STATUTORY INSTRUMENTS

1976 No. 1949

WATER, ENGLAND AND WALES

The East Surrey Water Order 1976

Made - - - - 15*th November* 1976

Coming into Operation 1*st December* 1976

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 Surrey Water Order 1976 and shall come into operation on 1st December 1976.

(2) The East Surrey Water Acts and Orders 1862 to 1970 and this order may be cited together as the East Surrey Water Acts and Orders 1862 to 1976.

Interpretation.

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

"the Company" means the East Surrey Water Company;

"the existing Leatherhead borehole" means the existing borehole constructed on or under the lands described in Schedule 2 to this order;

"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.

Application of certain provisions of Third Schedule.

3. For the purposes of this order, the provisions of the Third Schedule which are specified 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 incorporated with this order.

Construction and maintenance of works.

4.—(1) The Company may continue and maintain the existing Leatherhead borehole and (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) construct and maintain 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.

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

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

Costs of order.

5. All costs, charges and expenses of or incidental to the application for this order and the preparation and making thereof may be paid by the Company in whole or in part out of revenue.

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 provisions 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 substituted the words "the lands described in Schedule 2 to the special Act."
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

LANDS ON AND UNDER WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

4·9 acres of land belonging to the Company abutting on the Leatherhead to Dorking railway line in the Parish of Leatherhead in the District of Mole Valley in the County of Surrey being part of enclosure numbered 0040 in the said Parish on the 1/2500 Ordnance map of Surrey, sheet 1655 (Edition 1965/71).

Signed by authority of
the Secretary of State
15th November 1976

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

Printed in England by Oyez Press Limited, and published by Her Majesty's Stationery Office
150/P15472 S9 K10 11/76

10p net
ISBN 0 11 061949 8