STATUTORY INSTRUMENTS

2026 No. 176

LAND DRAINAGE, ENGLAND

The Waveney, Lower Yare, and Lothingland Internal Drainage Board (Reconstitution) Order 2026

Made - - - -	*26th February 2026*
Coming into force - -	*27th February 2026*

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**) of the 1991 Act and submitted the Scheme to the Secretary of State for confirmation.

The Secretary of State has published a notice of intent to make an Order confirming the Scheme in accordance with paragraph 2(1) of Schedule 3(**c**) to the 1991 Act and 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 under section 3(5) of the 1991 Act(**d**).

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Waveney, Lower Yare, and Lothingland Internal Drainage Board (Reconstitution) Order 2026 and comes into force on 27th February 2026.

(2) This Order extends to England and Wales, and applies to England only.

Confirmation of the Scheme

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 1991 Act"). Section 3(1) of the 1991 Act 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) of the 1991 Act.
(**b**) Section 3(2) of the 1991 Act was amended by S.I. 2013/755 (W. 90).
(**c**) The definition of "the appropriate Minister" is contained in paragraph 1(3) of Schedule 3 to the 1991 Act.
(**d**) The functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by virtue of article 2 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

Signed by authority of the Secretary of State

William Harrington
Head of Rural Flood Risk
26th February 2026 Department for Environment, Food and Rural Affairs

SCHEDULE

Article 2(2)

Scheme submitted by the Environment Agency as modified by the Secretary of State

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 Board" means the Waveney, Lower Yare, and Lothingland Internal Drainage Board constituted by the Scheme confirmed by the Waveney, Lower Yare, and Lothingland Internal Drainage Board Order 2006(**a**);

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

"elected members" means those members of the Waveney, Lower Yare, and Lothingland Internal Drainage Board who are appointed by the Secretary of State pursuant to this Scheme or elected in accordance with the provisions made by or under Schedule 1 to the Land Drainage Act 1991 and any applicable regulations made under that Act;

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

"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 nine elected members(**b**).

(2) The first elected members of the reconstituted Waveney, Lower Yare, and Lothingland Internal Drainage 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 become the property, rights and obligations of the reconstituted Waveney, Lower Yare and Lothingland Internal Drainage Board upon its reconstitution.

(**a**) S.I. 2006/2140.

(**b**) Part 2 of Schedule 1 to the 1991 Act makes provision in relation to the appointment of members by charging authorities, including as to their number.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms, with modifications, a Scheme submitted by the Environment Agency making provision for the reconstitution of the Waveney, Lower Yare, and Lothingland Internal Drainage Board so that the number of elected members is reduced from eighteen to nine.

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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