STATUTORY INSTRUMENTS

1974 No. 199

LAND DRAINAGE

The Great Ouse River Authority Transfer Order 1974

Made - - - *1st February* 1974

Whereas the Great Ouse River Authority prepared and submitted to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") on the 12th October 1973 for confirmation a Scheme (hereinafter called "the Scheme") under section 4(1)(*a*) of the Land Drainage Act 1930(**a**):

And whereas the Minister has decided to confirm the Scheme, a copy of which is annexed hereto:

Now, therefore, the Minister, in exercise of the powers conferred upon him by sections 4(3) and 14 of the Land Drainage Act 1930, as applied by the Water Resources Act 1963(**b**), and of every other power enabling him in that behalf, hereby orders as follows:—

1. This Order may be cited as the Great Ouse River Authority Transfer Order 1974.

2. The Interpretation Act 1889(**c**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The Scheme is hereby confirmed.

4. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Great Ouse River Authority and shall be part of the administrative expenses of that Authority.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 1st February 1974.

(L.S.)

(Sgd.) *H. Pease,*
Assistant Secretary.

(a) 1930 c. 44. (b) 1963 c. 38. (c) 1889 c. 63.

LAND DRAINAGE ACT 1930

WATER RESOURCES ACT 1963

GREAT OUSE RIVER AUTHORITY

The Great Ouse River Authority (hereinafter referred to as "the Authority") in pursuance of section 4(1)(*a*) of the Land Drainage Act 1930, as modified and applied by the Water Resources Act 1963, have prepared the following Scheme for:

(1) the transfer to the Authority of all such rights, powers, duties, obligations and liabilities (including liabilities incurred in connection with works) over or in connection with the main river vested in or to be discharged by the Sutton and Manea Joint Committee (hereinafter referred to as "the Committee") and the Middle Level Commissioners (hereinafter referred to as "the Commissioners") and of any property held by the Committee and the Commissioners for the purpose of, or in connection with, any functions so transferred;

(2) matters supplemental thereto or consequential thereon;

AND the Authority submit the Scheme to the Minister of Agriculture, Fisheries and Food (hereinafter referred to as "the Minister") for confirmation under section 4(3) of the said Act of 1930.

SCHEME

1. This Scheme may be cited as the Great Ouse River Authority Transfer Scheme 1973 and shall come into operation on a day to be appointed by the Minister and such day is hereinafter referred to as "the appointed day".

2. On the appointed day there shall be transferred to the Authority—

(*a*) all such rights, powers, duties, obligations and liabilities (including liabilities incurred in connection with works) over or in connection with the watercourse known as the Forty-Foot or Vermuyden's Drain from the Lock at Horseway Sluice to Welches Dam Sluice in the Urban District of Chatteris and in the Parish of Manea in the Rural District of North Witchford in the County of Cambridgeshire and Isle of Ely (which watercourse is delineated on the main river map sent to the Authority under the provisions of section 11 of the said Act of 1963) vested in or to be discharged by the Committee and the Commissioners;

(*b*) all the property held by the Committee and the Commissioners for the purpose of or in connection with any such rights, powers, duties, obligations and liabilities so transferred.

3. Subject to the provisions of the last preceding paragraph, the rights, powers, duties, obligations, liabilities and property set out and referred to in detail in the Schedule to this Scheme are included in the transfer under the provisions of this Scheme and are set out and referred to for convenience only and the specification of these matters shall not derogate from the generality of the foregoing provisions or in any way affect the full operation thereof.

4. As respects any matter transferred under this Scheme the Scheme shall operate as conclusive evidence of the transfer without the necessity for any further assignment or deed of transfer.

5. On the appointed day the Committee constituted under Part 6 of the Middle Level Act 1862(a) shall be abolished.

THE SCHEDULE

(*a*) All the rights, powers, duties, obligations, liabilities and property of the Committee under Part 6 of the Middle Level Act 1862 with regard to the Forty-Foot or Vermuyden's Drain including the banks thereof to the east of Horseway Sluice and also with regard to the Welches Dam Sluice.

(*b*) The property of the Commissioners in the bed and banks of the said Forty-Foot or Vermuyden's Drain.

(*c*) The right to receive from the Commissioners the sum of £34 per annum being the balance of the sum of £160 per annum formerly payable by the Commissioners to the Committee under section 16(5) of the Middle Level Act 1862 and subsequently apportioned under the provisions of the River Great Ouse Catchment Board Transfer Order 1947(b).

(*d*) The obligations of the Commissioners and the rights and benefits to which the Commissioners are entitled under an Agreement dated the Fourteenth day of May One thousand nine hundred and seventy-one relating to the hiring of the fishing rights in the said Forty-Foot or Vermuyden's Drain.

IN WITNESS whereof the Authority has caused its Common Seal to be hereunto affixed the Eleventh day of October 1973.

THE COMMON SEAL of THE GREAT OUSE RIVER AUTHORITY was hereunto affixed in the presence of:— (L.S.)

(Sgd.) *L. Childs,*
Chairman.

(Sgd.) *J. S. Bissett,*
Clerk.

Whereas the Scheme confirmed by the Great Ouse River Authority Transfer Order 1974 provides that the appointed day therein mentioned shall be a day to be appointed by the Minister of Agriculture, Fisheries and Food:

Now, therefore, the Minister of Agriculture, Fisheries and Food hereby appoints the 1st March 1974 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 1st February 1974.

(L.S.)

(Sgd.) *H. Pease,*
Assistant Secretary.

(a) 25 & 26 Vict. c. clxxxviii.

(b) S. R. & O. 1947/2245.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made by the Minister of Agriculture, Fisheries and Food, confirms a Scheme submitted to him by the Great Ouse River Authority for the transfer to the Authority of all such rights, powers, duties, obligations and liabilities (including liabilities incurred in connection with works) over or in connection with a defined part of the main river of the Great Ouse River Authority Area vested in or to be discharged by the Sutton and Manea Joint Committee and the Middle Level Commissioners and of all property held by the said Joint Committee and the said Commissioners for the purpose of, or in connection with, any functions so transferred. The Sutton and Manea Joint Committee is abolished.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
27/P11009/1 C10 K8 2/74

6p net

ISBN 0 11 040199 9