

SCHEDULE 1

Article 2(1)

SCHEME AS SUBMITTED BY THE ENVIRONMENT AGENCY

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 the Scheme comes into force;

“the New Board” means the board constituted by virtue of paragraph 3(3) of this Scheme;

“the New District” means the district constituted by virtue of paragraph 3(2) of this Scheme;

“Property” means any property vested in any of the Abolished Boards immediately before the Commencement Date and includes books of account, 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, and liabilities as immediately before the Commencement Date were vested in and 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 Blundeston Flixton & Oulton Drainage Board” means the drainage board constituted by An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the Parishes of Blundeston Flixton and Oulton in the County of Suffolk (8 Edward 7 ch. 121) and “The Blundeston Flixton & Oulton Drainage District” means the drainage district constituted by that Act;

“The Burgh Castle Bradwell Gorleston Southtown & Cobholm Island Drainage Board” means the drainage board constituted by An Act to confirm certain Provisional Orders under the Land Drainage Act 1861 (47+48 Victoria ch. 41) and “The Burgh Castle Bradwell Gorleston Southtown & Cobholm Island Drainage District” means the drainage district constituted by that Act;

“The Langley Chedgrave & Toft Monks Drainage Board” means the drainage board constituted by An Act to confirm a Provisional Order under the Land Drainage Act 1861 relating to the Langley Chedgrave and Toft Monks Marshes in the Parishes of Langley Chedgrave Toft Monks Stockton Haddiscoe Loddon Ravingingham and Reedham in the County of Norfolk (59+60 Victoria ch. 93) and “The Langley Chedgrave & Toft Monks Drainage District” means the drainage district constituted by that Act;

“The Oulton Carlton Colville & Barnby Drainage Board” means the drainage board constituted by An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of the Oulton Carlton &c. Marshes in the Parishes of Oulton Carlton Colville and Barnby in the County of Suffolk (7 Edward 7 ch.52) and “The Oulton Carlton Colville & Barnby Drainage District” means the drainage district constituted by the scheme confirmed by that Act;

“The Limpenhoe & Reedham Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by The Limpenhoe and Reedham Drainage Order 1926 (SR&O 1926 No. 1537) and “The Limpenhoe and Reedham Internal Drainage District” means the internal drainage district constituted by that Order;

“The Lothingland Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by The East Suffolk Rivers (excluding the River Waveney) Catchment Board (Lothingland Drainage District) Order 1933 (SR&O 1933 No. 450) and “The

Status: This is the original version (as it was originally made).

Lothingland Internal Drainage District” means the internal drainage district constituted by that Order;

“The Lower Waveney Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by The East Norfolk Rivers (including the River Waveney) Catchment Board (Lower Waveney Internal Drainage District) Order 1937 (SR&O 1938 No. 62) and “The Lower Waveney Internal Drainage District” means the internal drainage district constituted by that Order;

“The Lower Waveney Second Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by The East Norfolk Rivers (including the River Waveney) Catchment Board (Lower Waveney Second Internal Drainage District) Order 1941 (SR&O 1941 No. 1094) and “The Lower Waveney Second Internal Drainage District” means the internal drainage district constituted by that Order;

“The Lower Waveney Third Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by The East Norfolk Rivers (including the River Waveney) Catchment Board (Lower Waveney Third Internal Drainage District) Order 1941 (SR&O 1941 No. 1095) and “The Lower Waveney Third Internal Drainage District” means the internal drainage district constituted by that Order;

“The Lower Yare Second Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by The East Norfolk Rivers (including the River Waveney) Catchment Board (Lower Yare Second Internal Drainage District) Order 1941 (SR&O 1941 No. 1097) and “The Lower Yare Second Internal Drainage District” means the internal drainage district constituted by the Order;

“The Lower Yare Third Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by the East Norfolk Rivers (including the River Waveney) Catchment Board (Lower Yare Third Internal Drainage District) Order 1941 (SR&O 1941 No. 1098) and “The Lower Yare Third Internal Drainage District” means the internal drainage district constituted by that Order, the boundaries of which were altered by the scheme confirmed by the East Suffolk and Norfolk River Authority (Alteration of Boundaries of the Lower Yare Third Internal Drainage District) Order 1965 (SR&O 1965 No. 1443);

“The Waveney Valley Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by The East Norfolk Rivers (including the River Waveney) Catchment Board (Waveney Valley Internal Drainage District) Order 1946 (SR&O 1946 No. 2061) and “The Waveney Valley Internal Drainage District” means the internal drainage district constituted by that Order.

3.—(1) The Blundeston Flixton & Oulton Drainage Board, the Burgh Castle Southtown & Cobholm Island Drainage Board, the Langley Chedgrave & Toft Monks Drainage Board, the Oulton Carlton Colville & Barnby Drainage Board, the Limpenhoe & Reedham Internal Drainage Board, the Lothingland Internal Drainage Board, the Lower Waveney Internal Drainage Board, the Lower Waveney Second Internal Drainage Board, the Lower Waveney Third Internal Drainage Board, the Lower Yare Second Internal Drainage Board, the Lower Yare Third Internal Drainage Board, and the Waveney Valley Internal Drainage Board shall be abolished;

(2) The Blundeston Flixton & Oulton Drainage District, the Burgh Castle Southtown & Cobholm Island Drainage District, the Langley Chedgrave & Toft Monks Drainage District, the Oulton Carlton Colville & Barnby Drainage District, the Limpenhoe & Reedham Internal Drainage District, the Lothingland Internal Drainage District, the Lower Waveney Internal Drainage District, the Lower Waveney Second Internal Drainage District, the Lower Waveney Third Internal Drainage District, the Lower Yare Second Internal Drainage District, the Lower Yare Third Internal Drainage District, and the Waveney Valley Internal Drainage District shall be amalgamated into, and shall constitute,

one internal drainage district which shall be known as “the Waveney Lower Yare and Lothingland Internal Drainage District”;

(3) There shall be constituted for the New District an internal drainage board to be known as “the Waveney Lower Yare and Lothingland Internal Drainage Board”.

4. The New Board shall consist of 18 elected members.

5. From the Commencement Date there shall be transferred to and be vested in or fall to be discharged by the New Board all Rights and Obligations of the Abolished Boards, and Property.

6. All arrears of rates levied by the Abolished Boards before the Commencement Date in respect of any period ending before the Commencement Date may be recovered by the New Board, in the same manner as if they had been rates levied by the New Board.

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 Commencement Date by the New 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 14th October 2005