
STATUTORY INSTRUMENTS

1982 No. 1758

LAND DRAINAGE

The Severn-Trent Water Authority (Ashfields and West Moor Internal Drainage District) Order 1982

Made - - - - - 1st October 1982

Coming into Operation 26th November 1982

Whereas the Severn-Trent 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 Ashfields and West Moor Internal Drainage District;

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

And whereas a copy of the Scheme with the said modification 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 Severn-Trent Water Authority (Ashfields and West Moor Internal Drainage District) Order 1982 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 subject to the following modification, namely that for the definitions of "the Ashfields Internal Drainage Board", "the Ashfields Internal Drainage District", "the West Moor Internal Drainage Board" and "the West Moor Internal Drainage District", all in paragraph 1, there shall be respectively substituted the following definitions:—

"the Ashfields Internal Drainage Board" means the internal drainage board constituted by the Scheme confirmed by the River Trent Catchment Board (Ashfields Internal Drainage District) Order 1932(b) and "the Ashfields Internal Drainage District" means the internal drainage district which, constituted as a drainage area by the Ashfield, The Parks and Brierholme Carr Drainage Order 1929(c) made under section 11 of the West Riding of

(a) 1976 c. 70.

(b) S.R.&O. 1932/287.

(c) Not printed.

Yorkshire County Council (Drainage) Act 1923(a) and having had its boundaries altered first by the Scheme confirmed by that Order of 1932 and secondly by the Scheme confirmed by the Trent and Yorkshire Ouse and Hull River Authorities (Alteration of Boundaries of the Ashfields Internal Drainage District and the Black Drain Drainage District) Order 1969(b), was continued in being as an internal drainage district by section 6(4) of the Land Drainage Act 1976;

“the West Moor Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by the River Trent Catchment Board (West Moor Internal Drainage District) Order 1932(c) and “the West Moor Internal Drainage District” means the internal drainage district which, constituted as a drainage area by the West Moor Drainage Order 1929(d) made under section 11 of the West Riding of Yorkshire County Council (Drainage) Act 1923, was continued in being as an internal drainage district by section 6(4) of the Land Drainage Act 1976.”.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Severn-Trent 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 1st October 1982.



(Sgd.) *A. F. Longworth*,
Assistant Secretary.

LAND DRAINAGE ACT 1976
SEVERN-TRENT WATER AUTHORITY
ASHFIELDS AND WEST MOOR INTERNAL DRAINAGE DISTRICT

THE SEVERN-TRENT WATER AUTHORITY (hereinafter referred to as “the Water Authority”) pursuant to section 11(1) of the Land Drainage Act 1976 hereby make the following Scheme providing for certain matters referred to in the said section, namely:—

- (i) the abolition of the Ashfields Internal Drainage Board and the West Moor Internal Drainage Board;
- (ii) the amalgamation of the internal drainage districts under the jurisdiction of the above-mentioned internal drainage boards into one new internal drainage district;

(a) 1923 c. xcvi.
(b) S.I. 1970/82.
(c) S.R.&O. 1932/288.
(d) Not printed.

- (iii) the constitution of a new internal drainage board for the internal drainage district formed by such amalgamation;
- (iv) 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 said Act of 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 Ashfields Internal Drainage Board" means the internal drainage board constituted by the Scheme confirmed by the River Trent Catchment Board (Ashfields Internal Drainage District) Order 1932 and "the Ashfields Internal Drainage District" means the internal drainage district which, constituted as a drainage area by the Ashfield, The Parks and Brierholme Carr Drainage Order 1929 made under section 11 of the West Riding of Yorkshire County Council (Drainage) Act 1923 and having had its boundaries altered first by the Scheme confirmed by that Order of 1932 and secondly by the Scheme confirmed by the Trent and Yorkshire Ouse and Hull River Authorities (Alteration of Boundaries of the Ashfields Internal Drainage District and the Black Drain Drainage District) Order 1969, was continued in being as an internal drainage district by section 6(4) of the Land Drainage Act 1976;

"the West Moor Internal Drainage Board" means the internal drainage board constituted by the Scheme confirmed by the River Trent Catchment Board (West Moor Internal Drainage District) Order 1932 and "the West Moor Internal Drainage District" means the internal drainage district which, constituted as a drainage area by the West Moor Drainage Order 1929 made under section 11 of the West Riding of Yorkshire County Council (Drainage) Act 1923, was continued in being as an internal drainage district by section 6(4) of the Land Drainage Act 1976.

2. This Scheme shall come into operation on the appointed day.

3. On the appointed day:

- (i) the Ashfields Internal Drainage Board and the West Moor Internal Drainage Board (hereinafter referred to collectively as "the Abolished Boards") shall be abolished;
- (ii) the Ashfields Internal Drainage District and the West Moor Internal Drainage District shall be amalgamated into, and shall constitute, one internal drainage district which shall be known as "the Ashfields and West Moor Internal Drainage District" (hereinafter referred to as "the Internal Drainage District");
- (iii) there shall be constituted for the Internal Drainage District an internal drainage board to be known as "the Ashfields and West Moor Internal Drainage Board" (hereinafter called "the Internal Drainage Board").

4. The Internal Drainage Board shall consist of eleven 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. The first members of the 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.

5. On the appointed day there shall be transferred to and be vested in or fall to be discharged by the 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 respectively 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.

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

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 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 Severn-Trent Water Authority (Ashfields and West Moor Internal Drainage District) Order 1982.

DATED this fifteenth day of January 1982.

THE COMMON SEAL of the SEVERN-TRENT
WATER AUTHORITY was hereunto
affixed in the presence of:—



(Sgd.) *William Dugdale,*
Chairman.

(Sgd.) *I. C. Sinclair,*
Assistant Director of Administration.

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;

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 26th November 1982.



(Sgd.) *A. F. Longworth*,
Assistant Secretary.

Whereas the Scheme confirmed by the Severn-Trent Water Authority (Ashfields and West Moor Internal Drainage District) Order 1982 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 January 1983 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th November 1982.



(Sgd.) *A. F. Longworth*,
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made by the Minister of Agriculture, Fisheries and Food, confirms, with a modification, a Scheme submitted to him by the Severn-Trent Water Authority for the abolition of the Ashfields Internal Drainage Board and the West Moor Internal Drainage Board, and for the amalgamation of the internal drainage districts thereof into, and the constitution of, one internal drainage district to be known as the Ashfields and West Moor 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 Ashfields and West Moor Internal Drainage Board, and makes provision for the appointment of first members of the Board.

Maps of the two internal drainage districts amalgamated by virtue of the Scheme are 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 certified copies thereof may be inspected during office hours at the offices of the Severn-Trent Water Authority, Abelson House, 2297 Coventry Road, Sheldon, Birmingham B26 3PU, and at the offices of the Ashfields and West Moor Internal Drainage Board.

Printed in England by Burgess & Son (Abingdon) Ltd and published by Her Majesty's Stationery Office

820/822970K S81 C8 12/82

£1.25 net

ISBN 0 11 027758 9