STATUTORY INSTRUMENTS

1973 No. 1184

WATER SUPPLY, ENGLAND AND WALES

The Norwich (Sheringham Borehole) Water Order 1973

Made - - - - *5th July* 1973

Coming into Operation *17th July* 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 powers enabling him in that behalf, hereby orders as follows:—

Citation and commencement.

1.—(1) This order may be cited as the Norwich (Sheringham Borehole) Water Order 1973, and shall come into operation on 17th July 1973.

(2) This order may be included among the enactments which may be cited together as the Norwich Water Acts and Orders 1920 to 1973.

Interpretation.

2. In this order—

"the Corporation" means the lord mayor, aldermen and citizens of the city of Norwich;

"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 Norwich (Sheringham Borehole) Water Order 1973", one duplicate of which has been deposited and is available for inspection at the offices of the undertakers and the other at the offices of the Secretary of State for the Environment;

"the authorised land" means the land described in Schedule 2 to this order;

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

"the undertaking" means the undertaking of the Corporation 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.

Power to construct and maintain works.

4. Subject to the provisions of this order, the Corporation may, on or under the authorised land—

(*a*) continue and maintain the existing borehole;

(*b*) construct and maintain a further borehole or boreholes;

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

[DOE 12056]

(*c*) construct and maintain (in addition to the works authorised by section 4 of the Third Schedule as applied to this order), all such wells, bores, adits and headings as may be necessary or expedient for the purpose of abstracting water by means of the said boreholes.

Works to form part of the undertaking.

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

SCHEDULE 1

PROVISIONS OF THIRD SCHEDULE APPLIED

Provisions applied (1)	Modifications (2)
Section 4 (General Power to construct subsidiary works)	(i) The words "and to any other provisions of the special Act limiting the powers of the undertakers to abstract water" shall be omitted; (ii) after the words "any land" there shall be inserted the words "described in the special Act and"
Section 91 (Mode of reference to arbitration)	—
Section 92 (Liability of undertakers to pay compensation)	—
Section 93 (Protection for works of navigation authorities and for catchment boards and railways)	—

SCHEDULE 2

LAND ON OR UNDER WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

Land in the parish of Upper Sheringham in the rural district of Erpingham in the county of Norfolk coloured pink on the deposited plan comprising 0·18 acres or thereabouts and being part of enclosure number 0758 in the said parish on the 1/2500 ordnance map of Norfolk sheet TG 1641–1741 (revision of 1969).

Signed by authority of
the Secretary of State
5th July 1973.

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

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