STATUTORY INSTRUMENTS

1977 No. 1398

LAND DRAINAGE

The Yorkshire Water Authority (Alteration of Boundaries of the River Wiske Internal Drainage District) Order 1977

Made - - - -	*22nd June* 1977
Coming into Operation	*2nd August* 1977

Whereas before 1st April 1974 the Yorkshire River Authority prepared and submitted to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") for confirmation a Scheme (hereinafter called "the Scheme") under section 4(1)(*b*) of the Land Drainage Act 1930(**a**), as modified and applied by the Water Resources Act 1963(**b**), in relation to the River Wiske Internal Drainage District;

And whereas, as from 1st April 1974, under section 254(3) of the Local Government Act 1972(**c**), as applied by the Water Act 1973(**d**), the Scheme is treated as having been prepared, and submitted to the Minister for confirmation, by the Yorkshire Water Authority;

And whereas, by virtue of section 117(1) of, and paragraph 6 of Schedule 6 to the Land Drainage Act 1976(**e**) (which Act came into force on 17th January 1977), as from 17th January 1977 the Scheme is treated as having been prepared and submitted to the Minister for confirmation under section 11(1) of the Land Drainage Act 1976;

And whereas the Minister has decided to confirm the Scheme subject to the modifications set out in Article 3 of this Order;

And whereas a copy of the Scheme with the said modifications incorporated therein is annexed hereto;

Now, therefore, the Minister, in exercise of the powers conferred upon him by sections 11(4) and 109(6) of the Land Drainage Act 1976 and of every other power enabling him in that behalf, hereby orders as follows:—

1. This Order, which may be cited as the Yorkshire Water Authority (Alteration of Boundaries of the River Wiske Internal Drainage District) Order 1977, shall, unless subject to special parliamentary procedure, come into operation on the date of its confirmation by the Minister.

(**a**) 1930 c. 44.
(**b**) 1963 c. 38.
(**c**) 1972 c. 70.
(**d**) 1973 c. 37.
(**e**) 1976 c. 70.

2. The Interpretation Act 1889**(a)** 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 subject to the following modifications:—

(1) in the heading:—

(*a*) after "Water Resources Act 1963" there shall be inserted the words "and Water Act 1973";

(*b*) above "Yorkshire River Authority" there shall be inserted the words "Land Drainage Act 1976";

(*c*) below "Yorkshire River Authority" there shall be inserted the words "Yorkshire Water Authority";

(2) in paragraph 1 of the Scheme, for the word "lying" there shall be substituted the words "which immediately before 1st April 1974 lay";

(3) in paragraph 1 of the Scheme, immediately after the words "to this Scheme" there shall be inserted the words "except such part of those lands lying in the said Parish of South Otterington as are shown coloured blue hatched green on the said map".

4. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Yorkshire Water 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 22nd June 1977.

(L.S.)

(Sgd.) *A. F. Longworth*,
Assistant Secretary.

LAND DRAINAGE ACT 1930
WATER RESOURCES ACT 1963 AND WATER ACT 1973
LAND DRAINAGE ACT 1976

YORKSHIRE RIVER AUTHORITY
YORKSHIRE WATER AUTHORITY

River Wiske Internal Drainage District

The Yorkshire River Authority (hereinafter called "the River Authority") in pursuance of section 4(1)(*b*) of the Land Drainage Act 1930, as modified and applied by the Water Resources Act 1963, have prepared the following Scheme making provision for the alteration of the boundaries of the River Wiske Internal Drainage District (hereinafter called "the District"); AND the River Authority submit the Scheme 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) 1889 c. 63.

SCHEME

On a day to be appointed by the Minister the following provisions shall have effect:—

1. The boundaries of the District as constituted by the Scheme confirmed by the River Ouse (Yorks.) Catchment Board (River Wiske Internal Drainage District) Order 1937(a) (hereinafter called "the 1937 Order") and altered by the Scheme confirmed by the River Ouse (Yorks.) Catchment Board (Alteration of boundaries of the River Wiske Internal Drainage District) Order 1944(b) (hereinafter called "the 1944 Order") shall be altered so as to exclude from the District all those lands which immediately before 1st April 1974 lay in the Urban District of Northallerton and in the Parishes of Appelton Wiske, Brompton, East Cowton, Ingleby Arncliffe, Kirby Wiske, Lazenby, Romanby, South Otterington, and Warlaby in the County of York which are shown coloured blue on the map (in three parts) sealed by the River Authority in relation to this Scheme except such part of those lands lying in the said Parish of South Otterington as are shown coloured blue hatched green on the said map.

2. The maps of the District sealed in relation to the Schemes confirmed by the 1937 Order and the 1944 Order shall, for the purpose of securing that the effect of this Scheme is noted, be altered accordingly and the alteration certified by the Minister.

DATED 27th March 1974.

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.

Whereas the foregoing Order has been published by the Minister of Agriculture, Fisheries and Food in accordance with the procedure prescribed by the Land Drainage Act 1976;

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, hereby confirms the said Order.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 2nd August 1977.

(L.S.)

(Sgd.) *A. F. Longworth*,
Assistant Secretary.

Whereas the Scheme confirmed by the Yorkshire Water Authority (Alteration of Boundaries of the River Wiske Internal Drainage District) Order 1977 provides that the appointed day therein mentioned shall be a day to be appointed by the Minister of Agriculture, Fisheries and Food;

(a) S.R & O. 1937/207 (b) S.R. & O. 1944/1168.

Now, therefore, the Minister of Agriculture, Fisheries and Food hereby appoints the 1st September 1977 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 2nd August 1977.

(L.S.)

(Sgd.) *A. F. Longworth*,
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made by the Minister of Agriculture, Fisheries and Food, confirms with modifications, a Scheme submitted to him before 1st April 1974 by the Yorkshire River Authority for the alteration of the boundaries of the River Wiske Internal Drainage District. This District was constituted by the Scheme confirmed by the River Ouse (Yorks.) Catchment Board (River Wiske Internal Draininge District) Order 1937 (as amended). The Yorkshire River Authority was abolished on 1st April 1974 by the Water Act 1973 and, under section 254(3) of the Local Government Act 1972 as applied by the Water Act 1973, as from 1st April 1974 the Scheme is treated as having been prepared and submitted by the Yorkshire Water Authority.

The map sealed in relation to the Scheme is available for inspection during office hours at the offices of the Minister of Agriculture, Fisheries and Food, Great Westminster House, Horseferry Road, London SW1P 2AE, and a certified copy thereof may be inspected during office hours at the offices of the River Wiske Internal Drainage Board, Ivy Cottage, Newby Wiske, Northallerton, Yorks. DL7 9EX.

Printed in England by McCorquodale Printers Ltd., and published by Her Majesty's Stationery Office
27/P20629/0 M87 K10 8/77
15p net
ISBN 0 11 071398 2