STATUTORY INSTRUMENTS

2008 No. 1422

LAND DRAINAGE, ENGLAND

The Reconstitution of the Welland and Deepings Internal Drainage Board Order 2008

Made - - - - 25th March 2008

Coming into force in accordance with article 1

Under section 3(1)(a) of the Land Drainage Act 1991(**a**), the Environment Agency has prepared a Scheme making provision for the reconstitution of the Welland and Deepings Internal Drainage Board.

In accordance with section 3(1) of that Act, the Environment Agency has submitted the Scheme to the Secretary of State for confirmation.

The Secretary of State has published a notice of his intention to make the following Order confirming the Scheme in accordance with paragraph 2(1) of Schedule 3 to that Act. The Secretary of State has sent this notice to the relevant local authorities and other bodies specified in paragraph 2(2) of that Schedule.

No objection has been made to the draft Order.

Accordingly, the Secretary of State makes the following Order in exercise of the powers conferred by section 3(5) and (7) of that Act and now vested in the Secretary of State(**b**):

Citation and commencement

1. This Order may be cited as the Reconstitution of the Welland and Deepings Internal Drainage Board Order 2008 and, if confirmed by the Secretary of State in accordance with paragraph 5(1) of Schedule 3 to the Land Drainage Act 1991, comes into force in accordance with that paragraph.

Confirmation of the Scheme with modifications

2.—(1) The Scheme submitted by the Environment Agency is confirmed with modifications.

(2) The Scheme, as modified by the Secretary of State, is set out in the Schedule to this Order.

(**a**) 1991 c.59; "the relevant Minister" is defined in section 72(1). References to the National River Authority were replaced with references to the Environment Agency by paragraph 191 of Schedule 22 to the Environment Act 1995 (c.25).

(**b**) By virtue of article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

Secretary of State's expenses

3. The expenses of the Secretary of State in connection with the making and confirmation of this Order must be borne by the Environment Agency.

Chris De Grouchy
A Senior Civil Servant, for and on behalf of the
25th March 2008 Secretary of State for Environment, Food and Rural Affairs

SCHEDULE

Article 2(2)

SCHEME SUBMITTED BY THE ENVIRONMENT AGENCY, AS MODIFIED BY THE SECRETARY OF STATE

1. This Scheme comes into force one month after the date of confirmation of the Order confirming this Scheme.

2. In this Scheme:–

"the Welland and Deepings Internal Drainage Board" means the internal drainage board constituted by the scheme confirmed by the Welland and Nene River Authority (Welland and Deepings Internal Drainage District) Order 1973(**a**) as reconstituted by the National Rivers Authority (Anglian Region) (Reconstitution of the Welland and Deepings Internal Drainage Board) Order 1992(**b**).

3. The Welland and Deepings Internal Drainage Board shall be reconstituted such that the number of elected members shall be 12, provided that the existing members of the Welland and Deepings Internal Drainage Board shall continue in office until the date of the first meeting of the new members under paragraph 3(2) of Schedule 2 to the Land Drainage Act 1991.

4. The existing rights, powers, duties, liabilities, obligations and property (including deeds, maps, books, papers and other documents) of the Welland and Deepings Internal Drainage Board shall be the rights, powers, duties, liabilities, obligations and property of the Welland and Deepings Internal Drainage Board as reconstituted by this Scheme.

Dated 19th June 2007

Confirmation of the 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.

Chris De Grouchy
A Senior Civil Servant, for and on behalf of the
1st June 2008 Secretary of State for Environment, Food and Rural Affairs

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(**a**) S.I. 1973/989.
(**b**) S.I. 1992/2287.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms a Scheme submitted by the Environment Agency for the reconstitution of the Welland and Deepings Internal Drainage Board. The effect of the reconstitution is to reduce the number of the board's elected members from 17 to 12.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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