STATUTORY INSTRUMENTS

# 1979 No. 1560

# WATER, ENGLAND AND WALES

## The Wessex Water Authority (Holt Boreholes) Order 1979

| | |
|---|---|
| *Made* - - - | *21st November* 1979 |
| *Coming into Operation* | *10th December* 1979 |

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 (Holt Boreholes) Order 1979 and shall come into operation on 10th December 1979.

(2) This order shall be included among the enactments which may be cited together as the Wessex Water Authority Orders 1974 to 1979.

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 (Holt Boreholes) Order 1979", 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 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.

**4.** The Authority may—

(1) continue and maintain the two existing boreholes one of which has been constructed on the land described in Part I and the other on the land described in Part II of Schedule 2 to this order;

(a) 1945 c.42.

(b) S.I. 1951/142, 1900, 1970/1681.

Power to construct, continue and maintain works.

**4.** The Authority may—

(1) continue and maintain the two existing boreholes one of which has been constructed on the land described in Part I and the other on the land described in Part II of Schedule 2 to this order;

(2) continue and maintain the pumping stations and treatment plant constructed on the land described in Parts I and II of Schedule 2 to this order; and continue and maintain the water storage reservoir constructed on the land described in Part I of the said Schedule;

(3) construct, continue and maintain on the land described in Parts I and II of Schedule 2 to this order (in addition to the works authorised by section 4 of the Third Schedule) all such pumping stations, treatment plant, wells, boreholes, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable from the existing boreholes;

(4) continue and maintain on the line coloured green on the deposited plan a line of pipes commencing at the existing borehole constructed on the land described in Part II and terminating on the land described in Part I of Schedule 2 to this order.

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) | — |

SCHEDULE 1—*continued*

| Provisions Applied (1) | Modifications (2) |
|---|---|
| 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

PART I

Land in the Parish of Holt in the District of West Wiltshire in the County of Wilts being part of enclosure number 9856 on the 1/2500 Ordnance Map of Wiltshire Sheet ST 8662 – 8762 and ST 8462 – 8562 (1973 Edition) and delineated in blue on the deposited plan and containing 0.073 hectares or thereabouts.

PART II

Land in the Parish of Holt aforesaid being part of enclosure number 9910 on the said Ordnance Map and delineated in red on the deposited plan and containing 0.1 hectares or thereabouts.

Signed by authority of
the Secretary of State
21st November 1979.

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