STATUTORY INSTRUMENTS

1982 No. 744

WATER, ENGLAND AND WALES

The Wessex Water Authority (Clarendon Park) Order 1982

Made - - - - - 26*th May* 1982

Coming into operation 15*th June* 1982

Citation and commencement.

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:—

1.—(1) This order may be cited as the Wessex Water Authority (Clarendon Park) Order 1982 and shall come into operation on 15th June 1982.

(2) The Wessex Water Authority Orders 1974 to 1981 and this order may be cited together as the Wessex Water Authority Orders 1974 to 1982.

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 (Clarendon Park) Order 1982", 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 borehole" means the borehole situated in and on the land delineated in green on the deposited plan and thereon marked 'No. 1';

"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 when they have acquired the necessary land or sufficient rights therein, on or under the land described in Schedule 2 to this order—

(*a*) continue and maintain the existing borehole—

(*b*) construct, continue and maintain a borehole, and—

(a) 1945 c.42.

(b) SI 1951/142, 1900; 1970/1681.

(*c*) construct, continue 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 pumping stations, treatment works, wells, boreholes, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable from the existing borehole.

Works to form part of undertaking.

5. The 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 2 (Permissible limits of deviation)	—
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 (Power of undertakers to lay or erect telephone wires)	—
Section 6 (Penalty for obstructing construction of works)	—
Section 7 (Power to acquire easements for underground works)	—
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)	—

SCHEDULE 1 (cont.)

Provisions applied (1)	Modifications (2)
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.".

SCHEDULE 2

LAND ON OR UNDER WHICH WORKS MAY BE CONSTRUCTED, CONTINUED AND MAINTAINED UNDER THIS ORDER

Land in the Parish of Clarendon Park in the District of Salisbury in the County of Wiltshire comprising an aggregate area of 0.15 hectares or thereabouts and being part of enclosure numbered 0035 in the said Parish on the 1/2500 Ordnance Map of Wiltshire, sheet SU 1830–1930 (1974 Edition) which land is delineated in green on the deposited plan.

Signed by authority
of the Secretary of State
26th May 1982.

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