
STATUTORY INSTRUMENTS

1988 No. 237

LAND DRAINAGE

**The Severn-Trent Water Authority (Abolition of
the Sinfin Moor Drainage District) Order 1987**

Made - - - - - *7th September 1987*

Coming into force - - - - - *2nd February 1988*

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⁽¹⁾ in relation to the Sinfin Moor 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 (Abolition of the Sinfin Moor 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 modification:—

In paragraph 2, penultimate line, there shall be substituted the word “from” for the word “to”.

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.

Status: This is the original version (as it was originally made).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 7th September 1987.

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

LAND DRAINAGE ACT 1976
SEVERN-TRENT WATER AUTHORITY ABOLITION
OF THE SINFIN MOOR DRAINAGE DISTRICT

The Severn-Trent Water Authority (hereinafter called “the Authority”) have prepared the following Scheme under section 11(1) of the Land Drainage Act 1976 (hereinafter called “the 1976 Act”) and submit it to the Minister of Agriculture, Fisheries and Food (hereinafter called “the Minister”) for confirmation under section 11(4) of the 1976 Act.

SCHEME

On a day to be appointed by the Minister (which day is hereinafter referred to as “the appointed day”) the following provisions shall have effect:

(1) The Sinfin Moor Drainage District being the drainage district commonly known by that name constituted by the Act 42 Geo.III Cap. 69(2) entitled “An Act for dividing, allotting, and inclosing a certain Common or Waste Ground called Sinfin Moor, and certain Common Meadows thereto adjoining, all in the County of Derby” and the Award dated 3rd July 1804, and continuing as a drainage district by virtue of section 6(4) of the 1976 Act and the Drainage Board thereof (hereinafter called “the Board”) constituted by the Act 7 & 8 Geo. IV Cap. XLVIII entitled “An Act for maintaining and repairing the public Drains, Bridges, and Highways, on certain Extra-parochial Lands formerly called Sinfin Moor, in the County of Derby” dated 28th May 1827, shall be abolished and the rights, powers, duties, obligations, liabilities and property (including in particular, but without prejudice to the generality of that expression, books of account, other books, deeds, maps and other documents) of the Board shall be transferred to the Authority.

(2) The accounts of the Board shall be made up to the appointed day and shall be audited in like manner and subject to the like incidents and consequences as if this Scheme had not been made; provided that any sum certified by the District Auditor at any such audit as due from any person shall be paid to the Authority.

(3) Any monies transferred to the Authority being the balance of drainage rates levied by the Board or any other assets so transferred shall be applied by the Authority as if the same were the proceeds of a general drainage charge levied by them under the provisions of section 48 of the 1976 Act.

(4) Any debts due from the Board immediately before the appointed day shall be discharged by the Authority and any arrears of rates outstanding at the appointed day shall be paid to, and be recoverable by, the Authority.

(5) 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 or deed of transfer.

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 Common Seal of the Severn-Trent Water Authority was hereunto affixed on 4th March 1987.

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

L.S.

(Sgd.) M.R. Knight
Sealing Officer

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 2nd February 1988.

L.S.

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

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 Scheme confirmed by the Severn-Trent Water Authority (Abolition of the Sinfin Moor 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 31st March 1988 to be the said appointed day.
In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 2nd February 1988.

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 a modification, a Scheme submitted to him by the Severn-Trent Water Authority for the abolition, on a day to be appointed by the Minister, of the Sinfin Moor Drainage District constituted by the Act 42 Geo. III Cap. 69 and the Award dated 3rd July 1804 and the internal drainage board thereof constituted by the Act 7 and 8 Geo. IV Cap. XLVIII dated 28th May 1827. On the appointed day all the rights, property and obligations of the Sinfin Moor Drainage Board will be transferred to the Severn-Trent Water Authority.