STATUTORY INSTRUMENTS

1977 No. 1422

WATER, ENGLAND AND WALES

The South West Water Authority (River Hayle Intake) Order 1977

Made - - - 16*th August* 1977

Coming into Operation 1*st September* 1977

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 (River Hayle Intake) Order 1977 and shall come into operation on 1st September 1977.

(2) The South West Water Authority (Littlehempston) Order 1974 and this order may be cited together as the South West Water Authority Orders 1974 to 1977.

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 Authority" means the South West Water Authority;

"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 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. The Authority may when they have acquired the necessary land or sufficient rights therein construct and maintain on or under the land described in Schedule 2 to this order an intake and pumping station.

Works to form part of undertaking.

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

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

SCHEDULE 1

PROVISIONS OF THE THIRD SCHEDULE APPLIED

Provisions Applied (1)	Modifications (2)
Section 2 (Permissible limits of deviation)	—
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".
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".
Section 93 (Protection for works of navigation authorities and for catchment boards and railways)	—
Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	—

SCHEDULE 2

DESCRIPTION OF LAND

Land in the Parish of St. Erth in the District of Penwith in the County of Cornwall at National Grid Reference SW 550356, comprising part of enclosure No. 9957 on the 1/2500 ordnance map of Cornwall Sheet No. SW54. 5535.

Signed by authority of
the Secretary of State

D. C. Musgrave
An Under Secretary in the Department
of the Environment.

16th August 1977.

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