STATUTORY INSTRUMENTS

1976 No. 1499

WATER, ENGLAND AND WALES

The Yorkshire Water Authority (Airton Borehole) Order 1976

Made - - - - 10*th September* 1976

Coming into Operation 27*th September* 1976

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 Yorkshire Water Authority (Airton Borehole) Order 1976 and shall come into operation on 27th September 1976.

(2) The Yorkshire Water Authority Orders 1974 and 1975 and this order may be cited together as the Yorkshire Water Authority Orders 1974 to 1976.

Interpretation.

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

"the Authority" means the Yorkshire 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 Yorkshire Water Authority (Airton Borehole) Order 1976", one duplicate of which is deposited and available for inspection at the offices of the Solicitor of the Authority at West Riding House, 67 Albion Street, Leeds 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 Third Schedule.

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

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

[DOE 23521]

Power to construct Works.

4. The Authority may, on or under the land described in Schedule 2 to this order—

(*a*) construct and maintain a borehole;

(*b*) construct and maintain (in addition to the works authorised by section 4 of the Third Schedule) all such wells, boreholes, adits and headings as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the said borehole.

Works to form part of the 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

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".
Section 92 (Liability of undertakers to pay compensation)	—
Section 94 (Copies of the special Act to be kept by undertakers in their office and deposited with certain Officers)	—

SCHEDULE 2

LAND ON AND UNDER WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

Land in the Parish of Airton in the District of Craven in the County of North Yorkshire shown coloured pink on the deposited plan containing an area of 1.034 acres or thereabouts and being enclosure numbered 174a in the said parish on the 1:2500 ordnance map of Yorkshire (West Riding) sheet number CXLIX4 (1909 edition).

A. G. Semple,

An Under Secretary in the Department of the Environment.

Signed by authority of the Secretary of State
10th September 1976.

Printed in England by Burrup, Mathieson & Co., Ltd., and published by Her Majesty's Stationery Office
150/S169598/w O.38 K10 9/76

8p net

ISBN 0 11 061499 2