STATUTORY INSTRUMENTS

1978 No. 899

WATER, ENGLAND AND WALES

The Welsh Water Authority (Llannerch Park) Order 1978

Made - - - - 16*th June* 1978

Coming into Operation 26*th June* 1978

The Secretary of State for Wales, 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 Welsh Water Authority (Llannerch Park) Order 1978 and shall come into operation on 26th June 1978.

(2) The Welsh National Water Development Authority Orders 1976 to 1978 and this order may be cited together as the Welsh Water Authority Orders 1976 to 1978.

Interpretation.

2.—(1) In this order, unless the context otherwise requires:—

"the Authority" means the Welsh Water Authority;

"the deposited plan" means the plan prepared in duplicate, signed by an Under Secretary in the Welsh Office and marked "Plan referred to in the Welsh Water Authority (Llannerch Park) Order 1978", one duplicate of which is deposited and available for inspection at the offices of the Director of Administration of the Authority at Cambrian Way, Brecon, Powys and the other at the offices of the Secretary of State for Wales;

"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.

(2) Unless the context otherwise requires, references in this order to any enactment shall be construed as references to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this order.

Construction and maintenance of works.

3. The Authority may, on and under the lands described in Schedule 1 to this order, being lands in which they have sufficient interests or rights for such purposes—

(*a*) continue and maintain the five existing boreholes at National Grid Reference points S.J. 05687207, S.J. 05837193, S.J. 05777212, S.J. 05887193 and S.J. 05607201;

(*b*) construct and maintain a further borehole or boreholes; and

(*c*) construct and maintain (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 headworks as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of any of the said boreholes.

(a) 1945 c. 42. (b) S.I. 1951/142, 1900, 1965/319.

Works to form part of the undertaking.

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

Application of provisions of Third Schedule.

5. 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) thereof, apply to the undertaking and are hereby incorporated with this order.

SCHEDULE 1

Description of Land

Land in the community of Trefnant in the Borough of Colwyn and in the community of Waen in the Borough of Rhuddlan, in the County of Clwyd, containing 11.34 acres or thereabouts forming the enclosures numbered 7200 and 8500 in the said community of Trefnant and 8112 in the said community of Waen on the 1/2500 ordnance map of Clwyd sheets Nos S.J. 0571 and 0572 (1962 revision) and part of the enclosures numbered 7915, 7916, 8504 and 8996 in the said community of Trefnant and 6833 in the said community of Waen on the said ordnance map and more particularly delineated on the deposited plan and shown thereon coloured pink.

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED FOR PURPOSES OF ORDER

Provisions applied (1)	Modifications (2)
Section 4 (General power to construct subsidiary works)	The words from "and to any other" to "abstract water" shall be omitted; 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 delineated on the plans referred to in the special Act"; for the word "thereof" there shall be substituted the words "of those works"; and after the word "buildings" there shall be inserted the words "roads, means of access, cables, bridges".
Section 5 (Power of undertakers to lay or erect telephone wires, etc.)	—
Section 6 (Penalty for obstructing construction of works)	—
Section 82 (Power to enter premises)	—
Section 83 (Penalty for obstructing execution of special Act)	—
Section 85 (Summary proceedings for offences)	—
Section 86 (Continuing offences and penalties)	—
Section 87 (Restriction on right to prosecute)	—
Section 91 (Mode of reference to arbitration)	—
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 "the Council of every County" to the end of the subsection there shall be substituted the words "the Clwyd County Council".

Signed by authority of the
Secretary of State
16th June 1978.

P. J. Hosegood,
An Under Secretary in
the Welsh Office.