

1989 No. 1215

WATER, ENGLAND AND WALES

**The South West Water Authority (Whitford Bridge
Treatment Works) Order 1989**

Made - - - - - 14th July 1989

Coming into force 15th July 1989

The Secretary of State for the Environment, on the application of the South West Water Authority, being statutory water undertakers(a), and in exercise of powers conferred by sections 23, 32(1) and 59(1)(b) of the Water Act 1945(c) and now vested in him(d), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the South West Water Authority (Whitford Bridge Treatment Works) Order 1989 and shall come into force on the 15th July 1989.

(2) The South West Water Authority Acts and Orders 1974 to 1988 and this Order may be cited together as the South West Water Authority Acts and Orders 1974 to 1989.

(3) In this Order—

“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 (Whitford Bridge Treatment Works) Order 1989”, one duplicate 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 water undertaking of the Authority as for the time being authorised by any enactment.

Application

2. This Order shall cease to have effect on the fifth anniversary of the date when it comes into force.

Power to construct, continue and maintain works

3.—(1) The Authority may, on or under the land described in Schedule 1 to this Order construct, continue and maintain a water treatment works and a new intake in the positions marked on the deposited map.

(2) The works authorised by this Order shall for all purposes form part of the undertaking.

(a) See the Water Act 1973 (c.37), section 11(6).

(b) See the definition of “Minister”.

(c) 1945 c.42. There are amendments to sections 23 and 32, but none relevant to this Order.

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

Application of certain provisions of the Third Schedule

4. The provisions of the Third Schedule specified in column (1) of Schedule 2 to this Order shall apply to the undertaking, subject to the modifications set out in column (2) thereof.

Signed by authority of
the Secretary of State
14th July 1989

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

SCHEDULE 1

DESCRIPTION OF LAND

Land in the Parish of Shute in the District of East Devon in the County of Devon shown edged red on the deposited plan, having a combined area of 0.74 hectares or thereabouts and forming part of enclosures numbered 1034, 2140 and 4056 on the 1/2500 Ordnance Survey Map sheet number SY2695 (1958 edition).

SCHEDULE 2

PROVISIONS OF THE THIRD SCHEDULE APPLIED

<i>Provisions applied</i> (1)	<i>Modifications</i> (2)
Section 4 (General power to construct subsidiary works)	(i) omit the words "and to any other provisions of the special Act limiting the powers of the undertakers to abstract water". (ii) for the words "any land for the time being held by them in connection with their water undertaking" substitute "the land described in Schedule 1 to the special Act".
Section 94(a) (copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	—

(a) Section 94(1) was amended by S.I. 1986/1.

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