STATUTORY INSTRUMENTS

1982 No. 1407

LAND DRAINAGE

The Severn-Trent Water Authority (Alteration of Boundaries of the Finningley Internal Drainage District and the South Axholme Drainage District) Order 1982

Made - - - *8th July* 1982

Coming into Operation *22nd September* 1982

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(a) in relation to the Finningley Internal Drainage District and the South Axholme Drainage District;

And whereas the Minister has decided to confirm the Scheme, a copy of which 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 (Alteration of Boundaries of the Finningley Internal Drainage District and the South Axholme Drainage District) Order 1982 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.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the the Severn-Trent Water Authority and shall be part of the administrative expenses of that Authority.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 8th July 1982.

L.S.

(Sgd.) *A. F. Longworth,*
Assistant Secretary.

(a) 1976 c.70.

LAND DRAINAGE ACT 1976

SEVERN-TRENT WATER AUTHORITY
ALTERATION OF BOUNDARIES OF THE FINNINGLEY INTERNAL DRAINAGE DISTRICT AND THE SOUTH AXHOLME DRAINAGE DISTRICT

The Severn-Trent Water Authority (hereinafter called "the Water Authority") in pursuance of section 11(1) of the Land Drainage Act 1976 have prepared the following Scheme making provision for certain matters mentioned in the said section namely:—

(i) The alteration of the boundaries of the Finningley Internal Drainage District and of the South Axholme Drainage District by the amalgamation with the Finningley Internal Drainage District of a portion of the South Axholme Drainage District;

(ii) Matters supplemental thereto or consequential thereon.

And the Water Authority submit the Scheme to the Minister of Agriculture, Fisheries and Food (hereinafter called "the Minister") for confirmation under the said 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 this Scheme;

"the Finningley Internal Drainage District" means the internal drainage district constituted by the Scheme confirmed by the Trent River Board (Finningley Internal Drainage District) Order 1955(a);

"The Finningley Internal Drainage Board" means the internal drainage board of the Finningley Internal Drainage District;

"the South Axholme Drainage District" means the internal drainage district constituted as a drainage district by the Doncaster District (South Axholme) Drainage Order 1931(b) and continuing as an internal drainage district by virtue of section 6(4) of the Land Drainage Act 1976;

"the South Axholme Drainage Board" means the internal drainage board of the South Axholme Drainage District.

2. On the appointed day the following provisions shall have effect:—

(i) The boundaries of the South Axholme Drainage District as altered by the Scheme confirmed by the River Trent Catchment Board (Alteration of Boundaries of South Axholme Drainage District) Order 1941(c) shall be further altered so as to exclude all those lands lying within the Parish of Misterton in the District of Bassetlaw in the County of Nottinghamshire together with those lands in the Parish of Haxey in the Borough of Boothferry in the County of Humberside which are shown coloured red on the map sealed by the Water Authority in relation to this Scheme (which said lands are hereinafter referred to as "the transferred area").

(ii) The boundaries of the Finningley Internal Drainage District shall be altered so as to include the transferred area.

(a) S.I. 1955/1136. (b) S.R. & O. 1931/884. (c) S.R. & O. 1941/1583.

(iii) All property rights powers duties obligations and liabilities vested in or to be discharged by the South Axholme Drainage Board in respect of the transferred area shall be vested in or discharged by the Finningley Internal Drainage Board: Provided that any dispute between the South Axholme Drainage Board and the Finningley Internal Drainage Board as to such transfer shall be referred to and decided by the Minister whose decision shall be final.

3. The right to collect all rates (including arrears of rates) already made by the South Axholme Drainage Board in respect of the transferred area and not collected by the appointed day, together with the powers and duties of the South Axholme Drainage Board in relation thereto, shall remain with the South Axholme Drainage Board.

4. 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.

5. The maps referred to in Part I of the Schedule hereto (which between them show the boundaries of the Finningley Internal Drainage District) and the map referred to in Part II of the Schedule hereto (which shows the boundaries of the South Axholme Drainage District) shall, so far as is necessary to secure that the effect of this Scheme is noted, be altered accordingly and the alterations certified by the Minister.

SCHEDULE

PART I

1. The map sealed in relation to the Doncaster District (Snow Sewer) Drainage Order 1931(a).
2. The map sealed in relation to the Scheme confirmed by the River Trent Catchment Board (Misson Internal Drainage District) Order 1940(b) (which map was also the map sealed in relation to the Scheme confirmed by the River Trent Catchment Board (Alteration of Boundaries of Misson Internal Drainage District) Order 1941(c)).

PART II

The map sealed in relation to the Doncaster District (South Axholme) Drainage Order 1931 (which map was also the map sealed in relation to the Scheme confirmed by the River Trent Catchment Board (Alteration of Boundaries of South Axholme Drainage District) Order 1941).

IN WITNESS whereof the Severn-Trent Water Authority have caused their Common Seal to be hereunto affixed this third day of December One thousand nine hundred and eighty-one.

L.S.

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

(Sgd.) *William Dugdale,*
Chairman of the Authority.

(Sgd.) *J. Stevenson,*
Director of Administration.

(a) S.R. & O. 1931/885. (b) S.R. & O. 1940/1820. (c) S.R. & O. 1941/1582.

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 22nd September 1982.

L.S.

(Sgd.) *A. F. Longworth,*
Assistant Secretary.

Whereas the Scheme confirmed by the Severn-Trent Water Authority (Alteration of Boundaries of the Finningley Internal Drainage District and the South Axholme Drainage District) Order 1982 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 1st April 1983 to be the said appointed day.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd September 1982.

L.S.

(Sgd.) *A. F. Longworth,*
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made by the Minister of Agriculture, Fisheries and Food, confirms a Scheme submitted to him by the Severn-Trent Water Authority making provision for the alteration of the boundaries of the Finningley Internal Drainage District and the South Axholme Drainage District by the amalgamation with the Finningley Internal Drainage District of part of the South Axholme Drainage District. The Finningley Internal Drainage District was constituted by the Scheme confirmed by the Trent River Board (Finningley Internal Drainage District) Order 1955 and the South Axholme Drainage District was constituted as a drainage district by the Doncaster District (South Axholme) Drainage Order 1931 and continues as an internal drainage district by virtue of section 6(4) of the Land Drainage Act 1976.

The map sealed in relation to this Scheme is available for inspection during office hours at the offices of the Minister of Agriculture, Fisheries and Food, Great Westminster House, Horseferry Road, London SW1P 2AE, and a certified copy thereof may be inspected during office hours at the offices of the Severn-Trent Water Authority, Trentside, West Bridgford, Nottingham NG2 5FA, at the offices of the South Axholme Drainage Board, Manor Court House, Epworth, Doncaster, South Yorks DN9 1EU, and at the offices of the Finningley Internal Drainage Board, Pillar House, 20 South Parade, Doncaster, South Yorks DN1 2DP.

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