STATUTORY INSTRUMENTS

1974 No. 304

WATER SUPPLY, ENGLAND AND WALES

The Lincoln and District Water Board (Branston Booths) Order 1974

Made - - - *25th February* 1974

Coming into Operation *11th March* 1974

The Secretary of State for the Environment, in exercise of the 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 Lincoln and District Water Board (Branston Booths) Order 1974 and shall come into operation on 11th March 1974.

(2) The Lincoln and District Water Board Orders 1961 to 1968 and this order may be cited together as the Lincoln and District Water Board Orders 1961 to 1974.

Interpretation.

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

"the Board" means the Lincoln and District 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 Lincoln and District Water Board Branston Booths) Order 1974", one duplicate of which is deposited and available for inspection at the offices of the Board 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 Board 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) of the said Schedule, apply to the undertaking and are hereby incorporated with this order.

(a) 1945 c. 42.

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

[DOE 15582]

Power to construct and maintain works.

4. The Board may, when they have acquired the necessary lands or sufficient rights or interests therein, in and on the lands described in Schedule 2 to this order—

(*a*) construct and maintain a borehole, and

(*b*) construct and maintain (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) a pumping station with such further wells, boreholes and other works as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the works authorised by this order.

Works to form part of undertaking.

5. 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 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 the special Act".
Section 92 (Liability of undertakers to pay compensation)	—
Section 93 (Protection for works of navigation authorities and for catchment boards and railways)	—
Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	—

SCHEDULE 2

DESCRIPTION OF LANDS

Two parcels of land in the parish of Heighington in the rural district of North Kesteven in the county of Lincolnshire shown coloured pink on the deposited plan having a total area of 0·29 acres or thereabouts being part of the enclosures numbered 206 and 209 on the 1/2500 ordnance map of Lincolnshire, sheet 71/10.

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

Signed by authority of the Secretary of State
25th February 1974

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