STATUTORY INSTRUMENTS

1976 No. 1502

LAND DRAINAGE

The North West Water Authority (Abolition of the Longton Marsh Internal Drainage District) Order 1976

Made - - - - 21*st June* 1976

Coming into Operation 13*th August* 1976

Whereas the North West Water 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**), as amended and applied by the Water Act 1973(**b**), in relation to the Longton Marsh 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 Act 1973(**b**) and of every other power enabling him in that behalf, hereby orders as follows:—

1. This Order, which may be cited as the North West Water Authority (Abolition of the Longton Marsh Internal Drainage District) Order 1976, 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:—

(*a*) for paragraph 1 of the Scheme there shall be substituted the following paragraph:—

"1. The Longton Marsh Internal Drainage District, (being the internal drainage district commonly known by that name constituted by Awards made on 20th July 1761 and on 27th December 1824 in pursuance of an Act 33 Geo. II cap. 23 (Private) and altered by the Scheme confirmed by the River Douglas Catchment Board (Alteration of Boundaries of the Longton Marsh Internal Drainage District) Order 1943(**d**)), and the internal drainage board thereof (the powers, duties, liabilities, obligations and property of which drainage board (being the Lords of the Manor of Longton) were by virtue of the River Douglas Catchment Board (Transfer of powers of the Lords of the Manor of Longton) Order 1943, vested in or to be discharged by the

(**a**) 1930 c. 44. (**b**) 1973 c. 37. (**c**) 1889 c. 63. (**d**) S.R. & O. 1943/572.

River Douglas Catchment Board and now vested in or to be discharged by the Authority) shall be abolished.";

(*b*) in paragraph 2 of the Scheme the word "any" shall be deleted the second time it occurs and for the words from "drainage authority" to "Order 1943]" there shall be substituted the words "drainage board for the said internal drainage district"; and

(*c*) in paragraph 3, for the words "as drainage authority" there shall be substituted the words "acting as the drainage board".

4. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the North West Water 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 21st June 1976.

(L.S.)

(Sgd.) *A. F. Longworth,*
Assistant Secretary.

LAND DRAINAGE ACT 1930

WATER ACT 1973

NORTH WEST WATER AUTHORITY

ABOLITION OF THE LONGTON MARSH INTERNAL DRAINAGE DISTRICT

The North West Water Authority (hereinafter referred to as "the Authority") have prepared the following Scheme under section 4(1)(*b*) of the Land Drainage Act 1930, as amended and applied by the Water Act 1973, and submit it 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

On a day to be appointed by the Minister (which day is hereinafter referred to as "the appointed day") the following provisions shall have effect:—

1. The Longton Marsh Internal Drainage District, (being the internal drainage district commonly known by that name constituted by Awards made on 20th July 1761 and on 27th December 1824 in pursuance of Act 33 Geo. II cap. 23 (Private) and altered by the Scheme confirmed by the River Douglas Catchment Board (Alteration of Boundaries of the Longton Marsh Internal Drainage District) Order 1943), and the internal drainage board thereof (the powers, duties, liabilities, obligations and property of which drainage board (being the Lords of the Manor of Longton) were by virtue of the River Douglas Catchment Board (Transfer of powers of the Lords of the Manor of Longton) Order 1943, vested in or to be discharged by the River Douglas Catchment Board and now vested in or to be discharged by the Authority) shall be abolished.

2. Any monies held by the Authority immediately before the appointed day being the balance of drainage rates levied by them in the exercise of their functions as the drainage board for the said internal drainage district shall be applied by the Authority as if the same were the proceeds of a general drainage charge levied by the Authority under the provisions of sections 1 and 1A of the Land Drainage Act 1961(a) as substituted by section 19(4) of, and paragraph 12(1) of Schedule 5 to, the Water Act 1973.

3. Any debts due from the operations of the Authority acting as the drainage board for the Longton Marsh Internal Drainage District immediately before the coming into operation of this Scheme shall be discharged by the Authority.

IN WITNESS whereof the Common Seal of the North West Water Authority was hereunto affixed on the Fourteenth day of October One thousand nine hundred and seventy-five.

The Common Seal of the (L.S.)
NORTH WEST WATER AUTHORITY
was hereunto affixed in the presence of:—

(Sgd.) *W. H. Crackle,*
Authorised Signatory.

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 13th August 1976.

(L.S.) (Sgd.) *A. F. Longworth,*
Assistant Secretary.

Whereas the Scheme confirmed by the North West Water Authority (Abolition of the Longton Marsh Internal Drainage District) Order 1976 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 17th August 1976 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 13th August 1976.

(L.S.) (Sgd.) *A. F. Longworth,*
Assistant Secretary.

(a) 1961 c. 48.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made by the Minister of Agriculture, Fisheries and Food, confirms with modifications a Scheme submitted to him by the North West Water Authority for the abolition of the drainage district commonly known as the Longton Marsh Internal Drainage District and of the drainage board thereof.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
27/P 18117/3 O.36 K10 9/76

12p net

ISBN 0 11 061502 6