

1981 No. 557

**LAND DRAINAGE**

**The Yorkshire Water Authority (Beverley and North Holderness  
Internal Drainage District) Order 1981**

*Made* - - - - 17th February 1981

*Coming into Operation* - 31st March 1981

Whereas the Yorkshire 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 Beverley and North Holderness Internal Drainage District;

And whereas the Minister has decided to confirm the Scheme subject to the modifications set out in Article 2 of this Order;

And whereas a copy of the Scheme with the said modifications incorporated therein 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 Yorkshire Water Authority (Beverley and North Holderness Internal Drainage District) Order 1981, 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 subject to the following modifications:—

(1) for paragraph 2(i) there shall be substituted the following paragraph:

"all those lands lying in the City of Kingston upon Hull, in the Parishes of Beswick, Leconfield, Leven, Lockington, Molescroft, Routh, Tickton, Wawne and Woodmansey and elsewhere in the Borough of Beverley, in the Parishes of Aldbrough, Bewholme, Bilton, Brandesburton, Burton Constable, Catwick, Coniston, Ellerby, Rise, Riston, Seaton, Skirlaugh, Swine and Withernwick in the Borough of Holderness and in the Parishes of Barmston, Beeford, Burton Agnes, Carnaby, Foston, Harpham, Hutton Cranswick, Kelk, Kilham, Kirkburn, Nafferton, North Frodingham, Skerne and Wansford, Skipsea, Ulrome and Watton and elsewhere in the Borough of East Yorkshire (all in the County of Humberside) which are shown coloured red on the Sealed Map shall be constituted an internal drainage district to be known as "the Beverley and North Holderness Internal Drainage District" (hereinafter referred to as "the Internal Drainage District")";

(2) in paragraph 4, after the words "except such rights, powers, duties, obligations and liabilities", there shall be inserted the words "(other than any rights, powers, duties, obligations or liabilities relating to any culvert or bridge supporting any highway)".

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Yorkshire 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 17th February 1981.

(L.S.)

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

YORKSHIRE WATER AUTHORITY

LAND DRAINAGE ACT 1976

BEVERLEY AND NORTH HOLDERNESS INTERNAL DRAINAGE DISTRICT

THE YORKSHIRE WATER AUTHORITY (hereinafter referred to as "the Water Authority") pursuant to section 11(1) of the Land Drainage Act 1976 have prepared the following Scheme providing for certain matters referred to in the said section, namely:—

- (a) the constitution of the land hereinafter mentioned as an internal drainage district, and of the internal drainage board thereof;
- (b) the abolition of the other internal drainage districts hereinafter mentioned and of their internal drainage boards;
- (c) matters supplemental thereto or consequential thereon;

AND the Water Authority submit the Scheme to the Minister of Agriculture, Fisheries and Food (hereinafter referred to as "the Minister") for confirmation under section 11(4) of the Land Drainage Act 1976.

SCHEME

1. In this Scheme, unless the context otherwise requires:—

"the Sealed Map" means the map sealed by the Water Authority in relation to this Scheme;

"the Appointed Day" means a day to be appointed by the Minister for the coming into operation of this Scheme;

"the existing drainage districts" means the internal drainage districts existing immediately before the Appointed Day in respect of lands within or partly within the internal drainage district constituted by this Scheme and includes the Beverley and Holderness Internal Drainage District as constituted by the Yorkshire River Authority (Beverley and Holderness Internal Drainage District) Order 1973(a) and the Beverley and Barmston (Sea End) Internal Drainage District as continued by section 6(4) of the Land Drainage Act 1976;

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(a) S.I. 1973/1235.

“ the existing drainage boards ” means the internal drainage boards for the existing drainage districts.

2. On the Appointed Day:

- (i) all those lands lying in the City of Kingston upon Hull, in the Parishes of Beswick, Leconfield, Leven, Lockington, Molescroft, Routh, Tickton, Wawne and Woodmansey and elsewhere in the Borough of Beverley, in the Parishes of Aldbrough, Bewholme, Bilton, Brandesburton, Burton Constable, Catwick, Coniston, Ellerby, Rise, Riston, Seaton, Skirlaugh, Swine and Withernwick in the Borough of Holderness and in the Parishes of Barmston, Beeford, Burton Agnes, Carnaby, Foston, Harpham, Hutton Cranswick, Kelk, Kilham, Kirkburn, Nafferton, North Frodingham, Skerne and Wansford, Skipsea, Ulrome and Watton and elsewhere in the Borough of East Yorkshire (all in the County of Humberside) which are shown coloured red on the Sealed Map shall be constituted an internal drainage district to be known as “ the Beverley and North Holderness Internal Drainage District ” (hereinafter referred to as “ the Internal Drainage District ”);
- (ii) the existing drainage districts and the existing drainage boards shall be abolished;
- (iii) there shall be constituted for the Internal Drainage District an internal drainage board to be known as “ the Beverley and North Holderness Internal Drainage Board ” (hereinafter referred to as “ the Internal Drainage Board ”).

3. (i) The Internal Drainage Board shall consist of twelve members who, with the exception of the first members, shall be elected in accordance with the provisions of section 7 of, and Schedule 2 to, the Land Drainage Act 1976.
- (ii) The first members of the Internal Drainage Board shall be persons appointed by the Minister and shall hold office until the expiration of one year from the first day of November next following the day on which they are appointed.

4. On the Appointed Day there shall be transferred to and be vested in or fall to be discharged by the Internal Drainage Board all such 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 existing drainage boards or any of them respectively except such rights, powers, duties, obligations and liabilities (other than any rights, powers, duties, obligations or liabilities relating to any culvert or bridge supporting any highway) under any of the Acts listed on the Schedule hereto or under any Award made in pursuance of any of the said Acts as are vested in or fall to be discharged by the existing drainage boards or any of them.

5. All arrears of rates made before the Appointed Day in respect of any land within the Internal Drainage District by the existing drainage boards or any of them in respect of any period or periods ending before the Appointed Day may be recovered by the Internal Drainage Board in the same manner as if they had been rates made by the Internal Drainage Board.

6. All property and liabilities transferred to the Internal Drainage Board under paragraph 4 of 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 any income or expenditure arising therefrom (whether of a capital or of a revenue nature) be applied to the benefit of or, as the case may be, be a charge upon the rates levied only upon that part of the Internal Drainage District:

Provided that the 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 Internal Drainage District or such part or parts thereof and in such manner as they from time to time shall think fair.

7. In relation to this Scheme, the compensating authority for the purpose of the Land Drainage (Compensation) Regulations 1977(a) shall be the Internal Drainage Board.

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, conveyance or deed of transfer.

9. The accounts of each of the existing drainage boards shall be made up to the Appointed Day and copies thereof forthwith sent to the Internal Drainage Board and such accounts shall be audited in like manner and be subject to the like incidents and consequences as if this Scheme had not been confirmed by the Yorkshire Water Authority (Beverley and North Holderness Internal Drainage District) Order 1981.

#### THE SCHEDULE

Date	Title or Short Title of Act
1766	An Act for dividing, inclosing and draining certain Lands, Grounds and common Pastures, in the Parish of Cottingham, in the East Riding of the County of York (b).
1785	An Act for draining, preserving and improving certain Low Grounds and Carrs in the several parishes of Saint John in Beverley and of Skidby in the East Riding of the County of York (c).
1791	An Act for dividing and inclosing certain Open Fields, Lands and Grounds, in the Parish of Cottingham, in the East Riding of the County of York; and for amending an Act passed in the Sixth Year of the Reign of His present Majesty, for dividing, inclosing and draining certain Lands, Grounds and Common Pastures, in the said Parish (d).
1798	The Beverley and Barmston Drainage Act 1798 (e).
1808	An Act to alter and amend an Act passed in the twenty fifth year of the Reign of His present Majesty for draining, preserving and improving certain Low Grounds and Carrs in the several parishes of Saint John of Beverley, and of Skidby, in the East Riding of the County of York (f).
1880	The Beverley and Barmston Drainage Act 1880 (g).

IN WITNESS whereof the Common Seal of the Yorkshire Water Authority was hereunto affixed this 21st day of May One Thousand Nine Hundred and Eighty.

(Sgd.) *D. B. Matthews*,  
Chairman.

(L.S.)

(Sgd.) *J. Brooksbank*,  
Chief Executive.

(a) S.I. 1977/339.  
(e) 1798 c. lxiii.

(b) 1766 c. lxxviii.  
(f) 1808 c. xl.

(c) 1785 c. 92.

(d) 1791 c. 20.  
(g) 1880 c. cxxviii.

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 31st March 1981.

(L.S.)

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

Whereas the Scheme confirmed by the Yorkshire Water Authority (Beverley and North Holderness Internal Drainage District) Order 1981 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 April 1981 to be the said Appointed Day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 31st March 1981.

(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, with modifications, a Scheme submitted to him by the Yorkshire Water Authority for the abolition of the Beverley and Holderness Internal Drainage District and the Beverley and Barmston (Sea End) Internal Drainage District and their respective internal drainage boards and the constitution of a new internal drainage district to be known as the Beverley and North Holderness Internal Drainage District. The Scheme provides also for the constitution of an internal drainage board for the new internal drainage district to be known as the Beverley and North Holderness Internal Drainage Board, and makes provision for the appointment of first members of the Board. The Scheme provides that, in relation thereto, the compensating authority for the purpose of the Land Drainage (Compensation) Regulations 1977 shall be the new internal drainage board and contains other consequential and supplemental provisions.

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 Yorkshire Water Authority, West Riding House, 67 Albion Street, Leeds LS1 5AA, and at the offices of the Beverley and North Holderness Internal Drainage Board.