STATUTORY INSTRUMENTS

1985 No. 121

WATER, ENGLAND AND WALES

The East Anglian Water (Holton Borehole) Order 1985

Made - - - -	30*th January* 1985
Coming into operation	11*th February* 1985

The Secretary of State for the Environment, in exercise of powers conferred by sections 23 and 32(1) 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 East Anglian Water (Holton Borehole) Order 1985 and shall come into operation on 11th February 1985.

(2) The East Anglian Water Acts and Orders 1853 to 1979 and this order may be cited together as the East Anglian Water Acts and Orders 1853 to 1985.

Interpretation

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

"the Company" means the East Anglian Water Company;

"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 East Anglian Water (Holton Borehole) Order 1985", one duplicate of which is deposited and is available for inspection at the principal office of the Company 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 undertaking of the Company as for the time being authorised by any enactment.

Construction and maintenance of works

3. The Company may, when they have acquired the necessary land or sufficient rights or interests therein, construct and maintain in, on and under the land described in Schedule 1 to this order a borehole (to be known as the Holton No. 4 borehole) and all such additional boreholes, headworks, wells, adits and other works (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) 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 works authorised by this order shall for all purposes form part of the undertaking.

Application of provision 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) thereof, apply to the undertaking and, subject as aforesaid, are hereby incorporated with this order.

SCHEDULE 1

LAND IN, ON OR UNDER WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER.

Land in the Parish of Halesworth in the District of Waveney in the County of Suffolk comprising 0.02 hectares (0.05 acres) or thereabouts, being part of enclosure number 4122 in the said parish on the 1/2500 ordnance map of Suffolk, sheet TM 3877–3977 (edition of 1982), and more particularly delineated on the deposited plan and thereon coloured pink.

SCHEDULE 2

PROVISIONS OF THE 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) for the words "any land for the time being held by them in connection with their water undertaking" there shall be substituted the words "the land described in Schedule 1 to the special Act"; and after the word "buildings" there shall be inserted the words "means of access"
Section 5 (Powers of undertakers to lay or erect telephone wires &c.)	—
Part IV (Minerals Underlying Waterworks)	In section 12 for the words "after this section is incorporated with their enactments" there shall be substituted the words "under the special Act"; for the words "all existing pipes or other conduits for the collection, passage, or distribution of water and underground works belonging to them" there shall be substituted the words "all such pipes or other conduits or underground works"; and the words "for the time being belonging to them" shall be omitted.
Section 91 (Mode of reference to arbitration)	—
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
30th January 1985.

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