STATUTORY INSTRUMENTS

1978 No. 1586

WATER, ENGLAND AND WALES

The Anglian Water Authority (Earls Colne Borehole) Order 1978

Made - - - - 3rd November 1978

Coming into Operation 13th November 1978

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 (Earls Colne Borehole) Order 1978 and shall come into operation on 13th November 1978.

(2) This order shall be included among the enactments which may be cited together as the Anglian Water Authority Orders 1974 to 1978.

Interpretation.

2. In this order, unless the context otherwise requires—

"the authorised works" means the works authorised by 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 (Earls Colne Borehole) Order 1978", one duplicate of which has been deposited and is available for inspection at the offices of the Authority at Cobham Road, Ipswich, and the other at the offices of the Secretary of State for the Environment;

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

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

Power to construct, continue and maintain works.

3. The Authority may, when they have acquired the necessary land or obtained sufficient rights therein—

(*a*) construct, continue and maintain a borehole on or under the land described in Schedule 1 to this order; and

(*b*) construct, continue and maintain on or under the said 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.

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

Works to form part of undertaking.

4. The authorised works shall for all purposes be deemed to form part of the undertaking.

Application of provisions of Third Schedule.

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

SCHEDULE 1

LAND ON WHICH AUTHORISED WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

Land in the Parish of Earls Colne in the District of Braintree in the County of Essex containing approximately 0·029 of a hectare (0·071 of an acre) being part of O.S. 0578 in the said parish on the 1:2500 ordnance map of Essex, sheet TL 8529 (Revised 1964 Edition) and coloured pink on the deposited plan.

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

Provisions applied (1)	Modifications (2)
Section 4 (General power to construct subsidiary works)	The words "and to any other provisions of the special Act limiting the powers of the undertakers to abstract water" shall be omitted; and for the words "their water undertaking" there shall be substituted the words "the authorised works".
Section 92 (Liability of undertakers to pay compensation)	—
Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	—

Signed by authority of the Secretary of State.

3rd November 1978.

A. G. Semple,
An Under Secretary in the Department of the Environment.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
150/P23298/2 M 93 K7 11/78
10p net
ISBN 0 11 084586 2