

2006 No. 774

LAND DRAINAGE, ENGLAND

**The Witham Third District Internal Drainage District (Alteration
of Boundaries) Order 2006**

Made - - - - 18th January 2006

Coming into force in accordance with article 1

Under section 3(1)(a) of the Land Drainage Act 1991 (“the 1991 Act”)(a), the Environment Agency has prepared a Scheme, a copy of which is set out in Schedule 1, making provision for the alteration of the boundaries of the Witham Third District Internal Drainage District.

In accordance with section 3(1) of the 1991 Act, the Environment Agency has submitted the Scheme to the Secretary of State for confirmation.

The Secretary of State has published a notice of her intention to make the following Order confirming the Scheme in accordance with paragraph 2(1) of Schedule 3 to the 1991 Act, and has sent notice of that intention to the relevant local authorities and other bodies specified in paragraph 2(2) of that Schedule.

No objection has been made to the draft Order.

The Secretary of State accordingly makes the following Order in exercise of the powers conferred by section 3(5) and (7) of, and paragraph 3(2) of Schedule 3 to, the 1991 Act and now vested in her(b):

Citation and commencement

1. This Order may be cited as the Witham Third District Internal Drainage District (Alteration of Boundaries) Order 2006 and shall, if confirmed by the Secretary of State in accordance with paragraph 5(1) of Schedule 3 to the Land Drainage Act 1991, come into force in accordance with that paragraph.

Confirmation of the Scheme with modifications

2.—(1) The Scheme as submitted by the Environment Agency (the provisions of which appear in Schedule 1 to this Order) is confirmed, subject to the following modifications—

(a) 1991 c.59; “the relevant Minister” is defined in section 72(1). References to the National Rivers Authority (NRA) were replaced with references to the Environment Agency by paragraph 191 of Schedule 22 to the Environment Act 1995 (c.25).
(b) By virtue of article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

- (a) in paragraph 2, in the definition of “the Witham Third District Internal Drainage District”, insert “internal” before “drainage”, insert “the Scheme confirmed by” after “constituted by” and for “amended” substitute “altered”.

(2) Schedule 2 sets out the Scheme as it has effect by virtue of paragraph (1) on its coming into force.

Secretary of State’s expenses

3. The expenses of the Secretary of State in connection with the making and confirmation of this Order shall be borne by the Environment Agency.

Sarah Nason

A Senior Civil Servant for and on behalf of the Secretary of State for
Environment, Food and Rural Affairs

18th January 2006

SCHEDULE 1

Article 2(1)

SCHEME AS SUBMITTED BY THE ENVIRONMENT AGENCY

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 Witham Third District Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by the Witham and Steeping Rivers Catchment Board (Witham Third District Internal Drainage District) Order 1933(a) (“the 1934 Order”), as reconstituted by the Scheme confirmed by The National Rivers Authority (Anglian Region) (Reconstitution of the Witham Third District Internal Drainage Board) Order 1993(b);

“the Witham Third District Internal Drainage District” means the drainage district constituted by the 1934 Order, as amended by the Scheme confirmed by The Lincolnshire River Authority (Alteration of Boundaries of the Witham Third District Internal Drainage District) Order 1970(c);

“the Commencement Date” means the date on which this Scheme comes into force;

“the Maps” means the eight maps sealed by the Agency and dated 30th November 2004 entitled “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Coningsby”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Horncastle”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Minting”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Scothern”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Tattershall Thorpe”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Welton and Dunholme”, and “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Woodhall Spa” and deposited at the Environment Agency, Kingfisher House, Goldhay Way, Orton, Goldhay, Peterborough.

3. As from the Commencement Date, the boundaries of the Witham Third District Internal Drainage District shall be altered so as to include, within the Witham Third District Internal Drainage District, all those lands shown shaded pink on the Maps.

Dated 29th July 2005

(a) S.R. & O. 1934/32.
(b) S.I. 1993/910.
(c) S.I. 1970/1385.

SCHEDULE 2

Article 2(2)

SCHEME AS CONFIRMED

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 Witham Third District Internal Drainage Board” means the internal drainage board constituted by the Scheme confirmed by the Witham and Steeping Rivers Catchment Board (Witham Third District Internal Drainage District) Order 1933(a) (“the 1934 Order”), as reconstituted by the Scheme confirmed by The National Rivers Authority (Anglian Region) (Reconstitution of the Witham Third District Internal Drainage Board) Order 1993(b);

“the Witham Third District Internal Drainage District” means the internal drainage district constituted by the Scheme confirmed by the 1934 Order, as altered by the Scheme confirmed by The Lincolnshire River Authority (Alteration of Boundaries of the Witham Third District Internal Drainage District) Order 1970(c);

“the Commencement Date” means the date on which this Scheme comes into force;

“the Maps” means the eight maps sealed by the Agency and dated 30th November 2004 entitled “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Coningsby”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Horncastle”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Minting”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Scothern”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Tattershall Thorpe”, “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Welton and Dunholme”, and “Witham 3rd Internal Drainage Board Boundary Alteration Proposed New Boundary-Woodhall Spa” and deposited at the Environment Agency, Kingfisher House, Goldhay Way, Orton, Goldhay, Peterborough.

3. As from the Commencement Date, the boundaries of the Witham Third District Internal Drainage District shall be altered so as to include, within the Witham Third District Internal Drainage District, all those lands shown shaded pink on the Maps.

Dated 29th July 2005

(a) S.R. & O. 1934/32.
(b) S.I. 1993/910.
(c) S.I. 1970/1385.

Confirmation of Order

In accordance with paragraph 4 of Schedule 3 to the Land Drainage Act 1991 (“the 1991 Act”), the Secretary of State has published the foregoing Order and a notice complying with paragraph 4(2) of Schedule 3 to the 1991 Act.

No memorial relating to the Order has been presented to the Secretary of State.

Paragraph 5(1) of Schedule 3 to the 1991 Act provides for the Order to come into force upon its confirmation by the appropriate Minister, being (by virtue of paragraph 1(3) of that Schedule) the Minister by whom the Order has been made.

The Secretary of State accordingly confirms the Order in accordance with paragraph 5(1) of Schedule 3 to the 1991 Act.

Sarah Nason

A Senior Civil Servant for and on behalf of the Secretary of State for
Environment, Food and Rural Affairs

1st March 2006

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms (with modifications) a Scheme submitted by the Environment Agency for the alteration of the boundaries of the Witham Third District Internal Drainage District on a date one month after the confirmation of this Order.

Eight maps showing the lands to be included within the Witham Third District Internal Drainage District by virtue of the Scheme is available for inspection during office hours at the offices of the Environment Agency at Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough, Cambridgeshire PE2 5ZR.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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**The Witham Third District Internal Drainage District (Alteration
of Boundaries) Order 2006**

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