

## 1973 No. 1359

## WATER, ENGLAND AND WALES

## The Anglian Water Authority Constitution Order 1973

<i>Made</i>	- - -	31st July 1973
<i>Coming into Operation</i>		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) and (6) 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 Anglian 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 map” means the map, 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 referred to in the Anglian 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 Anglian 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.

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(a) 1973 c. 37.

(b) 1945 c. 42.

(c) 1972 c. 70.

(3) The Interpretation Act 1889<sup>(a)</sup> shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

*Establishment and general area of Anglian 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 Anglian 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 areas of the East Suffolk and Norfolk, Great Ouse, Lincolnshire, and Welland and Nene River Authorities; and
- (b) the area of the Essex River Authority except the part of the area of that 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 the map,

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, and without prejudice to paragraphs 2 to 5 of Schedule 2 to the Act, the seaward boundaries of the area of any river authority named in column (1) of Part 1 of Schedule 1 to this order shall be taken as being the seaward boundaries having effect by virtue of the instrument or instruments specified in relation to that authority in column (2) of the said Part 1, and no part of the waters specified in Part 2 of that schedule shall be taken as being included in the general water authority area.

(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 thirty-five 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) (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.

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(a) 1889 c. 63.

(c) 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, and the year 1977 in the case of a member appointed by the council of a county.

*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 include the waters required to be included by virtue of paragraph 5 of Schedule 2 to the Act, subject to the exclusion of any part of the waters specified in Part 3 of Schedule 1 to this order which, but for the provisions of this article, would be so included.

*Fisheries area*

7. The area of the water authority for the purposes of their functions relating to fisheries shall include the waters required to be included by virtue of paragraph 4 of Schedule 2 to the Act, subject to the exclusion of any part of the waters specified in Part 4 of Schedule 1 to this order which, but for the provisions of this article, would be so included.

*Sewerage and sewage disposal area*

8. 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.

Articles 3, 6 and 7

SCHEDULE 1

SEAWARD BOUNDARIES

In this schedule

“the area of the Southern Water Authority” and “the area of the Thames Water Authority” means respectively the area assigned to the Southern Water Authority and the area assigned to the Thames 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).

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(a) 1968 c. xxxii.

## PART 1

INSTRUMENTS DESIGNATING TIDAL WATERS FOR INCLUSION IN RIVER  
AUTHORITY AREAS

(1)	(2)
<i>River Authority</i>	<i>Instrument</i>
East Suffolk and Norfolk River Authority	The East Suffolk and Norfolk River Authority (Seaward Boundaries of Area) Order (1964)(a)
Essex River Authority	The Essex River Authority (Seaward Boundaries of Area) Order 1964(b)
Great Ouse River Authority	The Great Ouse River Authority (Seaward Boundaries of Area) Order 1964(c)
Lincolnshire River Authority	The Lincolnshire River Authority (Witham) (Seaward Boundaries of Area) Order 1964(d)
	The Humber (Seaward Boundaries of River Authority Areas) Order 1964(e)
Welland and Nene River Authority	The Welland and Nene River Authority (Seaward Boundaries of Area) Order 1964(f)

## PART 2

## WATERS EXCLUDED FROM THE GENERAL WATER AUTHORITY AREA

The tidal waters within the following line, that is to say—

a line drawn due north from the point at which the boundary on land between the area of the Thames Water Authority 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 area of the Thames Water Authority and the general water authority area meets the Thames, and thence due north to the last-mentioned point.

## PART 3

## WATERS EXCLUDED FROM THE AREA FOR RIVER POLLUTION PURPOSES

The tidal waters and parts of the sea within the Thames area.

## PART 4

## WATERS EXCLUDED FROM THE FISHERIES AREA

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

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(a) S.I. 1964/1503.

(b) S.I. 1964/1504.

(c) S.I. 1964/1506.

(d) S.I. 1964/1491.

(e) S.I. 1964/1509.

(f) S.I. 1964/1499.

## Article 4

## SCHEDULE 2

## NUMBERS OF MEMBERS TO BE APPOINTED BY LOCAL AUTHORITIES

(1)	(2)
<i>County</i>	<i>Number of Members</i>
Bedfordshire	One
Buckinghamshire	One
Cambridgeshire	One
Essex	One
Humberside	One
Lincolnshire	One
Norfolk	One
Northamptonshire	One
Suffolk	One
 <i>District</i>	
Bedford, Luton, Mid Bedfordshire, South Bedfordshire	One between them
Aylesbury Vale, Beaconsfield, Chiltern, Milton Keynes, Wycombe	One between them
Cambridge, East Cambridgeshire, Fenland, Huntingdon, Peterborough, South Cambridgeshire	One between them
Basildon, Braintree, Brentwood, Castle Point, Chelmsford, Colchester, Epping Forest, Harlow, Maldon, Rochford, Southend-on-Sea, Tendring, Thurrock, Uttlesford	One between them
Beverley, Boothferry, Cleethorpes, Glanford, Grimsby, Holderness, Kingston upon Hull, North Wolds, Scunthorpe	One between them
Boston, East Lindsey, Lincoln, North Kesteven, South Holland, South Kesteven, West Lindsey	One between them
Breckland, Broadland, Great Yarmouth, Norwich, Pastonacres, South Norfolk, West Norfolk	One between them
Corby, Daventry, East Northampton- shire, Kettering, Northampton, South Northamptonshire, Welling- borough	One between them
Babergh, Forest Heath, Ipswich, Mid Suffolk, St. Edmundsbury, Suffolk Coastal, Waveney	One between them

## SCHEDULE 3

## Article 5

## EXISTING STATUTORY WATER UNDERTAKERS

Ipswich Corporation  
Buckingham Corporation  
Norwich Corporation

Bedfordshire Water Board  
Bucks Water Board  
Colchester and District Water Board  
East Lincolnshire Water Board  
Ely, Mildenhall and Newmarket Water Board  
Higham Ferrers and Rushden Water Board  
Kesteven Water Board  
Lincoln and District Water Board  
Mid-Northamptonshire Water Board  
Nene and Ouse Water Board  
North East Lincolnshire Water Board  
North Lindsey Water Board  
North West Norfolk Water Board  
South Lincolnshire Water Board  
South Norfolk Water Board  
West Suffolk Water Board  
Wisbech and District Water Board

Cambridge Water Company  
East Anglian Water Company  
Essex Water Company  
Tendring Hundred Waterworks Company

## SCHEDULE 4

## Article 8

## SEWERAGE AND SEWAGE DISPOSAL AREA

## PART I

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 urban district of Gainsborough, and
  - (b) the parish of Kirton in Lindsey, in the rural district of Glanford Brigg,
- 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 borough of Dunstable,
  - (b) the urban district of Thurrock, and
  - (c) the parish of Houghton Regis, in the rural district of Luton,
- as lies outside the general water authority area.

Signed by authority of  
the Secretary of State.  
31st July 1973.

*R. Graham Page,*  
Minister for Local  
Government and Development,  
Department of the Environment.

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

(L.S.) *Joseph Godber,*  
Minister of Agriculture, Fisheries and Food.

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## 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 Anglian Water Authority. The authority will consist of thirty-five 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) nine members appointed by the county councils specified in Article 4 of the Order and
- (e) nine members appointed by the councils of the groups of district councils specified in Article 4 of the Order

The first members to be appointed by district councils will hold office until the end of May 1975, and those appointed by county councils 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 Anglian Water Authority will come into existence on the day on which this 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 to exercise their functions as respects the area specified as their area in Schedule 1 to the Act, namely

- (a) the areas of the East Suffolk and Norfolk, Great Ouse, Lincolnshire, and Welland and Nene River Authorities; and
- (b) the area of the Essex River Authority, except that part 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.

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) and sewerage and sewage disposal (Article 8).

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