STATUTORY INSTRUMENTS

1975 No. 1604

WATER, ENGLAND AND WALES

The Wessex Water Authority (Shapwick Boreholes) Order 1975

Made - - - - *26th September* 1975

Coming into Operation *13th October* 1975

The Secretary of State for the Environment, in exercise of the 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 (Shapwick Boreholes) Order 1975, and shall come into operation on 13th October 1975.

(2) This Order shall be included among the enactments which may be cited together as the Wessex Water Authority Orders 1974 and 1975.

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 (Shapwick Boreholes) Order 1975", 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 specified in column (1) of Schedule 1 to this order, shall, subject to the modifications specified in column (2) thereof, apply to the undertaking and are hereby incorporated with this order.

Power to construct and maintain works.

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

(*a*) continue and maintain the existing boreholes constructed on or under the land described in Schedule 2 to this order;

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

[DOE 20954]

(*b*) 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 as may be necessary and expedient for augmenting or improving the supply of water obtainable by means of the said existing boreholes.

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

(1) Provisions applied	(2) Modifications
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 "their water undertaking" there shall be substituted the words "the works authorised by 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, etc.)	—
Section 6 (Penalty for obstructing construction of works)	—
Section 8 (Persons under disability may grant easements etc.)	—
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"; and 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)	—

(1) Provisions applied	(2) Modifications
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 ON OR UNDER WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

Land situate on the south side of the minor road from Shapwick to Blandford Forum in the County of Dorset being part of the enclosure numbered 0031 in the Parish of Shapwick on the 1/2500 ordnance map of Dorset Sheet ST 9302 (edition of 1960) and more particularly delineated on the deposited plan and thereon coloured pink and containing 0·934 of a hectare or thereabouts (National Grid Reference ST 93310214).

Signed by authority of the
Secretary of State
26th September 1975.

J. R. Niven,
An Under Secretary in the
Department of the Environment.