
STATUTORY INSTRUMENTS

1987 No. 815

LAND DRAINAGE

**The Anglian Water Authority (Littleport and
Downham Internal Drainage District) Order 1987**

Made - - - - - *10th March 1987*
Coming into force - - - - - *24th April 1987*

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(1) in relation to the Littleport and Downham Internal Drainage District;

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 Anglian Water Authority (Littleport and Downham Internal Drainage District) Order 1987 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 modifications:—

(i) for the ampersand in the heading there shall be substituted the word “AND”;

(ii) in paragraph 1, line 8 of the definition of “the Littleport and Downham Internal Drainage Board”, the word “the” shall be deleted before the word “Boundaries”.

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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 10th March 1987.

L.S.

(Sgd.) R. C. McKinley
Authorised by the Minister

LAND DRAINAGE ACT 1976

ANGLIAN WATER AUTHORITY

LITTLEPORT AND DOWNHAM 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 hereby make the following Scheme providing for certain matters referred to in the said section, namely:—

- (i) the abolition of the Littleport and Downham Internal Drainage Board and the Little Thetford 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;
- (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 Littleport and Downham Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by the Great Ouse River Authority (Littleport and Downham Internal Drainage District) Order 1970(2), and “the Littleport and Downham Internal Drainage District” means the internal drainage district constituted by that Scheme and the boundaries of which were altered by the Scheme confirmed by the Great Ouse River Authority (Alteration of Boundaries of the Littleport and Downham Internal Drainage District) Order 1974(3);

“the Little Thetford Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by the River Great Ouse Catchment Board (Little Thetford Internal Drainage District) Order 1943(4), and “the Little Thetford Internal Drainage District” means the internal drainage district constituted by that Scheme.

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

3. On the appointed day:

- (i) the Littleport and Downham Internal Drainage Board, and the Little Thetford Internal Drainage Board (hereinafter referred to collectively as “the Abolished Boards”) shall be abolished;
- (ii) the Littleport and Downham Internal Drainage District, and the Little Thetford Internal Drainage District shall be amalgamated into, and shall constitute, one internal drainage district which shall be known as “the Littleport and Downham Internal Drainage District” (hereinafter referred to as “the Internal Drainage District”);

(2) S.I. 1971/404.

(3) S.I. 1974/534.

(4) S.R. & O. 1944/1181.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (iii) there shall be constituted for the Internal Drainage District an internal drainage board to be known as “the Littleport and Downham Internal Drainage Board” (hereinafter called “the Internal Drainage Board”).
 - (i) The Internal Drainage Board shall consist of nineteen 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 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.
 - (iii) For the purposes of such election the Internal Drainage District shall be divided into three electoral districts as follows:—
 - (a) the first electoral district shall consist of the lands within the first electoral district of the Littleport and Downham Internal Drainage District immediately before the appointed day and shall elect fifteen members to the Internal Drainage Board;
 - (b) the second electoral district shall consist of the lands within the second electoral district of the Littleport and Downham Internal Drainage District immediately before the appointed day and shall elect two members to the Internal Drainage Board;
 - (c) the third electoral district shall consist of the lands within the Little Thetford Internal Drainage District immediately before the appointed day and shall elect two members to the Internal Drainage Board.

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 rights, powers, duties, obligations, liabilities and property (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.

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 either of them, in respect of any 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. All property and liabilities transferred to the Internal Drainage Board under paragraph 5 of this Scheme in respect of which immediately before such transfer some part only of the 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, be a charge upon the rates levied only upon that part or parts of the Internal Drainage District:

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

8. 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.

9. The accounts 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 Anglian Water Authority (Littleport and Downham Internal Drainage District) Order 1987.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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

L.S.

DATED this 24th day of November 1986.

F. J. Wild
Authority Secretary

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 24th April 1987.

L.S.

(Sgd.) R. C. McKinley
Authorised by the Minister

Whereas the Scheme confirmed by the Anglian Water Authority (Littleport and Downham Internal Drainage District) Order 1987 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 May 1987 to be the said appointed day.
In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 24th April 1987.

L.S.

(Sgd.) R. C. McKinley
Authorised by the Minister

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 Anglian Water Authority for the abolition of the Littleport and

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Downham Internal Drainage Board and the Little Thetford 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 Littleport and Downham 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 Littleport and Downham Internal Drainage Board, and makes provision for the appointment of first members of the Board and for the division of the internal drainage district into Electoral Districts.

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, SW1P2AE, and certified copies thereof may be inspected during office hours at the offices of the Anglian Water Authority, Great Ouse House, Clarendon Road, Cambridge CB22BL, and at the offices of the Littleport and Downham Internal Drainage Board.