STATUTORY INSTRUMENTS

1985 No. 231

WATER, ENGLAND AND WALES

The Yorkshire Water Authority (Eggborough Boreholes) Order 1985

Made - - - 21*st February* 1985

Coming into Operation 8*th March* 1985

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 (Eggborough Boreholes) Order 1985, and shall come into operation on 8th March 1985.

(2) The Yorkshire Water Authority Orders 1974 to 1984 and this order may be cited together as the Yorkshire Water Authority Orders 1974 to 1985.

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 (Eggborough Boreholes) Order 1985", one duplicate of which is deposited and available for inspection at the offices of the Authority, 21 Park Square South, Leeds and the other at the offices of the Secretary of State for the Environment;

"the Third Schedule" means Schedule 3 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.

(a) 1945 c.42. (b) S.I. 1951/142, 1900, 1970/1681.

Power to construct and maintain works

4. The Authority may construct and maintain on and under the land described in Schedule 2 to this order two boreholes and (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertakings by this order) all such pumping stations, wells, boreholes, adits and headings as may be necessary or expedient for augmenting, improving or supplementing 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

Article 3

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 Schedule 2 to the special Act."
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)	In subsection (1) for the words from "the clerk of the council" to the end of the subsection there shall be substituted the words "with the council of every county and district affected by the special Act."

SCHEDULE 2

Article 4

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

Land in the Parish of Eggborough in the District of Selby in the County of North Yorkshire shown edged pink on the deposited plan containing an area of 3.10 hectares or thereabouts and forming part of the parcel numbered 5782 on the 1:2500 map sheet no. SE 5823 (Edition of 1972).

Signed by authority of the
Secretary of State
21st February 1985.

J. A. L. Gunn,
An Under Secretary in the
Department of the Environment.

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