1988 No. 1592

WATER, ENGLAND AND WALES

The Hartlepools Water (Leechmire Borehole) Order 1988

Made - - - -	*7th September 1988*
Coming into force	*8th September 1988*

The Secretary of State for the Environment, on the application of the Hartlepools Water Company, being statutory water undertakers (a), and in exercise of powers conferred by sections 23, 32(1) and 59(1)(b) of the Water Act 1945(c) and now vested in him(d), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Hartlepools Water (Leechmire Borehole) Order 1988 and shall come into force on the 8th September 1988.

(2) The Hartlepools Water Acts and Orders 1874 to 1987 and this Order may be cited together as the Hartlepools Water Acts and Orders 1874 to 1988.

(3) In this Order–

"the Company" means the Hartlepools 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 Hartlepools Water (Leechmire Borehole) Order 1988", one duplicate of which is deposited and 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 water undertaking of the Company as for the time being authorised by any enactment.

Power to construct, continue and maintain works

2. The Company may construct, continue and maintain on or under the land described in Schedule 1 to this Order the following works–

(a) the existing borehole on the land;

(b) (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking) all such additional wells, boreholes, adits and headings as may be necessary or expedient for augmenting, improving or maintaining the supply of water obtainable by means of that borehole.

Works to form part of the undertaking

3. The works authorised by this Order shall for all purposes form part of the undertaking.

(a) *See* the Water Act 1973 (c.37), section 11(6).
(b) *See* the definition of "Minister".
(c) 1945 c.42, there are amendments to sections 23 and 32, but none relevant to this Order.
(d) S.I. 1951/142, 1900, 1970/1681.

Application of certain provisions of the Third Schedule

4. The provisions of the Third Schedule specified in column (1) of Schedule 2 to this Order shall apply to the undertaking, subject to the modifications set out in column (2) thereof.

Costs of Order

5. The costs, charges and expenses of and incidental to the application for and the making of this Order shall be paid by the Company and may in whole or in part be defrayed out of revenue.

Signed by authority of the Secretary of State.

Dinah Nichols
An Under Secretary in the
Department of the Environment

7th September 1988

SCHEDULE 1

DESCRIPTION OF LAND

Land in the Parish of Hutton Henry in the District of Easington in the County of Durham shown edged red on the deposited plan, having an area of 0.11 hectares or thereabouts and forming part of enclosure number 2841 on the 1/2500 Ordnance Map Sheet NZ 4235.

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

(1) *Provisions applied*	(2) *Modifications*
Section 92 (Liability of undertakers to pay compensation)	—
Section 94 (**a**) (copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	In subsection (1), omit the words from "metropolitan district" to the end of the subsection.

(**a**) Section 94(1) was amended by S.I. 1986/1.

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