STATUTORY INSTRUMENTS

# 1973 No. 1434

# WATER SUPPLY, ENGLAND AND WALES

## The Makerfield Water Board (Slag Lane Borehole) Order 1973

*Made* - - - 13*th August* 1973

*Coming into Operation* 27*th August* 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 Makerfield Water Board (Slag Lane Borehole) Order 1973, and shall come into operation on 27th August 1973.

(2) The Makerfield Water Board Orders 1960 to 1972 and this order may be cited together as the Makerfield Water Board Orders 1960 to 1973.

Interpretation.

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

"the Board" means the Makerfield Water Board;

"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.

Construction and continuance of works.

**3.** The Board may, when they have acquired the necessary land or obtained sufficient rights therein, continue and maintain the existing borehole constructed on or under the land described in Schedule 1 to this order and may construct and maintain on or under such land (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) all such pumping stations, wells, boreholes, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the said borehole.

Works to form part of undertaking.

**4.** The works authorised by this order shall for all purposes be deemed to form part of the undertaking.

Application of certain provisions of Third Schedule.

**5.** For the purposes of this order the provisions of the Third Schedule which are specified in column (1) of Schedule 2 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.

(a) 1945 c. 42.

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

[DOE 12248]

## SCHEDULE 1

DESCRIPTION OF LAND

All that plot of land situate in and fronting Slag Lane Lowton in the county of Lancaster and containing in the whole 428 square yards or thereabouts, and being part of enclosure No. 2000 on the 1/2500 ordnance map of Lancashire, sheet SJ6299 (edition of 1960) and bounded on the easterly side by Slag Lane, on the north-easterly side by enclosure No. 4823, on the north-westerly side by enclosure No. 3730 and on the south-westerly side by an imaginary line drawn in a south-easterly direction from a point 70 feet along the north-westerly boundary measured from the south-westerly corner of enclosure No. 4823, to a point 80 feet along the easterly boundary measured from the south-easterly corner of enclosure No. 4823.

## SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

| Provisions applied (1) | Modifications (2) |
|---|---|
| Section 4 (General powers 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 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) | — |

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

Signed by authority of the Secretary of State
13th August 1973.

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