



# Land Drainage Act 1991

## 1991 CHAPTER 59

### PART I

#### INTERNAL DRAINAGE BOARDS

##### *Constitution etc. of boards*

## **2 Review of boundaries of internal drainage districts.**

- (1) Subject to subsection (7) below, where—
- (a) a petition for the alteration of the boundaries of an internal drainage district is made to the NRA by a sufficient number of qualified persons or by a qualified authority; and
  - (b) the boundaries of that district have for a period exceeding ten years been neither reviewed on such a petition nor altered,
- the NRA shall review those boundaries.
- (2) Subject to subsection (7) below, where a petition under subsection (1) above is received by the NRA in the circumstances mentioned in subsection (1)(b) above, the NRA shall—
- (a) inform the relevant Minister; and
  - (b) publish, in one or more newspapers circulating in the internal drainage district, a notice stating—
    - (i) that the petition has been received;
    - (ii) that a review of the boundaries is being undertaken; and
    - (iii) that representations may be made to the NRA within a period (which shall not be less than thirty days) stated in the notice.
- (3) In carrying out any review required by this section the NRA shall—
- (a) consult the drainage board for the internal drainage district in question, unless it is itself the drainage board; and
  - (b) consider any representations duly made to it.

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*Status: Point in time view as at 01/12/1991. This version of this provision has been superseded.*

**Changes to legislation:** Land Drainage Act 1991, Section 2 is up to date with all changes known to be in force on or before 16 August 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)

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- (4) Within six months after a petition under this section is made or such longer period as the relevant Minister may allow, the NRA shall inform the relevant Minister—
- (a) whether, as a result of the review, it proposes to submit to him a scheme under section 3 below; and
  - (b) if so, what provision it proposes to make by the scheme.
- (5) Subject to subsection (6) below, where—
- (a) the NRA does not propose, as a result of the review, to submit to the relevant Minister a scheme under section 3 below; but
  - (b) it appears to the NRA that an order under section 38 below, or an order varying or revoking such an order, should be made by the drainage board for the internal drainage district in question,
- the NRA may direct the drainage board to make such an order in such terms as may be specified in the direction.
- (6) If an internal drainage board to which a direction has been given under subsection (5) above object to the direction, the direction shall have no effect unless it is confirmed (with or without modifications) by the relevant Minister.
- (7) This section does not require the NRA to carry out a review or publish any notice on a petition which, in the opinion of the relevant Minister, is frivolous.

**Status:**

Point in time view as at 01/12/1991. This version of this provision has been superseded.

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