

## SCHEDULES.

### THIRD SCHEDULE

#### PROVISIONS TO BE INCORPORATED IN ORDERS RELATING TO WATER UNDERTAKINGS.

#### PART X

##### LAYING AND MAINTENANCE OF SUPPLY PIPES AND COMMUNICATION PIPES.

###### *Laying of supply pipes, and &c.*

- 40 An owner or occupier of any premises within the limits of supply who desires to have a supply of water for his domestic purposes from the waterworks of the undertakers, shall, subject as hereinafter provided, comply with the following requirements:—
- (a) he shall give to the undertakers fourteen days' notice of his intention to lay the necessary supply pipe and at, or before, the time of giving such notice shall pay or tender to them such sum as may be payable in advance by way of water rate in respect of his premises; and
  - (b) he shall lay the supply pipe at his own expense, having first obtained, as respects any land not forming part of a street, the consent of the owners and occupiers thereof:

Provided that, where any part of the supply pipe is to be laid in a highway, he shall not himself break open the highway or lay that part of the pipe.

###### *Laying of communication pipes, and &c.*

- 41 (1) Upon receipt of such a notice as is referred to in the last foregoing section, the undertakers shall lay the necessary communication pipe and any part of the supply pipe which is to be laid in a highway and shall connect the communication pipe with the supply pipe: Provided that where any part of the supply pipe is to be laid in a highway, they may elect to lay a main in the highway for such distance as they think fit in lieu of a supply pipe, and in that case shall lay a communication pipe from that main and connect it with the supply pipe.
- (2) If the undertakers fail to carry out the said work within fourteen days after the person by whom the notice was given has laid a supply pipe in accordance with the provisions of the last foregoing section, they shall, unless they show that the failure was due to unavoidable accident or other unavoidable cause, be liable to a fine not exceeding five pounds and to a further fine not exceeding forty shillings for each day on which the default continues after the expiration of the said fourteen days.
- (3) The expenses reasonably incurred by the undertakers in executing the work which they are required or authorised by this section to execute shall be repaid to them by the person by whom the notice was given and may be recovered by them from him summarily as a civil debt:

Provided that, if under the provisions of this section, the undertakers lay a main in lieu of part of a supply pipe, the additional cost incurred in laying a main instead of a supply pipe shall be borne by them.

- (4) Notwithstanding anything in the foregoing provisions of this section, undertakers to whom such a notice as aforesaid is given may, within seven days after the receipt thereof, require the person giving the notice either to pay to them in advance the cost of the work, as estimated by their engineer, or to give security for payment thereof to their satisfaction, and, where they make such a requirement, the period of fourteen days referred to in subsection (2) of this section shall not commence to run until the requirement has been complied with.

If any payment so made to the undertakers exceeds the expenses which under the foregoing provisions of this section they would be entitled to recover from the person giving the notice, the excess shall be repaid by them and, if and so far as those expenses are not covered by the payment, they may recover the balance from him summarily as a civil debt.

*Power of undertakers to require separate service pipes.*

- 42 (1) Subject to the provisions of this section, the undertakers may require the provision of a separate service pipe for each house or other building supplied, or to be supplied, by them with water.
- (2) If, in the case of a house or other building already supplied with water but not having a separate service pipe, the undertakers give notice to the owner of the house or building requiring the provision of such a pipe, the owner shall within three months lay so much of the required pipe as will constitute a supply pipe and is not required to be laid in a highway, and the undertakers shall, within fourteen days after he has done so, lay so much of the required pipe as will constitute a communication pipe or a supply pipe to be laid in a highway and make all necessary connections.
- (3) If an owner upon whom a notice has been served under the last foregoing subsection fails to comply therewith, the undertakers may themselves execute the work which he was required to execute.
- (4) The expenses reasonably incurred by the undertakers in executing the work which they are required by subsection (2) of this section to execute, or which they are empowered by the last foregoing subsection to execute, shall be repaid to them by the owner of the house or building and may be recovered by them from him summarily as a civil debt, but without prejudice to the rights and obligations, as between themselves, of the owner and the occupier of the house or building.
- (5) If the undertakers make default in executing the work which they are required by subsection (2) of this section to execute, they shall be liable to a fine not exceeding five pounds and to a further fine not exceeding forty shillings for each day on which the default continues after the expiration of the said fourteen days.
- (6) For the purposes of the foregoing provisions of this section, two or more buildings in the same occupation and forming part of the same hereditament for rating purposes shall be treated as a single building.
- (7) Where the owner of a group or block of houses is liable by law or undertakes in writing to pay the water rates in respect of all those houses, then, so long as he punctually pays those rates and the supply pipe of those houses is sufficient to meet

the requirements thereof, the undertakers shall not require the provision of separate service pipes for those houses.

- (8) Without prejudice to the provisions of the last foregoing subsection, where, on the coming into force of this section, two or more houses were being supplied with water by a single service pipe, the undertakers shall not require the provision of separate service pipes for those houses until either—
- (a) the existing supply pipe becomes so defective as to require renewal, or is no longer sufficient to meet the requirements of the houses; or
  - (b) an instalment of the water rate in respect of any of the houses remains unpaid after the end of the period for which it is due; or
  - (c) the houses are, by structural alterations to one or more of them, converted into a larger number of houses.

*Power to break open streets forming boundary of limits of supply.*

- 43 Where any premises which are within the limits of supply abut on, or are situate near to, any street which is, as to the whole or a part of its width, outside those limits, the undertakers may, for the purpose of supplying water to the owner or occupier of those premises, exercise with respect to the whole width of the street the like powers of laying, inspecting, repairing, altering, renewing and removing service pipes with any necessary stopcocks and fittings and of breaking open the street for that purpose as are exercisable by them with respect to streets within the said limits, subject, however, to the like conditions and obligations.

*Vesting of communication pipes and repair of such pipes and of supply pipes in highways.*

- 44 (1) All communication pipes, whether laid before or after the coming into force of this section, shall vest in the undertakers and the undertakers shall at their own expense carry out any necessary works of maintenance, repair or renewal of such pipes and any work on their mains incidental thereto.
- (2) The undertakers shall also carry out any such necessary works as aforesaid in the case of so much of any supply pipe as is laid in a highway, and may recover the expenses reasonably incurred by them in so doing summarily as a civil debt from the owner of the premises supplied by the pipe, but without prejudice to the rights and obligations, as between themselves, of the owner and the occupier of the premises.
- (3) If the undertakers fail to carry out any such necessary work with all reasonable despatch after service upon them of complaint of a defect from an owner or occupier of premises affected, they shall be liable to a fine not exceeding five pounds and to a further fine not exceeding forty shillings for each day on which the default continues.