STATUTORY INSTRUMENTS

1977 No. 800

WATER, ENGLAND AND WALES

The Wessex Water Authority (Bourton Borehole) Order 1977

Made - - - - *6th May* 1977

Coming into Operation *16th May* 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 Wessex Water Authority (Bourton Borehole) Order 1977 and shall come into operation on 16th May 1977.

(2) The Wessex Water Authority Orders 1974 and 1975 and this order may be cited together as the Wessex Water Authority Orders 1974 to 1977.

Interpretation.

2. In this order unless the context otherwise requires—

"the Authority" means the Wessex 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 Wessex Water Authority (Bourton Borehole) Order 1977" one duplicate of which is deposited and available for inspection at the principal office of the Authority and the other at the offices of the Secretary of State for the Environment;

"the existing boreholes and pumping station" means the existing boreholes, and pumping station constructed on the land delineated in red on the deposited plan;

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

"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 purposes of this order the provisions of the Third Schedule which are set out in column (1) of Schedule 1 to this order shall, subject to the modifications set out in column (2) of the said Schedule, apply to the undertaking and are hereby incorporated with this order.

Power to construct, continue and maintain works.

4. The Authority may continue and maintain the existing boreholes and pumping station constructed on and under the land described in Schedule 2 to this order; and construct and maintain all such pumps, wells, bores, adits and headings (in addition to works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) as may be necessary or expedient for augmenting or improving the supply of water obtainable from the existing boreholes and pumping station.

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

[DET 27231]

Works to form part of undertaking.

5. The works authorised by section 4 of 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" and after the word "buildings" there shall be inserted the words "means of access".
Section 5 (Powers of undertakers to lay or erect telephone wires, &c.)	——
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 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).	——

SCHEDULE 2

Land at Bourton in the Parish of Bishops Cannings in the District of Kennet in the County of Wilts being the enclosure numbered 5683 on the 1/2500 Ordnance Map of Wiltshire sheet SU 0464 — 0564 at grid reference 0455 6485 and more particularly delineated in red on the deposited plan and containing 0.518 hectares or thereabouts.

A. G. Semple,
An Under Secretary in the Department of the Environment.

Signed by authority of the Secretary of State 6th May 1977.