1988 No. 924

WATER, ENGLAND AND WALES

The Anglian Water Authority (Newton on Trent) Water Order 1988

Made - - - -	*19th May 1988*
Coming into force	*20th May 1988*

The Secretary of State for the Environment, on the application of the Anglian Water Authority, being statutory water undertakers(**a**), and in exercise of powers conferred by sections 23, 32(1) and 59(1)(**b**) of the Water Act 1945(**c**) and now vested in him(**d**), and of all other powers enabling him in that behalf, hereby makes the following Order:–

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Anglian Water Authority (Newton on Trent) Water Order 1988 and shall come into force on the 20th May 1988.

(2) This Order shall be included amongst the enactments which may be cited together as the Anglian Water Authority Orders 1974 to 1988.

(3) 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 (Newton on Trent) Water Order 1988", one duplicate of which is deposited and is available for inspection at the offices of the Authority's Lincoln Division at Waterside House, Waterside North, Lincoln LN2 5HA 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

2.—(1) The Authority may, when they have acquired the necessary land or sufficient rights therein, construct, continue and maintain on or under the land described in Schedule 1 to this Order the following works–

(a) on the land described in paragraph 1 of the Schedule, a borehole on the site of the existing pumping station;

(b) on the land described in paragraph 2 of the Schedule, a borehole together with a pumping station;

(c) on the land described in paragraph 3 of the Schedule, a borehole;

(d) (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

(**a**) *See* the Water Act 1973 (c. 37), section 11(6).
(**b**) *See* the definition of "Minister".
(**c**) 1945 c. 42; these are amendments to sections 23 and 32, but none relevant to this Order.
(**d**) S.I. 1951/142, 1900, 1970/1681.

headings as may be necessary or expedient for augmenting, improving or maintaining the supply of water obtainable by means of the said boreholes.

(2) The works authorised by this Order shall for all purposes form part of the undertaking.

Application of certain provisions of the Third Schedule

3. The provisions of the Third Schedule specified in column (1) of Schedule 2 to this Order shall apply to the undertaking, subject to the modification set out in column (2) thereof.

Dinah Nichols
An Under Secretary in the
Department of the Environment

Signed by authority of the Secretary of State
19th May 1988

SCHEDULE 1

DESCRIPTION OF LAND

1. Land in the parish of Newton on Trent in the District of West Lindsey in the county of Lincoln, shown coloured pink on the deposited plan, having a total area of 0.388 hectares or thereabouts and forming enclosure number 0038 on the 1/2500 Ordnance Map Sheet SK 8074–8174/8274–8374.

2. Land in the parish of Newton on Trent in the District of West Lindsey in the county of Lincoln, shown coloured pink on the deposited plan, having a total area of 1.615 hectares or thereabouts and forming part of enclosure number 5951 on the 1/2500 Ordnance Map Sheet SK 8074–8174/8274–8374.

3. Land in the parish of Newton on Trent in the District of West Lindsey in the county of Lincoln, shown coloured pink on the deposited plan, having a total area of 0.045 hectares or thereabouts and forming part of enclosure number 5951 on the 1/2500 Ordnance Map Sheet SK 8074–8174/8274–8374.

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

(1) *Provisions applied*	(2) *Modifications*
Section 4 (General power to construct subsidiary works)	(i) omit the words "and to any other provisions of the special Act limiting the powers of the undertakers to abstract water". (ii) for the words "any land for the time being held by them in connection with their water undertaking" there substitute the words "the land described in Schedule 1 to the special Act".
Section 6 (Penalty for obstructing construction of works)	—
Section 92 (Liability of undertakers to pay compensation)	—
Section 94(a) (copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	—

(a) Section 94(1) was amended by S.I. 1986/1.