

STATUTORY RULES AND ORDERS

1946 No. 1440

LAND DRAINAGE, ENGLAND AND WALES

River Welland Catchment Board

THE RIVER WELLAND CATCHMENT BOARD (ADDITION OF PARISH OF DEEPING ST. JAMES TO DEEPING FEN, SPALDING AND PINCHBECK INTERNAL DRAINAGE DISTRICT) ORDER, 1946, CONFIRMED AUGUST 12, 1946, 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 for the addition of certain lands in the parish of Deeping St. James to the Deeping Fen, Spalding and Pinchbeck 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 amendments (which have been incorporated in the Scheme) that is to say:—

Paragraph 4 has been amended to read as follows:—

"The powers of the Welland Drainage Board under the provisions of the Land Drainage Provisional Order Confirmation (No. 2) Act, 1922, so far as they are exercisable within the lands hereby added to the Deeping Fen District, and the powers of the Welland Outfall Trustees under the provisions of an Act of Parliament 30 and 31 Victoria Cap. CXCV, dated 12th August, 1867 (hereinafter referred to as 'the Act of 1867'), so far as they are exercisable within the Deeping Fen District and the lands hereby added to the Deeping Fen District shall be abrogated and cease to have effect".

A new paragraph 6 has been added as follows:—

"All property rights, powers, duties, obligations and liabilities vested in or to be discharged by the Welland Outfall Trustees acting under the provisions of the Act of 1867, shall, so far as they are exercisable within, or relate to, the Deeping Fen District and the lands hereby added to the Deeping Fen District, be transferred to and vested in the Deeping Fen Board".

Paragraph 6, renumbered 7.

Third line; after the words "any lands in the" and before the words "Deeping Fen District" the words "area hereby added to the" have been added.

Fourth line; after the words "Deeping Fen District" and before the words "and not collected by" the words "and by the Welland Outfall Trustees in respect of any lands in the Deeping Fen District and the area hereby added to the Deeping Fen District" have been added.

2. The Minister hereby appoints Frank Cyril Allen, Esquire, of Horsegate Farm, Deeping St. James, near Peterborough, to be the first additional member of the Deeping Fen, Spalding and Pinchbeck Internal Drainage Board to represent Electoral District F of the Existing Internal Drainage District.

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 first day of July, nineteen hundred and forty-six.

(L.S.)

Hugh Gardner,
Assistant Secretary.

LAND DRAINAGE ACT, 1930.

20 & 21 GEO. V. CH. 44.

RIVER WELLAND CATCHMENT BOARD.

The River Welland Catchment Board in pursuance of Sub-section (1) (b) of Section 4 of the Land Drainage Act, 1930, have prepared the following Scheme making provision for certain matters mentioned in the said Section which is supplemental to a Scheme setting up the Deeping Fen, Spalding and Pinchbeck Internal Drainage Board which came into force on the first day of April, one thousand nine hundred and thirty-nine, and a further Scheme adding to the Deeping Fen, Spalding and Pinchbeck Internal Drainage District the District before known as The Bourne and Thurlby Internal Drainage District, which Scheme came into force on the first day of April, one thousand nine hundred and forty-three, viz.:—

1. THE addition to the Deeping Fen, Spalding and Pinchbeck Internal Drainage District of certain lands in the parish of Deeping Saint James in the County of Lincoln coloured Red on the map attached to this Scheme.

2. CERTAIN matters supplemental thereto and consequent thereon.

AND the Catchment Board submit the Scheme to the Minister of Agriculture and Fisheries for confirmation under Section 4 of the Act.

SCHEME.

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

1. THERE shall be added to the Deeping Fen, Spalding and Pinchbeck Internal Drainage District (hereinafter called "the Deeping Fen District") the lands coloured Red on the Map, sealed by the Catchment Board in relation to this Scheme.

2. THE number of members of the Deeping Fen, Spalding and Pinchbeck Internal Drainage Board (hereinafter called "the Deeping Fen Board") shall be increased to Twenty and the additional member with the exception of the first member shall be elected in accordance with Section 33 of and the Third Schedule to the Land Drainage Act, 1930.

The first additional member shall be appointed by the Minister of Agriculture and Fisheries and shall hold office until the expiration of the term of office of the present members of the Deeping Fen Board.

3. THE Electoral Divisions into which the Deeping Fen District is divided by Clause 6 of the original Scheme setting up the Deeping Fen Board as delineated on the key map annexed to the Six inch Map sealed by the Catchment Board in relation to that Scheme and by Clause 3 of the Scheme adding the Bourne and Thurlby District to the Deeping Fen District hereinbefore

ferred to shall be increased to Six and the number of members by which the additional division shall be represented on the said Deeping Fen Board shall be as follows:—

Electoral Division.	Colour on Map scaled in relation to this Scheme.	Number of members.
F	Red	I

4. THE powers of the Welland Drainage Board under the provisions of the Land Drainage Provisional Order Confirmation (No. 2) Act, 1922, so far as they are exercisable within the lands hereby added to the Deeping Fen District and the powers of the Welland Outfall Trustees under the provisions of an Act of Parliament 30 and 31 Victoria Cap. CXCIV, dated 12th August, 1867 (hereinafter referred to as "the Act of 1867") so far as they are exercisable within the Deeping Fen District and the lands hereby added to the Deeping Fen District shall be abrogated and cease to have effect.

5. ALL property, rights, powers, duties, obligations and liabilities vested in or to be discharged by the Welland Drainage Board to the extent to which the same relate to matters or things within the Area hereby added to the Deeping Fen District are hereby transferred to the Deeping Fen Board provided that in the event of any asset or liability being applicable only partially in relation to the Deeping Fen District an equitable adjustment shall be made and only the due proportion shall be transferred to and vested in the Deeping Fen Board and in the event of a dispute arising between that Board and the Welland Drainage Board the same shall be referred to and decided by the Minister of Agriculture and Fisheries whose decision shall be final.

6. ALL property, rights, powers, duties, obligations and liabilities vested in or discharged by the Welland Outfall Trustees acting under the provisions of the Act of 1867 shall, so far as they are exercisable within, or relate to, the Deeping Fen District, and the lands hereby added to the Deeping Fen District, be transferred to and vested in the Deeping Fen Board.

7. THE power to collect all rents due to and all rates (including arrears of rates) already made by the Welland Drainage Board in respect of any lands in the area hereby added to the Deeping Fen District and by the Welland Outfall Trustees in respect of any lands in the Deeping Fen District and the area hereby added to the Deeping Fen District, and not collected by the appointed day together with powers and duties of the Drainage Board in relation thereto shall be transferred to the Deeping Fen Drainage Board.

*The Common Seal of the River Welland Catchment
Board was hereunto affixed this 24th day of September, } (L.S.)
1945, in the presence of

(Signed) E. E. WELBY EVERARD,
Chairman.

(Signed) 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 (Addition of Parish of Deeping St. James to Deeping Fen, Spalding and Pinchbeck Internal Drainage District) Order, 1946".

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

(L.S.)

Hugh Gardner,

Assistant Secretary.

WHEREAS the Scheme confirmed by the River Welland Catchment Board (Addition of Parish of Deeping St. James to Deeping Fen, Spalding and Pinchbeck Internal Drainage District) Order, 1946, 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 first day of November, nineteen hundred and forty-six.

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

(L.S.)

Hugh Gardner,

Assistant Secretary.

LONDON

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