

1973 No. 1924

WATER, ENGLAND AND WALES

**The Welsh National Water Development Authority
(Regional Land Drainage Committee) Order 1973***Made* - - - 12th November 1973*Coming into Operation* 20th November 1973

Whereas—

(1) the Welsh National Water Development Authority (hereafter in this Order referred to as “the Welsh Authority”) are required by paragraph 1(1) of Schedule 5 to the Water Act 1973(a) to establish a committee to be known as a regional land drainage committee and, in accordance with paragraph 1(7), (9) and (10) of the said Schedule, have submitted to the Minister of Agriculture, Fisheries and Food (hereafter in this Order referred to as “the Minister”) a determination (which has provisional effect only until confirmed by the Minister) that the total number of members of their regional land drainage committee (hereafter in this Order referred to as “the committee”) shall be nineteen;

(2) the constituent councils for the committee are the councils of the counties specified in the first column of the Schedule to this Order;

(3) the Minister, having had regard to the appropriate penny rate product and proportion mentioned in paragraph 3(1) of the said Schedule 5 relating to each of the said constituent councils, considers it to be inappropriate that the councils of the counties of Gloucestershire and Salop (being two of the said constituent councils) should appoint a member of the committee:

Now, therefore, the Minister, in exercise of the powers conferred on him by paragraphs 1(11), (12) and 3(1) of Schedule 5 to the Water Act 1973, and of every other power enabling him in that behalf, and having had regard to the appropriate penny rate product and proportion mentioned in the said paragraph 3(1) relating to each of the said constituent councils, hereby orders as follows:—

Citation and commencement

1. This Order may be cited as the Welsh National Water Development Authority (Regional Land Drainage Committee) Order 1973 and shall come into operation on 20th November 1973.

Interpretation

2.—(1) In this Order—

“the Act of 1972” means the Local Government Act 1972(b);

“constituent council” means the council of any county established by the Act of 1972 any part of which is in the Welsh Authority area;

(a) 1973 c. 37.

(b) 1972 c. 70.

“the Welsh Authority area” means the area of the Welsh Authority for the purposes of their functions relating to land drainage.

(2) Any reference in this Order to a specified county or to the council thereof is a reference to the county of that name established by the Act of 1972 or to the council so established for that county, as the case may be.

(3) The Interpretation Act 1889(a) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Confirmation of determination

3. The determination of the Welsh Authority that the total number of members of the committee shall be nineteen is hereby confirmed.

Constituent councils appointments of committee members

4.—(1) The number of members to be appointed to the committee by or on behalf of constituent councils for the committee shall be ten.

(2) The number of members of the committee to be appointed by each of the councils of the counties specified in the first column of the Schedule to this Order shall be the number specified in relation to that county in the second column of that Schedule.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th November 1973.

(L.S.)

Joseph Godber,
Minister of Agriculture,
Fisheries and Food.

SCHEDULE

Article 4

<i>Counties</i>							<i>Number of Members</i>
Cheshire	..	..	..	..	..	..	One
Clwyd	..	..	..	..	..	..	One
Dyfed	..	..	..	..	..	..	One
Gloucestershire	..	..	..	..	..	..	None
Gwent	..	..	..	..	..	..	One
Gwynedd	..	..	..	..	..	..	One
Hereford and Worcester	..	..	..	..	..	..	One
Mid Glamorgan	..	..	..	..	..	..	One
Powys	..	..	..	..	..	..	One
Salop	..	..	..	..	..	..	None
South Glamorgan	..	..	..	..	..	..	One
West Glamorgan	..	..	..	..	..	..	One

EXPLANATORY NOTE

(This Note is not part of the Order.)

Paragraph 1 of Schedule 5 to the Water Act provides that each water authority (including the Welsh National Water Development Authority) shall establish a regional land drainage committee consisting of:—

- (a) a Chairman and a number of other members appointed by the Minister of Agriculture, Fisheries and Food;
- (b) two members appointed by the water authority; and
- (c) a number of members appointed by constituent councils being, where no part of Greater London is in the water authority area, councils of counties any part of whose area is in the water authority area.

That paragraph also provides that the total membership of the regional land drainage committee shall be determined by the water authority within the limits of eleven and seventeen. The water authority may determine a membership in excess of seventeen, but under paragraph 1(11) such a determination is provisional until confirmed by the Minister by Order

When the total number of members of a water authority's regional land drainage committee has been finally determined, the Minister is required by paragraph 1(12) of the Schedule by Order to specify the number of members to be appointed to the committee by the constituent councils, their number being required by paragraph 1(13) of the Schedule to exceed by one the number of the other members. In determining the number of such members to be appointed by each constituent council, the Minister is required by paragraph 3(1) of the Schedule to have regard to the appropriate penny rate product and proportion mentioned in that paragraph and where, having regard thereto, the Minister considers it inappropriate that a constituent council should appoint a member of the committee he may by the Order so provide.

The Welsh National Water Development Authority, established on 6th August 1973, having provisionally determined that the total number of the members of their regional land drainage committee should be nineteen, this Order confirms that number and specifies the number of members of that committee which are to be appointed by constituent councils and by which of those councils such members are to be appointed.

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