



Water Industry Act 1991

1991 CHAPTER 56

PART VI **E+W**

UNDERTAKERS' POWERS AND WORKS

CHAPTER II **E+W**

PROTECTION OF UNDERTAKERS' WORKS, APPARATUS ETC.

Protection of meters

176 Consent for the purposes of section 175. **E+W**

- (1) Where an application is made to any relevant undertaker for a consent for the purposes of section 175 above, the undertaker—
 - (a) shall give notice of its decision with respect to the application as soon as reasonably practicable after receiving it; and
 - (b) subject to subsection (2) below, may make it a condition of giving any consent that the undertaker itself should carry out so much of any works to which the application relates as is specified in the notice of its decision.
- (2) On such an application a relevant undertaker shall not refuse its consent, or impose any such condition as is mentioned in subsection (1)(b) above, unless it is reasonable to do so.
- (3) Where any relevant undertaker has given a notice to any person imposing any such condition as is mentioned in subsection (1)(b) above, the undertaker—
 - (a) shall carry out those works as soon as reasonably practicable after giving the notice; and
 - (b) may recover from that person any expenses reasonably incurred by it in doing so.

Status: Point in time view as at 07/05/2014.

Changes to legislation: *Water Industry Act 1991, Section 176 is up to date with all changes known to be in force on or before 10 September 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)*

- (4) Any dispute between a relevant undertaker and any other person (including another such undertaker)—
- (a) as to whether the undertaker or that other person should bear any expenses under subsection (3) above; or
 - (b) as to the amount of any expenses to be borne by any person under that subsection,
- shall be referred to the arbitration of a single arbitrator appointed by agreement between the undertaker and that person or, in default of agreement, by the Director.
- (5) Subsection (3) above shall not apply where the person who was given the notice notifies the undertaker that the carrying out of the works to which the condition relates is no longer required.

Status:

Point in time view as at 07/05/2014.

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