
STATUTORY INSTRUMENTS

1985 No. 72

WATER, ENGLAND AND WALES

The Anglian Water Authority (Hoe Boreholes) Order 1985

Made - - - - - 22nd January 1985
Coming into Operation 23rd January 1985

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:—

Citation and commencement

1.—(1) This order may be cited as the Anglian Water Authority (Hoe Boreholes) Order 1985 and shall come into operation on 23rd January 1985.

(2) The Anglian Water Authority Act and Orders 1974 to 1983 and this order may be cited together as the Anglian Water Authority Act and Orders 1974 to 1985.

Interpretation

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

“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 (Hoe Boreholes) Order 1985”, one duplicate of which is deposited and is 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.

Application of certain provisions of Third Schedule

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) thereof apply to the undertaking and are hereby incorporated with this order.

(a) 1945 c.42.

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

Power to continue, construct and maintain works

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

- (a) construct and maintain two boreholes on or under the land;
- (b) construct and maintain on or under the land a headworks, a switchgear and standby generator house, a hardstanding area and fuel storage;
- (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 headworks.

(2) The works authorised by this order 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 Hoe in the County of Norfolk shown edged red on the deposited plan having an area of 0.14 acres or thereabouts and comprising parts of enclosures numbered 0005 and 9778 on the sheet numbered TF 9815-9915 on the 1/2500 Ordnance Survey Map.

SCHEDULE 2
PROVISIONS OF THE THIRD SCHEDULE APPLIED

Provisions Applied (1)	Modifications (2)
Section 4 (General power to construct subsidiary works)	(i) The words "and to any other provisions of the special Act limiting the powers of the undertakers to abstract water" shall be omitted; (ii) after the words "any land" there shall be inserted the words "described in the special Act and"
Section 92 (Liability of undertakers to pay compensation)	—
Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers)	In sub-section (1) for the words from "with the clerk of the council" to the end of the sub-section there shall be substituted the words "with the council of every county and district affected by the special Act".

Signed by authority of
the Secretary of State
22nd January 1985.

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