STATUTORY INSTRUMENTS

1973 No. 1597

WATER SUPPLY, ENGLAND AND WALES

The North West Sussex (Rogate Borehole) Water Order 1973

Made - - - - 17th September 1973

Coming into Operation 1st 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 North West Sussex (Rogate Borehole) Water 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 North West Sussex Water Orders 1959 to 1973.

Interpretation.

2. In this order, unless the context otherwise requires, expressions to which meanings are assigned by the Third Schedule have the same respective meanings; and

"the Board" means the North West Sussex 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 North West Sussex (Rogate Borehole) Water Order 1973" one duplicate of which is deposited and available for inspection at the offices of the Board and the other at the offices of the Secretary of State for the Environment;

"the undertaking" means the water undertaking of the Board as from time to time authorised by any enactment;

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

Construction and maintenance of works.

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

(*a*) continue and maintain the existing borehole constructed on the lands described in Schedule 1 to this order and may construct and maintain on or under such lands a pumping station; and

(*b*) construct and maintain (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

(a) 1945 c. 42.
(b) S.I. 1951/142, 1900, 1970/1681 (1951 I, pp. 1348, 1347; 1970 III, p. 5551).

supply of water obtained by means of the works authorised by paragraph (*a*) of this subsection.

(2) The said borehole and pumping station and any other works constructed in pursuance of this order shall for all purposes be deemed to form part of the undertaking.

Application of provisions of Third Schedule.

4. For the purpose 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) of the said Schedule apply to the undertaking and are hereby incorporated with this order.

SCHEDULE 1

Description of Lands

An area of land approximately 504 square yards in the parish of Rogate in the rural district of Midhurst in the county of Sussex being part of the enclosure numbered 9579 on the 1/2500 ordnance map sheet No. SU 7823-7923 and more particularly delineated on the deposited plan and thereon coloured pink.

SCHEDULE 2

Provisions of the Third Schedule Applied

Provision applied (1)	Modifications (2)
Section 4 (General power to construct subsidiary works)	The words from "and to any other provisions" to the words "abstract water" shall be omitted and for the words "their water undertaking" there shall be substituted the words "the authorised works".
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)	—

Signed by authority of the Secretary of State
17th September 1973

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

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