STATUTORY INSTRUMENTS

# 1980 No. 1432

# WATER, ENGLAND AND WALES

## The South West Water Authority (Stithians Reservoir Pumping Station and Transfer Pipeline to River Medlyn) Order 1980

*Made - - - -* *25th September* 1980

*Coming into Operation* *6th October* 1980

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 South West Water Authority (Stithians Reservoir Pumping Station and Transfer Pipeline to River Medlyn) Order 1980 and shall come into operation on 6th October 1980.

(2) This order shall be included among the enactments which may be cited together as the South West Water Authority Orders 1974 to 1980.

Interpretation.

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

"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 (Stithians Reservoir Pumping Station and Transfer Pipeline to River Medlyn) Order 1980" one copy 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.

Application of certain provisions of the Third Schedule.

**3.** For the purpose 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.

(a) 1945 c.42. (b) S.I. 1951/142, 1900, 1970/1681.

Power to construct and maintain works.

**4.** The Authority may, when they have acquired the necessary lands or sufficient interest therein, construct and maintain:—

(*a*) on the land described in Part I of Schedule 2 to this order a pumping station;

(*b*) a line of pipes commencing at National Grid Reference SW 718363 with junctions with existing pipes running from the Stithians Reservoir Dam to the Stithians Water Treatment Works and running therefrom to the afore-mentioned pumping station a distance of 20 metres in the line and situation shown coloured green on the deposited plan;

(*c*) a line of pipes commencing at the said pumping station and continuing for 3,250 metres to the River Medlyn at National Grid Reference SW 706335 in the Parish of Wendron in the District of Kerrier in the County of Cornwall in the line and situation shown coloured red on the deposited plan; and

(*d*) on the land described in Part II of Schedule 2 to this order an outlet, with side walls and bed, from the line of pipes immediately above mentioned to the River Medlyn.

Works to form part of undertaking.

**5.** The works authorised by 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 5 (Power of undertakers to lay or erect telephone wires etc.) | — |
| Part IV (Minerals Underlying Waterworks) | In section 12 for the words "after this section is incorporated with their enactments" there shall be substituted the words "under the special Act"; for the words "all existing pipes or other conduits for the collection, passage, or distribution of water and underground works belonging to them" there shall be substituted the words "all such pipes or other conduits or underground works"; and the words "for the time being belonging to them" shall be omitted. |
| Section 91 (Mode of reference to arbitration) | — |
| Section 94 (Copies of special Act to be kept by undertakers in their office, and deposited with certain officers) | 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". |

## SCHEDULE 2

### LANDS ON WHICH WORKS MAY BE CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

### PART I

Land in the Parish of Stithians in the District of Kerrier in the County of Cornwall having an area of 16 square metres or thereabouts being part of enclosure No. 0031 on the Ordnance Survey National Grid Reference Sheet SW 7036-7136 Edition "A" and shown coloured violet on the deposited plan.

### PART II

Land in the Parish of Wendron in the District of Kerrier in the County of Cornwall having an area of 9 square metres or thereabouts being part of enclosure No. 6446 on the Ordnance Survey National Grid Reference Sheet SW 7033-7133 Edition "A" and shown coloured blue on the deposited plan.

Signed by authority of
the Secretary of State
25th September 1980.

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

Printed in England by Brown Knight & Truscott Ltd. and published by Her Majesty's Stationery Office

850/ M91 K7 10/80

70p net

ISBN 0 11 007432 7