STATUTORY INSTRUMENTS

1984 No. 497

LAND DRAINAGE

The Anglian Water Authority (Ancholme Internal Drainage District) Order 1984

Made - - - -	14*th November* 1983
Coming into Operation	19*th March* 1984

Whereas the Anglian 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 Ancholme Internal Drainage District;

And whereas the Minister has decided to confirm the Scheme, a copy of which 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 all other powers enabling him in that behalf, hereby makes the following Order;

1. This Order may be cited as the Anglian Water Authority (Ancholme Internal Drainage District) Order 1984 and 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.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Anglian 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 14th November 1983.

L.S.

(Sgd.) *R. C. McIvor,*
Assistant Secretary.

(a) 1976 c.70.

LAND DRAINAGE ACT 1976

ANGLIAN WATER AUTHORITY

ANCHOLME INTERNAL DRAINAGE DISTRICT

THE ANGLIAN 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 abolition of the existing Ancholme Internal Drainage District, the Winterton Beck Internal Drainage District and their respective drainage boards;

(b) the constitution of a new internal drainage district;

(c) the constitution of an internal drainage board for the new internal drainage district;

(d) matters supplemental thereto or consequential thereon;

AND the Water Authority submit the Scheme to the Minister of Agriculture, Fisheries and Food (hereinafter called "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 Appointed Day" means a day to be appointed by the Minister for the coming into operation of this Scheme;

"the existing Ancholme Internal Drainage Board" means the internal drainage board constituted by the Scheme confirmed by the Lincolnshire River Board (Ancholme Internal Drainage District) Order 1951 (**a**) and reconstituted by the Scheme confirmed by the Lincolnshire River Board (Reconstitution of the Ancholme Internal Drainage Board) Order 1952 (**b**) and "the existing Ancholme Internal Drainage District" means the internal drainage district which was constituted by the Scheme confirmed by the Lincolnshire River Board (Ancholme Internal Drainage District) Order 1951 and the boundaries of which were altered by the Scheme confirmed by the Lincolnshire River Authority (Alteration of Boundaries of the Ancholme Internal Drainage District) Order 1968 (**c**);

"the Winterton Beck Internal Drainage Board" means the internal drainage board constituted by the Scheme confirmed by the River Ancholme and Winterton Beck Catchment Board (Winterton Beck Internal Drainage District) Order 1938 (**d**) and reconstituted by the Scheme confirmed by the Lincolnshire River Board (Reconstitution of the Winterton Beck Internal Drainage Board) Order 1951 (**e**) and "the Winterton Beck Internal Drainage District" means the internal drainage district constituted by the Scheme confirmed by the River Ancholme and Winterton Beck Catchment Board (Winterton Beck Internal Drainage District) Order 1938.

(a) S.I. 1951/936. (b) S.I. 1952/1935. (c) S.I. 1968/1671.
(d) S.R. & O. 1938/758. (e) S.I. 1951/931.

2. On the Appointed Day:

(i) the existing Ancholme Internal Drainage Board and the Winterton Beck Internal Drainage Board (hereinafter referred to collectively as "the Abolished Boards") shall be abolished;

(ii) the existing Ancholme Internal Drainage District and the Winterton Beck Internal Drainage District shall be abolished;

(iii) there shall be constituted a new internal drainage district which shall be known as "the Ancholme Internal Drainage District" (hereinafter referred to as "the new Internal Drainage District") comprising the lands which lying in the parishes of Whitton, Winteringham, South Ferriby, West Halton, Winterton, Horkstow, Burton upon Stather, Roxby cum Risby, Appleby, Saxby All Saints, Bonby, Worlaby, Elsham, Broughton, Wrawby, Brigg, Scawby, Cadney, Barnetby le Wold, Hibaldstow and Redbourne (all in the Borough of Glanford in the County of Humberside) and Bigby, Somerby, Searby cum Owmby, Grasby, Caistor, North Kelsey, South Kelsey, Nettleton, Holton le Moor, Waddingham, Owersby, Snitterby, Bishop Norton, Osgodby, Glentham, West Rasen, Middle Rasen, Market Rasen, Walesby, Tealby, Linwood, Toft Newton, Caenby, Normanby by Spital, Owmby, Saxby, West Firsby and Spridlington (all in the District of West Lindsey in the County of Lincolnshire), are shown coloured red on the map in three parts sealed by the Water Authority in relation to this Scheme;

(iv) there shall be constituted for the new Internal Drainage District an internal drainage board to be known as "the Ancholme Internal Drainage Board" (hereinafter referred to as "the new Internal Drainage Board").

3. (i) The new Internal Drainage Board shall consist of 17 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 new 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 new Internal Drainage Board all such property, rights, powers, duties, obligations and liabilities (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 Appointed Day were vested in or fell to be discharged by the Abolished Boards or either 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.

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

6. All property and liabilities transferred to the new Internal Drainage Board under paragraph 4 of this Scheme in respect of which immediately before such transfer some part only of the new 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, a charge upon the rates levied only upon the corresponding part or parts of the new Internal Drainage District.

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

7. 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.

8. The accounts of each of the Abolished Boards shall be made up to the Appointed Day and copies thereof forthwith sent to the new 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 Anglian Water Authority (Ancholme Internal Drainage District) Order 1984.

IN WITNESS whereof the Water Authority have caused their Common Seal to be hereunto affixed this Eighteenth day of April 1983.

THE COMMON SEAL of the ANGLIAN WATER AUTHORITY was hereunto affixed in the presence of:—

L.S.

(Sgd.) *G. L. Sturgess,*
Director of Administration.

Wheareas 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 19th March 1984.

L.S.

(Sgd.) *R. C. McIvor,*
Assistant Secretary.

Whereas the Scheme confirmed by the Anglian Water Authority (Ancholme Internal Drainage District) Order 1984 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 1984 to be the said Appointed Day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th March 1984.

L.S.

(Sgd.) *R. C. McIvor,*
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made by the Minister of Agriculture, Fisheries and Food, confirms a Scheme submitted to him by the Anglian Water Authority for the abolition of the Ancholme Internal Drainage District, the Winterton Beck Internal Drainage District and their respective internal drainage boards, and for the constitution of a new internal drainage district to be known as the Ancholme 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 Ancholme Internal Drainage Board, and makes provision for the appointment of first members of the Board.

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 Anglian Water Authority, 50 Wide Bargate, Boston, Lincs PE21 6SA, and at the offices of the Ancholme Internal Drainage Board.