

Statutory Instrument 1999 No. 221

The Water (Compulsory Works Powers) (Notice) Regulations 1999

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STATUTORY INSTRUMENTS

1999 No. 221

WATER INDUSTRY, ENGLAND AND WALES

WATER RESOURCES, ENGLAND AND WALES

The Water (Compulsory Works Powers) (Notice) Regulations 1999

<i>Made</i>	<i>2nd February 1999</i>
<i>Laid before Parliament</i>	<i>11th February 1999</i>
<i>Coming into force</i>	<i>8th March 1999</i>

The Secretary of State for the Environment, Transport and the Regions and the Secretary of State for Wales, acting jointly in exercise of the powers conferred by section 213(2)(e) of, and paragraph 1(3)(g) of Schedule 11 to, the Water Industry Act 1991[1], and those Secretaries of State and the Minister of Agriculture, Fisheries and Food, acting jointly in exercise of the powers conferred by section 219(2)(e) of, and paragraph 1(3)(f) of Schedule 19 to, the Water Resources Act 1991[2], and in each case in exercise of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Water (Compulsory Works Powers) (Notice) Regulations 1999 and shall come into force on 8th March 1999.

Notice to be given to prescribed persons

2. Where an order is applied for under section 167 of the Water Industry Act 1991 or under section 168 of the Water Resources Act 1991 (compulsory works orders) which would authorise the stopping-up or diversion of a footpath or bridleway in an area specified in column 1 of the Schedule to these Regulations, a copy of the notice of the application shall be served on the persons specified in relation to that area in column 2 of that Schedule, in addition to the persons specified in paragraph 1(3)(a) to (f) of Schedule 11 to the Water Industry Act 1991 or, as the case may be, paragraph 1(3)(a) to (e) of Schedule 19 to, the Water Resources Act 1991.

Revocation

3. The Water (Compulsory Works Powers) (Notice) Regulations 1991^[3]are hereby revoked.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Alan Meale
Parliamentary Under Secretary of State, Department of the Environment, Transport and the Regions

23rd January 1999

Signed by authority of the Secretary of State for Wales

Jon Owen Jones
Parliamentary Under Secretary of State, Welsh Office

27th January 1999

E. A. Morley
Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

2nd February 1999

SCHEDULE

Regulation 2

**ADDITIONAL PERSONS TO BE SERVED WITH NOTICE RELATING TO
COMPULSORY WORKS POWERS**

(1)	(2)
Area	Persons to be served
England and Wales	Auto-Cycle Union

	British Horse Society Byways and Bridleways Trust Cyclists Touring Club Open Spaces Society Ramblers' Association
The counties of Cheshire, Derbyshire, Greater Manchester, Lancashire, Merseyside, South Yorkshire, Staffordshire and West Yorkshire	Peak and Northern Footpaths Society
Within the county of Bedfordshire: the borough of Luton and the districts of Mid Bedfordshire and South Bedfordshire.	Chiltern Society
Within the county of Buckinghamshire: the districts of Chiltern, Wycombe, South Bucks and Aylesbury Vale.	
Within the county of Hertfordshire: the borough of Dacorum and the districts of Three Rivers and North Hertfordshire.	
Within the county of Oxfordshire: the district of South Oxfordshire.	

EXPLANATORY NOTE

(This note is not part of the Order)

Section 168 of the Water Resources Act 1991 enables the Environment Agency to apply for an order conferring compulsory works powers. Section 167 of the Water Industry Act 1991 makes similar provision for water undertakers. Both the Environment Agency and water undertakers are required to serve notice on certain persons when they apply for such orders.

These Regulations, which supersede and revoke the Water (Compulsory Works Powers) (Notice) Regulations 1991 (S.I. 1991/1409), name certain additional bodies on whom notice must be served when the application relates to an order which authorises the stopping-up or diversion of a footpath or bridleway.

Notes:

- [1] 1991 c. 56; *see* the definition of "prescribed" in section 219(1).[back](#)
- [2] 1991 c. 57; *see* the definition of "prescribed" in section 221(1) and section 221(7)(b) as to the joint exercise of functions exercisable concurrently. References to the National Rivers Authority were amended to refer to the Environment Agency by the Environment Act 1995 (c. 25), Schedule 22, paragraphs 128 and 177.[back](#)
- [3] S.I. 1991/1409.[back](#)



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