



Water Act 1945

1945 CHAPTER 42

PART IV

POWERS AND DUTIES OF LOCAL AUTHORITIES AND WATER UNDERTAKERS.

Extension of powers and duties of local authorities under the Public Health Act, 1936.

28 Extension of duty to provide water supply for houses and schools.

The duty imposed on local authorities by section three of the Rural Water Supplies and Sewerage Act, 1944, to supply water in pipes to rural localities in which there are houses or schools shall extend to all localities to which section one hundred and eleven of the Public Health Act, 1936, applies in which there are houses or schools and in which such a supply is not already available, and accordingly the said section three shall cease to have effect and for the said section one hundred and eleven there shall be substituted the following section:—

“111 Duty of local authority with respect to water supplies within their district.

(1) It shall be the duty of every local authority—

- (a) to take from time to time such steps as may be necessary for ascertaining the sufficiency and wholesomeness of water supplies within their district;
- (b) to provide a supply of wholesome water in pipes to every part of their district in which there are houses or schools, and to take the pipes affording that supply to such point or points as will enable the houses or schools to be connected thereto at a reasonable cost, so, however, that this paragraph shall not require a local authority to do anything which is not practicable at a reasonable cost or to provide such a supply to any part of their district where such a supply is already available at such point or points as aforesaid ;

- (c) to provide a supply of wholesome water otherwise than in pipes to every part of their district in which there are houses or schools and to which it is not practicable to provide a supply in pipes at a reasonable cost, and in which danger to health arises from the insufficiency or unwholesomeness of the existing supply and a public supply is required and can be provided at a reasonable cost, and to secure that such supply is available within a reasonable distance of every house and school in that part of their district.
- (2) If any question arises under paragraph (b) of the preceding subsection as to whether anything is or is not practicable at a reasonable cost or as to the point or points to which pipes must be taken in order to enable houses or schools to be connected to them at a reasonable cost, or under paragraph (c) thereof as to whether a public supply can be provided at a reasonable cost, the Minister, if requested so to do by the council of the county or by ten or more local government electors in the district of the local authority, shall, after consulting the local authority, and where the request was made by local government electors and the local authority is the council of a county district, after consulting also the council of the county, determine that question, and the local authority shall give effect to his determination.
- (3) Without prejudice to their obligations under subsection (1) of this section, every local authority shall, for the purpose of securing so far as is reasonably practicable that every house has available a sufficient supply of wholesome water for domestic purposes, exercise their powers under this Part of this Act as amended by any subsequent enactment of requiring owners of houses to provide a supply of water thereto.”

The obligations of joint water boards Constituted before the passing of this Act under section six of the Public Health Act, 1936, or any enactment repealed by that Act shall include the obligations imposed on local authorities by this section, and the enactments relating to any such board shall have effect accordingly.