STATUTORY INSTRUMENTS

1974 No. 1204

WATER, ENGLAND AND WALES

The Wessex Water Authority (West Wiltshire Boreholes) Order 1974

Made - - - - 11*th July* 1974

Coming into Operation 1*st August* 1974

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. This order may be cited as the Wessex Water Authority (West Wiltshire Boreholes) Order 1974 and shall come into operation on 1st August 1974.

Interpretation.

2. In this order—

"the Authority" means the Wessex Water Authority;

"the deposited plan No. 1", "the deposited plan No. 2", "the deposited plan No. 3", "the deposited plan No. 4" and "the deposited plan No. 5" mean the plans prepared in duplicate, signed by an Under Secretary in the Department of the Environment and marked "Plan No. 1 (or No. 2, No. 3, No. 4 or No. 5 as the case may be) referred to in the Wessex Water Authority (West Wiltshire Boreholes) Order 1974" one duplicate of each of which is deposited and available for inspection at the offices 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.

Continuation, construction and maintenance of works.

3.—(1) The Authority may—

(*a*) continue and maintain the existing borehole on or under the lands described in Part I of Schedule 1 to this order.

(*b*) construct and maintain four boreholes on or under the lands described in Part I of Schedule 1 to the order.

(2) The Authority may, when they have acquired the necessary lands or obtained sufficient rights or interests therein—

(*a*) construct and maintain three boreholes on or under the land described in Part II of Schedule 1 to this order.

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

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(*b*) continue and maintain the existing boreholes on or under the lands respectively described in Parts III, IV and V of Schedule 1 to this order.

(*c*) construct and maintain two boreholes on or under the lands described in Part III of Schedule 1 to this order.

(*d*) construct and maintain three boreholes on or under the lands described in Part IV of Schedule 1 to this order.

(*e*) construct and maintain two boreholes on or under the lands described in Part V of Schedule 1 to this order.

(3) The Authority may construct and maintain on or under the lands described in the said Schedule 1 (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) pumping stations and all such additional wells, boreholes, adits and other works and conveniences connected therewith or ancillary thereto as may be necessary or expedient for augmenting, improving or maintaining the supply of water obtainable by means of each of the boreholes referred to in subsections (1) and (2) of this section.

Works to form part of undertaking.

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

Application of provisions of Third Schedule.

5. For the purposes of this order, the provisions of the Third Schedule specified in column (1) of Schedule 2 to this order shall, subject to the modifications set out in column (2) of that Schedule, apply to the undertaking and are hereby incorporated with this order.

SCHEDULE 1

LANDS ON WHICH WORKS MAY BE CONSTRUCTED OR CONTINUED AND MAINTAINED UNDER THIS ORDER.

PART I

A piece of land belonging to the Authority, situate in the Parish of Codford in the District of West Wiltshire in the County of Wiltshire comprising an area of 1·0 acres or thereabouts and being part of the enclosure numbered 65 in the said parish on the 1/2500 ordnance map of Wiltshire, Sheet LVIII.3 (edition of 1924) which land is delineated and coloured pink on the deposited plan No. 1.

PART II

A piece of land situate in the parish of Kingston Deverill in the District of West Wiltshire in the County of Wiltshire comprising an area of 3·7 acres or thereabouts and being parts of the enclosures numbered 25, 48 and 59 in the said parish on the 1/2500 ordnance map of Wiltshire, Sheet LVII.11 (edition of 1924) which land is delineated and coloured pink on the deposited plan No. 2.

PLAN III

A piece of land situate in the parish of Kingston Deverill in the District of West Wiltshire in the County of Wiltshire comprising an area of 0·70 acres or thereabouts and being part of the enclosure numbered 4 in the said parish on the 1/2500 ordnance map of Wiltshire, Sheet LVII.7 (edition of 1924) which land is delineated and coloured pink on the deposited plan No. 3.

PART IV

A piece of land situate in the Parish of Chitterne in the District of West Wiltshire in the County of Wiltshire comprising an area of 14·20 acres or thereabouts and being parts of the enclosures numbered 41, 93, 96 and 102 in the said parish on the 1/2500 ordnance map of Wiltshire, Sheet LIII.5 (edition of 1939) which land is delineated and coloured pink on the deposited plan No. 4.

PART V

A piece of land situate in the Parishes of Heytesbury and Norton Bavant in the District of West Wiltshire in the County of Wiltshire comprising an area of 10·15 acres or thereabouts and being parts of the enclosures numbered respectively 50, 51 and 66 in the said Parish of Heytesbury and 2c in the said parish of Norton Bavant on the 1/2500 ordnance map of Wiltshire, Sheet LII.6 (edition of 1941) which land is delineated and coloured pink on the deposited plan No. 5.

SCHEDULE 2

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; 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 lands described in Schedule 1 to the special Act"; after the word "plant" there shall be inserted the word "cables" and after the word "buildings" there shall be inserted the words "access roads"
Section 5 (Power of undertakers to lay or erect telephone wires &c.)	—
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).	—

Signed by authority of the Secretary of State

11th July 1974

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