



# Water Industry Act 1991

## 1991 CHAPTER 56

### PART III

#### WATER SUPPLY

#### CHAPTER II

#### SUPPLY DUTIES

##### *Other supplies*

#### **58 Specially requested fire-hydrants.**

- (1) A water undertaker shall, at the request of the owner or occupier of any factory or place of business, fix a fire-hydrant, to be used for extinguishing fires and not other purposes, at such place on any suitable water main or other pipe of the undertaker as is as near as conveniently possible to that factory or place of business.
- (2) For the purposes of subsection (1) above a water main or other pipe is suitable, in relation to a factory or place of business, if—
  - (a) it is situated in a street which is in or near to that factory or place of business; and
  - (b) it is of sufficient dimensions to carry a hydrant and is not a trunk main.
- (3) Subsection (5) of section 57 above shall not apply in relation to expenses incurred in compliance, in relation to a specially requested fire-hydrant, with the obligations under subsections (3) and (4) of that section.
- (4) Any expenses incurred by a water undertaker—
  - (a) in complying with its obligations under subsection (1) above; or
  - (b) in complying, in relation to a specially requested fire-hydrant, with its obligations under section 57(3) or (4) above,

*Status: Point in time view as at 16/12/2015.*

*Changes to legislation: Water Industry Act 1991, Section 58 is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

shall be borne by the owner or occupier of the factory or place of business in question, according to whether the person who made the original request for the hydrant did so in his capacity as owner or occupier.

[<sup>F1</sup>(4A) Where a specially requested fire-hydrant is removed (other than at the request of the owner or occupier of the factory or place of business in question) by a water undertaker in the course of carrying out works in relation to any of its water mains or other pipes, the cost of replacing the fire-hydrant shall be borne by the undertaker.]

(5) Subsections (6) to (9) of section 57 above shall apply in relation to the obligations of a water undertaker under this section as they apply to the obligations of a water undertaker under that section.

(6) In this section—

“factory” has the same meaning as in the <sup>M1</sup>Factories Act 1961; and

“specially requested fire-hydrant” means a fire-hydrant which—

- (a) is fixed on a water main or other pipe of a water undertaker; and
- (b) was fixed on that main or pipe (whether before or after it became such a main or pipe under the <sup>M2</sup>Water Act 1989) in pursuance of a request made by the owner or occupier of a factory or place of business.

#### Textual Amendments

**F1** S. 58(4A) inserted (1.4.2004) by [Water Act 2003 \(c. 37\)](#), **ss. 84(2)**, 105(3); [S.I. 2004/641](#), **art. 3(v)** (art. 6, Sch. 3)

#### Marginal Citations

**M1** 1961 c. 34.

**M2** 1989 c. 15.

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