
S T A T U T O R Y I N S T R U M E N T S

2000 No. 2823

LAND DRAINAGE

**The Amalgamation of the Alford, Louth and Skegness
District Internal Drainage Districts Order 2000**

Made - - - - - *25th August 2000*

Coming into force - - - *16th October 2000*

Whereas the Environment Agency has prepared and submitted to the Minister of Agriculture, Fisheries and Food (hereinafter called “the Minister”) under section 3(1) of the Land Drainage Act 1991 (hereinafter called “the 1991 Act”)(a) a Scheme (hereinafter called “the Scheme”) in relation to the Alford Internal Drainage District, the Louth Internal Drainage District, the Skegness District Internal Drainage District, and the Internal Drainage Boards for these Districts, a copy of which is set out in the Schedule hereto; And whereas the Minister has caused a notice of his intention to make the following Order confirming the Scheme and the places where copies of the draft Order may be inspected and obtained to be published, and to be sent to local authorities and other bodies, in accordance with paragraph 2 of Schedule 3 to the 1991 Act;

And whereas no objection has been made to the draft Order;

Now, therefore, the Minister, in exercise of the powers conferred upon him by section 3(5), (6) and (7) of and Schedule 3 to the 1991 Act, hereby makes the following Order:

1. This Order may be cited as the Amalgamation of the Alford, Louth and Skegness District Internal Drainage Districts Order 2000 and shall, unless subject to special parliamentary procedure, come into force on the date of its confirmation by the Minister, in accordance with paragraph 5(1) of Schedule 3 to the 1991 Act.

2. The Scheme is hereby confirmed.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Environment Agency.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th August 2000.

J. R. Park
Assistant Secretary

(a) 1991 c. 59; “the relevant Minister” is defined in section 72(1). References to the National Rivers Authority (NRA) were replaced with references to the Environment Agency by paragraph 191 of Schedule 22 to the Environment Act 1995 (c. 25).

SCHEDULE

SCHEME SUBMITTED BY THE ENVIRONMENT AGENCY

1. This Scheme shall come into force one month after the date of confirmation of the Order confirming this Scheme.
2. In this Scheme unless the context otherwise requires:—
 - “The Alford Drainage Board” means the drainage board constituted by the Scheme confirmed by the Alford Drainage District Order 1937 (SR & O 1937 No. 270) (“the 1937 Order”) as amended by the Scheme confirmed by the National Rivers Authority (Anglian Region) (Reconstitution of the Alford Drainage Board) Order 1992 (SI 1993 No. 53) and “the Alford Drainage District” means the drainage district constituted by the 1937 Order the boundaries of which were altered by the Scheme confirmed by the Lincolnshire River Authority (Alford Drainage District) Order 1971 (SI 1971 No. 1667)
 - “The Louth Drainage Board” means the drainage board constituted by the Land Drainage Provisional Order (Louth Drainage District) Confirmation Act 1938 c. Lxxi (“the 1938 Act”) as amended by the National Rivers Authority (Anglian Region) (Reconstitution of the Louth Drainage Board) Order 1992 (SI 1993 No. 55) and “the Louth Drainage District” means the drainage district constituted by the 1938 Act.
 - “The Skegness District Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by the Witham & Steeping Rivers Catchment Board (Skegness District Internal Drainage District) Order 1934 (SR & O 1934 No. 1266) (“the 1934 Order”) as amended by the Lincolnshire River Authority (Skegness District Internal Drainage District) Order 1973 (SI 1973 No. 1903) and as further amended by the National Rivers Authority (Anglian Region) (Reconstitution of the Skegness District Internal Drainage Board) Order 1993 (SI 1993 No. 1174) and “the Skegness District Internal Drainage District” means the internal drainage district constituted by the 1934 Order the boundaries of which were altered by the Schemes confirmed by the Orders set out in the Annex hereto.
- 3 (i) The Alford Drainage Board, the Louth Drainage Board and the Skegness District Internal Drainage Board (hereinafter referred to collectively as “the Abolished Boards”) shall be abolished;
- (ii) The Alford Drainage District, the Louth Drainage District and the Skegness District Internal Drainage District shall be amalgamated into, and shall constitute, one internal drainage district which shall be known as “the Lindsey Marsh Drainage District” (hereinafter referred to as “the Internal Drainage District”);
- (iii) There shall be constituted for the Internal Drainage District an internal drainage board to be known as “the Lindsey Marsh Drainage Board” (hereinafter called “the Internal Drainage Board”)
4. The Internal Drainage Board shall consist of 13 elected members.
5. From the date of coming into force of the Scheme 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, all books of account, other books, deeds, maps, papers and other documents) as immediately before the date of coming into force of the Scheme were vested in or fell to be discharged by the Abolished Boards or any of them including (but without prejudice to the generality of the foregoing) all powers vested in or to be discharged by them under or by virtue of any local Act or Order made under statutory authority.
6. All arrears of rates made before the date of coming into force of the Scheme in respect of any land within the Internal Drainage District by the Abolished Boards or any of them, in respect of any periods ending before the coming into force of this scheme, may be recovered by the Internal Drainage Board in the same manner as if they had been rates made by the Internal Drainage Board.
7. All property and liabilities transferred to the Internal Drainage Board under paragraph 5 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 or parts of the Internal Drainage District; Provided that the Internal Drainage Board may, subject to the approval of the Environment Agency, 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.
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 whatsoever.

9. The accounts of each of the Abolished Boards shall be made up to the date of coming into force of this Scheme 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 come into force.

ANNEX

- (i) Lincolnshire River Board (Alteration of Boundaries of the Skegness District Internal Drainage District) Order 1956 (SI 1956 No. 466)
- (ii) Lincolnshire River Board (Alteration of Boundaries of the Skegness District Internal Drainage District) Order 1957 (SI 1957 No. 967)
- (iii) Lincolnshire River Authority (Alteration of Boundaries of the Skegness District Internal Drainage District) Order 1967 (SI 1968 No. 62)
- (iv) Lincolnshire River Authority (Alteration of Boundaries of the Skegness District Internal Drainage District) Order 1973 (SI 1973 No. 1507)
- (v) The Anglian Water Authority (Alteration of Boundaries of the Skegness District Internal Drainage District) Order 1980 (SI 1980 No. 1048)

DATED the 11th day of April 2000

In witness whereof the Common Seal of the Environment Agency was hereunto affixed in the presence of



R. C. Navaro

CONFIRMATION OF ORDER

Whereas the foregoing Order has been published by the Minister of Agriculture, Fisheries and Food ("the Minister") in accordance with paragraph 4 of Schedule 3 to the Land Drainage Act 1991;

And whereas no memorial relating to the Order has been presented to the Minister;

Now therefore the Minister in accordance with paragraph 5(1) of Schedule 3 to the said Act hereby confirms the said Order.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th October 2000.



J. R. Park
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms a Scheme submitted by the Environment Agency for the abolition of the Alford, Louth and Skegness District Internal Drainage Boards.

These boards are replaced by a new "Lindsey Marsh Drainage Board". The three former internal drainage districts are amalgamated together to form the corresponding new internal drainage district.

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