

SCHEDULE 1

Article 2(1)

SCHEME AS 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:—

“the Abolished Boards” means the Boards abolished by virtue of paragraph 3 (1) of this Scheme;

“the Commencement Date” means the date on which the Scheme comes into force;

“Property” means any property vested in either of the Abolished Boards immediately before the Commencement Date and includes books of account, other books, deeds, maps, papers and other documents;

“Rights and Obligations of the Abolished Boards” means all such rights, powers (including Statutory Powers) duties, obligations and liabilities, as immediately before the Commencement Date were vested in and fell to be discharged by either of the Abolished Boards;

“Statutory Powers” includes any power arising under or by virtue of any local Act or Order made under statutory authority;

“The River Deben (Lower) Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (River Deben (Lower) Internal Drainage District) Order 1933(1) (“the 1933 Order No. 1136”) as amended by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (River Deben (Lower) Internal Drainage Board) Order 1934(2) and “The River Deben (Lower) Internal Drainage District” means the internal drainage district constituted by the 1933 Order No. 1136.

“The River Deben (Upper) Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (River Deben (Upper) Internal Drainage District) Order 1933(3) (“the 1933 Order No. 1142”) as amended by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (River Deben (Upper) Internal Drainage Board) Order 1934(4) and “The River Deben (Upper) Internal Drainage District” means the internal drainage district constituted by the 1933 Order No. 1142.

3.—(1) The River Deben (Upper) Internal Drainage Board and the River Deben (Lower) Internal Drainage Board shall be abolished;

(2) The River Deben (Upper) Internal Drainage District and the River Deben (Lower) Internal Drainage District shall be amalgamated into, and shall constitute, one internal drainage district which shall be known as “the River Deben Internal Drainage District” (hereinafter referred to as “the Internal Drainage District”);

(3) There shall be constituted for the Internal Drainage District an internal drainage board to be known as “ the River Deben Internal Drainage Board” (hereinafter called “the Internal Drainage Board”)

4. The Internal Drainage Board shall consist of 14 elected members.

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(1) SR&O 1933 No 1136.  
(2) SR&O 1934 No. 1344.  
(3) SR&O 1933 No. 1142.  
(4) SR&O 1934 No. 1345.

**Status:** This is the original version (as it was originally made).

**5.** From the Commencement Date there shall be transferred to and be vested in or fall to be discharged by the Internal Drainage Board all Rights and Obligations and Property of the Abolished Boards

**6.** All arrears of rates levied by the Abolished Boards before the Commencement Date in relation to the Occupier of any land within the Internal Drainage District in respect of any period ending before the Commencement Date may be recovered by the Internal Drainage Board, in the same manner as if they had been rates levied by the Internal Drainage Board.

**7.** As respects any thing transferred under this Scheme the Scheme shall operate as conclusive evidence of the transfer without the necessity of any further assignments, conveyance or deed of transfer whatsoever.

**8.** The accounts of each of the Abolished Boards shall be made up to the Commencement Date and copies thereof shall be sent forthwith 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.

Dated 18th November 2004