
STATUTORY INSTRUMENTS

1976 No. 2106

WATER, ENGLAND AND WALES

The Mid Southern Water Order 1976

Made - - - - - 7th December, 1976

Coming into Operation 20th December, 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:—

1.—(1) This order may be cited as the Mid Southern Water Order 1976 and shall come into operation on 20th December, 1976.

Citation
and
commen-
cement.

(2) The Mid Southern Water Acts and Orders 1893 to 1972 and this order may be cited together as the Mid Southern Water Acts and Orders 1893 to 1976.

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

Interpret-
ation.

“the Company” means the Mid Southern Water Company;

“the Hurley wells” means the existing wells forming part of the Hurley Pumping Station together with any works authorised by this order;

“the Lasham wells” means the existing wells and headings forming part of the Lasham Pumping Station together with any works authorised by this order;

“the Hurley Pumping Station” means the pumping station of the Company known as “the Hurley Pumping Station” authorised by section 3 of the Mid-Wessex Water Order 1962(c) and includes any wells, adits or other buildings, works and conveniences connected therewith or ancillary thereto;

“the Lasham Pumping Station” means the pumping station of the Company known as “the Lasham Pumping Station” authorised by section 23 of the Herriard and District Water Order 1934(d) and section 15 of the Mid-Wessex Water Order 1948(e) and includes any wells, adits or other buildings, works and conveniences connected therewith or ancillary thereto;

“the Third Schedule” means the Third Schedule to the Water Act 1945;

“the undertaking” means the undertaking of the Company as for the time being authorised by any enactment.

(a) 1945 c. 42. (b) S.I. 1951/142, 1900, 1970/1681 (1951 I. pp.1348, 1347; 1970
(c) S.I. 1962/124. (d) Confirmed by 1934 c. lxxvii. III, p. 5551).
(e) S.I. 1948/2821.

Application of certain 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) thereof, apply to the undertaking and are hereby incorporated with this order.

4.—(1) The Company may—

Construction and maintenance of works.

- (a) continue and maintain the existing wells constructed on or under the land described in Part I of Schedule 2 to this order and construct or continue and maintain on or under such land a pumping station and pumping plant for the purpose of abstracting water from the said wells;
- (b) continue and maintain the existing well constructed on or under the land described in Part II of the said Schedule 2 and construct or continue and maintain on or under such land a pumping station and pumping plant for the purpose of abstracting water from the said well;
- (c) construct and maintain on or under the lands described in Parts I and II of the said Schedule 2 as the case may be (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) all such additional wells, adits and headings as may be necessary or expedient for augmenting, improving or maintaining the supply of water obtainable as the case may be by means of the Hurley wells or the Lasham wells.

(2) The works authorised by this order shall be included respectively in the Hurley Pumping Station and the Lasham Pumping Station and shall for all purposes form part of the undertaking.

Costs of order.

5. The costs, charges and expenses of and incidental to the application for and the preparing and making of this order may in whole or in part be defrayed out of revenue.

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 lands described in Schedule 2 to the special Act".
Section 6 (Penalty for obstructing construction of works)	—
Part IV (Minerals Underlying Water-works)	—
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

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

PART I

The land belonging to the Company in the Parish of Hurley in the Royal Borough of Windsor and Maidenhead in the Royal County of Berkshire having an area of 0.33 acre or thereabouts being part of the enclosure numbered 34 in the said Parish on the 1/2500 ordnance map of Berkshire, sheet XXIII. 8 (edition of 1925).

PART II

The land belonging to the Company in the Parish of Bentworth in the District of East Hampshire in the County of Hampshire having an area of 0.53 acre or thereabouts being part of the enclosure numbered 180 in the said Parish on the 1/2500 ordnance map of Hampshire, sheet XXXV. 2 (edition of 1910).

A. G. Semple,

An Under Secretary in the
Department of the Environment.

Signed by authority of
the Secretary of State
7th December, 1976.