1975 No. 1550

WATER, ENGLAND AND WALES

The Yorkshire Water Authority (Eshton Borehole) Order 1975

Made - - - - 18*th September* 1975

Coming into Operation 1*st October* 1975

The Secretary of State for the Environment in exercise of the 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 (Eshton Borehole) Order 1975 and shall come into operation on 1st October 1975.

(2) This order shall be included among the enactments which may be cited together as the Yorkshire Water Authority Orders 1974 and 1975.

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 (Eshton Borehole) Order 1975", one duplicate of which is deposited and available for inspection at the head office of the Authority 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 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 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 and maintain works.

4. The Authority may, when they have acquired the necessary land or sufficient rights therein, continue and maintain, on or under the land described in Schedule 2 to this order, the existing borehole and (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) may construct and maintain pumping stations, and 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 works authorised by this order.

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

[DOE 20943]

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 special Act to be kept by undertakers in their office, and deposited with certain officers).	—

SCHEDULE 2

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

Land in the Parish of Eshton in the District of Craven in the County of North Yorkshire shown coloured pink on the deposited plan, comprising an area of 450 square yards or thereabouts and being part of the enclosure numbered 66 in the said Parish on the 1/2500 Ordnance Survey map of Yorkshire (West Riding) sheet No. CL.10 (edition of 1909).

J. R. Niven,
An Under Secretary in the Department of the Environment.

Signed by authority of the Secretary of State
18th September 1975.

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