
Changes to legislation: There are currently no known outstanding effects for the Water Act 1989, Paragraph 62. (See end of Document for details)

SCHEDULES

SCHEDULE 25

MINOR AND CONSEQUENTIAL AMENDMENTS

The Highways Act 1980 (c. 66)

- 62 (1) After subsection (4) of section 21 of the Highways Act 1980 (extinguishment of rights of statutory undertakers as to apparatus etc.) there shall be inserted the following subsection—
- “(4A) Subsection (4) above shall not apply in the case of the removal of a public sewer but where such a sewer is removed in pursuance of such a notice or order as is mentioned in that subsection, any person who is—
- (a) the owner or occupier of premises the drains of which communicated with that sewer; or
 - (b) the owner of a private sewer which communicated with that sewer, is entitled to recover from the special road authority compensation in respect of expenditure reasonably incurred by him, in consequence of the removal, for the purpose of making his drain or sewer communicate with any other public sewer or with a private sewage disposal plant.”
- (2) In section 73 of that Act (power to prescribe improvement line for widening streets) —
- (a) in subsection (3), after the word “main,” there shall be inserted the word “sewer;” and
 - (b) in subsection (11)(c), at the end there shall be inserted the words “or by sewerage undertakers as a pumping station or sewage disposal works”.
- (3) In section 74 of that Act (power to prescribe a building line)—
- (a) in subsection (3)—
 - (i) for the words “or water undertakers” there shall be substituted the words “water undertakers or sewerage undertakers”; and
 - (ii) after the word “main,” there shall be inserted the word “sewer;”
 - (b) in subsection (11)(b), at the end there shall be inserted the words “or by sewerage undertakers as a pumping station or sewage disposal works”.
- (4) In section 100 of that Act (drainage of highways)—
- (a) in subsection (5), for the words from “water authority” onwards there shall be substituted the words “sewerage undertaker under Schedule 19 to the Water Act 1989 for the purposes of the drainage of highways within the area of that undertaker”; and
 - (b) in subsection (6)—
 - (i) for the words “under the Public Health Act 1936” there shall be substituted the words “under Schedule 19 to the Water Act 1989”; and

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- (ii) for the words “water authority”, in both places where they occur, there shall be substituted the words “sewerage undertaker”.
- (5) In section 107(4) of that Act (orders and schemes providing for construction of bridges or tunnels to be subject to special parliamentary procedure), for the words “any navigation authority or water authority” there shall be substituted the words “the National Rivers Authority or any navigation authority”.
- (6) In section 121(6) of that Act (definition of “appropriate Minister”), in paragraph (a) for the words “hydraulic power or water” there shall be substituted the words “or hydraulic power”.
- (7) In section 185(3)(b) of that Act (protection of undertakings where power to install refuse or storage bins in streets is exercised), for the words “or water undertakers” there shall be substituted the words “water or sewerage undertakers”.
- (8) In section 241(2) of that Act (acquisition of land between improvement line and boundary of street), after the words “removal of” there shall be inserted the word “sewers,”.
- (9) In section 254(4) of that Act (drainage of highway into watercourse)—
- (a) in paragraph (a), for the words “water authority without the consent of that board or authority” there shall be substituted the words “the National Rivers Authority without the consent of that board or that Authority”; and
 - (b) in paragraph (b), after the word “culvert,” there shall be inserted the word “sewer,”.
- (10) In section 264(3)(c) of that Act (determination of differences between various bodies relating to use of sewers), for the words “water authority” there shall be substituted the words “sewerage undertaker”.
- (11) In section 276 of that Act (contributions to land drainage works which will benefit trunk roads)—
- (a) for the words “a water authority” there shall be substituted the words “the National Rivers Authority”; and
 - (b) for the words “the authority” there shall be substituted the words “that Authority”.
- (12) In section 329(1) of that Act (further provision as to interpretation)—
- (a) in the definition of “drainage authority”, for the words “a water authority” there shall be substituted the words “the National Rivers Authority”; and
 - (b) for the definition of “water undertakers” there shall be substituted the following definition—
- ““water undertakers” means the National Rivers Authority or a water undertaker.”
- (13) In section 339 of that Act (saving for works etc. of drainage authorities etc.)—
- (a) in subsection (1)—
- (i) for the words “a water authority” there shall be substituted the words “the National Rivers Authority”; and
 - (ii) for the words “that authority or” there shall be substituted the words “the National Rivers Authority or that”;

and

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- (b) in subsection (4), for the words “a water authority” there shall be substituted the words “the National Rivers Authority”.
- (14) In Schedule 1 to that Act (procedures for making or confirming certain orders and schemes)—
- (a) in item (ii) of the Table set out at the end of paragraph 3, for the words “Every navigation authority and water authority” there shall be substituted the words “The National Rivers Authority and every navigation authority”; and
 - (b) in paragraph 11(b), for the words “every navigation authority and water authority” there shall be substituted the words “the National Rivers Authority and every navigation authority”.
- (15) In Schedule 11 to that Act (provisions as to orders under section 93 of that Act), in paragraph 13(1), after the word “mains,” there shall be inserted the word “sewers,”.

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