

Status: Point in time view as at 01/12/1991.

Changes to legislation: Land Drainage Act 1991, SCHEDULE 4 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 4

Section 18.

SCHEMES FOR SMALL DRAINAGE WORKS

Consultation and notice with respect to proposed scheme

- 1 (1) Before making a scheme under section 18 of this Act, a local authority shall consult the NRA.
- (2) Before making a scheme under section 18 of this Act, the NRA or a local authority shall give a notice under this paragraph—
 - (a) to the owners and occupiers of land within the area to which the scheme relates; and
 - (b) to any other persons appearing to the NRA or, as the case may be, that local authority to be affected by the scheme.
- (3) A notice under this paragraph is a notice in the prescribed manner of—
 - (a) the intention of making the scheme;
 - (b) the place where a draft of it can be inspected; and
 - (c) the period (which shall not be less than thirty days) within which objections to it may be made to the NRA or local authority.

Objections to scheme

- 2 (1) Where any objections to a scheme are duly made and are not withdrawn—
 - (a) the NRA or local authority shall send a copy of the draft scheme, together with copies of the objections, to one of the Ministers; and
 - (b) the scheme shall not be made unless the draft is confirmed, with or without modifications, by one of the Ministers.
- (2) Before either of the Ministers confirms a scheme under this paragraph, he shall either—
 - (a) cause a public local inquiry to be held; or
 - (b) give to—
 - (i) the NRA or, as the case may be, the local authority; and
 - (ii) the persons by whom the objections are made,an opportunity of appearing before and being heard by a person appointed by him for the purpose.

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Notice of scheme after it is made

- 3
- (1) Where a scheme is made by the NRA or a local authority under section 18 of this Act, the NRA or, as the case may be, that authority shall send copies of the scheme to the owners and occupiers of land in the area to which it relates.
 - (2) Where the NRA makes such a scheme it shall also notify the council of any county, district or London borough in which any of that land is situated.

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