
STATUTORY INSTRUMENTS

1988 No. 566

LAND DRAINAGE

**The Severn-Trent Water Authority (Regional
Land Drainage Committee) Order 1988**

Made - - - - *22nd March 1988*

Coming into force - - *1st April 1988*

Whereas—

(1) the Severn-Trent Water Authority (hereinafter referred to as “the Water Authority”) in accordance with section 2(5) of the Land Drainage Act 1976 (hereinafter referred to as “the 1976 Act”) (a) have submitted to the Minister of Agriculture, Fisheries and Food (hereinafter referred to as “the Minister”) a determination dated 12th February 1988 (hereinafter called “the determination”) varying the total number of members of their regional land drainage committee (hereinafter referred to as “the committee”) from seventeen to twenty-one;

(2) the Minister proposes to confirm the determination;

(3) the constituent councils for the committee are the councils of the counties and the metropolitan districts specified in the first column of the Schedule to this Order;

(4) the Minister having had regard to the estimated penny rate product and proportion mentioned in section 3(5) of the 1976 Act relating to each of the said constituent councils considers—

(a) it is inappropriate that the councils of the counties of Clwyd, Lincoln, Northampton and Oxford, and of the metropolitan district of Sheffield (being five of the said constituent councils) should appoint a member of the committee,

(b) that one member of the committee should be appointed jointly by each of the following groups of councils, namely the councils of the counties of Avon and Gloucester, the councils of the counties of Hereford and Worcester, and Warwick, the councils of the counties of Powys and Salop, the metropolitan district councils of Coventry and Solihull, the metropolitan district councils of Doncaster, Humberside and Rotherham and the metropolitan district councils of Dudley, Sandwell, Walsall and Wolverhampton,

(c) that one member of the committee should be appointed by each of the councils of the counties of Derby, Leicester, Nottingham and Stafford and one such member should be appointed by the metropolitan district council of Birmingham.

(5) in accordance with s.3(4) of the 1976 Act, the number of members of the committee to be appointed by or on behalf of constituent councils under the provisions of this Order is to be one more than the total number of members to be appointed by the Minister and by the Water Authority under section 2(1)(a) and (b) of the 1976 Act.

Now, therefore, the Minister((1)), in exercise of the powers conferred on him by sections 2(5) and 3(3) and (5) of the 1976 Act and of every other power enabling him in that behalf, and having had regard to the estimated penny rate product and proportion mentioned in section 3(5) of the 1976 Act relating to each of the said constituent councils, hereby orders as follows:—

Citation, commencement and interpretation

1. This Order may be cited as the Severn-Trent Water Authority (Regional Land drainage Committee) Order 1988 and shall come into force on 1st April 1988.

2. In this order—

“the 1972 Act” means the Local Government Act 1972((2));

“constituent council” means the council of any county or metropolitan district established by the 1972 Act any part of either of which is in the Water Authority area;

“the Water Authority area” means the area of the Water Authority for the purposes of their functions relating to land drainage((3)).

Constituent councils appointments of committee members

3.—(1) The determination is hereby confirmed.

(2) The number of members to be appointed to the committee by or on behalf of constituent councils for the committee shall be eleven.

(3) The number of members of the committee to be appointed by each of the councils of the counties and each of the metropolitan district councils specified in the first column of the Schedule to this Order or by or on behalf of the councils of each group of counties or metropolitan districts so specified shall be the number specified in relation to that county or metropolitan district or to that group in the second column of that Schedule.

(4) Where in the said Schedule the number to be appointed is specified in relation to a group of counties or metropolitan districts that number shall be appointed jointly by the councils of the counties or the metropolitan district councils comprising the group.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd March 1988.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

(1) The powers of section 2(5) and 3(3) and (5) of the 1976 Act are conferred upon “the Minister”, which expression is by section 116(1) of that Act defined as the Minister of Agriculture, Fisheries and Food.
(2) 1972 c. 70.
(3) This area is shown on the main river map for the purposes of section 9 of the 1976 Act kept at the principal office of the Water Authority at Severn-Trent Water, Abelson House, 2297 Coventry Road, Sheldon, Birmingham B26 3PU.

SCHEDULE

Article 3

COUNTY COUNCILS

Avon, Gloucestershire	one jointly
Clwyd	none
Derbyshire	one
Hereford and Worcestershire, Warwickshire	one jointly
Leicestershire	one
Lincolnshire	none
Northamptonshire	none
Nottinghamshire	one
Oxfordshire	none
Powys, Shropshire	one jointly
Staffordshire	one

METROPOLITAN DISTRICT COUNCILS

Birmingham	one
Coventry, Solihull	one jointly
Doncaster, Humberside, Rotherham	one jointly
Dudley, Sandwell, Walsall, Wolverhampton	one jointly
Sheffield	none

EXPLANATORY NOTE

(This note is not part of the Order)

Section 2(3) of the Land Drainage Act 1976 (hereinafter called “the Act”) provides that the total number of members of a Water Authority’s regional land drainage committee shall not be less than eleven nor more than seventeen unless a determination that the total number of such members should be increased is submitted by the Water Authority to the appropriate Minister (in the case of the Severn-Trent Water Authority, the Minister of Agriculture, Fisheries and Food) under section 2(5) of the Act, and is confirmed by the Minister. Where the total number of members is so increased, the Minister is required by section 3(3) of the Act by order to specify anew the number of members to be appointed to the committee by or on behalf of the constituent councils for the committee (in the case of the Severn-Trent Water Authority, the county and metropolitan district councils for the water authority’s area). This number is required by section 3(4) of the Act to exceed by one the number of the other members of the committee (appointed by the Minister and the Water Authority). In

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determining the number of members to be appointed by or on behalf of each constituent council, the Minister is required by section 3(5) of the Act to have regard to the estimated penny rate product and proportion mentioned in that sub-section and where, having regard thereto, the Minister considers it inappropriate that a constituent council should appoint a member of the committee, or considers that one or more members should be appointed jointly by that council and one or more other constituent councils, he may by the Order so provide.

The Severn-Trent Water Authority has determined that the total number of the members of their regional land drainage committee should be increased from seventeen to twenty-one. This Order which confirms that determination, specifies as eleven the number of members of that committee who are to be appointed by or on behalf of constituent councils and further specifies by which of those councils such members are to be appointed.

The constituent councils who were not previously but are now able in pursuance of this Order, jointly, with other constituent councils, to appoint a member to the regional land drainage committee as specified in the Schedule to this Order are the councils of Avon and Powys and the metropolitan district council of Humberside.

These arrangements replace the previous arrangements originally made in the Severn-Trent Water Authority (Regional Land Drainage Committee) Order 1973 (SI 1973/1921), and which were continued under section 3(3) of the Land Drainage Act 1976, and varied by the Local Government Act 1985 (Severn-Trent Water Authority Regional Land Drainage Committee) Order 1986 (SI 1986/613).