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SCHEDULES.

FIRST SCHEDULE

PROCEDURE FOR MAKING ORDERS, APPROVING AGREEMENTS AND MAKING AND CONFIRMING BYELAWS.

PART I

Orders made by the Minister under sections 9 (1), 10 (1), 23, 26 (2), section 32 (2) (if made on application of undertakers) and section 33.

- 1 An application by a company for an order under subsection (1) of section nine or subsection (1) of section ten of this Act or an order under section twenty-three thereof authorising the raising of capital or the borrowing of money must be authorised, if the company is a company within the Companies Act, 1929, by a special resolution of the members passed in the manner provided in Part IV of that Act, and, if the company is not such a company, by a resolution passed by three-fourths in value and number of the members present, either personally or by proxy, at a special meeting of which not less than twenty-one days' notice specifying the resolution has been duly given.
- 2 Applicants for any order to which this Part of this Schedule applies shall submit to the Minister a draft of the order which they desire him to make and shall publish once at least in each of two successive weeks in one or more local newspapers circulating in the area affected by the order a notice—
 - (a) stating the general effect of the order;
 - (b) specifying a place in the said area where a copy of the draft order and of any relevant map or plan may be inspected by any person free of charge at all reasonable hours during a period of twenty-eight days from the date of the first publication of the notice;
 - (c) stating that, within the said period, any person may by notice to the Minister object to the application.

If it appears to the Minister in the case of an order relating to the Metropolitan Water Board that publication in local newspapers under this paragraph is unnecessary as respects any part of the said area, he may dispense with such publication as respects that part.

- 3 Not later than the date on which the said notice is first published, the applicants shall serve a copy thereof,—
 - (i) on the local authority of every county or district comprised wholly or partly in the area affected by the order;
 - (ii) except where the application is for an order only authorising the raising of capital or the borrowing of money, on the catchment board of any catchment area comprised wholly or partly in the area affected by the order; and

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(iii) where it is proposed that the order shall authorise the execution of works, on the fishery board of any fishery district within which works are to be executed, and on any navigation authority or rivers board exercising functions in relation to a watercourse affected by the works proposed to be executed;

(iv) where it is proposed that the order shall authorise the acquisition of rights to take water, on the catchment board of any catchment area, the fishery board of any fishery district, and any navigation authority or rivers board having jurisdiction over any watercourse, from which water is to be taken under the rights acquired;

and, in the case of a copy to be served on the council of a county, shall attach thereto a copy of the draft order.

4 The applicants shall also publish in the London Gazette a notice stating that they are about to apply for an order under this section, naming the counties and districts comprised wholly or partly in the area affected by the order, specifying a place where a copy of the draft order and of any relevant map or plan may be inspected, and giving the name and date of issue of a local newspaper in which the notice explaining the effect of the order applied for will be found.

5 The applicants shall, at the request of any person interested, furnish to him a copy of the draft order upon payment of such charge, not exceeding two shillings, as they think reasonable.

6 The Minister may make an order in the terms of the draft submitted to him or in those terms as modified in such manner as he thinks fit, but where he proposes to make any modification and considers that persons other than the applicants may be adversely affected thereby, he shall require the applicants to give and publish additional notices in such manner as he thinks best adapted for informing all persons so affected of the modification proposed.

7 If, before the expiration of the twenty-eight days referred to in paragraph 2 of this Part of this Schedule, or of twenty-five days from the publication of the said notice in the London Gazette, or before the expiration of any period specified in notices given under the last foregoing paragraph, an objection is received by the Minister from any board or authority on whom a notice is required to be served under paragraph 3 of this Part of this Schedule, or from any other person appearing to him to be affected by the application, or, as the case may be, by the proposed modification, and the objection is not withdrawn, the Minister, before making any order on the application, shall cause a local inquiry to be held.

8 On the making of an order to which this Part of this Schedule applies, the Minister shall give notice of the making of the order and the effect thereof to any person who has objected thereto under the foregoing provisions of this Part of this Schedule, and has not withdrawn that objection, and in that case the order shall not have effect until the expiration of twenty-eight days from the date of the said notice, and if within that period any such person gives notice to the Minister that he objects to the order and the objection is not withdrawn the order shall be provisional only and shall not have effect until it is confirmed by Parliament.

9 The costs incurred by the Minister in connection with the making, notification and confirmation of an order under this Part of this Schedule shall be paid by the applicants and the Minister may, in a case where there are two or more applicants, apportion such costs between them, and may require the applicants to give security for the payment of such costs.

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- 10 In this Part of this Schedule the expression " area affected by the order " means, in relation to any order, the limits of supply or proposed limits of supply of the undertakers or proposed undertakers to whose undertaking the order relates and also includes, if the order authorises the execution of works, the site of those works.