STATUTORY INSTRUMENTS

1976 No. 569

LAND DRAINAGE

The North West Water Authority (River Kent Estuary Internal Drainage District) Order 1976

Made - - - - 20*th February* 1976

Coming into Operation 30*th March* 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 River Kent Estuary Internal Drainage District:

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 Act 1973, 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 (River Kent Estuary 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.

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 20th February 1976.

(L.S.)

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

(a) 1930 c. 44. (b) 1973 c. 37. (c) 1889 c. 63.

LAND DRAINAGE ACT 1930

WATER ACT 1973

NORTH WEST WATER AUTHORITY

River Kent Estuary Internal Drainage District

The North West Water Authority in pursuance of section 4(1)(*b*) of the Land Drainage Act 1930, as amended and applied by the Water Act 1973, have prepared the following Scheme making provision for the amalgamation of three internal drainage districts and the constitution of a new internal drainage board, and for certain matters supplemental to or consequential on the matters aforesaid;

And the Water Authority submit the Scheme to the Minister of Agriculture, Fisheries and Food for confirmation under section 4(3) of the Land Drainage Act 1930.

SCHEME

1. In this Scheme, unless the context otherwise requires—

(*a*) "the Minister" means the Minister of Agriculture, Fisheries and Food;

(*b*) "the Drainage District" means the River Kent Estuary Internal Drainage District, constituted by this Scheme;

(*c*) "the Board" means the River Kent Estuary Internal Drainage Board, constituted by this Scheme;

(*d*) "the Water Authority" means the North West Water Authority;

(*e*) "the existing drainage districts" means the River Kent Estuary Internal Drainage District as constituted by the Scheme confirmed by the Lancashire River Authority (River Kent Estuary Internal Drainage District) Order 1971(**a**), the Winster Internal Drainage District as constituted by the Scheme confirmed by the River Kent Catchment Board (Winster Internal Drainage District) Order 1933(**b**), and the Beetham and Arnside Internal Drainage District as constituted by the Scheme confirmed by the River Kent Catchment Board (Beetham and Arnside Internal Drainage District) Order 1933(**c**); and

(*f*) "the existing drainage boards" means the drainage boards for the existing drainage districts respectively.

2. This Scheme shall come into operation on a day to be appointed by the Minister and such day is hereinafter referred to as "the appointed day".

3. On the appointed day the existing drainage districts shall be amalgamated into, and shall constitute, one internal drainage district which shall be known as "the River Kent Estuary Internal Drainage District" and there shall be a drainage board for such district which shall be called "the River Kent Estuary Internal Drainage Board".

4. The Board shall consist of sixteen members who, with the exception of the first members, shall be elected in accordance with the provisions contained in section 33 of, and the Third Schedule to, the Land Drainage Act 1930, as amended by the Land Drainage Act 1961(**d**).

5. The first members of the Board shall be persons appointed by the Minister and shall hold office until the expiration of one year from the first day of November next following the day on which they are appointed.

6. The existing drainage boards shall be abolished and any rights, powers, duties, obligations, liabilities and property (including in particular, but without prejudice to the generality of that expression, books of account, other books, deeds, maps, papers and other documents) which were immediately before the appointed day vested in or to be discharged by the existing drainage boards in relation to the existing drainage districts shall on the appointed day be transferred to and be vested in or be discharged by the Board.

(**a**) S.I. 1971/948.
(**b**) S.R. & O. 1933/391.
(**c**) S.R. & O. 1934/172.
(**d**) 1961 c. 48.

7. All arrears of rates made before the appointed day in respect of any land within the existing drainage districts by the existing drainage boards, or any of them in respect of any period or periods, ending before the appointed day, may be recovered by the Board in the same manner as if they had been rates made by the Board.

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

9. The respective accounts of the existing drainage boards shall be made up to the appointed day and copies thereof forthwith sent to the Board.

IN WITNESS whereof the Common Seal of the North West Water Authority was hereunto affixed on the Eighteenth day of November 1975.

The Common Seal of the NORTH WEST WATER AUTHORITY was hereunto affixed in the presence of:—

(L.S.)

(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 30th March 1976.

(L.S.)

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

Whereas the Scheme confirmed by the North West Water Authority (River Kent Estuary 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 1st April 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 30th March 1976.

(L.S.)

(Sgd.) *A. F. Longworth,*
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 North West Water Authority for the amalgamation of the River Kent Estuary, the Winster, and the Beetham and Arnside Internal Drainage Districts to constitute an internal drainage district to be known as the River Kent Estuary Internal Drainage District.

The Scheme provides also for the constitution of a new internal drainage board to be known as the River Kent Estuary Internal Drainage Board, and for the abolition of the drainage boards for the existing River Kent Estuary, the Winster, and the Beetham and Arnside Internal Drainage Districts.

Maps of the three internal drainage districts amalgamated by virtue of the Scheme are available for inspection during office hours at the offices of the Minister of Agriculture, Fisheries and Food, Great Westminster House, Horseferry Road, London, SW1P, 2AE, and certified copies thereof may be inspected during office hours at the offices of the River Kent Estuary Internal Drainage Board.

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