

*These notes relate to the Pow of Inchaffray Drainage Commission (Scotland)
Act 2019 (asp 2) which received Royal Assent on 17 January 2019*

POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) ACT 2019

EXPLANATORY NOTES

SUMMARY OF AND BACKGROUND TO THE ACT

3. The Pow of Inchaffray (“the Pow”) is a drainage channel that provides drainage to surrounding lands in the local authority area of Perth and Kinross. It originates at Methven Moss and meanders in a south-westerly direction for approximately nine miles until it reaches the River Earn, about two and a half miles south east of Crieff. Together with its 10 main tributaries the Pow is the equivalent of 13.7 miles long. The function of the Pow is to drain a total area of surrounding land of approximately 2,047 acres. The arrangements for the management, maintenance and improvement of the Pow and appointment of Commissioners with responsibility for this were set out in the Pow of Inchaffray Drainage Act 1846 (“the 1846 Act”). The 1846 Act repealed a 1696 Act of the old Scottish Parliament entitled ‘An Act in favours of the Heritors adjacent to the Pow of Inchaffray’ and provided for new and more extensive powers to be given to Commissioners.
4. The Pow of Inchaffray Commissioners needed the arrangements laid down by the 1846 Act to be updated so that the Commissioners can effectively carry out their responsibilities to administer and maintain the Pow in the future. This required a Private Bill.
5. In addition, the bulk of the 1846 Act was no longer relevant. (Much of it authorised the construction of improvement works that have long since been completed.) As an Act would be required anyway to update the 1846 Act, the Commissioners took the opportunity to modernise and simplify the whole statutory basis for managing the Pow by replacing the 1846 Act with a new Act that includes updated versions of those provisions from the 1846 Act that are still relevant.