STATUTORY INSTRUMENTS

1981 No. 391

WATER, ENGLAND AND WALES

The Folkestone Water Order 1981

Made - - - - 12*th March* 1981

Coming into Operation 1*st April* 1981

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 Folkestone Water Order 1981 and shall come into operation on 1st April 1981.

(2) The Folkestone Water Acts and Orders 1848 to 1973 and this order may be cited together as the Folkestone Water Acts and Orders 1848 to 1981.

Interpretation.

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

"the Company" means the Folkestone and District Water Company;

"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 hereby incorporated with this order.

Construction and maintenance of works.

4.—(1) The Company may, when they have acquired the necessary lands or obtained sufficient interests therein—

(*a*) continue and maintain the existing boreholes in the County of Kent, in the district and parish specified in the first and second columns of Schedule 2 to this order and on and under the lands specified in the third and fourth columns of that Schedule as shown on the 1/2500 ordnance map sheets specified in the fifth column of that Schedule and known by the name specified in the sixth column of the said Schedule;

(*b*) construct or continue and maintain on or under the lands specified in the said Schedule 2 a pumping station and pumping plant for the purpose of abstracting water from each of the said boreholes;

(*c*) construct and maintain on or under the lands specified in the said Schedule 2 (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) all such additional boreholes, wells, adits and headings as may be

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

necessary or expedient for augmenting, improving or maintaining the supply of water obtainable by means of each of the said boreholes.

(2) 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 provisions the of 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)	—
Part IV (Minerals Underlying Waterworks)	—
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, CONTINUED AND MAINTAINED UNDER THIS ORDER

District (1)	Parish (2)	Enclosure No. (3)	Area (Ha) (4)	1/2500 O.S. Sheet No. (5)	Name (6)
Shepway	Postling	8781	3.39	TR1437 A 1971	Postling Wents.
Dover	Lydden	5288		TR2544 A 1958	Lye Oak North East A and B.
Dover	Lydden	1644	50.98	TR2544 A 1958	Lye Oak Central A and B.
Shepway	Swingfield	5902		TR2444 A 1958	Lye Oak South West A and B.
Shepway	Acrise	3400 (part)	0.21	TR2043 A 1973	Ladwood.
Shepway	Elham	0015	41.88	TR2044 A 1973	Rakeshole South.
Shepway	Elham	5100		TR2045 A 1973	Rakeshole North.
Dover	Denton with Wootton	9080 (part)	0.17	TR2045 A 1970	Tappington South.
Dover	Denton with Wootton	9347 (part)	0.04	TR2146 A 1970	Tappington North.
Dover	Denton with Wootton	1370 (part)	0.09	TR2146 A 1970	Denton South.
Dover	Hougham Without	7943 (part)	0.04	TR2741 A 1972	Poulton Farm.
Dover	Dover	—	0.03	TR3042 3056 4232 (1956A)	Primrose Road.
Dover	St. Margarets	0006 (part)	0.03	TR3545 BB 1974	St. Margarets No. 1.
Dover	St. Margarets	7240 (part)	0.06	TR3545 BB 1974	St. Margarets No. 2.
Shepway	Lydd	1942		TR0819 A 1977	Denge Beach Nos. 10 & 15.
Shepway	Lydd	6559		TR0719 A 1977	Denge Beach No. 11.
Shepway	Lydd	6559		TR0719 A 1977	Denge Beach Nos. 16 & 24.
Shepway	Lydd	2749	333	TR0720 A 1977	Denge Beach Nos. 17 & 22.
Shepway	Lydd	2749		TR0620 A 1977	Denge Beach No. 23.
Shepway	Lydd	0153		TR0717 A 1978	Denge Beach Nos. 19, 20 & 21.
Shepway	Lydd	1459		TR0817 A 1978	Denge Beach No. 18.
Shepway	Lydd	0153	—	TR0617 A 1978	Denge Beach Nos. 12 & 13.
Shepway	Lydd	7282	—	TR0616 A 1978	Denge Beach No. 14.

Signed by authority of
the Secretary of State
12th March 1981.

G. May,
An Under Secretary in the
Department of the Environment.