STATUTORY INSTRUMENTS

1982 No. 225

WATER, ENGLAND AND WALES

The Mid Southern Water Order 1982

Made - - - 23*rd February* 1982

Coming into Operation 15*th March* 1982

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 Mid Southern Water Order 1982 and shall come into operation on 15th March 1982.

(2) This order shall be included among the enactments which may be cited together as the Mid Southern Water Acts and Orders 1893 to 1982.

Interpretation.

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

"the Company" means the Mid Southern Water Company;

"the Third Schedule" means the Third Schedule to the Water Act 1945;

"the undertaking" means the undertaking of the Company 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) thereof, apply to the undertaking and are hereby incorporated with this order.

Construction and maintenance of works.

4.— (1) The Company may:—

(*a*) continue and maintain the existing borehole on and under the lands described in Part I of Schedule 2 to this order and construct or continue and maintain on or under such lands a pumping station (to form part of "the Wellesley Road Pumping Station") and pumping plant for the purpose of abstracting water from the said borehole;

(*b*) continue and maintain the four existing boreholes on and under the lands described in Part II of the said Schedule 2 and construct or continue and maintain on and under such lands a pumping station (to be called "the Bray Pumping Station") and pumping plant for the purpose of abstracting water from the said boreholes;

(a) 1945 c.42. (b) S.I. 1951/142, 1900,1970/1681.

(*c*) construct and maintain on or under the lands described in Parts I and II of the said Schedule 2 (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, improving or maintaining the supply of water obtainable by means of each of the said boreholes.

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

Costs of order

5. The costs, charges and expenses of and incidental to the application for and the preparing and making of this order may in whole or in part by defrayed out of revenue.

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 Schedule 2 to the special Act".
Section 6 (Penalty for obstructing construction of works)	—
Part IV (Minerals Underlying Waterworks)	—
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)	In subsection (1) for the words from "with the clerk of the council " to the end of the subsection there shall be substituted the words "with the council of every county and district affected by the special Act".

SCHEDULE 2

LANDS ON AND UNDER WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

PART I

The land belonging to the Company in the Parish of Frensham in the District of Waverley in the County of Surrey having an area of 0.362 hectares or thereabouts being parts of the enclosures numbered 648 and 651(b) in the said Parish on the 1/2500 ordnance map of Surrey, sheet XXXVII.7 (edition of 1915).

PART II

The land belonging to the Company in the Parish of Bray in the Royal Borough of Windsor and Maidenhead in the County of Berkshire having an area of 4.236 hectares or thereabouts being parts of the enclosures numbered 904 and 904(a) in the said Parish on the 1/2500 ordnance map of Berkshire, sheet XXXI.7 (edition of 1931).

Signed by authority of
the Secretary of State
23rd February 1982.

J. A. L. Gunn,
An Under Secretary in the Department
of the Environment.