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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 310**

**WATER SUPPLY**

The West of Scotland Water Authority  
(Lochnaw) Ordinary Drought Order 2000

*Made* - - - - - *6th September 2000*

*Coming into force* - - - *11th September 2000*

The Scottish Ministers, in exercise of the powers conferred upon them by section 20(1) and (4)(a) of the Natural Heritage (Scotland) Act 1991(1), and paragraph 2(1)(b) and 5(1) of Schedule 7 to that Act, and paragraph 2(5) of Schedule 8 to that Act, and of all other powers enabling them in that behalf, on the application of the West of Scotland Water Authority, being satisfied that, by reason of an exceptional shortage of rain, a serious deficiency of supplies of water exists in the locality of The Rhinns of Galloway and that the proper notices have been published and served in accordance with Schedule 8 to that Act, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the West of Scotland Water Authority (Lochnaw) Ordinary Drought Order 2000 and shall come into force on 11th September 2000.

**Interpretation**

2. In this Order—

“the Act” means the Natural Heritage (Scotland) Act 1991;

“the Authority” means the West of Scotland Water Authority established under section 62 of the Local Government etc. (Scotland) Act 1994(2);

“day” means a period of 24 hours reckoned from midnight;

“deposited plan” means the plans, prepared in duplicate, docketed and signed as relevant to this Order and marked “The West of Scotland Water Authority (Lochnaw) Ordinary Drought Order 2000, location plan” one copy of which is deposited in the office of the Scottish Executive, Victoria Quay, Edinburgh, and the other in the office of the Chief Executive of the Authority at 419 Balmore Road, Glasgow, G22 6NU;

“gauge” includes a gauge, weir or other apparatus for measuring the flow of water;

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(1) 1991 c. 28. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) 1994 c. 39.

“intake” includes any work by which water is taken by the Authority for the purpose of the undertaking;

“the relevant period” means a period of six months beginning with the day on which this Order comes into force;

“undertaking” means the water undertaking for the time being of the Authority;

“works” means the works described in the Schedule to this Order and in the lines and situations and according to the levels shown on the deposited plan.

### **Works**

3. The Authority are hereby authorised to execute the works.

### **Water rights**

4. Subject to the provisions of this Order, during the relevant period, the Authority may, for the purposes of the undertaking, and by means of an intake (Work No. 1), take water from Lochnaw in the Rhinns of Galloway.

5.—(1) Subject to paragraph (2) below, the Authority may in any day take from the said Lochnaw a quantity of water not greater than 2880 cubic metres, at a rate not greater than 33.33 litres per second.

(2) No water shall be taken by the Authority from the said Lochnaw during any period when the water level, as measured by the gauge installed (Work No. 3), is more than one metre lower than the water level immediately before the Authority first takes water by virtue of this Order.

### **Supplemental provision**

6. For the duration of the relevant period, the Authority shall keep at the office of the Chief Executive a copy of this Order and a copy of the deposited plan.

Scottish Executive,  
Victoria Quay,  
Edinburgh  
6th September 2000

*MIKE NEILSON*  
A member of staff of the Scottish Ministers

## SCHEDULE

The works referred to in this Order and shown marked on the deposited plan are:—

Work No. 1: Installing an intake and flow gauge.

Work No. 2: Laying of a pump and overland pipeline from grid reference NGR NW 993 629 in Lochnaw with a mid stage pump at grid reference NGR NX 010 617 to Dindinnie Reservoir at grid reference NGR NX 021 607.

Work No. 3: Installing a gauge to measure the level of the water in Lochnaw during the relevant period by reference to its level immediately before the Authority first takes water under this Order.