

1975 No. 2134

WATER, ENGLAND AND WALES

**The North West Water Authority (Prickshaw Brook)
Order 1975**

Made - - - - 16th December 1975

Laid before Parliament 6th January 1976

Coming into Operation 27th January 1976

The Secretary of State for the Environment, in exercise of the powers conferred by section 133 of the Water Resources Act 1963(a) and now vested in him (b) and of all other powers enabling him in that behalf, hereby orders as follows:—

1.—(1) This order may be cited as the North West Water Authority (Prickshaw Brook) Order 1975 and shall come into operation on 27th January 1976.

Citation and commencement.

(2) This order shall be included among the enactments which may be cited together as the North West Water Authority Orders 1974 and 1975.

2. Section 31 of the Rochdale Waterworks Act 1866(c) is hereby amended by the deletion of the words from “provided” where it occurs for the second time to the end of the section.

Section 31 of Rochdale Waterworks Act 1866 amended.

Anthony Crosland,
Secretary of State for the Environment.

16th December 1975.

(a) 1963 c. 38.

(b) S.I. 1970/1681 (1970 III, p. 5551).

(c) 1866 c. clii.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Rochdale Waterworks Act 1866 provided, among other things, for the discharge into the Prickshaw Brook at Whitworth, near Rochdale, of certain specified compensation water from what is now the Spring Mill Reservoir of the North West Water Authority. Section 31 of that Act empowered the owner of what is now the Spring Mill at Whitworth to use that compensation water at the mill, but required him, if he used it, to discharge it after use into the Prickshaw Brook at a specified point; and that requirement now binds the present owners of the Spring Mill.

The control of the abstraction of water and the protection of water resources have, by virtue of the Water Resources Act 1963, as read with section 9 of the Water Act 1973(c. 37), passed to the appropriate Water Authority, in this case the North West Water Authority. That Water Authority have now varied the licence under the 1963 Act which permits the owners of the Spring Mill to abstract water from the Spring Mill Reservoir, and that variation requires the owners, as from 1st January 1976, or 12 months after the trunk sewer between Whitworth and Rochdale is first used for the conveyance of sewage, whichever is the later, to discharge the used water to which section 31 of the 1866 Act relates into the said trunk sewer and not into the Prickshaw Brook. This order amends section 31 to take account of the variation of the licence.