

SCHEDULE

Article 2(2)

SCHEME SUBMITTED BY THE ENVIRONMENT AGENCY

1. This Scheme comes into force on the day after the day on which the Order confirming this Scheme is confirmed.

2. In this Scheme—

“the abolished boards” means the Market Weighton Drainage Board and the Lower Ouse Internal Drainage Board;

“the commencement date” means the date on which this Scheme comes into force;

“the Lower Ouse Internal Drainage Board” means the internal drainage board reconstituted by the scheme confirmed by the Yorkshire Ouse River Board (Reconstitution of the Lower Ouse Internal Drainage Board) Order 1952(1) and “the Lower Ouse Internal Drainage District” means the internal drainage district constituted by the Yorkshire Ouse River Board (Lower Ouse Internal Drainage District) Order 1951(2), as confirmed, the boundaries of which were altered by the Yorkshire Water Authority (Alteration of Boundaries of the Lower Ouse Internal Drainage District) Order 1989(3);

“the Market Weighton Drainage Board” means the internal drainage board deemed to have been constituted under the Land Drainage Act 1930(4) and “the Market Weighton Drainage District” means the internal district deemed to have been constituted under that Act, the boundaries of which were altered by the schemes confirmed by the Market Weighton Drainage District (Alteration of Boundaries) Order 1933(5) and the Market Weighton Drainage District (Alteration of Boundaries) Order 1936(6);

“the new Board” means the internal drainage board constituted by virtue of paragraph 3(3) of this Scheme;

“property” means, in relation to any of the abolished boards, any property which is vested in that board immediately before the commencement date and includes books of account, other books, deeds, maps, papers and other documents, in whatever medium held, and computer and other electronic records;

“rights and obligations” means, in relation to any of the abolished boards, all rights, powers, duties, obligations and liabilities which are vested in or which fall to be discharged by that abolished board immediately before the commencement date.

3.—(1) The Market Weighton Drainage Board and the Lower Ouse Internal Drainage Board are abolished.

(2) The Market Weighton Drainage District and the Lower Ouse Internal Drainage District are amalgamated into, and are constituted as, one internal drainage district to be known as “the Ouse and Humber Drainage District”.

(3) A new internal drainage board to be known as “the Ouse and Humber Drainage Board” is constituted for the Ouse and Humber Drainage District.

---

(1) S.I. 1952/2029.

(2) S.I. 1951/1637 and 1638.

(3) S.I. 1989/1866.

(4) 1930 c.44. Prior to this, appointed Trustees were responsible for drainage and other purposes as described in a 1772 Act entitled “An Act for Draining and Preserving certain Commons, Low Grounds and Cars [sic] in the Parish of Market Weighton and other adjacent Parishes in the East Riding of the County of York and for making a Navigable Cut or Canal from Market Weighton to the River Humber”, and amended by the Market Weighton Drainage Act 1900.

(5) S. R. & O. 1934 No. 9.

(6) S. R. & O. 1936 No. 1087.

**Changes to legislation:** There are currently no known outstanding effects for the The Ouse and Humber Drainage Board Order 2012, SCHEDULE. (See end of Document for details)

4. The new Board is to consist of 11 elected members elected in accordance with the provisions made by or under Schedule 1 to the Land Drainage Act 1991.

5. As from the commencement date, all property and rights and obligations of the abolished boards are transferred to and vested in, or fall to be discharged by, the new Board.

6. All arrears of rates levied by the abolished boards before the commencement date in respect of any period ending before the commencement date may be recovered by the new Board, in the same manner as if they had been rates levied by the new Board.

7. This Scheme operates as conclusive evidence of any thing transferred under this Scheme without the necessity of further assignments, conveyance or deed of transfer.

8. The accounts of each of the abolished boards must be made up to the day before the commencement date by the new Board and audited as if this Scheme had not come into force.

Dated 7 July 2011

### **Confirmation of Order**

In accordance with paragraph 4 of Schedule 3 to the Land Drainage Act 1991 (“the 1991 Act”), the Secretary of State has published the foregoing Order and a notice complying with paragraph 4(2) of Schedule 3 to the 1991 Act.

No memorial relating to the Order has been presented to the Secretary of State.

Paragraph 5(1) of Schedule 3 to the 1991 Act 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.

Accordingly, the Secretary of State confirms the Order in accordance with paragraph 5(1) of Schedule 3 to the 1991 Act.

**Changes to legislation:**

There are currently no known outstanding effects for the The Ouse and Humber Drainage Board Order 2012, SCHEDULE.