

STATUTORY RULES AND ORDERS

1947 No. 1994

LAND DRAINAGE, ENGLAND AND WALES

River Welland Catchment Board

THE RIVER WELLAND CATCHMENT BOARD (BASTON, LANGTOFT AND THE DEEPINGS INTERNAL DRAINAGE DISTRICT) ORDER, 1947, CONFIRMED SEPTEMBER 1, 1947, BY THE MINISTER OF AGRICULTURE AND FISHERIES UNDER THE LAND DRAINAGE ACT, 1930 (20 & 21 GEO. 5. C. 44).

1. The Minister of Agriculture and Fisheries (hereinafter referred to as "the Minister") in exercise of the powers conferred upon him by the Land Drainage Act, 1930, and of all other powers enabling him in that behalf hereby confirms the scheme in relation to the Baston, Langtoft and the Deepings Internal Drainage District (together with the map referred to therein) submitted to him by the River Welland Catchment Board under Section 4 (1) (b) of the said Act, a copy of which Scheme is annexed hereto, with the following amendment (which has been incorporated in the Scheme) that is to say:—

The number of members of the Internal Drainage Board has been reduced from thirteen to seven.

2. The Minister hereby appoints the following persons to be the first members of the Internal Drainage Board:—

Henry Armitage, Esquire, Thetford House, Baston, Peterborough.
Joseph Brudenell, Esquire, "Vine Farm", Baston, Peterborough.
Arthur James Freeman, Esquire, Langtoft, Peterborough.
Frank Richardson, Esquire, The Grange, Morton, Bourne, Lincolnshire.
James Edward Smith, Esquire, Towngate, Market Deeping, Peterborough.
John Thurlby, Esquire, The Old Hall, Baston, Peterborough.
George Michael Vergette, Esquire, Market Deeping, Peterborough.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Catchment Board and shall be part of the administrative expenses of the Catchment Board.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twelfth day of June, nineteen hundred and forty-seven.

(L.S.)

Hugh Gardner,

Assistant Secretary.

To the Right Honourable

The Minister of Agriculture and Fisheries.

Scheme proposed by the River Welland Catchment Board in pursuance of Section 4 (1) (b) of the Land Drainage Act, 1930.

The River Welland Catchment Board (hereinafter called "the Catchment Board") in pursuance of Section (1) (b) of Section 4 of the Land Drainage Act, 1930, has prepared the following Scheme making provision for certain matters mentioned in the Sub-section, namely:—

1. The constitution of a new Internal Drainage District to be known as the Baston, Langtoft and the Deepings Internal Drainage District.

2. The constitution of a Drainage Board for the said Internal Drainage District.

3. The abrogation of the powers of the Welland Drainage Board within the Drainage District.

4. Certain matters supplemental thereto and consequent thereon.

And the Catchment Board submits the Scheme to the Minister for confirmation under Section 4 of the said Act.

SCHEME.

As from a day (hereinafter referred to as "the Appointed day") to be appointed by the Minister of Agriculture and Fisheries the following provisions shall have effect:—

1. There shall be constituted a new Internal Drainage District to be known as the Baston, Langtoft and the Deepings Internal Drainage District (hereinafter referred to as "the Internal Drainage District").

2. The Internal Drainage District shall comprise the area shown in pink colour edged with a red line on the Map sealed by the Catchment Board in relation to this Scheme.

3. There shall be constituted a Drainage Board for the Internal Drainage District to be known as the Baston, Langtoft and the Deepings Internal Drainage Board (hereinafter referred to as "the Internal Drainage Board").

4. The Internal Drainage Board shall consist of 7 members who with the exception of the first members shall be elected in accordance with the provisions of Section 33 of and the Third Schedule to the Land Drainage Act, 1930.

5. The first members shall be persons appointed by the Minister of Agriculture and Fisheries and shall hold office until the 1st day of November in the year following that in which the Order in relation to this Scheme comes into force.

6. The powers of the Welland Drainage Board under the provisions of the Land Drainage Provisional Order Confirmation (No. 2) Act, 1922, shall so far as they are exercisable within or relate to the Internal Drainage District be abrogated and cease to have effect and all property, rights, powers, duties, obligations and liabilities vested in or to be discharged by the Welland Drainage Board are hereby transferred to the Internal Drainage Board to the extent to which the same relate to matters or things within the Internal Drainage District.

7. The provisions of the Awards for the parishes of Langtoft and Baston, Market Deeping and West Deeping and Deeping St. James made by the Enclosure Commissioners under the Enclosure Act, 46 George III, Sess. 1806, and the provisions contained in any other Awards made in pursuance of any Local Act, shall, so far as such provisions respectively relate to land drainage within the Internal Drainage District cease to have effect and all property, rights, powers, duties, obligations and liabilities vested in or to be discharged by the South Kesteven Rural District Council or by any other person by virtue of such Awards are hereby transferred to the Internal Drainage Board to the extent to which the same relate to land drainage within the Internal Drainage District.

8. In the event of any asset or liability to which paragraphs 6 and 7 of this Scheme applies relating only in part to the Internal Drainage District, an equitable adjustment shall be made and only the due proportion shall be transferred to and vested in the Internal Drainage Board and in the event of any dispute arising between the Internal Drainage Board and the Welland Drainage Board or the South Kesteven Rural District Council as the case may be the same shall be referred to and be decided by the Minister of Agriculture and Fisheries whose decision shall be final.

9. The Internal Drainage Board shall be entitled to discharge waters from the Internal Drainage District by means of the Gravel Drain into the Counter Drain and Vernatts Drain which are under the jurisdiction of the Deeping Fen, Spalding and Pinchbeck Internal Drainage Board (hereinafter referred to as "the Deeping Fen Board") but no other outlet for the waters from the Internal Drainage District shall be made into any drains under the jurisdiction of the Deeping Fen Board without the consent of that Board, so however, that such consent shall not be unreasonably withheld; and if any question shall arise as to whether any withholding of consent is unreasonable or not, such question shall be referred to arbitration on the application of either party and shall be determined by a single arbitrator to be appointed by the President of the Institution of Civil Engineers.

The Common Seal of the River Welland Catchment Board was hereto affixed the 19th day of November, (L.S.)
1945, in the presence of

(Sgd.) *E. E. Welby Everard*,
Chairman.

(Sgd.) *Leopold C. Harvey*,
Clerk.

Whereas the foregoing Order has been published by the Minister of Agriculture and Fisheries 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, does hereby confirm the said Order.

The said Order may be cited as the "River Welland Catchment Board (Baston, Langtoft and the Deepings Internal Drainage District) Order, 1947".

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this first day of September, nineteen hundred and forty-seven.

(L.S.)

Hugh Gardner,
Assistant Secretary.

Whereas the Scheme confirmed by the River Welland Catchment Board (Baston, Langtoft and the Deepings Internal Drainage District) Order, 1947, provides that the appointed day therein mentioned shall be a day to be appointed by the Minister of Agriculture and Fisheries:

Now therefore the Minister of Agriculture and Fisheries hereby orders that the said appointed day shall be the third day of September, nineteen hundred and forty-seven.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this first day of September, nineteen hundred and forty-seven.

(L.S.)

Hugh Gardner,

Assistant Secretary.

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