STATUTORY INSTRUMENTS

1974 No. 47

WATER, ENGLAND AND WALES

The Thames Water Authority (Regional Land Drainage Committee) Order 1974

Made - - - *7th January* 1974

Coming into Operation *15th January* 1974

Whereas—

(1) the Thames 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), (9) and (10) 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 (which has provisional effect only until confirmed by the Minister) that the total number of members of their regional land drainage committee (hereafter in this Order referred to as "the committee") shall be twenty-one;

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

(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, except the Greater London Council, —

(*a*) considers it to be inappropriate that the councils of the counties of Gloucestershire, Hereford and Worcester, Northamptonshire and Warwickshire (being four 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 Bedfordshire and Buckinghamshire (being two of the said constituent councils); that one member of the committee should be appointed jointly by the councils of the counties of Essex and Hertfordshire (being two of the said constituent councils); that one member of the committee should be appointed jointly by the councils of the counties of Hampshire, Surrey and West Sussex (being three of the said constituent councils); that one member of the committee should be appointed jointly by the councils of the counties of Oxfordshire and Wiltshire (being two of the said constituent councils); and that three members of the committee be appointed jointly by the councils of the London boroughs of Barking, Barnet, Enfield, Hackney, Haringey, Harrow, Havering, Hillingdon, Hounslow, Islington, Kingston-upon-Thames, Newham, Redbridge, Richmond-upon-Thames, Sutton, Tower Hamlets and Waltham Forest (being seventeen of the said constituent councils):

(a) 1973 c. 37.

Now, therefore, the Minister, in exercise of the powers conferred on him by paragraphs 1(11), 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 Thames Water Authority (Regional Land Drainage Committee) Order 1974 and shall come into operation on 15th January 1974.

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 council of any London borough wholly or partly within that area and the Greater London Council;

"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.

Confirmation of determination

3. The determination of the Water Authority that the total number of members of the committee shall be twenty-one is hereby confirmed.

Constituent councils appointments of committee members

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

(2) The number of constituent council 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 and the councils of the group of London boroughs 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 or a group of London boroughs that number shall be appointed jointly by the councils of the counties or London boroughs, as the case may be, comprising the group.

(4) Pursuant to paragraph 15 of Schedule 5 to the Water Act 1973 the Greater London Council shall appoint one member.

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

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th January 1974.

(L.S.) *Joseph Godber,*
Minister of Agriculture, Fisheries and Food.

SCHEDULE Article 4

Counties and London boroughs	*Number of Members*
The counties of Bedfordshire and Buckinghamshire	One jointly
The county of Berkshire	One
The counties of Essex and Hertfordshire	One jointly
The county of Gloucestershire	None
The counties of Hampshire, Surrey and West Sussex	One jointly
The county of Hereford and Worcester	None
The county of Hertfordshire	One
The county of Northamptonshire	None
The county of Surrey	One
The county of Warwickshire	None
The counties of Oxfordshire and Wiltshire	One jointly
The London boroughs of Barking, Barnet, Enfield, Hackney, Haringey, Harrow, Havering, Hillingdon, Hounslow, Islington, Kingston-upon-Thames, Newham, Redbridge, Richmond-upon-Thames, Sutton, Tower Hamlets and Waltham Forest.	Three jointly

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, in the case of the Thames Water Authority, councils of counties or of London boroughs any part of whose area is in the water authority area and the Greater London Council.

That paragraph also provides that the total membership of the regional land drainage committee shall be determined by the water authority within the limits of eleven and seventeen. The water authority may determine a membership in excess of seventeen but under paragraph 1(11) such a determination is provisional until confirmed by the Minister by Order.

When the total number of members of a water authority's regional land drainage committee has been finally determined, 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 the constituent councils, their number being required by paragraph 1(13) of the Schedule to exceed by one the num-

ber of the other members. In determining the number of such members to be appointed by each constituent council, except the Greater London 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 Thames Water Authority, established on 1st August 1973, having provisionally determined that the total number of the members of their regional land drainage committee should be twenty-one, this Order confirms that number and 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.

SI 1974/47 T
ISBN 0-11-040047-X

