STATUTORY INSTRUMENTS

1973 No. 53

WATER SUPPLY, ENGLAND AND WALES

The Macclesfield District Water (Fallibroome Boreholes) Order 1973

Made - - - 15*th January* 1973

Coming into Operation 25*th January* 1973

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 Macclesfield District Water (Fallibroome Boreholes) Order 1973 and shall come into operation on 25th January 1973.

(2) The Macclesfield District Water Orders 1960 to 1970 and this order may be cited together as the Macclesfield District Water Orders 1960 to 1973.

Interpretation.

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

"the Board" means the Macclesfield 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 Macclesfield District Water (Fallibroome Boreholes) Order 1973", one duplicate of which is deposited and available for inspection in the offices of the Clerk of the Board and the other in 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 Board as for the time being authorised by any enactment.

Continuance, construction and maintenance of works.

3.—(1) The Board may when they have acquired the necessary land or sufficient rights or interests therein—

(*a*) continue and maintain the existing borehole constructed on or under the land described in Schedule 1 to this order; and

(*b*) construct and maintain in, on or under the land so described (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 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).

[DOE 10673]

Application of provisions of Third Schedule.

4. For the purposes of this order, the provisions of the Third Schedule specified in column (1) of Schedule 2 to this order, subject to the modifications specified in column (2) thereof, shall apply to the undertaking and are hereby incorporated with this order.

SCHEDULE 1

DESCRIPTION OF LAND TO BE ACQUIRED

Land in the parish of Prestbury in the rural district of Macclesfield in the county of Chester being part of Enclosure numbered 26 as shown on the 1/2500 ordnance map of Cheshire, Sheet No. 36.III (1909 Edition) and comprising an area of approximately 0·47 of an acre and outlined in 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 after the word "land" there shall be inserted the words "described in the special Act and".
Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	

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

Signed by authority of the Secretary of State

15th January 1973.

Printed in England by St. Clements Fosh & Cross Ltd., and published by Her Majesty's Stationery Office
150/4188 A77 K7 1/73

3p net

SBN 11 030053 X