STATUTORY INSTRUMENTS

1973 No. 1589

WATER SUPPLY, ENGLAND AND WALES

The South West Suburban (Queensmead Lake) Water Order 1973

Made - - - - *6th September* 1973

Coming into Operation *20th September* 1973

The Secretary of State for the Environment in exercise of powers conferred by section 23 of the Water Act 1945(a) as extended by section 3 of the Water Act 1948(b) and section 33(2) of the Compulsory Purchase Act 1965(c) and now vested in him(d), and of all other powers enabling him in that behalf, hereby orders as follows:—

Citation.

1.—(1) This order may be cited as the South West Suburban (Queensmead Lake) Water Order 1973.

(2) This order shall be included among the enactments which may be cited together as the South West Suburban Water Acts and Orders 1877 to 1973.

Interpretation.

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

"the Company" means the South West Suburban Water Company;

"the deposited plan" means the plan and sections prepared in duplicate, signed by an Under Secretary in the Department of the Environment and marked "Plan and sections referred to in the South West Suburban (Queensmead Lake) Water Order 1973", one duplicate of which is deposited and available for inspection at the principal offices of the Company 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 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 the Schedule to this order shall apply to the undertaking and are hereby incorporated with this order subject to the modification set out in column (2) of the said Schedule.

(a) 1945 c. 42. (b) 1948 c. 22.
(c) 1965 c. 56.
(d) S.I. 1951/142, 1900, 1970/1681 (1951 I, pp. 1348, 1347; 1970 III, p. 5551).

[DOE 12368]

Application of Part I of Compulsory Purchase Act 1965.

4. In its application in relation to this order, Part I of the Compulsory Purchase Act 1965 shall have effect subject to the following exceptions and modifications—

(*a*) section 4 (Time limit) shall have effect as if at the end there were added the following proviso:—

"Provided that such powers shall in relation to any of the land be deemed to have been exercised if before the expiration of the said three years notice to treat has been served in respect of that land.";

(*b*) section 27 (Acquiring authority to make good deficiencies in rates) shall be omitted; and

(*c*) subsection (2) of section 11 (Powers of entry) shall have effect as if at the end of the first paragraph thereof there were inserted the words "(other than paragraph 3(3) thereof)".

Power to Company to acquire lands.

5. The Company may purchase compulsorily such of the lands delineated on the deposited plan as may be required for the purpose of the construction of the works authorised by this order.

Power to make works.

6. The Company may make and maintain in the lines and situations and according to the levels shown on the deposited plan and sections and upon and under the lands delineated on that plan the following works:—

Work No. 1—a collecting basin in the parish of Wraysbury in the rural district of Eton in the county of Buckingham in the enclosures numbered 296c, 296b, 296, 299 and 300 on the 1/2500 ordnance survey map of Buckinghamshire, sheet LV111/8 1932;

Work No. 2—an intake in the said parish in the said enclosure numbered 296 on the said sheet of the ordnance survey map;

Work No. 3—a line or lines of pipes commencing in the said parish at the intake (Work No. 2) and terminating in the urban district of Egham in the county of Surrey in the Staines works of the Company;

Work No. 4—an intake and collecting channel in the said urban district on the south bank of the river Thames commencing at national grid reference point TQ 02267181 and terminating at national grid reference point TQ 02257177.

Works to form part of undertaking.

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

Costs of order.

8. The costs, charges and expenses of and incidental to the application for, and the preparation and making of, this order may in whole or in part be defrayed out of the revenue of the Company.

SCHEDULE

PROVISIONS OF THE THIRD SCHEDULE APPLIED

Provisions applied (1)	Modifications (2)
Section 2 (Permissible limits of deviation)	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 "the plans submitted to the Minister" there shall be substituted the words "the deposited plan" and for the words "the said plans" there shall be substituted the words "the sections attached to the said plan".
Section 4 (General power to construct subsidiary works)	For the words "in connection with their water undertaking" there shall be substituted the words "for the purposes of the special Act".
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

6th September 1973.

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