STATUTORY INSTRUMENTS

1977 No. 1407

WATER, ENGLAND AND WALES

The Yorkshire Water Authority (Carlton, Hanger Lane Boreholes) Order 1977

Made - - - - 11*th August* 1977

Coming into Operation 1*st 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 Yorkshire Water Authority (Carlton, Hanger Lane Boreholes) Order 1977 and shall come into operation on 1st September 1977.

(2) This order shall be included among the enactments which may be cited together as the Yorkshire Water Authority Orders 1974 to 1977.

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 (Carlton, Hanger Lane Boreholes) Order 1977", one duplicate of which is deposited and available for inspection at the offices of the Solicitor to 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 water 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.

Power to construct works.

4. The Authority may, when they have acquired the necessary land or sufficient rights therein, construct and maintain on and under the land described in Schedule 2 to this order two boreholes and a switchgear and chlorination house together with (in addition to the works authorised

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

by section 4 of the Third Schedule as applied to the undertaking by this order) all such pumping stations, 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 boreholes.

Works to form part of 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 Carlton in the District of Selby in the County of North Yorkshire shown coloured pink on the deposited plan containing an area of 1.465 hectares (3.620 acres) or thereabouts and being part of the enclosure numbered 5927 in the said parish on the 1:2500 Ordnance map of Yorkshire (West Riding) sheet number SE 6423 and 6324 (edition of 1963).

A. G. Semple,
An Under Secretary in the
Department of the Environment.

Signed by authority of
the Secretary of State
11th August 1977.

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