STATUTORY INSTRUMENTS

1981 No. 1651

WATER, ENGLAND AND WALES

The Southern Water Authority (East Woodhay Boreholes) Order 1981

Made - - - - 19*th November* 1981

Coming into Operation 7*th December* 1981

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 Southern Water Authority (East Woodhay Boreholes) Order 1981 and shall come into operation on 7th December 1981.

(2) The Southern Water Authority Orders 1975 to 1980 and this order may be cited together as the Southern Water Authority Orders 1975 to 1981.

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 (East Woodhay Boreholes) Order 1981", 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 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 the said Schedule 2, apply to the undertaking and are hereby incorporated with this order.

Construction and maintenance of works

4.—(1) The Authority may, when they have acquired the necessary land or sufficient rights therein—

(*a*) construct and maintain two boreholes on or under the land

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

(*b*) construct and maintain on or under the land (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) all such wells, boreholes, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the said boreholes.

(2) 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 CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

Land at Station Road, East Woodhay, Hampshire (Ordnance Survey Map reference SU 443 633) comprising 437 sq. metres and shown coloured red on the deposited plan.

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".

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

Signed by authority of
the Secretary of State
19th November 1981.

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