

1973 No. 1360

WATER, ENGLAND AND WALES

The Thames Water Authority Constitution Order 1973

Made - - - - 31st July 1973
Coming into Operation 1st 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), (6) and (7) 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 Thames Water Authority Constitution Order 1973 and shall come into operation on 1st 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”, “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 London excluded area” means—

(a) in relation to a time before 1st April 1974, so much of Greater London, and of any area adjoining Greater London, as does not at that time lie within the Thames catchment area, the Lee catchment area or the area of any river authority;

(b) in relation to a time after 31st March 1974, the London excluded area as it was defined by virtue of paragraph (a) above immediately before 1st April 1974.

(a) 1973 c. 37.
(c) 1972 c. 70.

(b) 1945 c. 42.

“Map No. 1” and “Map No. 2” means the maps, 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 No. 1 (or Map No. 2, as the case may be) referred to in the Thames 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;

“the water authority” means the Thames Water Authority.

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

(3) 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 Thames 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 Thames 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 Thames catchment area, the Lee catchment area and the London excluded area;
- (b) the part of the area of the Essex River Authority the drainage of which is directed to the Thames above the point where the western boundary of the catchment area of the Mar Dyke meets the Thames, which part is shown hatched black on Map No. 1; and
- (c) the part of the area of the Kent River Authority the drainage of which is directed to the Thames above Greenhithe, which part is shown hatched black on Map No. 2,

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, without prejudice to paragraphs 2 to 5 of Schedule 2 to the Act, but subject to the provisions of articles 6 and 7, the general water authority area shall be taken as including the waters specified in Part 1 of Schedule 1 to this order.

(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 regional 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 fifty-three members.

(2) The number of members specified for the purposes 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 twelve.

(4) The Greater London Council shall appoint ten members.

(5) The London borough councils and the Common Council of the City of London shall between them appoint ten members.

(6) (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.

(7) 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, or by the London borough councils and the Common Council of the City of London, and the year 1977 in the case of a member appointed by any other council.

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.

Area for river pollution functions

6. The area of the water authority for the purposes of their functions relating to the restoration and maintenance of the wholesomeness of rivers and other waters shall be the area comprising the general water authority area and the waters specified in Part 2 of Schedule 1.

Fisheries area

7. The area of the water authority for the purposes of their functions relating to fisheries shall be the area comprising the general water authority area and the waters specified in Part 3 of Schedule 1.

Land drainage area

8. The area of the water authority for the purposes of their functions relating to land drainage shall be the general water authority area except—

(a) the London excluded area, and

(b) the area shown hatched black on Map No. 2.

Sewerage and sewage disposal area

9. 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

Articles 3, 6 and 7

SEAWARD BOUNDARIES

1. In this schedule—

“the area of the Anglian Water Authority” and “the area of the Southern Water Authority” means respectively the area assigned to the Anglian Water Authority and the area assigned to the Southern Water Authority by virtue of section 2(2) of, and Schedule 1 to, the Act;

“the Thames area” and “the Yantlet line” have the same meaning as in the Port of London Act 1968(a).

2. In this schedule a group of two letters and eight figures identifying or associated with any point represents the map co-ordinates of that point estimated to the nearest ten metres on the grid of the national reference system used by the Ordnance Survey on its maps and plans.

PART 1

WATERS INCLUDED IN THE GENERAL WATER AUTHORITY AREA

The tidal waters, in so far as they are below low-water mark, within the following line, that is to say—

a line drawn due north from the point at which the boundary on land between the general water authority area and the area of the Southern Water Authority meets the Thames to the boundary in the Thames between the counties of Kent and Essex, and thence in a generally westward direction along the boundary between the said counties, and thence along the boundary in the Thames between Greater London and the county of Essex to the point on that boundary due south of the point at which the boundary on land between the general water authority area and the area of the Anglian Water Authority meets the Thames, and thence due north to the last-mentioned point.

PART 2

WATERS INCLUDED IN THE AREA FOR RIVER POLLUTION FUNCTIONS

The tidal waters and parts of the sea within so much of the Thames area as lies outside the general water authority area, subject to the exclusion of any waters within lines drawn—

- (a) from the northern end of the sea wall on the Isle of Grain at TQ89027701 to TR02037300 and thence due south to Warden Point on the Isle of Sheppey at TR02037256; and
- (b) From Warden Point on the Isle of Sheppey at TR02037256 to Long Rock near Whitstable at TR13676784.

PART 3

WATERS INCLUDED IN THE FISHERIES AREA

The tidal waters and parts of the sea within so much of the Thames area as lies within the Yantlet line and outside the general water authority area.

Article 4 | SCHEDULE 2

NUMBERS OF MEMBERS TO BE APPOINTED BY LOCAL AUTHORITIES OUTSIDE LONDON

(1) <i>County</i>	(2) <i>Number of Members</i>
Bedfordshire	One
Berkshire	One
Buckinghamshire	One
Essex	One
Hampshire	One
Hertfordshire	One
Oxfordshire	One
Surrey	One
Wiltshire	One
<i>District</i>	
Bedford, Luton, Mid Bedfordshire, South Bedfordshire	One between them
Bracknell, Newbury, Reading, Slough, Windsor and Maidenhead, Woking- ham	One between them
Aylesbury Vale, Beaconsfield, Chiltern, Milton Keynes, Wycombe	One between them
Broxbourne, Dacorum, East Hertford- shire, Hertsmere, North Hertfordshire, St Albans, Stevenage, Three Rivers, Watford, Welwyn Hatfield	One between them
Cherwell, Oxford, Vale of White Horse, Wallingford, West Oxfordshire	One between them
Elmbridge, Epsom and Ewell, Guildford, Mole Valley, Reigate and Banstead, Runnymede, Spelthorne, Surrey Heath, Tandridge, Waverley, Woking	One between them
Kennet, North Wiltshire, Salisbury, Thamesdown, West Wiltshire	One between them

SCHEDULE 3

Article 5

EXISTING STATUTORY WATER UNDERTAKERS

Croydon Corporation
Epsom and Ewell Corporation
Swindon Corporation
Watford Corporation

Cotswold Water Board
Metropolitan Water Board
Middle Thames Water Board
Oxfordshire and District Water Board
Thames Valley Water Board
West Surrey Water Board

Colne Valley Water Company
East Surrey Water Company
Lee Valley Water Company
Mid Southern Water Company
Rickmansworth and Uxbridge Valley Water Company
Sutton District Water Company
South West Suburban Water Company
Woking and District Water Company

SCHEDULE 4

Article 9

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 borough of Dunstable,
- (b) the urban district of Thurrock,
- (c) the rural district of Malmesbury, and
- (d) the parish of Houghton Regis, in the rural district of Luton,

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 parishes of Bentworth, Medstead, Ropley, West Tisted and Wield, in the rural district of Alton, and
- (b) the parishes of Dunsfold and Hascombe, in the rural district of Hambledon,

as lies outside the general water authority area.

Signed by authority of
the Secretary of State.

31st July 1973.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th July 1973.

R. Graham Page,

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

Joseph Godber,

Minister of Agriculture, Fisheries and Food.

(L.S.)

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 Thames Water Authority. The authority will consist of fifty-three 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) twelve members appointed by the Secretary of State;
- (d) ten members appointed by the Greater London Council;
- (e) ten members appointed by the London borough councils and the Common Council of the City of London;
- (f) nine members, of whom one will be appointed by each of the county councils specified in Article 4 of the Order;
- (g) seven members, of whom one will be appointed by the councils of each of the groups of district councils specified in Article 4 of the Order.

The first members to be appointed by district councils, and by the London borough councils and the Common Council, will hold office until the end of May 1975, and those appointed by other local authorities 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 Thames Water Authority will come into existence on the day on which the 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 Thames and Lee catchment areas;
- (b) the London excluded area(defined in Article 2(1));
- (c) the part of the area of the Essex River Authority of which the drainage is directed to the Thames above the point where the western boundary of the catchment area of the Mar Dyke meets the Thames; and
- (d) the part of the area of the Kent River Authority of which the drainage is directed to the Thames above Greenhithe.

The Order specifies particular areas for the exercise of the authority's functions relating to water supply (Article 5), river pollution (Article 6), fisheries (Article 7), land drainage (Article 8), and sewerage and sewage disposal (Article 9).

SI 1973/1360
ISBN 0-11-031360-7

