STATUTORY INSTRUMENTS

1973 No. 1921

WATER, ENGLAND AND WALES

The Severn-Trent Water Authority (Regional Land Drainage Committee) Order 1973

Made - - - 12*th November* 1973

Coming into Operation 15*th November* 1973

Whereas—

(1) the Severn-Trent Water Authority (hereafter in this Order referred to as "the Water Authority") are required by paragraph 1(1) of Schedule 5 to the Water Act 1973(**a**) to establish a committee to be known as a regional land drainage committee and, in accordance with paragraph 1(7) and (9) of the said Schedule, have submitted to the Minister of Agriculture, Fisheries and Food (hereafter in this Order referred to as "the Minister") a determination that the total number of members of their regional land drainage committee (hereafter in this Order referred to as "the committee") shall be seventeen;

(2) the constituent councils for the committee are the councils of the counties specified in the first column of the Schedule to this Order;

(3) the Minister, having had regard to the appropriate penny rate product and proportion mentioned in paragraph 3(1) of the said Schedule 5 relating to each of the said constituent councils,—

(*a*) considers it to be inappropriate that the councils of the counties of Avon, Clwyd, Humberside, Lincolnshire, Northamptonshire, Oxfordshire, Powys and South Yorkshire (being eight of the said constituent councils) should appoint a member of the committee; and

(*b*) considers that one member of the committee should be appointed jointly by the councils of the counties of Gloucestershire and Warwickshire (being two of the said constituent councils) and that one member of the committee should be appointed jointly by the councils of the county of Hereford and Worcester and the county of Salop (being two of the said constituent councils):

Now, therefore, the Minister, in exercise of the powers conferred on him by paragraphs 1(12) and 3(1) of Schedule 5 to the Water Act 1973, and of every other power enabling him in that behalf, and having had regard to the appropriate penny rate product and proportion mentioned in the said paragraph 3(1) relating to each of the said constituent councils, hereby orders as follows:—

Citation and commencement

1. This Order may be cited as the Severn-Trent Water Authority (Regional Land Drainage Committee) Order 1973 and shall come into operation on 15th November 1973.

(a) 1973 c.37.

Interpretation

2.—(1) In this Order—

"the Act of 1972" means the Local Government Act 1972(**a**);

"constituent council" means the council of any county established by the Act of 1972 any part of which is in the Water Authority area;

"the Water Authority area" means the area of the Water Authority for the purposes of their functions relating to land drainage.

(2) Any reference in this Order to a specified county or to the council thereof is a reference to the county of that name established by the Act of 1972 or to the council so established for that county, as the case may be.

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

Constituent councils appointments of committee members

3.—(1) The number of members to be appointed to the committee by or on behalf of constituent councils for the committee shall be nine.

(2) The number of members of the committee to be appointed by each of the councils of the counties specified in the first column of the Schedule to this Order or by or on behalf of the councils of each group of counties so specified shall be the number specified in relation to that county or to that group in the second column of that Schedule.

(3) Where in the said Schedule the number to be appointed is specified in relation to a group of counties that number shall be appointed jointly by the councils of the counties comprising the group.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th November 1973.

(L.S.)

Joseph Godber,
Minister of Agriculture,
Fisheries and Food.

(**a**) 1972 c. 70. (**b**) 1889 c. 63.

Article 3

SCHEDULE

Counties	*Number of Members*
Avon	None
Clwyd	None
Derbyshire	One
Gloucestershire, Warwickshire	One jointly
Hereford and Worcester, Salop	One jointly
Humberside	None
Leicestershire	One
Lincolnshire	None
Northamptonshire	None
Nottinghamshire	One
Oxfordshire	None
Powys	None
South Yorkshire	None
Staffordshire	One
West Midlands	Three

EXPLANATORY NOTE

(This Note is not part of the Order.)

Paragraph 1 of Schedule 5 to the Water Act provides that each water authority shall establish a regional land drainage committee consisting of:—

(*a*) a Chairman and a number of other members appointed by the Minister of Agriculture, Fisheries and Food;

(*b*) two members appointed by the water authority; and

(c) a number of members appointed by or on behalf of constituent councils being, where no part of Greater London is in the water authority area, councils of counties any part of whose area is in the water authority area.

When the total number of members of a water authority's regional land drainage committee, being not less than eleven nor more than seventeen, has been fixed by them, the Minister is required by paragraph 1(12) of the Schedule by Order to specify the number of members to be appointed to the committee by or on behalf of the constituent councils, their number being required by paragraph 1(13) of the Schedule to exceed by one the number of the other members. In determining the number of such members to be appointed by or on behalf of each constituent council, the Minister is required by paragraph 3(1) of the Schedule to have regard to the appropriate penny rate

product and proportion mentioned in that paragraph and where, having regard thereto, the Minister considers it inappropriate that a constituent council should appoint a member of the committee, or considers that one or more members should be appointed jointly by that council and one or more other constituent councils, he may by the Order so provide.

The Severn-Trent Water Authority, established on 14th August 1973, has determined that the total number of the members of their regional land drainage committee should be seventeen and this Order specifies the number of members of that committee which are to be appointed by or on behalf of constituent councils and by which of those councils such members are to be appointed.

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