STATUTORY INSTRUMENTS

1986 No. 1986

WATER, ENGLAND AND WALES

The Welsh Water Authority (Plas yr Esgob Borehole) Order 1986

Made - - - - - 9*th October* 1986

Coming into Operation 1*st December* 1986

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 (Plas yr Esgob Borehole) Order 1986 and shall come into operation on 1st December 1986.

(2) This order shall be included among the enactments which may be cited together as the Welsh Water Authority Orders 1976 to 1986.

Interpretation

2. 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 a Director "B" in the Welsh Office and marked "plan referred to in the Welsh Water Authority (Plas yr Esgob Borehole) Order 1986", one duplicate of which is deposited and available for inspection at the offices of the Authority at the Shire Hall, Mold, Clwyd and the other at the Welsh Office, Curran Embankment Repository, Curran Embankment, Cardiff;

"the existing borehole" means the borehole situated at National Grid Reference point SJ 11346190 near Plas yr Esgob in the Community of Llanynys in the District of Glyndŵr in the County of Clwyd;

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

"the undertaking" means the undertaking of the Authority as for the time being authorised by any enactment.

Application of certain provisions of Third Schedule

3. For the purpose 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.

(a) 1945 c. 42.

(b) S.I. 1951/142, 1900, 1965/319.

Power to construct, continue and maintain works

4. The Authority may in, on or under the land described in Schedule 2 to this order—

(*a*) continue and maintain the existing borehole situated therein;

(*b*) construct and maintain a pumping station and treatment plant; and

(*c*) 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 and other works as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the said existing borehole.

Works to form part of undertaking

5. The said borehole and any other works authorised by this order shall for all purposes form part of the undertaking.

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 land described in the special Act".
Section 5 (Powers of undertakers to lay or erect telephone wires, &c.)	—
Section 82 (Power to enter premises)	—
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 Clwyd County Council.".

SCHEDULE 2

DESCRIPTION OF LANDS

The land belonging to the Authority situated in the Community of Llanynys, in the District of Glyndŵr, in the County of Clwyd at or near National Grid Reference SJ 11346190 being land comprising 0.15 hectares or thereabouts forming part of the enclosure numbered 1900 in the said Community on Ordnance Survey Sheet numbers SJ 1161 and 1162 (1967 edition) and more particularly delineated and coloured red in the deposited plan.

Signed by authority of
the Secretary of State.

L. E. Taylor,
A Director "B"
in the Welsh Office.

9th October 1986.