STATUTORY INSTRUMENTS

1981 No. 1310

WATER, ENGLAND AND WALES

The Sutton District Water Order 1981

Made - - - - 9*th September* 1981

Coming into Operation 22*nd September* 1981

The Secretary of State for the Environment, in exercise of powers conferred by sections 23 and 33 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 1981 and shall come into operation on 22nd September 1981.

(2) The Sutton District Water Acts and Orders 1871 to 1980 and this order may be cited together as the Sutton District Water Acts and Orders 1871 to 1981.

Interpretation.

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

"the Company" means the Sutton District Water Company;

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

"the undertaking" means the 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 column (1) of Schedule 1 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.

Construction and maintenance of works.

4.—(1) In addition to the works authorised by each of the enactments specified in the first column of Schedule 2 to this order on or under the lands described opposite thereto in the second column of that Schedule, the Company may—

(*a*) continue and maintain such other wells, boreholes, adits, access shafts, headings, pumping stations and pumping plant as exist on or under the said lands immediately before the coming into operation of this order; and

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

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

Repeal.

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

5. Section 48 (For protection of Henry Clowser) of the Sutton District Waterworks Act 1871(a) is hereby repealed.

SCHEDULE 1

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 for the words "any land for the time being held by them in connection with their water undertaking" there shall be substituted the words "the lands described in Schedule 2 to the special Act".
Section 6 (Penalty for obstructing construction of works)	—
Part IV (Minerals Underlying Waterworks)	—
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".

(a) 1871 c.xv.

SCHEDULE 2

EXISTING ENACTMENTS AND LANDS ON OR UNDER WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

Existing Enactments (1)	Lands (2)
Sutton District Waterworks Act 1871 Section 40 (Power to maintain works) and section 41 (Power to make and maintain new works).	The lands in the London Borough of Sutton having an area of 3.29 hectares or thereabouts being part of the enclosure numbered 3553 in that Borough on the 1:2500 Ordnance map, sheet TQ 2664 (edition of 1956), and known as the Sutton Pumping Station.
Sutton District Waterworks Act 1903(a) Section 4 (Power to construct works) and section 5 (Power to make subsidiary works).	The lands in the Borough of Reigate and Banstead having an area of 3.79 hectares or thereabouts being part of the enclosure numbered 6553 in that Borough on the 1:2500 Ordnance map, sheet TQ 2758 (edition of 1959), and known as the Woodmansterne Pumping Station.
Sutton District Waterworks Act 1921(b) Section 4 (Power to make works) and section 5 (Subsidiary works).	The lands in the London Borough of Sutton having an area of 5.16 hectares or thereabouts being parts of the enclosures numbered 5050 and 7210 in that Borough on the 1:2500 Ordnance map, sheet TQ 2464 (edition of 1956), and known as the Cheam Pumping Station.

Signed by authority
of the Secretary of State
9th September 1981.

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

(a) 1903 c.xviii. (b) 1921 c.xxiv.