STATUTORY INSTRUMENTS

1978 No. 143

WATER, ENGLAND AND WALES

The Wessex Water Authority (Yatesbury Boreholes) Order 1978

Made - - 1st *February* 1978

Coming into Operation 20th *February* 1978

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 (Yatesbury Boreholes) Order 1978 and shall come into operation on 20th February 1978.

(2) May be cited together as the Wessex Water Authority Orders 1974 to 1978.

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 (Yatesbury Boreholes) Order 1978" 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 boreholes and pumping station" means the existing boreholes and pumping station constructed on the land delineated in red 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.

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

Power to construct, continue and maintain works.

4. The Authority may continue and maintain the existing boreholes and pumping station constructed on and under the land described in Schedule 2 to this order; and construct and maintain all pumps, wells, bores, adits and headings (in addition to works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) as may be necessary or expedient for augmenting or improving the supply of water obtainable from the existing boreholes and pumping station.

Works to form part of undertaking.

5. The works authorised by section 4 of 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 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.).	—
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).	—