

LAND DRAINAGE ACT 1976

YORKSHIRE WATER AUTHORITY WINESTEAD 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 Winestead 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 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 Commissioners” means the Winestead Level Drainage Commissioners constituted under the Winestead Level Drainage Act 1867 (hereinafter called “the 1867 Act”)(1);

“the Board” means the Drainage Board for the Winestead Level Drainage District constituted under the 1867 Act.

2. On the appointed day:—

(i) the provisions of the 1867 Act relating to the appointment of the Commissioners 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 persons 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 Commissioners 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.) G. P. Jones
(sgd.) T. Newton

Authorised Signatory Authorised Signatory

(1) 1867 c.xxx.

Status: This is the original version (as it was originally made).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

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;
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(2) as read with the Water Authorities (Transfer of Functions) (Appointed Day) Order 1989(3);
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 Winestead 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

(2) 1989 c. 15.
(3) S.I.1989/1530.