

1978 No. 142

**WATER, ENGLAND AND WALES**

**The South West Water Authority (Duckaller Borehole)  
Order 1978**

*Made* - - - 1st February 1978

*Coming into Operation* 20th February 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 (Duckaller Borehole) Order 1978 and shall come into operation on 20th February 1978. Citation and commencement.

(2) The South West Water Authority Orders 1974 to 1977 and this order 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 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 (Duckaller Borehole) Order 1978”, 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 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 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. Application of certain provisions of the Third Schedule.

4. The Authority may on or under the land described in Schedule 2 to this order— Power to continue and maintain works.

(a) continue and maintain the existing borehole situated in the northern corner of enclosure numbered 6554 and shown coloured

---

(a) 1945 c. 42.

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

black on the deposited plan and marked "PROPOSED ABSTRACTION POINT" and may construct, continue and maintain headworks thereto;

- (b) continue and maintain the existing pumphouse and collecting chamber situated in the south eastern corner of enclosure numbered 7435 and shown coloured red on the deposited plan; and
- (c) continue and maintain the existing line of pipes between the said borehole and the said pumphouse and shown as a red line on the deposited plan.

Works to form part of undertaking.

5. The works authorised by section 4 of this order shall for all purposes form part of the undertaking.

**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 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)	—

**SCHEDULE 2**  
**DESCRIPTION OF LAND**

Land in the Parish of Kenton in the District of Teignbridge in the County of Devon comprising part of enclosures numbered 6554, 7435 and 8927 on the 1:2500 ordnance map of Devon sheet SX9580 (Edition of 1960).

Signed by authority of  
the Secretary of State  
1st February 1978.

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

Printed in England by Harrison & Sons (London) Ltd., and published by Her Majesty's Stationery Office

150/24179 V.42 K8 2/78

10p net

ISBN 0 11 083142 X