STATUTORY INSTRUMENTS

# 1979 No. 175

# WATER, ENGLAND AND WALES

## The South West Water Authority (River Torridge at Torrington Intake) Order 1979

*Made* - - - - 20*th February* 1979

*Coming into Operation* 1*st March* 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 Torridge at Torrington Intake) Order 1979 and shall come into operation on 1st March 1979.

(2) The South West Water Authority Orders 1974 to 1978 and this order 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 authorised works" means the works authorised by this order;

"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 Torridge at Torrington 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 purposes of this order the provisions of the Third Schedule which are specified in column (1) of the Schedule 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.

[DET 31653]

Power to construct and maintain works.

**4.** The Authority may, when they have acquired the necessary land or sufficient rights therein, construct and maintain in the lands and situations shown on the deposited plan in the Parish of Great Torrington in the District of Torridge in the County of Devon—

(1) an intake in the River Torridge at National Grid Reference SS 482191;

(2) a treatment works at National Grid Reference SS 484190; and

(3) a line of pipes leading from the said intake for a distance of 227 metres to the said treatment works.

Works to form part of undertaking.

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

## SCHEDULE

### PROVISIONS OF THE THIRD SCHEDULE APPLIED

| Provisions Applied (1) | Modifications (2) |
|---|---|
| Section 2 (Permissible limits of deviation) | 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" wherever they occur there shall be substituted the words "the deposited plans". |
| 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 undertaking" there shall be substituted the words "the land described in the special Act" and for the words "their water undertaking" there shall be substituted the words "the authorised works". |
| Section 93 (Protection for works of navigation authorities and for catchment boards and railways) | — |
| Section 94 (Copies of the 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". |

Signed by authority of
the Secretary of State
20th February 1979.

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

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