STATUTORY INSTRUMENTS

1974 No. 641

WATER SUPPLY, ENGLAND AND WALES

The East Shropshire Water Board (Rodway Borehole) Order 1974

Made - - - 28*th March* 1974

Coming into Operation 31*st March* 1974

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 East Shropshire Water Board (Rodway Borehole) Order 1974, and shall come into operation on 31st March 1974.

(2) This order shall be included among the enactments which may be cited together as the East Shropshire Water Board Orders 1948 to 1974.

Interpretation.

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

"the Board" means the East Shropshire Water Board;

"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 Shropshire Water Board (Rodway Borehole) Order 1974", one duplicate of which is deposited and is available for inspection at the offices of the Board and the other at the offices of the Secretary of State for the Environment;

"the land" means the land described in Schedule 1 to this order;

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

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

Application of certain provisions of Third Schedule.

3. For the purpose 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.

Construction and maintenance of works.

4.—(1) The Board, being the owners of the land described in Schedule 1 to this order, may—

(*a*) construct and maintain a borehole on or under the said land;

(*b*) construct and maintain a pumping station on or under the said land; and

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

(**a**) 1945 c. 42.
(**b**) S.I. 1951/142 1900, 1970/1681 (1951 I, pp. 1348, 1347; 1970 III, p. 5551).

to the undertaking by this order) all such 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.

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

SCHEDULE 1

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

Land at Rodway forming part of enclosure numbered 200 (County series) in the parish of Cherrington in the rural district of Wellington in the administrative county of Salop on the 1/2500 ordnance map, sheet numbered XXX-9 (edition of 1926) comprising 3716 square metres or thereabouts and more particularly delineated and coloured red 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 "any land" there shall be substituted the words "land described in the special Act and".
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
28th March 1974

J. E. Beddoe
An Under Secretary in the
Department of the Environment

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