



# Land Drainage Act 1991

## 1991 CHAPTER 59

### PART I **E+W**

#### INTERNAL DRAINAGE BOARDS

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

## 2 **Review of boundaries of internal drainage districts.** **E+W**

- (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 [F<sup>1</sup>appropriate supervisory body] 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 [F<sup>1</sup>appropriate supervisory body] shall review those boundaries.
- (2) Subject to subsection (7) below, where a petition under subsection (1) above is received by the [F<sup>1</sup>appropriate supervisory body] in the circumstances mentioned in subsection (1)(b) above, the [F<sup>1</sup>appropriate supervisory body] shall—
- (a) inform the relevant Minister; and
  - (b) publish<sup>F2</sup>... 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 [F<sup>1</sup>appropriate supervisory body] within a period (which shall not be less than thirty days) stated in the notice.

<sup>F3</sup>(2A) .....

- (3) In carrying out any review required by this section the [F<sup>1</sup>appropriate supervisory body] shall—

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*Changes to legislation: Land Drainage Act 1991, Section 2 is up to date with all changes known to be in force on or before 18 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) View outstanding changes*

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- (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.
- (4) Within six months after a petition under this section is made or such longer period as the relevant Minister may allow, the [F1appropriate supervisory body] 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 [F1appropriate supervisory body] 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 [F1appropriate supervisory body] 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 [F1appropriate supervisory body] 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 [F1appropriate supervisory body] to carry out a review or publish any notice on a petition which, in the opinion of the relevant Minister, is frivolous.

#### **Textual Amendments**

- F1** Words in s. 3 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 317** (with Sch. 7)
- F2** Words in s. 2(2)(b) repealed (14.7.2014) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 9 para. 2(2)**; S.I. 2014/1823, art. 2(b)
- F3** S. 2(2A) omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), **ss. 82(1)**, 88(2)(d)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 37(5A)-(5D) inserted by [2016 anaw 3 s. 83\(2\)\(b\)](#)
- s. 37(5A) substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(i\)](#)
- s. 37(5B)(5C) words substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)
- s. 37(5D)(5E) substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)