



### CHAPTER viii.

An Act to confirm a Provisional Order made by the Minister of Agriculture and Fisheries relating to a scheme submitted by the River Great Ouse Catchment Board under section 4 (1) (b) of the Land Drainage Act 1930. [2nd July 1941.]

**W**HEREAS the Minister of Agriculture and Fisheries has made an Order confirming with modifications a scheme submitted to him by the River Great Ouse Catchment Board under section 4 (1) (b) of the Land Drainage Act 1930 :

20 & 21 Geo. 5.  
C. 44.

And whereas such Order has been opposed and the Minister has submitted it to Parliament for confirmation :

Be it therefore enacted, by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The Order set out in the schedule hereto is hereby confirmed.

Order in  
schedule  
confirmed.

2. This Act may be cited as the Land Drainage (Benwick Internal Drainage District) Provisional Order Confirmation Act 1941.

Short title.

SCHEDULE.

LAND DRAINAGE ACT 1930.

RIVER GREAT OUSE CATCHMENT BOARD.

1. The Minister of Agriculture and Fisheries in exercise of the powers conferred upon him by the Land Drainage Act 1930 and of every other power in that behalf hereby confirms the scheme in relation to the Benwick Internal Drainage District (together with the map referred to therein) submitted to him by the River Great Ouse Catchment Board under section 4 (1) (b) of the said Act a copy of which scheme is annexed hereto with the following modifications (which have been incorporated therein) (that is to say):—

- (a) *Paragraph 3 (b)* has been amended to read The agreement (hereinafter called "the said agreement") dated the 25th day of July 1904 and made under the provisions of section 198 of the Middle Level Act 1844 between the Commissioners (therein referred to as "the Doddington Commissioners") for the Fourth District or Division for Draining mentioned in subparagraph (a) of this paragraph (in the said agreement referred to as "the Doddington District") and the Commissioners (therein and hereinafter called "the Chatteris Commissioners") for the Second District or Division for Draining under an Act of Parliament passed in the fifteenth year of the reign of King George 3. c. 65 and intituled "An Act for draining and preserving certain Fen Lands Low Grounds and Commons in the several Parishes of Ramsey Bury Wistow Warboys Somersham Colne and Pidley with Fenton in the County of Huntingdon and in the Parishes of Chatteris and Doddington within the Isle of Ely in the County of Cambridge" shall be determined ;
- (b) *Paragraph 3 (f) Line 2* The word "hereinbefore" has been substituted for the word "hereinafter."

The proviso has been amended to read Provided that the property of the Joint Committee appointed under the said agreement shall be disposed of in accordance with the agreement referred to in the proviso to the next paragraph of this scheme ;

- (c) *Paragraph 4* The following proviso has been added :—

Provided that the Minister shall not fix the second appointed day until he has approved the terms of an agreement between the Internal Drainage Board and the Chatteris Commissioners providing for the drainage of the area under the jurisdiction of the Chatteris Commissioners as effectively as heretofore and the Minister may in default of agreement between the two parties fix the terms of the agreement on the application of either party or of the Catchment Board ;

- (d) *Paragraph 5 Line 1* After the words "All property" the words "debts loans" have been inserted ;

(e) *First Schedule Act of Parliament 39 and 40 George 3. c. XL.*  
After the words "Vermuyden's or the Forty" the words  
"Feet Drain to a Bridge called the Forty" have been  
inserted.

2. The Minister hereby appoints the following persons to be the first members of the Internal Drainage Board :—

Bertram George Bedford esquire West View Benwick March.

Arthur Davis Burton esquire The Elms Benwick Nr. March  
Cambs.

Leonard Childs esquire Sunnyside, Chatteris Cambs.

William Fountain esquire Hazelmere Benwick Nr. March  
Cambs.

Tom Jones esquire Benwick March Cambs.

Eric Evans Llewellyn esquire Four Hundred Farm Ramsey  
Hunts.

George Smalley Phillips esquire Bridge House, Forty Foot  
Ramsey Hunts.

Charles Rickwood esquire Burnsfield Chatteris Cambs

William Arthur Rose esquire Ivanhoe Ramsey Hunts.

George Squires esquire Lancewood London Road Chatteris Cambs.

Reginald Thomas Wesley esquire County Hall March.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Catchment Board and shall be part of the administrative expenses of the Catchment Board.

---

## S C H E M E .

1. As from a day (hereinafter called "the first appointed day") to be appointed by the Minister of Agriculture and Fisheries (hereinafter called "the Minister") all those lands lying in the Parishes of Benwick Chatteris and Doddington in the Isle of Ely and county of Cambridge and Ramsey in the county of Huntingdon, coloured pink and enclosed within a red line on the map sealed by the Catchment Board in relation to this scheme shall be constituted an internal drainage district under the Land Drainage Act 1930 under the name of the Benwick Internal Drainage District (hereinafter called "the Internal Drainage District").

2. As from the first appointed day there shall be constituted a drainage board for the said internal drainage district under the name of the Benwick Internal Drainage Board (hereinafter called "the Internal Drainage Board") consisting of eleven members who with the exception of the first members shall be elected in accordance with the provisions of section 33 of and the Third Schedule to the Land Drainage Act 1930. The first members of the Internal Drainage Board shall be appointed by the Minister and shall hold office until the first day of November in the year next after that in which the order in relation to this scheme comes into force.

3. As from a later day (hereinafter called "the second appointed day") to be appointed by the Minister—

(a) The following Internal Drainage Districts and the Drainage Boards thereof constituted under the respective Acts of Parliament and Statutory Orders mentioned in the First Schedule hereto shall be abolished (that is to say):—

The Upper District or Division for Embanking ;

The First District or Division for Draining ;

The Second District or Division for Draining ;

The Third District or Division for Draining ;

The Fourth District or Division for Draining ;

Broadalls Four Hundred and Betty's Nose Drainage District ;

Mereside Plantation and Ramsey Mere Drainage District ;

(b) The agreement (hereinafter called "the said agreement") dated the 25th day of July 1904 and made under the provisions of section 198 of the Middle Level Act 1844 between the Commissioners (therein referred to as "the Doddington Commissioners") for the Fourth District or Division for Draining mentioned in subparagraph (a) of this paragraph (in the said agreement referred to as "the Doddington District") and the Commissioners (therein and hereinafter called "the Chatteris Commissioners") for the Second District or Division for Draining under an Act of Parliament passed in the fifteenth year of the reign of King George 3. c. 65 and intituled "An Act for draining " and preserving certain Fen Lands Low Grounds and " Commons in the several Parishes of Ramsey Bury Wistow " Warboys Somersham Colne and Pidley with Fenton in the " County of Huntingdon and in the Parishes of Chatteris " and Doddington within the Isle of Ely in the County of " Cambridge " shall be determined ;

(c) Save as hereinafter provided the provisions of the local Acts and Statutory Orders mentioned in the First Schedule hereto shall not apply to the Internal Drainage District and the Internal Drainage Board ;

(d) Provided that the provisions of the said local Acts specified in the Second Schedule hereto shall remain in full force and effect with respect to the lands to which the said Acts apply and the Internal Drainage District and the Internal Drainage Board shall be substituted therein for all references to the several districts and to the Commissioners for the said districts respectively ;

(e) And provided that arrears of rates made before the second appointed day in respect of any land within the Internal Drainage District by the Commissioners for the Upper District or Division for Embanking the Commissioners for the First Second Third and Fourth Districts or Divisions for Draining the Broadalls Four Hundred and Betty's Nose Drainage Board and the Mereside Plantation and Ramsey Mere Drainage Board respectively may be recovered by the



Internal Drainage Board in the same manner as if they had been rates made by the Internal Drainage Board and for this purpose the Internal Drainage Board shall be entitled to inspect documents and rate books relating to such rates and to take copies thereof and may require the production thereof as may be necessary ;

(f) All property and liabilities vested in or to be discharged by the Internal Drainage Boards hereinbefore mentioned and intended to be hereby abolished shall be transferred to and shall be vested in or discharged by the Internal Drainage Board. Provided that the property of the Joint Committee appointed under the said agreement shall be disposed of in accordance with the agreement referred to in the proviso to the next paragraph of this scheme.

4. The second appointed day shall be the day on which in the opinion of the Minister it is expedient that the provisions of clause 3 of this scheme should come into force having regard to the provision of an efficient drainage system for the Internal Drainage District and to any directions for that purpose given to the Internal Drainage Board by the Catchment Board. Provided that the Minister shall not fix the second appointed day until he has approved the terms of an agreement between the Internal Drainage Board and the Chatteris Commissioners providing for the drainage of the area under the jurisdiction of the Chatteris Commissioners as effectively as heretofore and the Minister may in default of agreement between the two parties fix the terms of the agreement on the application of either party or of the Catchment Board.

5. All property debts loans and liabilities transferred to the Internal Drainage Board under this scheme in respect of which immediately before such transfer some part only of the Internal Drainage District was entitled to receive the benefit or was liable shall as to both capital money and income or interest be applied to the benefit of or be payable out of rates levied only upon that part of the Internal Drainage District as the case may be :

Provided that the Internal Drainage Board may subject to the approval of the Catchment Board apply the value of the property and charge the liabilities transferred under this scheme to or upon the whole of the Internal Drainage District or such part or parts thereof and in such manner as they from time to time shall think fair.

6. Nothing in this scheme shall extend or be construed to extend to invalidate lessen diminish alter or take away any of the rights powers and authorities vested in the Middle Level Commissioners by virtue of 15 Car. 2. c. 17 the Middle Level Acts 1810 1844 1848 1862 1867 and 1874 the Land Drainage Act 1930 or any Order relating to the Middle Level District.

7. Copies of the minutes of all meetings of the Internal Drainage Board shall be sent to the Catchment Board within twenty-eight days of the meeting to which they relate.

8. 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.

THE FIRST SCHEDULE.

THE UPPER DISTRICT OR DIVISION FOR EMBANKING.

THE FIRST AND SECOND DISTRICTS OR DIVISIONS FOR DRAINING.

12 Geo. 3. c. 26. - - " An Act for embanking draining and preserving certain Fen Lands and Low Grounds in the Parish of Ramsey in the County of Huntingdon and in the Parishes of Doddington March Benwick Wimblington and Chatteris within the Isle of Ely in the County of Cambridge and for amending the road from a certain Bridge in the Parish of Chatteris aforesaid called Carter's Bridge by a Drain called Vermuyden's or the Forty Feet Drain to a Bridge called the Forty Feet Bridge in the said Parish of Ramsey ".

39 & 40 Geo. 3. c. XL. - " An Act for amending and making more effectual an Act passed in the twelfth year of the Reign of His present Majesty for embanking draining and preserving certain Fen Lands and Low Grounds in the Parish of Ramsey in the County of Huntingdon and in the Parishes of Doddington March Benwick Wimblington and Chatteris within the Isle of Ely in the County of Cambridge and for amending the road from a certain Bridge in the Parish of Chatteris aforesaid called Carter's Bridge by a Drain called Vermuyden's or the Forty Feet Drain to a Bridge called the Forty Feet Bridge in the said Parish of Ramsey so far as the said Act relates to embanking the Lands therein called by the name of The Upper District or Division ".

THE THIRD DISTRICT OR DIVISION FOR DRAINING.

12 Geo. 3. c. 26.

39 and 40 Geo. 3. c. XL.

The Copalder or Third Drainage District Order 1920.

THE FOURTH DISTRICT OR DIVISION FOR DRAINING.

12 Geo. 3. c. 26.

39 and 40 Geo. 3. c. XL.

The Doddington Fourth Drainage District and the Chatteris Second Drainage District Order 1920.

The Doddington Fourth and Chatteris Second Drainage Order 1921.

THE BROADALLS FOUR HUNDRED AND BETTY'S NOSE DRAINAGE DISTRICT.

The Broadalls Four Hundred and Betty's Nose Drainage Order 1922.

The Broadalls Four Hundred and Betty's Nose Drainage Order 1923.

THE MERESIDE PLANTATION AND RAMSEY MERE DRAINAGE DISTRICT.

The Mereside Plantation and Ramsey Mere Drainage Order 1922.

---

THE SECOND SCHEDULE.

---

Local Act.	Provisions to remain in force.
12 Geo. 3. c. 26.	- Those clauses the marginal notes of which are as follows:— “Expenses of draining the Second and Fourth District how to be paid”. “Cutting into Firing how to be prevented”.
39 & 40 Geo. 3. c. XL.	- Section IX.

**Ch. viii.**      *Land Drainage (Berwick Internal 4 & 5 GEO. 6  
Drainage District) Provisional Order Confirmation Act, 1941.*

to be purchased directly from H.M. STATIONERY OFFICE at the following addresses:  
York House, Kingsway, London, W.C.2; 120, George Street, Edinburgh 2;  
39-41 King Street, Manchester 2; 1 St. Andrew's Crescent, Cardiff;  
80, Chichester Street, Belfast;  
or through any bookseller.

Price 4d. net