STATUTORY INSTRUMENTS

1974 No. 347

LAND DRAINAGE

The Yorkshire River Authority Transfer Order 1974

Made - - - 1*st March* 1974

Whereas the Yorkshire River Authority prepared and submitted to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") on the 16th August 1973 for confirmation a Scheme (hereinafter called "the Scheme") under section 4(1)(*a*) of the Land Drainage Act 1930(**a**):

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 Resources Act 1963(**b**), and of every other power enabling him in that behalf, hereby orders as follows:—

1. This Order may be cited as the Yorkshire River Authority Transfer Order 1974.

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 Yorkshire 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 March 1974.

(L.S.)

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

LAND DRAINAGE ACT 1930
WATER RESOURCES ACT 1963
YORKSHIRE RIVER AUTHORITY

The Yorkshire River Authority (hereinafter called "the River Authority") have prepared the following Scheme under section 4(1)(*a*) of the Land Drainage Act 1930, as modified and applied by the Water Resources Act 1963, and submit it to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") for confirmation under section 4(3) of the Land Drainage Act 1930.

(**a**) 1930 c.44. (**b**) 1963 c.38. (**c**) 1889 c.63.

SCHEME

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

(*a*) "the appointed day" means a day to be appointed by the Minister;

(*b*) "main river" means any river or watercourse (or any part thereof) which is delineated on the map sealed by the Minister in pursuance of section 11(2) and (6) of the Water Resources Act 1963.

2. On the appointed day there shall be transferred to and be vested in or be discharged by the River Authority:—

(*a*) all such rights, powers, duties, obligations and liabilities (including liabilities incurred in connection with works) over or in connection with the main river as shall

(i) immediately before the date of submission of this Scheme be

or (ii) between that date and the appointed day become vested in or dischargeable by the Muston and Yedingham Drainage Board (hereinafter called "the Drainage Board") as constituted by the Scheme confirmed by the River Ouse (Yorks.) Catchment Order (Muston and Yedingham Internal Drainage District) Order 1932(**a**);

(*b*) all the property held by the Drainage Board for the purpose of or in connection with any such rights, powers, duties, obligations and liabilities so transferred.

3. Without prejudice to the generality of the provisions of paragraph 2(*b*) of this Scheme, the property thereby transferred includes the property set out in detail in the following provisions of this paragraph, namely:—

(*a*) Hay Bridge, Brompton Bridge and Foul Bridge (National Grid References SE 9781 7899, SE 9532 7946 and SE 9156 7923 respectively);

(*b*) all maps, plans, verdicts, papers, books, documents, contracts, agreements, deeds, accounts or other printed or written matter whatsoever belonging to or in the custody of the Drainage Board and used by them solely in connection with the main river or drainage works in connection therewith.

4. 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.

DATED the Third day of August 1973.

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

(Sgd.) *R. H. Coulman,*
Chairman.

(Sgd.) *D. C. North,*
Clerk of the Authority.

(**a**) S.R. & O. 1933/21.

Whereas the Scheme confirmed by the Yorkshire River Authority Transfer Order 1974 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 18th March 1974 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 1st March 1974.

(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 Yorkshire River Authority for the transfer to the Authority of all such rights, powers, duties, obligations and liabilities (including liabilities incurred in connection with works) over or in connection with a defined part of the main river of the Yorkshire River Authority Area as were immediately before the date of submission of the Scheme or between that date and the appointed day, vested in or to be discharged by the Muston and Yedingham Drainage Board, and of all property held by the said Board for the purpose of, or in connection with, any functions so transferred.

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