# 1987 No. 1322

# WATER, ENGLAND AND WALES

# The Severn-Trent Water Authority (Wallgrange Boreholes) Order 1987

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| *Made - - - -* | *20th July 1987* |
| *Coming into Force* | *21st July 1987* |

The Secretary of State for the Environment, in exercise of the powers conferred by sections 23, 32(1) and 59(1)(**a**) of the Water Act 1945(**b**) and now vested in him(**c**), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

**1.**—(1) This Order may be cited as the Severn-Trent Water Authority (Wallgrange Boreholes) Order 1987, and shall come into force on 21st July 1987.

(2) The Severn-Trent Water Authority Orders 1974 to 1986 and this Order may be cited together as the Severn-Trent Water Authority Orders 1974 to 1987.

**Interpretation**

**2.** In this Order—

"the Authority" means the Severn-Trent Water Authority;

"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 Severn-Trent Water Authority (Wallgrange Boreholes) Order 1987", one duplicate of which is deposited and is available for inspection at the offices of the Authority and the other at the offices of the Secretary of State for the Environment;

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

"the undertaking" means the water undertaking of the Authority as for the time being authorised by any enactment.

**Power to continue, construct and maintain works**

**3.** The Authority may—

(a) continue and maintain the existing boreholes on or under the land described in Schedule 1 to this Order and

(b) construct and maintain on or under the said land (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this Order) all such 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 existing boreholes.

**Application of certain provisions of Third Schedule**

**4.** 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) of the said Schedule, apply to the undertaking and are hereby incorporated with this Order.

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(**a**) *See* the definition of "Minister".
(**b**) 1945 c.42.
(**c**) S.I. 1951 142, 1900, 1970 1681.

**Works to form part of undertaking**

**5.** The said boreholes and any works authorised by this Order shall for all purposes form part of the undertaking.

## SCHEDULE 1

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

The land belonging to the Authority and situate in the Parishes of Longsdon and Leek having an area of 30 hectares approximately or thereabouts and comprising the whole or part of the enclosures numbered 51, 52, 63, 63a, 64, 62, 61, 60 and 59 in the Parish of Longsdon and 55, 54, 53, 67, 61, 62 and 63 in the Parish of Leek on the 1:2500 Ordnance Map of Staffordshire sheets SJ 9653, SJ 9654, SJ 9753 and SJ 9754 which land is delineated in red on the deposited plan.

## SCHEDULE 2

### PROVISIONS OF THE THIRD SCHEDULE APPLIED

| (1)<br>*Provisions applied* | (2)<br>*Modifications* |
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| 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, 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 land described in Schedule 1 to the special Act" and after the word "buildings" there shall be inserted the words "means of access". |
| Part IV (Minerals underlying Waterworks) | In section 12 for the words "after this section is incorporated with their enactments" there shall be substituted the words "under the special Act", for the words "all existing pipes or other conduits for the collection, passage, or distribution of water and underground works belonging to them" there shall be substituted the words "all such pipes or other conduits or underground works" and the words "for the time being belonging to them" shall be omitted. |
| Section 94 (copies of special Act to be kept by undertakers in their office and deposited with certain officers) | In subsection (1)(a) for the words from "London borough" to the end of the subsection there shall be substituted the words "non-metropolitan district affected by the special Act". |

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

Signed by authority of the Secretary of State
20th July 1987

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

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