
STATUTORY INSTRUMENTS

1988 No. 20

**The Highland Regional Council
(Abhainn Shlatach) Water Order 1988**

Citation and commencement

1. This Order may be cited as the Highland Regional Council (Abhainn Shlatach) Water Order 1988 and shall come into force on 18th January 1988.

Interpretation

2. In this Order—

“the Act” means the Water (Scotland) Act 1980;

“approved” means approved by the Secretary of State;

“the Council” means the Highland Regional Council as water authority;

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

“deposited plans” means the two plans, each prepared in duplicate, docketed and signed as relative to this Order and marked respectively “The Highland Regional Council (Abhainn Shlatach) Water Order 1988 Plan of Catchment Area” and “The Highland Regional Council (Abhainn Shlatach) Water Order 1988 Plans and Sections of Works”, one copy of each of which is deposited in the Scottish Office, New St Andrew’s House, Edinburgh and the other in the office of the Chief Executive of the Council at Inverness;

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

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

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

“works” means the works described in Schedule 1 to this Order which the Council, in exercise of the powers conferred on them by section 21 of the Act, and in the lines and situations and according to the levels shown on the deposited plans, propose to construct and maintain for the purpose of providing a supply of water within their limits of supply when they have acquired the necessary lands or sufficient rights therein.

Incorporation and application of provisions of Schedule 4 to the Act

3. The provisions of section 2 of Part II and sections 10(3) and (4) of Part III of Schedule 4 to the Act⁽¹⁾ as modified and adapted in terms of section 29(1) of the Act and as set out in Schedule 2 to this Order apply to the undertaking in so far as affected by the provisions of this Order.

(1) Section 2 was amended by the Roads (Scotland) Act 1984 (c. 54), Schedule 9, paragraph 81(15)(a); section 10(3) was amended by the Criminal Justice Act 1982 (c. 48), Schedule 6, paragraph 62 and Schedule 15, paragraph 27.

Water rights

4. Subject to the provisions of this Order, the Council may, for the purposes of the undertaking and by means of an intake (part of Work No. 2), take water from the stream known as the Abhainn Shlatach in the Lochaber District in the Highland Region.

5.—(1) During the construction of the works the Council may take from the said Abhainn Shlatach such water as they may require for such construction.

(2) After the completion of the works the Council shall not—

(a) take any water from the said Abhainn Shlatach so as to reduce the rate of flow therein below 450 cubic metres in any one day as measured through or over an approved gauge (part of Work No. 2);

(b) in any one day take from the said Abhainn Shlatach a quantity of water greater than 100 cubic metres as measured through or over an approved gauge (part of Work No. 2).

6. If the power to take water conferred by this Order has not been exercised within ten years from the date on which this Order comes into force the said power shall cease.

Miscellaneous

7. The Council shall at all times after the expiration of six months from the date on which this Order comes into force keep at the office of the Chief Executive of the Council a copy thereof and one copy of each of the deposited plans.

New St Andrew's House,
Edinburgh
11th January 1988

Alasdair C Paton
Deputy Chief Engineer, Scottish Office