

ENVIRONMENT AGENCY  
LAND DRAINAGE ACT 1991  
RECONSTITUTION OF THE AXE BRUE INTERNAL DRAINAGE BOARD

NOTICE IS HEREBY GIVEN that the Environment Agency has submitted to the Department for Environment, Food and Rural Affairs, for confirmation a scheme under Section 3 of the Land Drainage Act 1991 making provision for the following matters:

- i) The reconstitution of the Axe Brue Internal Drainage Board so as to reduce the number of elected members of the Board to 12;
- ii) Matters supplemental to or consequential on that reconstitution

A copy of the Scheme has been deposited and is available for inspection during office hours at the offices of the Clerk to the Axe Brue and Parrett Drainage Boards and Chief Executive to the Somerset Drainage Boards Consortium, Bradbury House, 33-34 Market Street, Highbridge, Somerset TA9 3BW and at the office of the Environment Agency at Manley House, Kestrel Way Exeter EX2 7LQ.

Representations with respect to the scheme may be made to the Secretary of State for Environment, Food and Rural Affairs, Flood Risk Management Team, 3rd Floor, Seacole House, 2 Marsham Street, London SW1P 4DF at any time within one month after the publication of this Notice.

A copy of any such representations should also be sent to the Peter Bilbrough, Senior Lawyer, Environment Agency at Guildbourne House, Chatsworth Road, Worthing, West Sussex BN11 3ND.

For further information about the Scheme, please contact Peter Bilbrough on 0203 0257 213 or [peter.bilbrough@environment-agency.gov.uk](mailto:peter.bilbrough@environment-agency.gov.uk).

Dated the 5<sup>th</sup> March 2018

Peter Bilbrough

Senior Lawyer



LAND DRAINAGE ACT 1991

RECONSTITUTION

of the

AXE BRUE INTERNAL DRAINAGE BOARD

The Environment Agency pursuant to section 3(1) of the Land Drainage Act 1991 (“the 1991 Act”)<sup>1</sup> has prepared the following Scheme making provision for the following matters:

- (i) The reconstitution of the Axe Brue Internal Drainage Board
- (ii) Matters supplemental to or consequential on the reconstitution

And the Environment Agency submits the Scheme to the Secretary of State for Environment, Food and Rural Affairs for confirmation under section 3(5) of the 1991 Act.<sup>2</sup>

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<sup>1</sup> 1991 c. 59

<sup>2</sup> Section 3(5) permits the “relevant Minister” to confirm by statutory instrument any scheme submitted. The “relevant Minister” is defined in section 72(1) of the 1991 Act as “(a) in relation to internal drainage districts which are neither wholly nor partly in Wales or to the boards for such districts means the Minister; (b) in relation to drainage districts which are partly in Wales or to the boards for such districts, means the Ministers; and (c) in relation to internal drainage districts which are wholly in Wales or to the boards for such districts, means the Secretary of State. “The Minister” is defined in section 72(1) of the 1991 Act as the “Minister of Agriculture, Fisheries and Food, whose functions were transferred to the Secretary of State for Environment, Food and Rural Affairs by the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (SI 2002/794).

2018 SCHEME FOR THE RECONSTITUTION OF THE AXE BRUE INTERNAL  
DRAINAGE BOARD SUBMITTED BY THE ENVIRONMENT AGENCY

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

2. In this Scheme—

“the Act” means the Land Drainage Act 1991;

“the Board” means the internal drainage board constituted by the Axe Brue Internal Drainage Board Order 2012 (“the 2012 Order”)<sup>1</sup>;

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

“elected members” means those members of the Board who are appointed by the Secretary of State pursuant to this Scheme or elected in accordance with Schedule 1 to the Act and any applicable regulations made under the Act;

“property” includes books of account, other books, deeds, maps, papers and other documents, in whatever medium held, and computer and other electronic records;

“rights and obligations” means all rights, powers, duties (including statutory powers and duties), obligations and liabilities.

3. (1) On the commencement date the Board is reconstituted to comprise 12 elected members.<sup>2</sup>

(2) The new members (other than those members appointed by charging authorities in accordance with Schedule 1 to the 1991 Act) are appointed by the Secretary of State and will hold office until the expiration of one year from the 1 November following the day on which they are appointed.

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<sup>1</sup> SI 2012 No 1024

<sup>2</sup> This will consequently mean the number of members of the Board who are appointed by charging authorities in accordance with Part II of Schedule 1 to the Act is reduced to 13.

4. The rights and obligations and property of the Board immediately before its reconstitution in accordance with paragraph 3 will be the rights and obligations and property of the Board as from its reconstitution in accordance with paragraph 3.

DATED 23 FEBRUARY 2018

THE COMMON SEAL of the )  
ENVIRONMENT AGENCY )  
was affixed to this Scheme in )  
The presence of: )

*Peter Kellett*  
.....  
PETER KELLETT.....

DIRECTOR OF  
LEGAL SERVICES





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