STATUTORY INSTRUMENTS

1980 No. 437

WATER, ENGLAND AND WALES

The Southern Water Authority (Madehurst Boreholes) Order 1980

Made - - - *25th March* 1980

Coming into Operation *3rd April* 1980

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 (Madehurst Boreholes) Order 1980 and shall come into operation on 3rd April 1980.

(2) This order shall be included among the enactments which may be cited together as the Southern Water Authority Orders 1975 to 1980.

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 (Madehurst Boreholes) Order 1980", 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 four boreholes on or under the land;

(*b*) construct and maintain on or under the said 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.

(**a**) 1945 c. 42.

(**b**) S.I. 1951/142, 1900, 1970/1681.

[DET 33596]

SCHEDULE 1

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

Lands at Madehurst, Sussex (Ordinary Survey Map references SU 981094 and SU 982101) comprising 4,250 sq. metres or thereabouts and more particularly delineated and coloured pink on the deposited plan.

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

(1) Provisions applied	(2) Modifications
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)	—

Signed by authority of
the Secretary of State
25th March 1980.

G. May,
An Under Secretary in
the Department of the Environment.

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