STATUTORY INSTRUMENTS

1990 No. 1683

LAND DRAINAGE

The Yorkshire Water Authority (Reconstitution of the Wilberfoss and Thornton Level Drainage Board) Order 1989

Made - - - -	*10th April 1989*
Coming into force	*31st July 1990*

Whereas the Yorkshire 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 Wilberfoss and Thornton Level Drainage Board;

And whereas the Minister has decided to confirm the Scheme subject to the modifications set out in article 2 of this Order;

And whereas a copy of the Scheme with the said modifications incorporated therein 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 Yorkshire Water Authority (Reconstitution of the Wilberfoss and Thornton Level Drainage Board) Order 1989 and shall, unless subject to special parliamentary procedure, come into force on the date of its confirmation by the Minister.

2. The Scheme is hereby confirmed subject to the following modifications:–

(i) in paragraph 1, line 3 of the definition of "the Board", the quotation marks after "1915" shall be deleted and shall be inserted after the word "Act";

(ii) in paragraph 2(ii), line 3, after the word "or" shall be inserted the words "to be".

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Yorkshire 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 10th April 1989.

L.S.

(*sgd.*) J.R. Park
Authorised by the Minister

(a) 1976 c. 70.

LAND DRAINAGE ACT 1976

YORKSHIRE WATER AUTHORITY
WILBERFOSS AND THORNTON LEVEL DRAINAGE BOARD

The Yorkshire Water Authority (hereinafter called "the Authority") in pursuance of section 11(1) of the Land Drainage Act 1976 (hereinafter called "the 1976 Act") have prepared the following Scheme making provision for certain matters mentioned in the said sub-section, namely:–

The amendment of the method of constituting the Drainage Board (now known as the Wilberfoss and Thornton Level Drainage Board) so far as is necessary to secure that the members thereof shall be persons elected as such members in accordance with the provisions in that behalf contained in section 7 of, and the Second Schedule to, the 1976 Act and for matters supplemental thereto or consequential thereon.

And the Authority submit the Scheme to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") for confirmation under section 11(4) of the 1976 Act.

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 the Scheme;

"the Board" means the Wilberfoss and Thornton Level Drainage Board constituted under the Land Drainage Provisional Order Confirmation Act 1915 (hereinafter called "the 1915 Act")(a);

2. On the appointed day:–

(i) the provisions of the 1915 Act relating to the appointment of the Members of the Board shall no longer apply and the Board shall be reconstituted and shall consist of six 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 1976 Act. The first members shall be appointed by the Minister and shall hold office until the expiration of one year from the 1st November next following the day on which they are appointed;

(ii) the existing rights, powers, duties, liabilities, obligations and property (including deeds, maps, books, papers and other documents) vested in or to be discharged by the Board shall be the rights, powers, duties, liabilities, obligations and property vested in or discharged by the Board.

Dated the twenty-first day of August 1987.

The Common Seal of Yorkshire Water Authority was hereunto affixed in the presence of:–

L.S.

(sgd.) R.J. Simpson
Authorised Signatory.

(sgd.) John D. Bell
Authorised Signatory.

Whereas 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;

(a) 1915 c. lxxxvi.

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

And whereas from 1 September 1989 the functions of the Yorkshire Water Authority were transferred to the National Rivers Authority under section 4 of the Water Act 1989(**a**) as read with the Water Authorities (Transfer of Functions) (Appointed Day) Order 1989(**b**);

And whereas, under section 190 of and paragraph 36 of Schedule 26 to the Water Act 1989, the Scheme has effect as having been made and submitted by the National Rivers Authority;

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 July 1990.

L.S.

(sgd.) J.R. Park
Authorised by the Minister

Whereas the Scheme confirmed by the Yorkshire Water Authority (Reconstitution of the Wilberfoss and Thornton Level Drainage Board) Order 1989 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 31st July 1990 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 July 1990.

L.S.

(sgd.) J.R. Park
Authorised by the Minister

(**a**) 1989 c. 15.
(**b**) S.I. 1989/1530.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, made by the Minister of Agriculture, Fisheries and Food, confirms, with modifications, a Scheme submitted to him by the Yorkshire Water Authority making provision for the amendment of the method of constituting the Drainage Authority commonly known as the Wilberfoss and Thornton Level Drainage Board constituted under the Land Drainage Provisional Order Confirmation Act 1915.

From the 1st September 1989 the functions of the Yorkshire Water Authority were transferred to the National Rivers Authority under section 4 of the Water Act 1989 as read with the Water Authorities (Transfer of Functions) (Appointed Day) Order 1989.

Under section 190 of and paragraph 36 of Schedule 26 to the Water Act 1989 the Scheme has effect as having been made and submitted by the National Rivers Authority.

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