STATUTORY INSTRUMENTS

1973 No. 1598

WATER SUPPLY, ENGLAND AND WALES

The Macclesfield District Water (Rushton No. 2 Borehole) Order 1973

Made - - - 18*th September* 1973

Coming into Operation 1*st October* 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 (Rushton No. 2 Borehole) Order 1973 and shall come into operation on 1st October 1973.

(2) This order shall be included among the enactments which 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 (Rushton No. 2 Borehole) 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 said land (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.

(a) 1945 c. 42.

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

[DOE 12636]

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

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 shall, subject to the modifications specified in column (2) thereof, apply to the undertaking and are hereby incorporated with this order.

SCHEDULE 1

Description of land

Land in the parish of Rushton in the rural district of Leek in the county of Stafford being part of enclosure No. 249 as shown on the 1/2500 ordnance map of Stafford, Sheet III.12 (1925 Edition) and comprising an area of approximately 0.20 of an acre and coloured pink 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

Signed by authority of the Secretary of State
18th September 1973

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