

LAND DRAINAGE ACT 1991

ABOLITION

of the

MARCH AND WHITTLESEY INTERNAL DRAINAGE DISTRICT AND BOARD

and the

WHITE FEN DISTRICT AND BOARD

And the constitution of the

MARCH WEST AND WHITE FEN INTERNAL DRAINAGE DISTRICT AND BOARD

The Environment Agency ("the Agency") pursuant to section 3(1) of the Land Drainage Act 1991 ("the 1991 Act")^(a) has prepared the following Scheme making provision for the following matters-

- (i) the abolition of the internal drainage boards known as the March and Whittlesey Internal Drainage Board and White Fen District Commissioners;
- (ii) the abolition of the internal drainage districts known as the March and Whittlesey Internal Drainage District and the White Fen District;
- (iii) the constitution of a new internal drainage board for the new internal drainage district;
- (iv) matters supplemental to or consequential thereon;

and the Agency submits the Scheme to the Secretary of State for Environment, Food and Rural Affairs for confirmation under section 3(5) of the 1991 Act^(b).

^(a) 1991 c. 59.

^(b) Section 3(5) permits the "relevant Minister" to confirm by statutory instrument any scheme submitted. The "relevant Minister" is defined in section 72(1) of the 1991 Act as the "Minister of Agriculture, Fisheries and Food", whose functions were transferred to the Secretary of State for Environment, Food and Rural Affairs by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

**2014 SCHEME FOR THE ABOLITION OF THE MARCH AND WHITTLESEY INTERNAL
DRAINAGE DISTRICT AND THE WHITE FEN DISTRICT SUBMITTED BY THE
ENVIRONMENT AGENCY**

1. This Scheme comes into force on the day after the day on which the Order confirming this Scheme is made.

2. In this Scheme:-

“the abolished boards” means the internal drainage boards^(a) known as the March and Whittlesey Internal Drainage Board and the White Fen District Commissioners;

“the abolished districts” means the internal drainage districts^(b) known as the March and Whittlesey Internal Drainage District and the White Fen District;

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

“the Map” means the map dated 7th August 2014 entitled “The March West and White Fen Internal Drainage District”

“the March and Whittlesey Internal Drainage Board” means the drainage board constituted under The River Great Ouse Catchment Board (March and Whittlesey Internal Drainage District) Order 1937^(c), and the “March and Whittlesey Internal Drainage District” means the internal drainage district constituted by that Scheme, as confirmed;

“the new Board” means the internal drainage board constituted by virtue of paragraph 3(4) of this Scheme;

“property” means, in relation to any of the abolished boards, any property which is vested in that board immediately before the commencement date and includes books

^(a) Deemed by section 1(4) of the Land Drainage Act 1930 (20 & 21 Geo. 5. c.44) to have been constituted under that Act for the purposes of that Act.

^(b) Deemed by Section 1(3) of the Land Drainage Act 1930 (20&21 Geo. 5. c.44) to have been constituted under that Act for the purposes of that Act.

^(c) S.I. 1941/829

of account, other books, deeds, maps, papers and other documents, in whatever medium held, and computer and other electronic records;

“rights and obligations” means, in relation to any of the abolished boards, all rights, powers, duties (including statutory powers and duties), obligations and liabilities which are vested in or which fall to be discharged by that board immediately before the commencement date;

“the White Fen District Commissioners” means the commissioners appointed under an Act for the more effectual Draining and Preserving certain Fen Lands and Low Grounds in the Hamlet of Benwick in the Parish of Doddington, Whittlesey, Ramsey and Farcet in the Isle of Ely and Counties of Cambridge and Huntingdon dated 1767^(a) and “the White Fen District” means the internal drainage district identified as the “Fen Lands and Low Grounds” in that Act;

3. (1) The March and Whittlesey Internal Drainage Board and the White Fen District Commissioners are abolished.
 - (2) The March and Whittlesey Internal Drainage District and the White Fen District are abolished.
 - (3) A new internal drainage district which is shown edged red on the Map sealed by the Agency in relation to this Scheme and to be known as the “March West and White Fen Internal Drainage District” is constituted.
 - (4) A new internal drainage board to be known as the “March West and White Fen Internal Drainage Board” is constituted for the March West and White Fen Internal Drainage District.
4. The new Board shall consist of 13 elected members who, with the exception of the first members, shall be elected in accordance with the provisions of section 1 of, and

^(a) 7 Geo. III c.37

Schedule 1 to, the Land Drainage Act 1991. The first members of the new Board shall be persons appointed by the Secretary of State and shall hold office until the expiration of one year from the 1st November following the day on which they are appointed.

5. As from the commencement date, all property and rights and obligations of the abolished boards are transferred to and vested in, or fall to be discharged by, the new Board.
6. All arrears of rates owed to 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. This Scheme operates as conclusive evidence of any thing transferred under this Scheme without the necessity of any further assignments, conveyance or deed of transfer.
8. The accounts of each of the abolished boards must be made up to the day before the commencement date of the new Board and audited as if this Scheme had not come into force.

DATED 1st day of May 2015

The COMMON SEAL of the }
ENVIRONMENT AGENCY }
was affixed to this Scheme in the }
presence of: }



Peter Wellett
PETER WELLETT
DIRECTION OF LEGAL SERVICES