STATUTORY INSTRUMENTS

2021 No. 1336

LAND DRAINAGE, ENGLAND

The Upwell Internal Drainage Board Order 2021

Made - - - -	*29th November 2021*
Coming into force - -	*30th November 2021*

Under section 3(1)(a) of the Land Drainage Act 1991 ("the 1991 Act")(**a**), the Environment Agency has prepared a Scheme making provision for the matters specified in section 3(2)(d) and (i)(**b**) and submitted the Scheme to the Secretary of State for confirmation.

The Secretary of State has published notice of his intention to make the Order confirming the Scheme in accordance with paragraph 2(1) of Schedule 3 to the 1991 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 this Order in exercise of the powers conferred by section 3(5) and (7) of the 1991 Act and now vested in the Secretary of State.

Citation and commencement

1. This Order may be cited as the Upwell Internal Drainage Board Order 2021 and comes into force on 30th November 2021.

Confirmation of the Scheme

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

(2) The Scheme is set out in the Schedule to this Order.

Signed by authority of the Secretary of State

William Harrington
Head of Waterways and Water Management Team, Flood Risk Management
29th November 2021 Department for Environment, Food and Rural Affairs

(**a**) 1991 c. 59; section 3(1) was amended by S.I. 2013/755 (W.90). The definitions of "the relevant Minister" and "the appropriate supervisory body" are contained in section 72(1).
(**b**) Section 3(2) was amended by S.I. 2013/755 (W.90).

SCHEDULE

Article 2(2)

Scheme submitted by the Environment Agency

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

2. In this Scheme:-

"the Act" means the Land Drainage Act 1991(**a**);

"the Board" means the Upwell internal drainage board constituted by the River Great Ouse Catchment Board (Upwell and Nordelph Internal Drainage Districts) Order 1949(**b**) and the River Great Ouse Catchment Board (Upwell and Nordelph Internal Drainage Districts) (Appointed Day) Order 1950(**c**);

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

"elected members" means those members of the Board who are appointed by the Secretary of State pursuant to this Scheme or elected in accordance with Schedule 1 to the Act and any applicable regulations made under the Act;

"property" includes any books of account, other books, deeds, maps, papers and other documents;

"rights and obligations" means all rights, powers, duties (including statutory powers and duties), obligations and liabilities.

3.—(1) On the commencement date the Board is reconstituted to comprise 14 elected members(**d**).

(2) The first elected members of the reconstituted Board are to be appointed by the Secretary of State and are to hold office until the expiry of one year from the first occurrence of 1st November following the day on which they are appointed.

4. The property, rights and obligations of the Board immediately before its reconstitution in accordance with paragraph 3 will be the property, rights and obligations of the Board after its reconstitution.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms a Scheme submitted by the Environment Agency making provision for the reconstitution of the Upwell Internal Drainage Board so that the number of elected members is reduced from 20 to 14.

An impact assessment has not been produced for this instrument as no, or no significant impact on the private, voluntary or public sector is foreseen.

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(**a**) 1991 c. 59.
(**b**) S.I. 1950/17.
(**c**) S.I. 1950/18.
(**d**) Part 2 of Schedule 1 to the Act makes provision in relation to the appointment of members by charging authorities, including as to their number.

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