STATUTORY INSTRUMENTS

1982 No. 1695

WATER, ENGLAND AND WALES

The Anglian Water Authority (Birchmoor Borehole) Order 1982

Made - - - - 29*th November* 1982

Coming into Operation 10*th December* 1982

The Secretary of State for the Environment in exercise of powers conferred by section 23 of the Water Act 1945 (a) and now vested in him (b), and of all other powers enabling him in that behalf, hereby orders as follows:—

Citation and commencement.

1.—(1) This order may be cited as the Anglian Water Authority (Birchmoor Borehole) Order 1982 and shall come into operation on 10th December 1982.

(2) This order shall be included among the enactments which may be cited together as the Anglian Water Authority Act and Orders 1974 to 1982.

Interpretation.

2. In this order—

"the Authority" means the Anglian Water Authority;

"the deposited plan" means the plan prepared in duplicate, signed by an Under Secretary in the Department of the Environment and marked "Plan referred to in the Anglian Water Authority (Birchmoor Borehole) Order 1982", one duplicate of which is deposited and is available for inspection at the offices of the Authority and the other at the offices of the Secretary of State for the Environment;

"the land" means the land described in Schedule 2 to this order;

"the Third Schedule" means the Third Schedule to the Water Act 1945;

"the undertaking" means the undertaking of the Authority as for the time being authorised by any enactment.

Application of certain provisions of Third Schedule.

3. For the purposes of this order, the provisions of the Third Schedule which are specified in column (1) of Schedule 1 to this order shall, subject to the modifications set out in column (2) thereof, apply to the undertaking and are hereby incorporated with this order.

Power to continue, construct and maintain works.

4. The Authority may—

(a) continue and maintain the pumping station and existing boreholes constructed on or under the land;

(b) construct and maintain on or under the land (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) all such additional wells, boreholes, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the said borehole and pumping station.

(a) 1945 c.42.
(b) S.I. 1951/142, 1900, 1970/1681.

Works to form part of the undertaking.

5. The works authorised by this order shall for all purposes form part of the undertaking.

SCHEDULE 1

PROVISIONS OF THIRD SCHEDULE APPLIED

Provisions Applied (1)	Modifications (2)
Section 4 (General power to construct subsidiary works)	(i) The words "and to any other provisions of the special Act limiting the powers of the undertakers to abstract water" shall be omitted; (ii) after the words "any land" there shall be inserted the words "described in the special Act and"
Section 91 (Mode of reference to arbitration)	—
Section 92 (Liability of undertakers to pay compensation)	—
Section 93 (Protection for works of navigation authorities and for catchment boards and railways)	—
Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	In sub-section (1) thereof for the words from "with the clerk of the council" to the end of the sub-section there shall be substituted the words "with the council of every county and district affected by the special Act.".

SCHEDULE 2

Land at Birchmoor in the Parish of Aspley Guise in the County of Bedford edged blue on the deposited plan comprising 7.295 hectares or thereabouts and comprising enclosure numbered 3882 on the 1/2500 Ordnance Map of Bedfordshire (1978 Edition) sheet number SP94–9534.

Signed by authority of
the Secretary of State.
29th November 1982.

J. A. L. Gunn,
An Under Secretary in the
Department of the Environment.

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