

1981 No. 729

WATER, ENGLAND AND WALES

The Anglian Water Authority (Mattishall Boreholes) Order 1981

Made - - - - - 12th May 1981

Coming into operation 1st June 1981

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 Anglian Water Authority (Mattishall Boreholes) Order 1981 and shall come into operation on 1st June 1981. Citation and commencement

(2) This order shall be included among the enactments which may be cited together as the Anglian Water Authority Acts and Orders 1974 to 1981. Interpretation

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

“the authorised works” means the works authorised by this order;

“the Authority” means the Anglian 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 Anglian Water Authority (Mattishall Boreholes) Order 1981”, one duplicate of which is deposited and available for inspection at the offices of the Authority and the other at the offices of the Secretary of State for the Environment;

“the land” means the land described in Schedule 1 to this order;

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

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

3. 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. Application of certain provisions of Third Schedule

4.—(1) The Authority, being the owner of the land, may:—

(a) continue and maintain the existing boreholes constructed on or under the land; Power to continue, construct and maintain works

(a) 1945 c.42.

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

- (b) construct and maintain on or under the land a pumping station;
- (c) construct and maintain on or under the land (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) 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 said boreholes and pumping station.

(2) The authorised works shall for all purposes form part of and be comprised in the undertaking.

SCHEDULE 1

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

The land in the Parish of Mattishall in the County of Norfolk shown edged red on the deposited plan having an area of 413 square metres or thereabouts and being part of enclosure number 623 in the Parish of Mattishall on the 1/2500 Ordnance map of Norfolk (edition of 1906).

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

Provisions applied (1)	Modifications (2)
<p>Section 4 (General power to construct subsidiary works)</p> <p>Section 92 (Liability of undertakers to pay compensation)</p> <p>Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers)</p>	<p>(i) The words "and to any other provisions of the special Act limiting the powers of the undertakers to abstract water" shall be omitted;</p> <p>(ii) after the words "any land" there shall be inserted the words "described in the special Act and".</p> <p>In subsection (1) for the words from "with 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".</p>

Signed by authority of
the Secretary of State
12th May 1981.

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