STATUTORY INSTRUMENTS

1986 No. 2136

WATER, ENGLAND AND WALES

The East Anglian Water (Coldfair Green and Knodishall Boreholes) Order 1986

Made - - - -	*4th December* 1986
Coming into Operation	*5th December* 1986

The Secretary of State for the Environment, in exercise of powers conferred by sections 23 and 32(1) of the Water Act 1945 (**a**) and now vested in him (**b**) and of all other powers enabling him in that behalf, hereby makes the following order:—

Citation and commencement

1.—(1) This order may be cited as the East Anglian Water (Coldfair Green and Knodishall Boreholes) Order 1986 and shall come into operation on 5th December 1986.

(2) The East Anglian Water Acts and Orders 1853 to 1985 and this order may be cited together as the East Anglian Water Acts and Orders 1853 to 1986.

Interpretation

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

"the Company" means the East Anglian Water Company;

"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 East Anglian Water (Coldfair Green and Knodishall Boreholes) Order 1986", one duplicate of which is deposited and is available for inspection at the principal office of the Company 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 Company as for the time being authorised by any enactment.

Power to continue, construct and maintain works

3. The Company may, when they have acquired the necessary land or sufficient rights or interests therein—

(a) continue and maintain the existing borehole in or under the land at Coldfair Green described in Part 1 of Schedule 1 to this order;

(b) construct and maintain two boreholes in or under the land at Coldfair Green and two boreholes in or under the land at Knodishall respectively described in Parts 1 and 2 of Schedule 1 to this order; and

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

(c) construct and maintain on or under the land described in Parts 1 and 2 of Schedule 1 to this order (in addition to the works authorised by section 4 of the Third Schedule as applied to the undertaking by this order) all such additional wells, boreholes, adits, headings and works as may be necessary or expedient for augmenting or improving the supply of water obtainable by means of the said boreholes.

Works to form part of undertaking

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

Application of provisions of Third Schedule

5. 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, subject as aforesaid, are hereby incorporated with this order.

SCHEDULE 1

LAND IN, OR UNDER WHICH WORKS MAY BE CONTINUED, CONSTRUCTED AND MAINTAINED UNDER THIS ORDER

PART 1

Land at Coldfair Green in the Parish of Knodishall formerly in the Parish of Friston in the District of Suffolk Coastal in the County of Suffolk comprising 0.675 hectares (1.67 acres) or thereabouts more particularly delineated and coloured pink on the deposited plan, being an extract from the 1:2500 scale Ordnance Survey Map reference TM 4260–4360 (1971 Edition).

PART 2

Land at Knodishall in the Parish of Knodishall in the District of Suffolk Coastal in the County of Suffolk comprising 0.056 hectares (0.138 acres) or thereabouts more particularly delineated and coloured pink on the deposited plan, being an extract from the 1:2500 scale Ordnance Survey Map reference TM 4261–4361 (1970 Edition).

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) 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 Schedule 1 to the special Act"; and after the word "buildings" there shall be inserted the words "means of access".
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 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)	—

Signed by authority
of the Secretary of State
4th December 1986.

J. Hobson,
An Under Secretary in the
Department of the Environment.