STATUTORY INSTRUMENTS

1973 No. 126

LAND DRAINAGE

The Lincolnshire River Authority (Upper Witham Internal Drainage District) (No. 2) Order 1972

Made - - - - 1*st December* 1972

Coming into Operation 29*th January* 1973

Whereas the Lincolnshire River Authority prepared and submitted to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") for confirmation a Scheme (hereinafter called "the Scheme") under section 4(1)(*b*) of the Land Drainage Act 1930(**a**) in relation to the Upper Witham Internal Drainage District:

And whereas the Minister has decided to confirm the Scheme subject to the modifications set out in Article 3 of this Order:

And whereas a copy of the Scheme with the said modifications incorporated therein 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, which may be cited as the Lincolnshire River Authority (Upper Witham Internal Drainage District) (No. 2) Order 1972, shall, unless subject to special parliamentary procedure, come into operation on the date of its confirmation by the Minister.

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 subject to the following modifications:—

(1) In paragraph 2 of the Scheme there shall be inserted immediately after the words "shown coloured green and edged with a red line" the words "and the land shown coloured purple";

(2) For paragraph 3 of the Scheme there shall be substituted the following paragraph:—

> "3. The provisions of the Scheme confirmed by the Witham and Steeping Rivers Catchment Board (Upper Witham Internal Drainage District) Order 1933(**d**) as amended by the Scheme confirmed by the Lincolnshire River Authority (Alteration of Boundaries of the Upper Witham Internal Drainage District) Order 1967(**e**) and as further amended by the Scheme confirmed by the Lincolnshire River Authority (Upper Witham Internal Drainage District) (No. 1) Order 1972(**f**), shall, where applicable, apply to the included lands as if such lands had formed part of the Internal Drainage District immediately before the appointed day.".

(**a**) 1930 c. 44. (**b**) 1963 c. 38. (**c**) 1889 c. 63.
(**d**) S.R. & O. 1933/218. (**e**) S.I. 1968/56. (**f**) S.I. 1972/546

4. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Lincolnshire 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 December 1972.

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

Land Drainage Act 1930

Lincolnshire River Authority

Upper Witham Internal Drainage District

The Lincolnshire River Authority (hereinafter called "the River Authority") in pursuance of sub-section (1)(*b*) of section 4 of the Land Drainage Act 1930, as applied by the Water Resources Act 1963, submit to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") for confirmation under sub-section (3) of the said section 4 of the said Act of 1930, the following Scheme for:—

1. the alteration of the boundaries of the Upper Witham Internal Drainage District (hereinafter called "the Internal Drainage District");
2. matters supplemental thereto or consequential thereon.

Scheme

1. This Scheme may be cited as the Lincolnshire River Authority (Upper Witham Internal Drainage District) Scheme (No. 2) 1971 and shall come into operation on a day to be appointed by the Minister and such day is hereinafter called "the appointed day".

2. The boundaries of the Internal Drainage District as constituted under the Land Drainage Act 1930 immediately before the appointed day shall be altered so as to exclude from the Internal Drainage District all those lands lying in the Parish of Saxilby with Ingleby in the County of Lincoln Parts of Lindsey which are shown coloured green and edged with a red line and the land shown coloured purple on the map sealed by the River Authority in relation to this Scheme and to include in the Internal Drainage District all those lands (hereinafter called "the included lands") lying in the said Parish of Saxilby with Ingleby which are shown coloured pink and edged with a red line on the same map.

3. The provisions of the Scheme confirmed by the Witham and Steeping Rivers Catchment Board (Upper Witham Internal Drainage District) Order 1933 as amended by the Scheme confirmed by the Lincolnshire River Authority (Alteration of Boundaries of the Upper Witham Internal Drainage District) Order 1967 and as further amended by the Scheme confirmed by the Lincolnshire River Authority (Upper Witham Internal Drainage District) (No. 1) Order 1972, shall, where applicable, apply to the included lands as if such lands had formed part of the Internal Drainage District immediately before the appointed day.

IN WITNESS whereof the River Authority have caused their Common Seal to be hereunto affixed this Eleventh day of November One thousand nine hundred and seventy-one.

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

(Sgd.) *J. L. Roughton*,
Chairman,

(Sgd.) *G. E. Phillippo*,
Clerk of the Authority,

Whereas the foregoing Order has been published by the Minister of Agriculture, Fisheries and Food in accordance with the procedure prescribed by the Land Drainage Act 1930:

And whereas no memorial against the Order has been presented to the Minister:

Now, therefore, the Minister, in pursuance of the powers in the said Order recited, hereby confirms the said Order.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th January 1973.

(L.S.)

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

Whereas the Scheme confirmed by the Lincolnshire River Authority (Upper Witham Internal Drainage District) (No. 2) Order 1972 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 April 1973 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th January 1973.

(L.S.)

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

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 Lincolnshire River Authority for the alteration of the boundaries of the Upper Witham Internal Drainage District, which District was constituted by the Scheme confirmed by the Witham and Steeping Rivers Catchment Board (Upper Witham Internal Drainage District) Order 1933.

The map mentioned in the Scheme is available for inspection during office hours at the Office of the Minister of Agriculture, Fisheries and Food, Great Westminster House, Horseferry Road, London SW1P 2AE, and a certified copy thereof may be inspected at the Office of the Lincolnshire River Authority, 50 Wide Bargate, Boston, Lincolnshire, and at the Office of the Upper Witham Internal Drainage Board, 39 St. Catherines, Lincoln.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
27/P46779/9 B 40 K7 2/73

5p net

SBN 11 030126 9