

SCHEDULE 2

Article 2(2)

SCHEME AS CONFIRMED

1. This Scheme shall come into force one month after the date of confirmation of the Order confirming this Scheme.

2. In this Scheme:–

“the Abolished Boards” means the Boards abolished by virtue of paragraph 3(1) of this Scheme;

“the commencement date” means the date on which this Scheme comes into force;

“property” includes books of accounts, other books, deeds, maps, papers and other documents;

“rights and obligations of the Abolished Boards” means all such rights, powers (including statutory powers), duties, obligations, liabilities and property as immediately before the commencement date were vested in or fell to be discharged by any of the Abolished Boards;

“statutory powers” includes any power arising under or by virtue of any local Act or Order made under statutory authority;

“The Aller Internal Drainage Board” means the internal drainage board constituted by the Land Drainage Act 1861 Provisional Order of 1868 confirmed by the Land Drainage Supplemental Act 1868(1) and “The Aller Internal Drainage District” means the internal drainage district constituted by that Act.

“The Bridgwater & Pawlett Internal Drainage Board” means the internal drainage board constituted by the Somersetshire Drainage Act 1877 Order dated 9 March 1881 made by Somersetshire Drainage Commissioners under the Somersetshire Drainage Act 1877(2) and “The Bridgwater & Pawlett Internal Drainage District” means the internal drainage district constituted by that Act.

“The Cannington & Wembdon Internal Drainage Board” means the internal drainage board constituted by the Somersetshire Drainage Act 1877 Order dated 9 March 1881 made by Somersetshire Drainage Commissioners under the Somersetshire Drainage Act 1877 and “The Cannington & Wembdon Internal Drainage District” means the internal drainage district constituted by that Act.

“The Chedzoy Separate Internal Drainage Board” means the internal drainage board constituted by the Land Drainage Act 1861 Provisional Order of 1865 confirmed by the Land Drainage Supplemental Act 1865(3) and “The Chedzoy Separate Internal Drainage District” means the internal drainage district constituted by that Act.

“The Curry Moor Internal Drainage Board” means the internal drainage board constituted by the Land Drainage Act 1861 Provisional Order of 1863 confirmed by the Land Drainage Supplemental Act 1864(4) and “The Curry Moor Internal Drainage District” means the internal drainage district constituted by that Act.

“The Dunster Internal Drainage Board” means the internal drainage board constituted by the Land Drainage Act 1930(5) and “The Dunster Internal Drainage District” means the internal drainage district constituted by that Act.

“The King Sedgemoor & Cary Valley Internal Drainage Board” means the internal drainage board constituted by the Somersetshire Drainage Act 1877 Order dated 9 March 1881 made by Somersetshire Drainage Commissioners under the Somersetshire Drainage Act 1877 and

(1) 31 & 32 Vic. c. 83.

(2) 40 & 41 Vic. c.36

(3) 28 Vic. c. 23.

(4) 27 Vic. c. 14.

(5) S. R. & O. 1946/ 1032

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

“The King Sedgemoor & Cary Valley Internal Drainage District” means the internal drainage district constituted by that Act.

“The Langport Internal Drainage Board” means the internal drainage board constituted by The Reconstitution of the Langport District Drainage Board Order 1994(6) and “The Langport Internal Drainage District” means the internal drainage district constituted by that Order.

“The North Moor Internal Drainage Board” means the internal drainage board constituted by the Land Drainage Act 1861 Provisional Order of 1867 confirmed by Land Drainage Supplemental Act 1867(7) and “The North Moor Internal Drainage District” means the internal drainage district constituted by that Act.

“The Othery, Middlezoy & Westonzoyland Internal Drainage Board” means the internal drainage board constituted by the Commissioners' Award dated 27 March 1841 made under the Othery, Middlezoy and Weston Zoyland Drainage Act 1830(8) and “The Othery, Middlezoy & Westonzoyland Internal Drainage District” means the internal drainage district constituted by that Act.

“The Stanmoor Internal Drainage Board” means the internal drainage board constituted by the Land Drainage Act 1861 Provisional Order of 1863 confirmed by the Land Drainage Supplemental Act 1864(9) and “The Stanmoor Internal Drainage District” means the internal drainage district constituted by that Act.

“The Stockland Internal Drainage Board” means the internal drainage board constituted by the Somersetshire Drainage Act 1877 Order dated 9 March 1881 made by Somersetshire Drainage Commissioners under the Somersetshire Drainage Act 1877 and “The Stockland Internal Drainage District” means the internal drainage district constituted by that Act.

“The West Sedgemoor Internal Drainage Board” means the internal drainage board constituted by the Somersetshire Drainage Act 1877 Order dated 9 March 1881 made by Somersetshire Drainage Commissioners under the Somersetshire Drainage Act 1877 and “The West Sedgemoor Internal Drainage District” means the internal drainage district constituted by that Act.

3.—(1) The Aller Internal Drainage Board, the Bridgwater & Pawlett Internal Drainage Board, the Cannington & Wembdon Internal Drainage Board, the Chedzoy Separate Internal Drainage Board, the Curry Moor Internal Drainage Board, the Dunster Internal Drainage Board, the King Sedgemoor & Cary Valley Internal Drainage Board, the Langport Internal Drainage Board, the North Moor Internal Drainage Board, the Othery, Middlezoy & Westonzoyland Internal Drainage Board, the Stanmoor Internal Drainage Board, the Stockland Internal Drainage Board and the West Sedgemoor Internal Drainage Board shall be abolished;

(2) The Aller Internal Drainage District, the Bridgwater & Pawlett Internal Drainage District, the Cannington & Wembdon Internal Drainage District, the Chedzoy Separate Internal Drainage District, the Curry Moor Internal Drainage District, the Dunster Internal Drainage District, the King Sedgemoor & Cary Valley Internal Drainage District, the Langport Internal Drainage District, the North Moor Internal Drainage District, the Othery, Middlezoy & Westonzoyland Internal Drainage District, the Stanmoor Internal Drainage District, the Stockland Internal Drainage District and the West Sedgemoor Internal Drainage District shall be amalgamated into, and shall constitute, one internal drainage district which shall be known as “the Parrett Internal Drainage District”;

(3) There shall be constituted for the Internal Drainage District an internal drainage board to be known as “ the Parrett Internal Drainage Board”.

(6) 1994/1411
(7) 30 Vic. c. 22.
(8) 11 George IV c. 52
(9) 27 Vic. c. 14.

4. The Parrett Internal Drainage Board shall consist of 23 elected members.

5. From the commencement date there shall be transferred to and be vested in or fall to be discharged by the Parrett Internal Drainage Board to the appropriate extent all such rights, and obligations of the Abolished Boards; and for this purpose “the appropriate extent”, in relation to the Parrett Internal Drainage Board, means in so far as such rights and obligations specifically relate to or (in the case of land) lie within the whole or any part of the district of an Abolished Board which after the commencement date is comprised in the district of the Parrett Internal Drainage Board.

6. All arrears of rates levied by the Abolished Boards before the commencement date in relation to the occupier of any land within the Parrett Internal Drainage District in respect of any period ending before the commencement date may, in so far as levied in relation to an occupier of land within the Parrett Internal Drainage District be recovered by the Parrett Internal Drainage Board, in the same manner as if they had been rates levied by the Internal Drainage Board in question.

7. As respects any thing transferred under this Scheme the Scheme shall operate as conclusive evidence of the transfer without the necessity of any further assignments, conveyance or deed of transfer whatsoever.

8. The accounts of each of the Abolished Boards shall be made up to the date of commencement and copies thereof shall be sent forthwith to the Parrett 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 come into force.

DATED 26th day of July 2004

Confirmation of Order

Whereas the foregoing Order has been published by the Secretary of State in accordance with paragraph 4 of Schedule 3 to the Land Drainage Act 1991;

And whereas no memorial relating to the Order has been presented to the Secretary of State;

And whereas paragraph 5(1) of Schedule 3 to the Land Drainage Act 1991 provides for the Order to come into force upon its confirmation by the appropriate Minister, being (by virtue of paragraph 1(3) of that Schedule) the Minister by whom the Order has been made;

Now therefore the Secretary of State, in accordance with paragraph 5(1) of Schedule 3 to the said Act, hereby confirms the said Order.