STATUTORY INSTRUMENTS

1977 No. 1837

WATER, ENGLAND AND WALES

The Sutton District Water Order 1977

Made - - - - 8*th November* 1977

Coming into Operation 21*st November* 1977

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 Sutton District Water Order 1977 and shall come into operation on 21st November 1977.

(2) The Sutton District Water Acts and Orders 1871 to 1976 and this order may be cited together as the Sutton District Water Acts and Orders 1871 to 1977.

Interpretation.

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

"the Company" means the Sutton District Water Company;

"the deposited plan" and the "deposited section" mean respectively the plan and section prepared in duplicate, signed by an Under Secretary in the Department of the Environment and marked "Plan and section referred to in the Sutton District Water Order 1977", one duplicate of which has been deposited and is available for inspection at the principal offices of the Company 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 water undertaking of the Company 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 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.

Power to lay extensi of pipelin

4.—(1) The Company may in the lines and situations shown on the deposited plan and on the levels shown on the deposited section lay a line of pipes in the London Borough of Merton (extending Pipeline No. 3 authorised by section 5 of the Sutton District Water (No. 2) Order 1976(**c**)) commencing at a junction with the sewer of the Thames Water Authority at reference point TQ 23296823 and terminating at a junction with a further sewer of the said Water Authority at reference point TQ 23286844.

(**a**) 1945 c. 42.
(**b**) S.I. 1951/142, 1900, 1970/1681 (1951 I, pp. 1348, 1347; 1970 III, p. 5551).
(**c**) S.I. 1976/2170.

(2) References in this section to reference points shall be construed as references to the National Grid reference points.

Pipeline to form part of undertaking.

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

Costs of order.

6. The costs, charges and expenses of and incidental to the application for and the preparation and making of this order may in whole or in part be defrayed by the Company out of revenue.

SCHEDULE

PROVISIONS OF 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 section" and for the words "said plans" there shall be substituted the words "deposited section".
Section 5 (Power of undertakers to lay or erect telephone wires, &c.)	—
Section 6 (Penalty for obstructing construction of works)	—
Section 7 (Power to acquire easements for underground works)	—
Section 8 (Persons under disability may grant easements, &c.)	—
Section 9 (Extinction of private rights of way)	—
Part IV (Minerals Underlying Waterworks)	In section 12 for the words "after this section is incorporated with their enactments" there shall be substituted the words "under the special Act"; for the words "all existing pipes or other conduits for the collection, passage or distribution of water and underground works belonging to them" there shall be substituted the words "all such pipes or other conduits or underground works"; and the words "for the time being belonging to them" shall be omitted.
Section 22 (Power to break open streets)	After the words "within their limits of supply" there shall be inserted the words "and in the London Borough of Merton"; for the words "mains, service pipes, plant

SCHEDULE—*Continued*

Provisions applied (1)	Modifications (2)
	or other works," there shall be substituted the words "the lines of pipes authorised to be laid under the Sutton District Water Order 1977" and the words "and outside those limits for the purpose of laying any mains which they are authorised to lay and of inspecting, repairing, renewing or removing mains," shall be omitted.
Section 25 (Protection for railway companies, navigation authorities, tramway undertakers, &c.)	—
Section 27 (Remedies where undertakers fail to comply with foregoing requirements)	—
Section 28 (Application of Part VI to verges and streets and highways not maintainable at the public expense)	—
Section 83 (Penalty for obstructing execution of special Act)	—
Section 84 (Power to require occupier to permit works to be executed by owner)	—
Section 85 (Summary proceedings for offences)	—
Section 86 (Continuing offences and penalties)	—
Section 87 (Restriction on right to prosecute)	—
Section 92 (Liability of undertakers to pay compensation)	—
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)	—

Signed by authority of
the Secretary of State
8th November 1977.

D. C. Musgrave,
An Under Secretary in the
Department of the Environment.

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