STATUTORY INSTRUMENTS

1979 No. 562

WATER, ENGLAND AND WALES

The Anglian Water Authority (Thurlby) Water Order 1979

Made - - - - 22nd May 1979

Coming into Operation 4th June 1979

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 (Thurlby) Water Order 1979 and shall come into operation on 4th June 1979.

(2) This order shall be included among the enactments which may be cited together as the Anglian Water Authority Acts and Orders 1974 to 1979.

Interpretation.

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

"the Authority" means the Anglian Water Authority;

"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;

"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 (Thurlby) Water Order 1979", one duplicate of which has been deposited and is available for inspection at the offices of the Authority's Lincoln Water Division at Waterside House, Waterside North, Lincoln LN2 5HA and the other at the offices of the Secretary of State for the Environment.

(2) Unless the context otherwise requires, any reference in this order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment, including this order.

Application of certain provisions of Third Schedule.

3. For the purpose of this order the provisions of the Third Schedule which are set out 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 construct and maintain works.

4. The Authority may—

(*a*) construct and maintain in and on the land described in Schedule 2 to this order a borehole together with a pump switchgear house; and

(*b*) construct and maintain on and under the said land (in addition to the works authorised by section 4 of the Third Schedule, as

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

applied to the undertaking by this order), all such additional boreholes, headworks and switchgear houses as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the said borehole.

Works to form part of undertaking.

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

SCHEDULE 1

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 provision of the special Act limiting the powers of the undertakers to abstract water" shall be omitted; and for the words "any land for the time being held by them in connection with their water undertaking" there shall be inserted the words "the land described in the special Act".
Section 5 (Power of undertakers to lay or erect telephone wires, etc.)	—
Section 6 (Penalty for obstructing construction of 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)	—

SCHEDULE 2

DESCRIPTION OF LAND

Land owned by the Authority having a total area of 0·355 hectares (0·886 acres) or thereabouts being enclosure number 1992 and part enclosure number 2300 on the 1/2500 Ordnance Map Sheet TF 5075 5175 being land in the Parish of Bilsby, in the District of East Lindsey, in the County of Lincoln, and more particularly delineated and coloured red on the deposited plan.

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

Signed by authority of the Secretary of State
22nd May 1979.

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