

SCHEDULES.

THIRD SCHEDULE

PROVISIONS TO BE INCORPORATED IN ORDERS RELATING TO WATER UNDERTAKINGS.

PART V

POWER TO LAY MAINS, &C.

Power to lay mains.

- 19 (1) The undertakers may within their limits of supply and also, subject to the provisions of the next succeeding section, outside those limits, lay a main—
- (a) in any street, subject, however, to the provisions of Part VI of this Schedule; and
 - (b) with the consent of every owner and occupier of any land not forming part of a street and with the consent of the local authority of the district in which that land is situate and also of the highway authority concerned, if the main will be laid within two hundred and twenty feet of any highway, in, on or over that land,

and may from time to time inspect, repair, alter or renew, or may at any time remove, any main laid down by them, whether by virtue of this section or otherwise:

Provided that a consent required for the purposes of this subsection shall not be unreasonably withheld and any question whether such a consent is, or is not, unreasonably withheld shall be referred to and determined by the Minister.

- (2) Where the undertakers propose in the exercise of their powers under this section to lay a main which will cross or interfere with any watercourse or works vested in, or under the control of, a land drainage authority, they shall give notice of their proposals to that authority, and, if within twenty-eight days that authority serve on the undertakers notice of objection to their proposals, the undertakers shall not proceed with their proposals unless all objections so made are withdrawn, or the Minister after a local inquiry has approved the proposals, either with or without modification:

Provided that this subsection shall not apply in relation to a main which the undertakers propose to lay in a bridge carrying a highway across such a watercourse as aforesaid.

- (3) Where the undertakers, in the exercise of their powers under this section, lay a main in, on or over any land not forming part of a street, or inspect, repair, alter, renew, or remove a main laid in, on or over any such land, they shall from time to time pay compensation to every person interested in that land for any damage done to, or injurious affection of, that land by reason of the inspection, laying, repair, alteration, renewal or removal of the main. Any dispute as to the amount of compensation to be paid under this subsection shall be referred to arbitration.

- (4) The undertakers may erect and maintain in any street notices indicating the position of underground water fittings used for controlling the flow of water through their mains, whether laid by virtue of this section or otherwise, and may affix such a notice to any house or other building, wall or fence.
- (5) For the purposes of this section, a private street within the curtilage of a factory shall be deemed not to be, or form part of, a street.

Conditions as to laying mains outside limits of supply.

- 20 (1) Where the undertakers, in the exercise of their powers under the last foregoing section, propose to lay a main outside their limits of supply, the provisions of that section shall apply, and the undertakers shall, in addition to giving any notice required by that section—
- (a) in the case of each county borough or county district in which they propose to lay a main, publish by advertisement in a local newspaper circulating in the borough or district a notice describing the nature of their proposals and specifying the land directly affected thereby, and naming a place where a plan illustrative of their proposals may be inspected at all reasonable hours by any person free of charge; and
 - (b) serve, not later than the date of the publication of the advertisement, a copy of the notice on the local authority of the borough or district and on the highway authority for any highway in which they propose to lay a main.
- (2) If, within twenty-eight days after the publication of the notice referred to in the last foregoing subsection, notice of objection to their proposals is served on the undertakers by any such local authority or highway authority as aforesaid, they shall not proceed with their proposals, unless all objections so made are withdrawn, or the Minister, after a local inquiry, has approved the proposals, either with or without modification.
- (3) The foregoing provisions of this section with respect to the publication and service of, and objections to, such additional notices as are therein referred to shall not apply where the work which undertakers propose to carry out outside their limits of supply consists only of the laying of a main in a highway maintainable at the public expense and they have obtained the consent of the local authority of the county borough or county district within which that highway is situate and also, where that authority are not the highway authority for the highway in question, the consent of that highway authority.

Power to lay service pipes, and &c.

- 21 (1) The undertakers may in any street within their limits of supply lay such service pipes with such stopcocks and other fittings as they deem necessary for supplying water to premises within the said limits, and may from time to time inspect, repair, alter, or renew, and may at any time remove, any service pipe laid in a street whether by virtue of this section or otherwise.
- (2) Where a service pipe has been lawfully laid in, on or over any land not forming part of a street, the undertakers may from time to time enter upon that land and inspect, repair, alter, renew or remove the pipe or lay a new pipe in substitution therefor, but shall pay compensation for any damage done by them.

Any dispute as to the amount of compensation to be paid under this subsection shall be determined by arbitration.