STATUTORY INSTRUMENTS

1978 No. 843

LAND DRAINAGE

The North West Water Authority (Abolition of the Newland Moss and the River Duddon Internal Drainage Districts) Order 1978

Made - - -	13*th April* 1978
Coming into Operation	5*th June* 1978

Whereas the North West Water 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 11(1) of the Land Drainage Act 1976(a), in relation to the Newland Moss and the River Duddon Internal Drainage Districts;

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 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 North West Water Authority (Abolition of the Newland Moss and the River Duddon Internal Drainage Districts) Order 1978, shall, unless subject to special parliamentary procedure, come into operation on the date of its confirmation by the Minister.

2. The Interpretation Act 1889(b) 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 North West 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 13th April 1978.

(L.S.)

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

(a) 1976 c. 70.

(b) 1889 c. 63.

LAND DRAINAGE ACT 1976
NORTH WEST WATER AUTHORITY
ABOLITION OF THE NEWLAND MOSS INTERNAL DRAINAGE DISTRICT AND THE RIVER DUDDON INTERNAL DRAINAGE DISTRICT

The North West Water Authority (hereinafter referred to as "the Authority") have prepared the following Scheme under section 11(1) of the Land Drainage Act 1976, and submit it to the Minister of Agriculture, Fisheries and Food (hereinafter referred to as "the Minister") for confirmation under section 11(4) of the said Act of 1976.

SCHEME

On a day to be appointed by the Minister (which day is hereinafter referred to as "the appointed day") the following provisions shall have effect:

1. The Newland Moss Internal Drainage District (constituted by the Scheme confirmed by the North Lonsdale Rivers Catchment Board (Newland Moss Internal Drainage District) Order 1950(a)) and the River Duddon Internal Drainage District (constituted by the Scheme confirmed by the Lancashire River Board (River Duddon Internal Drainage District) Order 1965(b)) and the respective drainage boards thereof (together hereinafter referred to as the "Drainage Boards") shall be abolished and the rights, powers, duties, obligations, liabilities and property (including in particular, but without prejudice to the generality of that expression, books of account, other books, deeds, maps, papers and other documents) of each of the Drainage Boards shall be transferred to the Authority.

2. The accounts of each of the Drainage Boards shall be made up to the appointed day and shall be audited in like manner and subject to the like incidents and consequences as if this Scheme had not been made: provided that any sum certified by the District Auditor at any such audit as due from any person shall be paid to the Authority.

3. Any monies transferred to the Authority being the balance of drainage rates levied by each of the Drainage Boards or any other assets so transferred shall be applied by the Authority as if the same were the proceeds of a general drainage charge levied by them under the provisions of section 48 of the Land Drainage Act 1976.

4. Any debts due from the Drainage Boards or either of them immediately before the appointed day shall be discharged by the Authority and any arrears of rates outstanding at the appointed day shall be paid to, and be recoverable by, the Authority.

5. 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.

IN WITNESS whereof the Common Seal of the North West Water Authority was hereunto affixed on the 19th December 1977.

The Common Seal of the NORTH WEST WATER AUTHORITY was hereunto affixed in the presence of:— } (L.S.)

(Sgd.) *W. H. Crackle,*

Authorised Signatory.

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.

(a) S.I. 1950/855 & 856. (b) S.I. 1965/838.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 5th June 1978.

(L.S.)

(Sgd.) *J. S. W. Henshaw,*
Assistant Secretary.

Whereas the Scheme confirmed by the North West Water Authority (Abolition of the Newland Moss and the River Duddon Internal Drainage Districts) Order 1978 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 6th June 1978 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 5th June 1978.

(L.S.)

(Sgd.) *J. S. W. Henshaw,*
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 North West Water Authority for the abolition, on a day to be appointed by the Minister, of the Newland Moss Internal Drainage District (constituted by the Scheme confirmed the North Lonsdale Rivers Catchment Board (Newland Moss Internal Drainage District) Order 1950) and the River Duddon Internal Drainage District (constituted by the Scheme confirmed by the Lancashire River Board (River Duddon Internal Drainage District) Order 1965) and the Drainage Boards thereof. On the appointed day all the rights and property of the Drainage Boards will be transferred to the North West Water Authority.