
STATUTORY INSTRUMENTS

1978 No. 510

WATER, ENGLAND AND WALES

The South West Water Authority (Budleigh Brook Intake)
Order 1978

Made - - - - 28th March 1978

Coming into Operation 17th April 1978

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 South West Water Authority (Budleigh Brook Intake) Order 1978 and shall come into operation on 17th April 1978. Citation and commencement.

(2) This order shall be included among the enactments which may be cited together as the South West Water Authority Orders 1974 to 1978.

2. In this order unless the context otherwise requires expressions to which meanings are assigned by the Third Schedule have the same respective meanings; and Interpretation.

“the abstraction point” means the point at the junction of the Budleigh Brook and the railway and marked “Abstraction Point” on the deposited plan;

“the Authority” means the South West 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 South West Water Authority (Budleigh Brook Intake) Order 1978” one copy of which is deposited and available for inspection at the principal 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 from time to time authorised by any enactment.

3. For the purposes of this order the provisions of the Third Schedule which are specified in column (1) of the Schedule 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. Application of certain provisions of the Third Schedule.

(a) 1945 c. 42.

(b) S.I. 1951/142, 1900, 1970/1681.

Power to construct and maintain works.

4. The Authority may when they have acquired the necessary land or sufficient rights therein construct and maintain in the lands and situations shown on the deposited plan—

- (1) an intake and pumping station at the abstraction point; and
- (2) a line of pipes leading from the said intake to an existing main at the junction of Little Down Lane and Hayeswood Lane and coloured red on the deposited plan.

Works to form part of undertaking.

5. The works authorised by this order shall for all purposes form part of the undertaking.

SCHEDULE

PROVISIONS OF THE THIRD SCHEDULE APPLIED

| Provisions Applied (1) | Modifications (2) |
|---|---|
| Section 2 (Permissible limits of deviation) | For the words "the plans submitted to the Minister" there shall be substituted the words "the deposited plan". |
| 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 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

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

28th March 1978.