STATUTORY INSTRUMENTS

1981 No. 294

WATER, ENGLAND AND WALES

The Wessex Water Authority (Malmesbury) Order 1981

Made - - - *27th February* 1981

Coming into Operation *27th March* 1981

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 (Malmesbury) Order 1981 and shall come into operation on 27th March 1981.

(2) The Wessex Water Authority Orders 1974 to 1980 and this order may be cited together as the Wessex Water Authority Orders 1974 to 1981.

Interpretation.

2. In this order unless the context otherwise requires—

"the authorised works" means the works authorised by this order;

"the Authority" means the Wessex Water Authority;

"the deposited plans" means the plans prepared in duplicate, signed by an Under Secretary in the Department of the Environment and marked "Plans referred to in the Wessex Water Authority (Malmesbury) Order 1981", 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.

(a) 1945 c. 42.

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

[DET 35705]

Power to construct, continue and maintain works.

4. The Authority may when they have acquired the necessary land or sufficient rights therein—

(*a*) continue and maintain the existing boreholes, pumping stations and treatment plants on the lands described in Schedule 2 to this order;

(*b*) construct, continue and maintain on the said lands (in addition to the works authorised by section 4 of the Third Schedule) all such wells, boreholes, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable from the said existing boreholes.

Works to form part of the undertaking.

5. The authorised works shall for all purposes form part of the undertaking.

SCHEDULE 1

Provisions of the Third Schedule applied

Provisions Applied (1)	Modification (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)	—

Provisions Applied (1)	Modification (2)
Part IV (Minerals Underlying Waterworks)	In section 12 for the words "after this section is incorporated with their enactment" 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)	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

The land described in the following table, and coloured in red in the deposited plans

Site	Parish	District	County	National Grid Reference (ST)	Area (hectares)
Park Road	Malmesbury	North Wilts	Wiltshire	930 878	0.018
Cowbridge	St. Paul, Malmesbury Without	North Wilts	Wiltshire	943 863	0.012

Signed by the authority
of the Secretary of State
27th February 1981.

G. May,
An Under Secretary in the
Department of the Environment.