STATUTORY INSTRUMENTS

1980 No. 1116

WATER, ENGLAND AND WALES

The South West Water Authority (Greatwell No. 5 Borehole, Ottery St. Mary) Order 1980

Made - - - - 28*th July* 1980

Coming into Operation 11*th August* 1980

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 South West Water Authority (Greatwell No. 5 Borehole, Ottery St. Mary) Order 1980 and shall come into operation on 11th August 1980.

(2) The South West Water Authority Orders 1974 to 1979 and this order may be cited together as the South West Water Authority Orders 1974 to 1980.

Interpretation.

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

"the Authority" means the South West 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 South West Water Authority (Greatwell No. 5 Borehole, Ottery St. Mary) Order 1980" one copy of which is deposited and available for inspection at the principal office 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 undertaking of the Authority as from time to time authorised by any enactment.

Application of certain provisions of the Third Schedule.

3. For the purpose 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.

Construction and maintenance of works.

4. The Authority may on the land described in Schedule 2 to this order continue and maintain the existing borehole.

(a) 1945 c. 42.

(b) S.I. 1951/142, 1900, 1970/1681.

Works to form part of undertaking.

5. The said existing borehole and any works authorised by this order shall for all purposes form part of the undertaking.

SCHEDULE 1

PROVISIONS OF THE THIRD SCHEDULE APPLIED

Provisions applied (1)	Modifications (2)
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; and 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 the special Act".
Section 5 (Power of undertakers to lay or erect telephone wires etc.)	—
Section 94 (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 there shall be substituted the words "with the Council of every county and district affected by the special Act".

SCHEDULE 2

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

Land belonging to the Authority in the Parish of Ottery St. Mary in the District of East Devon in the County of Devon having an area of 196 square metres or thereabouts being part of enclosure No. 3880 on the Ordnance Survey National Grid Reference Sheet SY 1195 Revision May 1959 and shown coloured violet on the deposited plan.

Signed by authority of
the Secretary of State
28th July 1980.

G. May,
An Under Secretary in the
Department of the Environment.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
850/P27242/9 J.5 K8 8/80

20p net

ISBN 0 11 007116 6