

1973 No. 1389

**WATER SUPPLY, ENGLAND AND WALES**

**The North Derbyshire Water Board (Monk's Dale  
Borehole) Order 1973**

*Made* - - - - *3rd August 1973*

*Coming into Operation* *13th August 1973*

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:—

1.—(1) This order may be cited as the North Derbyshire Water Board (Monk's Dale Borehole) Order 1973 and shall come into operation on 13th August 1973. Citation and commencement.

(2) The North Derbyshire Water Board Orders 1962 to 1972 and this order may be cited together as the North Derbyshire Water Board Orders 1962 to 1973.

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

“the Board” means the North Derbyshire Water Board;

“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 North Derbyshire Water Board (Monk's Dale Borehole) Order 1973”, one duplicate of which is deposited and available for inspection at the offices of the Board 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 Board as for the time being authorised by any enactment.

3.—(1) The Board may:— Power to continue and construct works.

(a) continue and maintain the borehole in, on or under the land described in Schedule 1 to this order; and

(b) construct and maintain (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) in, on or under the said land a pumping station and treatment works and all such additional wells, boreholes, adits and other works and conveniences connected therewith or ancillary thereto as may be necessary or expedient for augmenting or improving the supply of water obtained by means of the said borehole.

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(a) 1945 c. 42.

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

(2) The said borehole and any works constructed in pursuance of this order shall for all purposes form part of the undertaking.

Application  
of certain  
provisions  
of Third  
Schedule.

4. 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) of the said Schedule 2, apply to the undertaking and are hereby incorporated with this order.

#### SCHEDULE 1

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

Land owned by the Board and situate in the parish of Tideswell in the rural district of Bakewell in the administrative county of Derby containing approximately 0.394 of an acre and being part of the enclosure numbered 1226 in the said parish on the 1:2500 ordnance map of Derbyshire sheet XV.16 (Edition of 1922) which land is delineated and coloured pink on the deposited plan.

#### SCHEDULE 2

##### 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 after the word "land" there shall be inserted the words "described in the special Act and".
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)	—

Signed by authority of  
the Secretary of State  
3rd August 1973.

*J. E. Beddoe,*  
An Under Secretary in the  
Department of the Environment