
 S T A T U T O R Y I N S T R U M E N T S

1973 No. 1437

WATER, ENGLAND AND WALES

The Severn-Trent Water Authority Constitution Order 1973

Made - - - - - 13th August 1973

Coming into Operation 14th August 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 Severn-Trent Water Authority Constitution Order 1973 and shall come into operation on 14th August 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” (except in the expression “rural district”), “county council” and “district council” means 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 map” means the map, prepared in duplicate, signed by an Under Secretary in the Department of the Environment and an Under Secretary in the Ministry of Agriculture, Fisheries and Food, and marked “Map referred to in the Severn-Trent Water Authority Constitution Order 1973”, of which one duplicate has been deposited and is available for inspection at the offices of the Secretary of State for the Environment and the other at the offices of the Minister of Agriculture, Fisheries and Food;

“the Minister” means the Minister of Agriculture, Fisheries and Food;

“rural district” means a rural district as it exists at the date of the making of this order;

“the water authority” means the Severn-Trent Water Authority.

(a) 1973 c. 37.

(b) 1945 c. 42.

(c) 1972 c. 70.

(2) A reference in this order to the area of a river authority is a reference to that area as existing immediately before the passing of the Act, except that in the case of such an area which is altered after the passing of the Act otherwise than under the Act, it is a reference to the altered area.

(3) An article or schedule referred to only by number in this order means the article or schedule so numbered in this order.

(4) The Interpretation Act 1889(a) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Establishment and general area of Severn-Trent Water Authority

3.—(1) There shall be established a regional water authority, which shall come into existence on the date on which this order comes into operation, and which shall be known as the Severn-Trent 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 comprising—

(a) the area of the Trent River Authority; and

(b) the area of the Severn River Authority, except the part of the area of that authority the drainage of which is directed to the Severn below Sharpness, which part is shown hatched black on the map,

and in this order “the general water authority area” means the area so assigned, as it is more particularly described in this paragraph.

(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 area of any river authority named in column (1) of Schedule 1 to this order shall be taken as being the seaward boundaries having effect by virtue of the instrument specified in relation to that authority in column (2) of the said Schedule 1.

(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 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 forty members.

(2) The number of members specified for the purpose of paragraph (b) of section 3(1) of the Act as the number to be appointed by the Minister is four.

(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 thirteen.

(4) (a) The number of members to be appointed by each of the councils of counties specified in column (1) of Schedule 2, 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 3 and so much of the rural district of Ceiriog as lies within the general water authority area.

Land drainage and fisheries area

6. The area of the water authority for the purposes of their functions relating to land drainage and fisheries shall be the area comprising the areas of the Severn and Trent River Authorities.

Sewerage and sewage disposal area

7. 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 areas specified in Part 1 of Schedule 4; and
 (b) the inclusion of the areas specified in Part 2 of that schedule.

SCHEDULE 1

Article 3

SEAWARD BOUNDARIES

(1) <i>River Authority</i>	(2) <i>Instrument</i>
Severn River Authority	The Severn River Authority (Seaward Boundaries of Area) 1964(a)
Trent River Authority	The Humber (Seaward Boundaries of River Authority Areas) Order 1964(b)

SCHEDULE 2

Article 4

NUMBERS OF MEMBERS TO BE APPOINTED BY LOCAL AUTHORITIES

(1) <i>Metropolitan County</i>	(2) <i>Number of Members</i>
West Midlands	Two
<i>Non-Metropolitan County</i>	
Derbyshire	One
Gloucestershire	One

(a) S.I. 1964/1494.

(b) S.I. 1964/1509.

Hereford and Worcester	One
Leicestershire	One
Nottinghamshire	One
Powys	One
Salop	One
Staffordshire	One
Warwickshire	One
<i>Metropolitan District</i>	
Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall, Wolverhampton	Two between them
<i>Non-Metropolitan District</i>	
Amber Valley, Bolsover, Chesterfield, Derby, Erewash, High Peak, North East Derbyshire, South Derbyshire, West Derbyshire	One between them
Cheltenham, Cotswold, Forest of Dean, Gloucester, Stroud, Tewkesbury	One between them
Bromsgrove, Hereford, Leominster, Malvern Hills, Redditch, South Herefordshire, Worcester, Wychavon, Wyre Forest	One between them
Blaby, Bosworth, Charnwood, Harborough, Leicester, Melton, North West Leicestershire, Oadby and Wigston, Rutland	One between them
Ashfield, Bassetlaw, Broxtowe, Gedling, Mansfield, Newark, Nottingham, Rushcliffe	One between them
Brecknock, Montgomery, Radnor	One between them
Bridgnorth, North Shropshire, Oswestry, Shrewsbury, South Shropshire, Wrekin	One between them
Cannock Chase, East Staffordshire, Lichfield, Newcastle- under-Lyme, South Staffordshire, Stafford, Staffordshire Moorlands, Stoke-on-Trent, Tamworth	One between them
North Warwickshire, Nuneaton, Rugby, Stratford-on-Avon, Warwick	One between them

Article 5

SCHEDULE 3

EXISTING STATUTORY WATER UNDERTAKERS

Birmingham Corporation
Coventry Corporation
Leicester Corporation
Nottingham Corporation
Stafford Corporation
Wolverhampton Corporation

Cannock Rural District Council

Central Nottinghamshire Water Board
East Shropshire Water Board
Montgomeryshire Water Board
North Derbyshire Water Board
North East Warwickshire Water Board
North West Gloucestershire Water Board
North West Leicestershire Water Board
North West Worcestershire Water Board
Rugby Joint Water Board

South Derbyshire Water Board
South Warwickshire Water Board
South West Worcestershire Water Board
Staffordshire Potteries Water Board
West Shropshire Water Board

East Worcestershire Waterworks Company
South Staffordshire Waterworks Company

SCHEDULE 4

Article 7

SEWERAGE AND SEWAGE DISPOSAL AREA

PART 1

AREAS WITHIN THE GENERAL WATER AUTHORITY AREA IN WHICH THE WATER AUTHORITY ARE NOT 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,
 - (d) the parishes of Hamfallow and Hinton, in the rural district of Thornbury,
- 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 urban district of Gainsborough,
 - (b) the parish of Braithwell, in the rural district of Doncaster, and
 - (c) the parish of Kirton in Lindsey, in the rural district of Glanford Brigg,
- as lies outside the general water authority area.

R. Graham Page,

Signed by authority of
the Secretary of State.

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

7th August 1973.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 13th August 1973

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

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 Severn-Trent Water Authority. The authority will consist of forty members, appointed as follows:—

- (a) a chairman appointed by the Secretary of State;
- (b) four members appointed by the Minister of Agriculture, Fisheries and Food;
- (c) thirteen members (including one who is a member of the Welsh National Water Development Authority) appointed by the Secretary of State;
- (d) eleven members appointed by the county councils specified in Article 4 of the Order; and
- (e) eleven 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 Severn-Trent 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—

- (a) the area of the Trent River Authority; and
- (b) the area of the Severn River Authority, except the part of the area of that authority of which the drainage is directed to the Severn below Sharpness.

The Order specifies particular areas for the exercise of the authority's functions relating to water supply (Article 5), land drainage and fisheries (Article 6) and sewerage and sewage disposal (Article 7).

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