STATUTORY INSTRUMENTS

1980 No. 1427

LAND DRAINAGE

The Anglian Water Authority (Alteration of Boundaries of the Black Sluice and the Welland and Deepings Internal Drainage Districts) Order 1980

Made - - - - 25*th July* 1980

Coming into Operation 12*th September* 1980

Whereas the Anglian 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 Black Sluice and the Welland and Deepings 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 Anglian Water Authority (Alteration of Boundaries of the Black Sluice and the Welland and Deepings Internal Drainage Districts) Order 1980, shall, unless subject to special parliamentary procedure, come into operation on the date of its confirmation by the Minister.

2. The Scheme is hereby confirmed.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Anglian 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 25th July 1980.

(L.S.)

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

(a) 1976 c. 70.

LAND DRAINAGE ACT 1976

ANGLIAN WATER AUTHORITY

BLACK SLUICE INTERNAL DRAINAGE DISTRICT

WELLAND AND DEEPINGS INTERNAL DRAINAGE DISTRICT

The Anglian Water Authority (hereinafter called "the Water Authority") hereby submit to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") in pursuance of section 11(1) of the Land Drainage Act 1976 for confirmation under section 11(4) of the said Act the following Scheme for:—

1. the alteration of the boundaries of the Black Sluice Internal Drainage District and of the Welland and Deepings Internal Drainage District;
2. matters supplemental thereto or consequential thereon.

SCHEME

(1) This Scheme (which includes the Schedules hereto) may be cited as "the Anglian Water Authority (Alteration of Boundaries of the Black Sluice Internal Drainage District and the Welland and Deepings Internal Drainage District) Scheme 1980" and shall come into operation on a day to be appointed by the Minister (hereinafter called "the appointed day").

(2) (*a*) The boundaries of the Black Sluice Internal Drainage District as constituted and amended by the various Schemes and confirming Orders referred to in the First Schedule hereto shall be altered so as to exclude from such said Internal Drainage District all that land (hereinafter called "the said land") lying in the parishes of Quadring and Gosberton in the District of South Holland and in the Parish of Wigtoft in the Borough of Boston all in the County of Lincoln and which is shown coloured red on the map sealed by the Water Authority in relation to this Scheme.

(*b*) The boundaries of the Welland and Deepings Internal Drainage District as constituted by the Scheme and confirming Order referred to in the Second Schedule hereto shall be altered so as to include in such said Internal Drainage District the said land.

(3) The provisions of the Scheme and confirming Order referred to in the Second Schedule hereto shall, where applicable, apply to the said land as if such land had formed part of the Welland and Deepings Internal Drainage District immediately before the appointed day and the said land shall be added to and be part of Five Towns and Risegate Eau District Electoral Division as provided for by Article 3(iii) and the Schedule to such Scheme and confirming Order.

(4) Any 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) as were immediately before the appointed day vested in or to be discharged by the Black Sluice Internal Drainage Board in relation to the said land or any part thereof shall be transferred to and be vested in or be discharged by the Welland and Deepings Internal Drainage Board provided that in the event of any property or liability being applicable to part only of the said land an equitable apportionment shall be made in respect thereof and only the relevant proportion shall be transferred to and vested in the Welland and Deepings Internal Drainage Board and in the event of any dispute arising in this connection between the Black Sluice Internal Drainage Board and the Welland and Deepings Internal Drainage Board the same shall be referred to and determined by the Minister whose decision thereon shall be final.

(5) All arrears of any demands for rates made before the appointed day in respect of the said land or any part thereof by the Black Sluice Internal Drainage Board in respect of any period or periods ending before the appointed day may be recovered by the Welland and Deepings Internal Drainage Board in the same manner as if they had been rates made by that Board.

(6) All property and liabilities transferred to the Welland and Deepings Internal Drainage Board under paragraph 4 hereof in respect of which immediately before the appointed day some part only of the said land was entitled to receive the benefit or was liable shall, as to both capital money and income or interest, be applied after the appointed day to the benefit of, or be payable out of the rates levied only upon that part of the said land, as the case may be: provided that the Welland and Deepings Internal Drainage Board may, subject to the approval of the Water Authority, apply the value of the property and charge the liabilities transferred under this Scheme to or upon the whole of the Welland and Deepings Internal Drainage District or such part or parts thereof and in such manner as they from time to time shall think fair.

(7) As respects any matter transferred under this Scheme the Scheme shall operate as conclusive evidence of the transfer without the necessity for any further assignment or deed of transfer

FIRST SCHEDULE

The Scheme confirmed by the Witham and Steeping Rivers Catchment Board (Black Sluice Internal Drainage District) Order 1935(**a**).

The Scheme confirmed by the Lincolnshire River Board (Black Sluice Internal Drainage District and Witham First District Internal Drainage District) Order 1953(**b**).

The Scheme confirmed by the Lincolnshire River Board (Black Sluice Internal Drainage District) (Alteration of Boundaries and Electoral Districts) Order 1961(**c**).

The Scheme confirmed by the Lincolnshire River Authority (Alteration of Boundaries of the Black Sluice Internal Drainage District) Order 1965(**d**).

The Scheme confirmed by the Lincolnshire River Authority (Alteration of Boundaries of the Black Sluice Internal Drainage District) Order 1967(**e**).

The Scheme confirmed by the Lincolnshire River Authority (Black Sluice Internal Drainage District) Order 1969(**f**).

The Scheme confirmed by the Lincolnshire River Authority (Black Sluice Internal Drainage District) Order 1973(**g**).

The Scheme confirmed by the Anglian Water Authority (Alteration of Boundaries of the Black Sluice Internal Drainage District) Order 1978(**h**).

SECOND SCHEDULE

The Scheme confirmed by the Welland and Nene River Authority (Welland and Deepings Internal Drainage District) Order 1973(**i**).

IN WITNESS whereof the Water Authority has caused its Common Seal to be hereunto affixed the Twenty-First day of March 1980.

THE COMMON SEAL of ANGLIAN WATER AUTHORITY was hereunto affixed in the presence of:—

(L.S.)

(Sgd.) *G. L. Sturgess,*
Director of Administration.

(**a**) S.R. & O. 1935/300. (**b**) S.I. 1953/900. (**c**) S.I. 1961/376.
(**d**) S.I. 1966/107. (**e**) S.I. 1968/57. (**f**) S.I. 1969/1260.
(**g**) S.I. 1973/1902. (**h**) S.I. 1978/1819. (**i**) S.I. 1973/989.

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 12th September 1980.

(L.S.)

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

Whereas the Scheme confirmed by the Anglian Water Authority (Alteration of Boundaries of the Black Sluice and the Welland and Deepings Internal Drainage Districts) Order 1980 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 1st October 1980 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th September 1980.

(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 a Scheme submitted to him by the Anglian Water Authority making provision for the alteration of the boundaries of the Black Sluice Internal Drainage District and the Welland and Deepings Internal Drainage District by the amalgamation with the Welland and Deepings Internal Drainage District of part of the Black Sluice Internal Drainage District.

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 Anglian Water Authority, 50 Wide Bargate, Boston, Lincs PE21 6SA, and North Street, Oundle, Peterborough PE8 4AS, at the offices of the Black Sluice Internal Drainage Board, 72 Carlton Road, Boston, Lincs PE21 8PB, and at the offices of the Welland and Deepings Internal Drainage Board, Deeping House, Welland Terrace, Spalding, Lincs PE11 2TD.

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