



# Land Drainage Act 1991

## CHAPTER 59

### LAND DRAINAGE ACT 1991

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##### INTERNAL DRAINAGE BOARDS

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- 1 Internal drainage districts and boards.
- 2 Review of boundaries of internal drainage districts.
- 3 Schemes for reorganisation of internal drainage districts etc.
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- 47 Power to grant exemptions from rating.

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- 74 Application to Crown.
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## SCHEDULES

### SCHEDULE 1 — MEMBERS OF INTERNAL DRAINAGE BOARDS Part I — ELECTION OF MEMBERS

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*Election rules*

- 1 (1) An election of members of an internal drainage board...

*Eligibility of electors*

- 2 (1) Subject to sub-paragraphs (2) and (3) below, the electors...

*Number of votes for each elector*

- 3 (1) Each elector at an election of members of an...

*Qualification for election*

- 4 (1) A person shall not be qualified for election as...

Part II — MEMBERS APPOINTED BY CHARGING AUTHORITIES

*Appointment of members by charging authorities*

- 5 (1) The charging authority for any area wholly or partly...

*Numbers of members appointed by charging authorities*

- 6 (1) The number of appointed members of an internal drainage...

Part III — SUPPLEMENTAL PROVISIONS WITH RESPECT TO MEMBERS

*Terms of office etc. of members*

- 7 (1) Subject to the following provisions of this Part of...

*Resignation etc. of elected members*

- 8 (1) An elected member of an internal drainage board may...

*Insolvency of members or candidates*

- 9 (1) A person who is an undischarged bankrupt or who...

*Filling casual vacancies*

- 10 (1) Subject to sub-paragraph (2) below, if for any reason...

*Eligibility of vacating member of board*

- 11 Subject to the preceding provisions of this Schedule, a vacating...

*Meaning of “elected member”*

- 12 References in this Part of this Schedule to an elected...

SCHEDULE 2 — EXPENSES AND PROCEEDINGS ETC. OF INTERNAL DRAINAGE BOARDS

*Payment of expenses etc. of members and officers*

- 1 (1) The relevant Minister may, if he thinks fit, by...

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*Payments etc. to staff*

- 2 (1) An internal drainage board may pay to persons employed...

*Proceedings of internal drainage board*

- 3 (1) An internal drainage board may, with the approval of...

*Annual report*

- 4 (1) An internal drainage board shall— (a) before such date...

*Accounts*

- 5 (1) An internal drainage board shall— (a) as soon as...

SCHEDULE 3 — PROCEDURE WITH RESPECT TO CERTAIN ORDERS

*Application and interpretation of Schedule*

- 1 (1) This Schedule applies to the following orders under this...

*Notice of proposed order*

- 2 (1) Before making an order to which this Schedule applies...

*Determination of whether to make order*

- 3 (1) Before making an order to which this Schedule applies...

*Procedure and other matters after the making of an order.*

- 4 (1) After the appropriate Minister has made an order to...

*Orders subject to special parliamentary procedure*

- 5 (1) If, in the case of any order to which...

*Notice of unconfirmed orders*

- 6 As soon as may be after an unconfirmed order has...

*Challenge to unconfirmed orders*

- 7 (1) If any person aggrieved by an unconfirmed order desires...

*Power to make regulations for purposes of Schedule etc.*

- 8 The Ministers may make regulations in relation to—

SCHEDULE 4 — SCHEMES FOR SMALL DRAINAGE WORKS

*Consultation and notice with respect to proposed scheme*

- 1 (1) Before making a scheme under section 18 of this...

*Objections to scheme*

- 2 (1) Where any objections to a scheme are duly made...

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*Notice of scheme after it is made*

- 3 (1) Where a scheme is made by the or a...

SCHEDULE 5 — BYELAWS

*Publicity for application for confirmation*

- 1 (1) An internal drainage board shall, at least one month...

*Confirmation*

- 2 (1) The relevant Minister, with or without a local inquiry,...

*Commencement of byelaw*

- 3 (1) The relevant Minister may fix the date on which...

*Publicity for confirmed byelaw*

- 4 (1) Any byelaw confirmed under this Schedule shall be printed...

*Revocation of byelaw*

- 5 If it appears to the relevant Minister that the revocation...

*Proof of byelaws*

- 6 The production of a printed copy of a byelaw purporting...

*Interpretation*

- 7 In this Schedule “the relevant drainage board”, in relation to...

SCHEDULE 6 — PROTECTION FOR PARTICULAR UNDERTAKINGS

*Undertakings protected by Schedule*

- 1 (1) The following are the undertakings protected by this Schedule,...

*Protection for statutory powers and jurisdiction*

- 2 Without prejudice to any power under this Act to transfer...

*General provisions protecting undertakings*

- 3 Nothing in this Act or in any order under this...

*Special protection for railways etc.*

- 4 Without prejudice to the preceding provisions of this Schedule, nothing...

*Conditions of consent and grounds for refusal*

- 5 A consent for the purposes of paragraph 3 or 4...

*Determination of disputes*

- 6 If any question arises under this Schedule—

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### — Table of Derivations

Notes:

- 1 The following abbreviations are used in this Table:— 1976 =...
- 2 Transfer of functions orders (“TFOs”), where applicable in relation to...
- 3 General provisions contained in section 32 of the Magistrates’ Courts...



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### Changes and effects yet to be applied to :

- s. 23 excluded by [S.I. 2020/1297 art. 3\(1\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 23 excluded by [S.I. 2021/51 art. 3\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- s. 23(2) words substituted by [2010 c. 29 Sch. 2 para. 32\(4\)](#)
- s. 32 excluded by [S.I. 2020/1297 art. 3\(1\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 32 excluded by [S.I. 2021/51 art. 3\(c\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- s. 37(5) words inserted by [2016 anaw 3 s. 83\(2\)\(a\)](#)
- s. 37(5) words inserted by 2016 anaw 3, s. 83(2)(a) (as substituted) by [2021 c. 30 s. 95\(2\)\(a\)](#)
- s. 65(2) words inserted by [2016 anaw 3 s. 83\(3\)](#)
- s. 65(2) words inserted by 2016 anaw 3, s. 83(3) (as substituted) by [2021 c. 30 s. 95\(3\)](#)
- s. 67(3) words inserted by [2023 asc 3 Sch. 13 para. 163](#)

### 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\(2\)\(b\)\(ii\)](#)