

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 Alderton, Hollesley and Bawdsey Drainage Board, the River Deben Internal Drainage Board, the River Gipping Internal Drainage Board and the Lower Alde Internal Drainage Board;

“the Agency” means the Environment Agency;

“the Agency Administered Districts” means the River Blyth Internal Drainage District, the Fromus, Alde and Thorpeness Internal Drainage District, the Minsmere Internal Drainage District and the Upper Alde Internal Drainage District for which the Agency (as statutory successor to the East Suffolk and Norfolk River Board and the East Suffolk and Norfolk River Authority) is the drainage board by virtue of the Orders listed in the First Schedule to the Scheme;

“the Alderton, Hollesley and Bawdsey Drainage Board” means the drainage board constituted by the Alderton, Hollesley and Bawdsey Drainage Order 1922(1) as amended by the East Suffolk Rivers (excluding the River Waveney) Catchment Board Transfer Order of 1932(2) (“the 1922 Order”) and “the Alderton, Hollesley and Bawdsey Drainage District” means the drainage district constituted by the 1922 Order as so amended;

“the Commencement Date” means the date on which the Scheme comes into force;

“the Fromus, Alde and Thorpeness Internal Drainage District” means the internal drainage district constituted by the scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (Fromus, Alde and Thorpeness Internal Drainage District) Order, 1936(3);

“the Lower Alde Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by the Amalgamation of the Lower Alde and Middle Alde Internal Drainage Districts Order 2000(4) and “the Lower Alde Internal Drainage District” means the internal drainage district constituted by that scheme as confirmed;

“the map” means the map dated 23rd August 2007 entitled “The East Suffolk Internal Drainage District: Electoral Divisions”;

“the Minsmere Internal Drainage District” means the internal drainage district constituted by the scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (Minsmere Internal Drainage District) Order, 1937(5);

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

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

“Property of the Abolished Boards” 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;

(1) S.R. & O 1922/501.
(2) S.R. & O 1932/861.
(3) S.R. & O 1936/208.
(4) S.I. 2000/1463.
(5) S.R. & O 1937/41.

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“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 or fell to be discharged by any of the Abolished Boards;

“the River Blyth Internal Drainage District” means the internal drainage district constituted by the scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (River Blyth Internal Drainage District) Order, 1934(6);

“the River Deben Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by the River Deben Internal Drainage Board Order 2005(7) and “the River Deben Internal Drainage District” means the internal drainage district constituted by that scheme as confirmed;

“the River Gipping Internal Drainage Board” means the internal drainage board constituted by the scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (River Gipping Drainage District) Order, 1933(8) and “the River Gipping Drainage District” means the internal drainage district constituted by that scheme as confirmed, the boundaries of which were altered by the scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (Alteration of Boundaries of the River Gipping Drainage District) Order, 1936(9) and further altered by the scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (Alteration of Boundaries of the River Gipping Drainage District) Order, 1945(10);

“Statutory Powers” includes any power arising under or by virtue of any local Act or order made under statutory authority; and

“the Upper Alde Internal Drainage District” means the internal drainage district constituted by the scheme confirmed by the East Suffolk Rivers (excluding the River Waveney) Catchment Board (Upper Alde Internal Drainage District) Order, 1936(11).

3.—(1) The Alderton, Hollesley and Bawdsey Drainage Board, the River Deben Internal Drainage Board, the River Gipping Internal Drainage Board and the Lower Alde Internal Drainage Board, shall be abolished.

(2) The Alderton, Hollesley and Bawdsey Drainage District, the River Blyth Internal Drainage District, the River Deben Internal Drainage District, the Fromus, Alde and Thorpeness Internal Drainage District, the River Gipping Drainage District, the Lower Alde Internal Drainage District, the Minsmere Internal Drainage District and the Upper Alde Internal Drainage District shall be amalgamated into, and shall constitute, one internal drainage district which shall be known as “the East Suffolk Internal Drainage District”.

(3) An internal drainage board, to be known as “the East Suffolk Internal Drainage Board”, shall be constituted for the New District.

4.—(1) The New Board shall consist of 11 elected members.

(2) The New District shall be divided into 5 Electoral Divisions as specified in the first column of the Second Schedule to the Scheme and as defined in the second column by reference to the map and the number of members by which each such division shall be represented shall be as provided in the third column of the Schedule.

(6) S.R. & O 1934/721.
(7) S.I. 2005/2515.
(8) S.R. & O. 1933/648.
(9) S.R. & O. 1936/207.
(10) S.R. & O. 1945/366.
(11) S.R. & O. 1936/209.

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

(2) From the Commencement Date all property (including books of account, other books, deeds, maps, papers and other documents), rights, powers (including Statutory Powers), duties, obligations and liabilities which immediately before the Commencement Date were vested in or fell to be discharged by the Agency, in its capacity as the drainage board for the Agency Administered Districts, shall be transferred to and vested in or fall to be discharged by the New Board.

6. The New Board may recover all arrears of rates which have been levied by the Abolished Boards, or by the Agency in relation to the Agency Administered Districts, before the Commencement Date in respect of any period ending before the Commencement Date, in the same manner as if they had been rates levied by the New Board.

7. The Scheme shall operate as conclusive evidence of anything transferred under this Scheme without the necessity of any further assignments, conveyances or deeds of transfer.

8. The New Board shall prepare accounts in respect of each of the Abolished Boards and in respect of each of the Agency Administered Boards for the period up to the Commencement Date and shall ensure that these accounts are audited in the like manner and be subject to the like incidents and consequences as if this Scheme had not come into force.

Dated 14th September 2007

THE FIRST SCHEDULE

The East Suffolk and Norfolk River Authority (Transfer of Powers of the River Blyth Internal Drainage Board) Order 1966**(12)**

The East Suffolk and Norfolk River Board (Transfer of Powers of the Fromus, Alde and Thorpeness Internal Drainage Board Order, 1960**(13)**)

The East Suffolk and Norfolk River Authority (Transfer of Powers of the Minsmere Internal Drainage Board) Order 1965**(14)**

The East Suffolk and Norfolk River Board (Transfer of Powers of the Upper Alde Internal Drainage Board) Order, 1960**(15)**

THE SECOND SCHEDULE

<i>Electoral Divisions</i>	<i>Defined on the Map</i>	<i>Number of Members</i>
Deben Estuary	Green	2
Alde Estuary	Yellow	3
Hollesey	Pink	1
Blyth, Minsmere and Thorpeness	Dark Blue	2
Fluvial Rivers	Light Blue	3

(12) S.I. 1966/930.

(13) S.I. 1960/1550.

(14) S.I. 1965/1807.

(15) S.I. 1960/1549.

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Confirmation of Order

In accordance with paragraph 4 of Schedule 3 to the Land Drainage Act 1991 (“the 1991 Act”), the Secretary of State has published the foregoing Order and a notice complying with paragraph 4(2) of Schedule 3 to the 1991 Act.

No memorial relating to the Order has been presented to the Secretary of State.

Paragraph 5(1) of Schedule 3 to the 1991 Act 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.

Accordingly, the Secretary of State confirms the Order in accordance with paragraph 5(1) of Schedule 3 to the 1991 Act.