

1976 No. 85

**WATER, ENGLAND AND WALES**

**The Severn-Trent Water Authority  
(Stoke-upon-Tern Borehole) Order 1976**

*Made* - - - - 21st January 1976

*Coming into Operation* 1st February 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 Severn-Trent Water Authority (Stoke-upon-Tern Borehole) Order 1976 and shall come into operation on 1st February 1976. Citation and commencement.

(2) The Severn-Trent Water Authority Orders 1974 and 1975 and this order may be cited together as the Severn-Trent Water Authority Orders 1974 to 1976.

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

Interpretation.

“the Authority” means the Severn-Trent 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 Severn-Trent Water Authority (Stoke-upon-Tern Borehole) Order 1976”, 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 Third Schedule” means the Third Schedule to the Water Act 1945;

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

3.—(1) The Authority may—

Continuation, construction and maintenance of works.

(a) continue and maintain the existing borehole 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) on or under the land described in the said Schedule 1 a pumping station and all such additional wells, boreholes, adits and headings as may be necessary or expedient for augmenting, improving or maintaining the supply of water obtainable by means of the said borehole.

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

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(a) 1945 c. 42.

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

Application of provisions of Third Schedule.

4. For the purpose of this order, the provisions of the Third Schedule specified in column (1) of Schedule 2 to this order shall, subject to the modifications set out in column (2) of that Schedule, apply to the undertaking and are hereby incorporated with this order.

### SCHEDULE 1

#### LAND ON WHICH WORKS MAY BE CONTINUED, CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

Land belonging to the Authority and situate in the Parish of Stoke-upon-Tern in the District of North Shropshire in the County of Salop comprising an area of 1,000 square metres or thereabouts and being part of the enclosure numbered 6529 in the said parish on the 1/2500 ordnance map of Shropshire Sheet SJ 6428 (1969 Edition) 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; 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 1 to the special Act"; and after the word "plant" there shall be inserted the word "cables"; and after the word "buildings" there shall be inserted the words "means of access"
Section 5 (Power of undertakers to lay or erect telephone wires etc.)	—
Section 94 (Copies of special Act to be kept by undertakers in their offices and deposited with certain officers)	—

Signed by authority of  
the Secretary of State

21st January 1976.

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