STATUTORY INSTRUMENTS

1977 No. 805

WATER, ENGLAND AND WALES

The Wessex Water Authority (Watford Bridge, River Brit) Order 1977

Made - - - - *6th May* 1977

Coming into Operation *26th May* 1977

The Secretary of State for the Environment, in exercise of powers conferred by section 23 of the Water Act 1945(a) as extended by section 3 of the Water Act 1948(b) and section 33(2) of the Compulsory Purchase Act 1965(c) and now vested in him (d) and of all other powers enabling him in that behalf, hereby orders as follows:—

Citation.

1.—(1) This order may be cited as the Wessex Water Authority (Watford Bridge, River Brit) Order 1977.

(2) This order shall be included among the enactments which 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 (Watford Bridge, River Brit) 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 intake" means the existing intake constructed at the point shown 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.

(a) 1945 c. 42. (b) 1948 c. 22. (c) 1965 c. 56.
(d) S.I. 1951/142, 1900, 1970/1681 (1951 I, pp. 1348, 1347; 1970 III, p. 5551).

[DET 27232]

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.

Incorporation of enactments.

4. There shall be excepted from Part 1 of the Compulsory Purchase Act 1965 as applying in relation to this order the provisions of section 27 of and paragraph 3(3) of Schedule 3 to that Act.

Power to purchase lands.

5.—(1) Subject to the provisions of this order the Authority may purchase compulsorily all or any of the land described in Schedule 2 to this order which may be required for the construction of the authorised works.

(2) Notwithstanding anything in subsection (1) hereof, the Authority shall not purchase compulsorily any part of the land described in Schedule 2 if the owner thereof is ready and willing to grant or sell to the Authority (at a price to be agreed or, failing agreement, to be determined in accordance with the provisions of the Land Compensation Act 1961(**a**) as amended by the Land Compensation Act 1973(**b**)) such easements and rights over that part as the Authority may require for the purposes of this order.

Power to construct, continue and maintain works.

6. The Authority may—

(*a*) continue and maintain the existing intake together with a pump, generator, treatment plant and pipes on the land described in Schedule 2;

(*b*) continue and maintain pipes on the line coloured green on the deposited plan commencing at the existing intake and terminating at National Grid Reference SY 473948; and

(*c*) construct and maintain on or under the said land (in addition to the works authorised by section 4 of the Third Schedule) all such pumping stations, intakes, lagoons, storage tanks and pipes as may be necessary or expedient for augmenting or improving the supply of water obtainable from the existing intake.

Works to form part of undertaking.

7. The works authorised by this order shall for all purposes form part of the undertaking.

(**a**) 1961 c. 33. (**b**) 1973 c. 26.

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 (Power of undertakers to lay or erect telephone wires, &c.)	—
Section 9 (Extinction of private rights of way)	—
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.
Part VI (Breaking Open Streets, &c.)	—
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 in the Parish of Bradpole in the District of West Dorset in the County of Dorset situate on the south side of the minor road (Watford Lane/Pymore Lane) from Bradpole to Dottery in the County of Dorset at or near National Grid reference SY 472949 being part of the enclosure numbered 2387 on the

1/2500 Ordnance map of Dorset sheet SY 4794 (1961 edition) and more particularly delineated on the deposited plan and thereon coloured red and containing 0·370 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.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
150/P 19952/4 J 232 K10 6/77

15p net

ISBN 0 11 070805 9