STATUTORY INSTRUMENTS

1988 No. 1225

WATER, ENGLAND AND WALES

The Newcastle and Gateshead Water (Birch Trees No. 3 Spring) Order 1988

Made - - - -	*13th July 1988*
Coming into force -	*14th July 1988*

The Secretary of State for the Environment, on the application of the Newcastle and Gateshead Water Company, being statutory water undertakers(a), and in exercise of powers conferred by sections 23, 32(1) and 59(1)(b) of the Water Act 1945(c) and now vested in him(d), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Newcastle and Gateshead Water (Birch Trees No. 3 Spring) Order 1988 and shall come into force on 14th July 1988.

(2) This Order shall be included among the enactments which may be cited together as the Newcastle and Gateshead Water Acts and Orders 1863 to 1988.

(3) In this Order—

"the Company" means the Newcastle and Gateshead 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.

Power to construct, continue and maintain works

2.—(1) The Company may when they have acquired the necessary lands or obtained sufficient rights therein continue, construct or reconstruct and maintain on or under the land described in Schedule 1 to this Order a collecting chamber.

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

Application of certain provisions of the Third Schedule

3. For the purposes of this Order the provisions of the Third Schedule specified in column (1) of Schedule 2 to this Order shall apply to the undertaking, subject to the modifications set out in column (2) thereof.

Signed by authority of the Secretary of State

Dinah Nichols
An Under Secretary in the
Department of the Environment

13th July 1988

(a) *See* the Water Act 1973 (c.37), section 11(6). (b) *See* the definition of "Minister".
(c) 1945 c.42. There are amendments to sections 23 and 32, but none relevant to this Order.
(d) S.I.1951/142, 1900, 1970/1681.

SCHEDULE 1

DESCRIPTION OF LAND

Land in the Parish of Coanwood in the District of Tynedale, having an area of 0·01 acres or thereabouts and forming part of enclosure number 1757 on the 1/2500 Ordnance Survey Plan Sheet NY 6958 (1973 edition).

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

(1) *Provisions applied*	(2) *Modifications*
Section 4 (General power to construct subsidiary works)	(i) omit the words " and to any other provisions of the special Act limiting the powers of the undertakers to abstract water"; (ii) for the words " any land for the time being held by them in connection with their water undertaking" substitute " the land described in Schedule 1 to the Special Act"; (iii) after the word "buildings" insert "means of access".
Section 6 (Penalty for obstructing construction of works)	—
Part IV (Minerals Underlying Waterworks)	—
Section 92 (Liability of undertakers to pay compensation)	—
Section 94(a) (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 substitute " with the council of every county and district affected by the special Act.".

(a) Section 94(1) was amended by S.I.1986/1.

45p net

ISBN 0 11 087225 8

Printed in the United Kingdom by Her Majesty's Stationery Office
850/WO1167 C9 7/88 3179948