SCOTTISH STATUTORY INSTRUMENTS

2000 No. 294

WATER SUPPLY

The West of Scotland Water Authority (Craighouse, Abhainn a' Mhinisteir) Water Order 2000

Made - - - - 21st August 2000

Coming into force in accordance with Article 1

The Scottish Ministers, in exercise of the powers conferred upon them by sections 17(2), 29(1) and 107(1)(b) of the Water (Scotland) Act 1980(**1**) and of all other powers enabling them in that behalf, on the application of the West of Scotland Water Authority, hereby make the following Order:

Citation and commencement

1.—(1) This Order may be cited as the West of Scotland Water Authority (Craighouse, Abhainn a' Mhinisteir) Water Order 2000 and, subject to paragraph (2), shall come into force on 28th August 2000.

(2) Article 8 shall come into force on 28th August 2002.

Interpretation

2. In this Order–

"the Act" means the Water (Scotland) Act 1980;

"approved" means approved by the Scottish Ministers;

"the Authority" means the West of Scotland Water Authority established under section 62 of the Local Government etc. (Scotland) Act 1994(**2**);

"day" means a period of 24 hours reckoned from midnight;

"deposited plan" means the plans, prepared in duplicate, docketed and signed as relative to this Order and marked "Craighouse Water Treatment Works Water Order – Sheet 1 of 2, Location Plan, Catchment Area Plan and Locality Plan" and "Craighouse Water Treatment Works Water Order – Sheet 2 of 2, Layout plan, Intake Structure Plan and Cross Sections" one copy of each of which is deposited in the office of the Scottish Executive, Victoria Quay, Edinburgh, and

(**1**) 1980 c. 45; section 17(2) and section 107(1)(b) were amended by the Local Government etc. (Scotland) Act 1994 (c. 39), Schedule 13, paragraph 119; see section 109(1) for definition of "local enactment". The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) 1994 c. 39.

the other in the office of the Chief Executive of the Authority at 419 Balmore Road, Glasgow, G22 6NU;

"gauge" includes a gauge, weir or other apparatus for measuring the flow of water;

"intake" includes any work by which water is taken by the Authority for the purposes of the undertaking;

"undertaking" means the water undertaking for the time being of the Authority;

"works" means the works described in Schedule 1 to this Order, which the Authority, in exercise of the powers conferred on them by section 21 of the Act(**3**), and in the lines and situations and according to the general dimensions shown on the deposited plan, propose to construct and maintain for the purpose of providing a supply of water when they have acquired the necessary land or sufficient rights therein.

Incorporation and application of the provisions of Schedule 4 to the Act

3. The provisions of section 10(3) of Schedule 4 to the Act(**4**), modified and adapted to read as set out in Schedule 2 to this Order, shall apply to the undertaking in so far as affected by the provisions of this Order, and the terms used in the provisions of that section, as so modified and adapted, which are defined in this Order, shall have the same meaning as in this Order.

Water rights

4. Subject to the provisions of this Order, the Authority may, for the purposes of the undertaking, take water from the river known as Abhainn a' Mhinisteir, in the Argyll and Bute Council area, by means of the intake structure of the works.

5.—(1) During the construction of the works the Authority may take from the said Abhainn a' Mhinisteir such water as they may require for such construction.

(2) After completion of the works, the Authority may take from the said Abhainn a' Mhinisteir, in any day, a quantity of water not exceeding 123 cubic metres, as measured and recorded by an approved gauge (part of Works No. 1), at a rate not exceeding 86 litres per minute.

(3) After completion of the works, the Authority may not take water from the Abhainn a' Mhinisteir so as to reduce the rate of flow below 473 cubic metres in any day as measured by an approved gauge (part of Works No. 1).

6. If the power to take water conferred by this Order has not been exercised by 28th August 2010 the said power shall cease.

Miscellaneous

7. The Authority shall at all times after 28th February 2001 keep at the office of the Chief Executive to the Authority a copy of this Order and a copy of the deposited plan.

Revocation of Order of 1953

8. The Argyll County Council (Abhuinn a' Mhullin) Water Order 1953(**5**) is hereby revoked.

(**3**) Section 21 was substituted by the Local Government etc. (Scotland) Act 1994, section 108.
(**4**) Section 10(3) was amended by the Criminal Justice Act 1982 (c. 40), Schedule 15, paragraph 27 and the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40), Schedule 2, Part III.
(**5**) S.I.1953/182.