
STATUTORY INSTRUMENTS

1993 No.817

LAND DRAINAGE

**The Reconstitution of the River Stour
(Kent) Internal Drainage Board Order 1993**

Made - - - - - *28th January 1993*

Coming into force - - - - - *12th March 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 3(1) of the Land Drainage Act 1991 (hereinafter called “the 1991 Act”)(¹) a Scheme (hereinafter called “the Scheme”) in relation to the River Stour (Kent) 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 3(5) and (7) of the 1991 Act and all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Reconstitution of the River Stour (Kent) Internal Drainage Board 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:—

(i) for paragraph 1 there shall be substituted the following:—

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

(ii) for paragraph 2 of the Scheme there shall be substituted the following:—

“The Internal Drainage Board as constituted by the Kent Rivers Catchment Board (River Stour (Kent) Internal Drainage Board) Order 1938 (S.R. & O. 1938/616) shall be reconstituted such that the number of elected members shall be nine, provided that the existing members of the Internal Drainage

(1) 1991 c. 59; and the definition of “the relevant Minister” is contained in section 72(1) of that Act.

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Board shall continue in office until the date of the first meeting of the new members under paragraph 3(2) of Schedule 2 to the Land Drainage Act 1991.”.

3. The expenses of the Minister in connection with the making and confirmation of this Order shall be borne by the National Rivers Authority.

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

L.S.

28th January 1993.

R A Hathaway
Assistant Secretary

SCHEDULE

SCHEME SUBMITTED BY THE NRA

1. This Scheme shall come into operation on a day to be appointed by the Minister and such day is hereinafter called “the appointed day”.

2. The Internal Drainage Board as constituted by the [Kent Rivers Catchment Board \(River Stour \(Kent\) Internal Drainage Board\) Order, 1938 \(S.R. & O. 1938 No 616\)](#) shall be reconstituted and shall consist of 9 members who, with the exception of the first members, shall be persons elected in accordance with the provisions of Section 1 of, and Schedule 1 to, the 1991 Act. The First members shall be appointed by the Minister and shall hold office until the expiration of one year from 1st November next following the day on which they are appointed.

3. The existing rights, powers, duties, liabilities, obligations and property (including deeds, maps, books, papers and other documents) of the River Stour (Kent) Internal Drainage Board as constituted by the [Kent Rivers Catchment Board \(River Stour \(Kent\) Internal Drainage Board\) Order, 1938 \(S. R. & O. 1938 No 616\)](#) shall be the rights, powers, duties, liabilities, obligations and property of the Internal Drainage Board as reconstituted by this Scheme.

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.

IN WITNESS of which this deed has been executed on behalf of the National Rivers Authority by its Attorney Mr Martin John Davies, Regional Solicitor, Southern Region. DATED the 6th day of April 1992.

SIGNED as a DEED and DELIVERED on behalf of the above named National Rivers Authority by its above named Martin John Davies acting pursuant to a power of attorney dated 9th July 1991. In the presence of:— National Rivers Authority by its Attorney

Guildbourne House Worthing

M. J. Davies
P. J. Bilbrough
Legal Executive

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

L.S.

12th March 1993.

R. A. Hathaway
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms with modifications a Scheme (“the present Scheme”) submitted by the National Rivers Authority for the reconstitution of the River Stour (Kent) Internal Drainage Board. That Board was formerly constituted by the Scheme confirmed by the Kent Rivers Catchment Board (River Stour (Kent) Internal Drainage Board) Order 1938 (S.R. & O. 1938/616).

The principal change made by the present Scheme as modified is a reduction in the number of elected members of the Board from 18 to 9.