STATUTORY INSTRUMENTS

1977 No. 1435

WATER, ENGLAND AND WALES

The West Kent Water Order 1977

Made - - - 19*th August* 1977

Coming into Operation 5*th September* 1977

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 West Kent Water Order 1977, and shall come into operation on 5th September 1977.

(2) The West Kent Water Acts and Orders 1878–1973 and this order may be cited together as the West Kent Water Acts and Orders 1878 to 1977.

Interpretation.

2. In this order, unless the context otherwise requires—

"the Company" means the West Kent Water Company;

"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 West Kent Water Order 1977", one duplicate of which has been deposited and is available for inspection at the offices of the Company and the other in 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 Company as for the time being authorised by any enactment.

Application of provisions of Third Schedule.

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

Power to continue and maintain existing borehole.

4.—(1) The Company may continue and maintain the existing borehole constructed on or under the land described in Schedule 1 to this order and may construct and maintain on or under that 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, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable from the existing borehole.

(a) 1945 c. 42.

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

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

SCHEDULE 1

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

Land belonging to the Company in the District of Sevenoaks in the County of Kent comprising an area of 0·2 acres or thereabouts and more particularly delineated on the deposited plan and thereon coloured pink.

SCHEDULE 2

PROVISIONS OF 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.
Section 5 (Power of undertakers to lay or erect telephone wires, &c.).	—
Section 6 (Penalty for obstructing construction of works).	—
Section 85 (Summary proceedings for offences).	—
Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers).	—

D. C. Musgrave,

An Under Secretary in the Department of the Environment.

Signed by authority of the Secretary of State
19th August 1977.

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