

SCHEDULE 2

Article 2(2)

SCHEME AS CONFIRMED

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 this Scheme comes into force;

“property” includes books of accounts, 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, liabilities, and property as immediately before the commencement date were vested in or fell to be discharged by any 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 Adlingfleet and Whitgift Drainage Commissioners” means, the internal drainage commissioners constituted by the Act of 1767 for draining and preserving certain Low Grounds in the Parishes of Adlingfleet and Whitgift in the West Riding of the County of York⁽¹⁾ and “the Adlingfleet and Whitgift Internal Drainage District” means the internal drainage district constituted by that Act.

“The Althorpe Internal Drainage Board” means the internal drainage board constituted by the Doncaster District of (Althorpe) Drainage Order 1931⁽²⁾ and the “Althorpe Internal Drainage District” means the internal drainage district constituted by that Order.

“The Crowle Area Internal Drainage Board” means the internal drainage board constituted by the Trent River Authority (Crowle Area Internal Drainage District) Order 1967⁽³⁾ and “the Crowle Area Drainage District” means the internal drainage district constituted by that Order.

“The South Axholme Internal Drainage Board” means the internal drainage board constituted by the Doncaster District (South Axholme) Drainage Order 1931⁽⁴⁾ and “the South Axholme Internal Drainage District” means the internal drainage district constituted by that Order.

“The West Axholme Internal Drainage Board” means the internal drainage board constituted by the Doncaster District (West Axholme) Drainage Order 1931⁽⁵⁾ and “the West Axholme Internal Drainage District” means the internal drainage district constituted by that Order.

“The West Butterwick Internal Drainage Board” means the internal drainage board constituted by the Doncaster District (West Butterwick) Drainage Order 1931⁽⁶⁾ and the “West Butterwick Internal Drainage District” means the internal drainage district constituted by that Order.

3.—(1) The Adlingfleet and Whitgift Drainage Commissioners, Althorpe Internal Drainage Board, Crowle Area Internal Drainage Board, South Axholme Internal Drainage Board, West Axholme Internal Drainage Board and the West Butterwick Internal Drainage Board (hereinafter referred to collectively as “the Abolished Boards”) shall be abolished;

(2) The Adlingfleet and Whitgift Internal Drainage District, Althorpe Internal Drainage District, Crowle Area Internal Drainage District, South Axholme Internal Drainage District, West Axholme

(1) 7 Geo. 3 c.40.

(2) 1931/1057.

(3) 1968/ 550.

(4) 1931/884.

(5) 1931/1081.

(6) 1931/1139.

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Internal Drainage District and West Butterwick Internal Drainage District shall be amalgamated into, and shall constitute, one internal drainage district which shall be known as “the Isle of Axholme Internal Drainage District”;

(3) There shall be constituted for the Internal Drainage District an internal drainage board to be known as “the Isle of Axholme Internal Drainage Board”.

4. The Isle of Axholme Internal Drainage Board shall consist of 15 elected members.

5. From the commencement date there shall be transferred to and be vested in or fall to be discharged by the Isle of Axholme Internal Drainage Board to the appropriate extent all such rights and obligations of the Abolished Boards, and for this purpose “the appropriate extent”, in relation to the Isle of Axholme Internal Drainage Board, means in so far as such rights and obligations specifically relate to or (in the case of land) lie within the whole or any part of the district of an Abolished Board which after the commencement date is comprised in the district of the Isle of Axholme Internal Drainage Board.

6. All arrears of rates levied by the Abolished Boards before the commencement date in relation to the occupier of any land within the Isle of Axholme Internal Drainage District in respect of any period ending before the commencement date may be recovered by the Isle of Axholme Internal Drainage Board in the same manner as if they had been rates levied by the Internal Drainage Board in question.

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 assignment, conveyance or deed of transfer whatsoever.

8. The accounts of each of the Abolished Boards shall be made up to the date of commencement by the Isle of Axholme 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.

Confirmation of Order

Whereas the foregoing Order has been published by the Secretary of State in accordance with paragraph 4 of Schedule 3 of the Land Drainage Act 1991;

And whereas no memorial relating to the Order has been presented to the Secretary of State;

And whereas paragraph 5(1) of Schedule 3 to the Land Drainage Act 1991 provides for the Order to come into force upon its confirmation by the appropriate Minister, being (by virtue of paragraph 1(3) of that Schedule) the Minister by whom the Order has been made;

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