WITHIN THE GENERAL WATER AUTHORITY AREA IN WHICH THE WATER AUTHORITY ARE NOT TO EXERCISE SEWERAGE AND SEWAGE DISPOSAL FUNCTIONS

So much of the parish of Braithwell, in the rural district of Doncaster, as lies within the general water authority area.

PART 2

AREAS OUTSIDE THE GENERAL WATER AUTHORITY AREA IN WHICH THE WATER AUTHORITY ARE TO EXERCISE SEWERAGE AND SEWAGE DISPOSAL FUNCTIONS

So much of—

(*a*) the county borough of Doncaster,

(*b*) the rural district of Thorne, and

(*c*) the parish of Ousefleet, in the rural district of Goole,

as lies outside the general water authority area.

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

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

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

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

(L.S.)

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 Yorkshire Water Authority. The authority will consist of twenty-five 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*) eight members appointed by the Secretary of State;

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

(*e*) six 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 Yorkshire Water Authority will come into existence on the day on which this Order comes into operation.

Except in so far as the Order 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 area of the Yorkshire River Authority. The Order specifies particular areas for the exercise of the authority's functions relating to water supply Article 5) and sewerage and sewage disposal Article 6).

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