

2023 No. 364

LAND DRAINAGE, ENGLAND

The East Suffolk Internal Drainage Board Order 2023

Made - - - - *24th March 2023*

Coming into force - - *24th March 2023*

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 notice of her intention to make an Order confirming the Scheme in accordance with paragraph 2(1) of Schedule 3 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 and now vested in the Secretary of State.

Citation and commencement

1. This Order may be cited as the East Suffolk Internal Drainage Board Order 2023 and comes into force on 24th March 2023.

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.

Signatory by authority of the Secretary of State

24th March 2023

William Harrington
Head of Waterways and Flood Water Management Team
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) of the 1991 Act.
(b) Section 3(2) was amended by S.I. 2013/755.

SCHEDULE

Article 2(2)

Scheme submitted by the Environment Agency

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

4. In this Scheme:

“the Act” means the Land Drainage Act 1991;

“the old Board” means the East Suffolk Internal Drainage Board constituted by the Scheme confirmed by the 2008 Order;

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

“the District” means the East Suffolk Internal Drainage District constituted by the Scheme confirmed by the 2008 Order;

“elected members” means those members of the East Suffolk Water Management 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 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;

“the 2008 Order” means the East Suffolk Internal Drainage Board Order 2008(a).

5. On the commencement date the old Board is renamed “the East Suffolk Water Management Board”.

6.—(1) On the commencement date the East Suffolk Water Management Board is reconstituted to comprise 10 elected members.

(2) The first elected members of the East Suffolk Water Management 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 the 1st November following the day on which they are appointed.

7. On the commencement date paragraph 4(2)(b) to the Scheme confirmed by the 2008 Order ceases to have effect, such that the District will, from that date, be comprised of one Electoral Division.

8. On the commencement date, all property, rights and obligations of the old Board immediately before its renaming in accordance with paragraph 3 will become the property, rights and obligations of the East Suffolk Water Management Board.

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 East Suffolk Internal Drainage Board so that the number of elected members is reduced from eleven to ten, the name of the Board is amended, and the number of Electoral Districts is reduced from five to one.

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.

(a) S.I. 2008/750.

(b) Paragraph 4(2) to the Scheme provides that the district will be divided into five electoral districts (known as ‘Electoral Divisions’).

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