

**2009 No. 1723**

**LAND DRAINAGE, ENGLAND**

**The Reconstitution of the Lindsey Marsh Drainage Board Order  
2009**

*Made* - - - - *23rd April 2009*

*Coming into force in accordance with article 1*

Under section 3(1)(a) of the Land Drainage Act 1991(a), the Environment Agency has prepared a Scheme making provision for the reconstitution of the Lindsey Marsh Drainage Board.

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

The Secretary of State has published a notice of intent to make the following Order confirming the Scheme with modifications in accordance with paragraph 2(1) of Schedule 3 to that Act. The Secretary of State has sent this notice 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.

Accordingly, the Secretary of State makes the following Order in exercise of the powers conferred by section 3(5) and (7) of that Act and now vested in the Secretary of State(b):

**Citation and commencement**

1. This Order may be cited as the Reconstitution of the Lindsey Marsh Drainage Board Order 2009 and, if confirmed by the Secretary of State in accordance with paragraph 5(1) of Schedule 3 to the Land Drainage Act 1991, comes into force in accordance with that paragraph.

**Confirmation of the Scheme**

- 2.—(1) The Scheme submitted by the Environment Agency is confirmed with modifications.  
(2) The Scheme is set out in the Schedule to this Order.

**Secretary of State's expenses**

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

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(a) 1991 c. 59; "the relevant Minister" is defined in section 72(1). References to the National River Authority 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).

23rd April 2009

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

## SCHEDULE

Article 2(2)

### SCHEME SUBMITTED BY THE ENVIRONMENT AGENCY, AS MODIFIED BY THE SECRETARY OF STATE

1. This Scheme comes into force on the day after the day on which the Order confirming this scheme is confirmed.

2. In this Scheme:-

“the 1991 Act” means the Land Drainage Act 1991(a); and

“the Lindsey Marsh Drainage Board” means the internal drainage board constituted by the scheme confirmed by the Amalgamation of the Alford, Louth and Skegness District Internal Drainage Districts Order 2000(b).

3.—(1) The Lindsey Marsh Drainage Board is reconstituted and will continue in existence consisting of ten elected members elected in accordance with the provisions made by or under Schedule 1 to the 1991 Act.

(2) The new members (other than those members to be appointed by charging authorities in accordance with the provisions under Schedule 1 to the 1991 Act) are to be appointed by the Minister and are to hold office until the expiration of one year from the 1<sup>st</sup> November next following the day on which they are appointed.

(3) The existing members of the Lindsey Marsh Drainage Board are to continue in office until the date of the first meeting of the new members under paragraph 3(2) of Schedule 2 to the 1991 Act.

4. The rights, powers, duties, liabilities, obligations and property (including deeds, maps, books, papers and other documents) which are vested in the Lindsey Marsh Drainage Board, or to which the Lindsey Marsh Drainage Board is subject, immediately prior to its reconstitution in accordance with paragraph 3 remain with the Lindsey Marsh Drainage Board as from its reconstitution in accordance with paragraph 3.

Dated 4th August 2008

#### **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.

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

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(a) 1991 c. 59.  
(b) S.I. 2000/2823.

30th June 2009

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

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order confirms a Scheme submitted by the Environment Agency for the reconstitution of the Lindsey Marsh Drainage Board. The effect of the reconstitution is to reduce the number of the board's elected members from 13 to 10.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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STATUTORY INSTRUMENTS

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