
STATUTORY INSTRUMENTS

1993 No. 1590

LAND DRAINAGE

**The Swavesey Internal Drainage Board
Award Drains Variation Order 1993**

Made - - - - *10th May 1993*
Coming into force - - *23rd June 1993*

Whereas the National Rivers Authority has prepared and submitted to the Minister of Agriculture, Fisheries and Food (hereinafter called “the Minister”) for confirmation under section 32(1) of the Land Drainage Act 1991 (hereinafter called “the 1991 Act”)(1) a Scheme (hereinafter called “the Scheme”) in relation to the Swavesey Internal Drainage Board, a copy of which is set out in the Schedule hereto;

And whereas the Minister has caused a notice of his intention to make the following Order confirming the Scheme and the places where copies of the draft Order may be inspected and obtained to be published and to be sent to local authorities and other bodies in accordance with paragraph 2 of Schedule 3 to the 1991 Act;

And whereas no objection has been made to the draft Order;

Now, therefore, the Minister, in exercise of the powers conferred upon him by section 32(5) and (7) of the 1991 Act and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Swavesey Internal Drainage Board Award Drains Variation Order 1993 and shall, unless subject to special Parliamentary procedure, come into force on the date of its confirmation by the Minister, in accordance with paragraph 5(1) of Schedule 3 to the 1991 Act.

2. The Scheme is hereby confirmed, subject to the following modifications:—

(a) for the first paragraph of the Scheme shall be substituted the following paragraphs:—

“**1.** This Scheme shall come into force one month after the date of confirmation of the Order confirming this Scheme.

2. In this Scheme:—

“the Award Drains” means the drains shown by green lines and broken green lines on the Map;

“the Culverts” means the culverts shown lettered A, B and C on the Map;

(1) 1991 c. 59; and the definitions of “the appropriate Minister” and “the Minister” are respectively contained in sections 32(8) and 72(1) of that Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“the Defunct Culvert” means the culvert lettered C on the Map;

“the Defunct Drains” means the Award Drains shown by broken green lines on the Map;

“the Map” means the map sealed by the National Rivers Authority in relation to this Scheme;

“the New Drains” means the drains shown by red lines on the Map.”;

- (b) the second paragraph of the Scheme shall be numbered “3” and for the words in that paragraph “in the Awards shall from the appointed day be varied” there shall be substituted the words “in the Awards specified below shall be varied”;
- (c) the third paragraph of the Scheme shall be numbered “4”;
- (d) for the words “THE SCHEDULE” there shall be substituted the words “THE AWARDS”.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the Swavesey Internal Drainage Board.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

10th May 1993.

R. A. Hathaway
Assistant Secretary

SCHEDULE

SCHEME SUBMITTED BY THE NATIONAL RIVERS AUTHORITY

As from a day to be appointed by the Minister (“the appointed day”) the following provision shall have effect:—

The Board’s obligations to cleanse scour repair and maintain the Award Drains and the Culverts as specified in the Awards shall from the appointed day be varied so as to exclude the Defunct Drains and the Defunct Culvert and substitute in their place the New Drains as defined herein.

AND the Board shall from that date be responsible for the repair and maintenance of the New Drains together with the Award Drains shown by green lines and the Culverts lettered A' and B' on the Map in accordance with the provisions of the Awards but shall from that date have no responsibility for the repair and maintenance of the Defunct Drains and the Defunct Culvert.

THE SCHEDULE

Statutes under which Awards were made	Date of Awards
51 GEO III (1811) Cap. 36 (Private)	10th April 1816
1 & 2 Victoria (1838) Cap. 6 (Private)	18th December 1840

In witness whereof the Common Seal of the National Rivers Authority was hereunto affixed in the presence of:—

Christopher Martin

Authority Secretary

Dated 6th day of May 1992

Confirmation of Order

Whereas the foregoing Order has been published by the Minister of Agriculture, Fisheries and Food (“the Minister”) in accordance with paragraph 4 of Schedule 3 to the Land Drainage Act 1991;

And whereas no memorial relating to the Order has been presented to the Minister;

Now therefore the Minister in accordance with paragraph 5(1) of Schedule 3 to the said Act hereby confirms the said Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

23rd June 1993.

R. A. Hathaway
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms with modifications a Scheme (“the Scheme”) submitted by the National Rivers Authority for the variation of land drainage duties of the Swavesey Internal Drainage Board under specified statutory awards.

The Scheme varies the awards by transferring the Board’s maintenance obligations from drains and a culvert which are now defunct to new drains.

A copy of the map referred to in the Scheme is available for inspection during office hours at the offices of the Swavesey Internal Drainage Board, Middle Level Offices, Dartford Road, March, Cambridgeshire PE15 8AF.