STATUTORY INSTRUMENTS

1985 No. 709

WATER, ENGLAND AND WALES

The Southern Water Authority (Barton Stacey Boreholes) Order 1985

Made - - - 1*st May* 1985

Coming into Operation 2*nd May* 1985

The Secretary of State for the Environment, in exercise of powers conferred by sections 23 and 32(1) 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 Southern Water Authority (Barton Stacey Boreholes) Order 1985 and shall come into operation on 2nd May 1985.

(2) This order shall be included among the enactments which may be cited together as the Southern Water Authority Orders 1975 to 1985.

Interpretation

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

"the Authority" means the Southern 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 Southern Water Authority (Barton Stacey Boreholes) Order 1985", one duplicate of which is deposited and is available for inspection at the offices of the Chief Solicitor to the Authority and the other at the offices of the Secretary of State for the Environment;

"the land" means the land described in Schedule 1 to this order;

"the Third Schedule" means the Third Schedule to the Water Act 1945;

"the undertaking" means the water undertaking of the Authority as for the time being 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 2 to this order shall, subject to the modifications set out in column (2) of that Schedule, 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 continue and maintain works

4. The Authority may, when they have acquired the necessary land or sufficient rights therein, continue and maintain the two existing boreholes on and under the land.

Works to form part of undertaking

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

SCHEDULE 1

LAND ON OR UNDER WHICH WORKS MAY BE CONTINUED AND MAINTAINED UNDER THIS ORDER

Land at Drayton in the Parish of Barton Stacey in the County of Hampshire comprising 2,000 square metres or thereabouts and shown coloured pink on the deposited plan (Ordnance Survey Grid Reference SU 427 433).

SCHEDULE 2

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 after the word "land" there shall be inserted the words "described in the special Act and".
Section 92 (Liability of undertakers to pay compensation)	———
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".

Signed by authority of
the Secretary of State
1st May 1985.

J. A. L. Gunn,
An Under Secretary in the Department
of the Environment.

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