STATUTORY INSTRUMENTS

1979 No. 596

WATER, ENGLAND AND WALES

The South West Water Authority (River Tavy, Lopwell Intake) Order 1979

Made - - - -	*29th May* 1979
Coming into Operation	*11th June* 1979

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 Tavy, Lopwell Intake) Order 1979 and shall come into operation on 11th June 1979.

(2) This order shall be included among the enactments which may be cited together as the South West Water Authority Orders 1974 to 1979.

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 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 (River Tavy, Lopwell Intake) Order 1979" 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.

(a) 1945 c. 42. (b) S.I. 1951/142, 1900, 1970/1681.

Power to construct and maintain works.

4. The Authority may, when they have acquired the necessary lands or sufficient interest therein, construct and maintain:—

(1) on the land described in Part I of Schedule 2 to this order a pumping station;

(2) on the land described in Part II of Schedule 2 to this order an intake in the River Tavy at National Grid Reference SX 475650 together with a culvert running therefrom to the said pumping station a distance of 59 metres; and

(3) a line of pipes commencing at the pumping station and continuing for 1,117 metres to the Milton Brook Reservoir at National Grid Reference SX 484649 in the Parish of Buckland Monachorum in the District of West Devon in the County of Devon in the line and situation shown in red on the deposited plan.

Works to form part of undertaking.

5. The 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 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

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

PART I

Land in the Parish of Buckland Monachorum in the District of West Devon in the County of Devon having an area of 8,025 square metres or thereabouts being enclosure No. 5100 and parts of enclosures Nos. 4996, 6198 and 6518 on the Ordnance Survey National Grid Reference Sheets SX 4764 and SX 4765, and shown coloured violet on the deposited plan.

PART II

Land in the Parish of Buckland Monachorum in the District of West Devon in the County of Devon having an area of 294 square metres or thereabouts being parts of enclosures Nos. 5817, 4902, 5100, 4996 and 6058, and shown coloured green on the deposited plan.

A. G. Semple,
An Under Secretary in the
Department of the Environment.

Signed by authority of
the Secretary of State
29th May 1979.