



# Water Resources Act 1991

## 1991 CHAPTER 57

### PART VI

#### FINANCIAL PROVISIONS IN RELATION TO THE [F1 APPROPRIATE AGENCY]

#### CHAPTER II

#### REVENUE PROVISIONS

#### *General drainage charges*

#### **134 Raising of general drainage charges.**

- (1) Subject to subsection (2) below, the [F1 appropriate agency] may raise at an amount per hectare of chargeable land in a local flood defence district a charge to be known as a general drainage charge and to be levied in accordance with sections 135 and 136 below.
- (2) The [F1 appropriate agency] shall not levy a general drainage charge in respect of any local flood defence district unless the regional flood defence committee for the area in which that district is situated have recommended that such a charge should be raised.
- (3) For the purposes of this section and sections 135 and 136 below the area of a regional flood defence committee in relation to which no local flood defence scheme is in force shall be treated as a single local flood defence district; and any parts of such an area in relation to which no such scheme is in force shall be treated as included in a single such district.

#### **Textual Amendments**

- F1** Words in ss. 120-143 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), [Sch. 2 para. 276](#) (with Sch. 7)

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Cross Heading: General drainage charges. (See end of Document for details)*

**Modifications etc. (not altering text)**

- C1** S. 134 restricted (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2(2), 4(2), **Sch. 2 Pt. 1 para. 2(2)**

**135 Amount, assessment etc. of general drainage charge.**

- (1) A general drainage charge raised by the [<sup>F1</sup>appropriate agency] for a local flood defence district for any year shall be at a uniform amount per hectare of chargeable land in that district.
- (2) The uniform amount referred to in subsection (1) above shall be ascertained, subject to subsection (3) below, by multiplying the relevant quotient <sup>F2</sup> . . . by one penny and by such number as may be specified by either of the Ministers by order made for the purposes of this subsection.
- (3) The number specified in an order under this section for the purposes of subsection (2) above shall (apart from any adjustment made to it to take account of rough grazing land) be such as the Minister making the order considers will secure, so far as reasonably practicable, that the amount specified in paragraph (a) below will be equal to the amount specified in paragraph (b) below, that is to say—
  - (a) the aggregate amount produced by any charge levied by reference to a relevant quotient <sup>F3</sup> . . . ; and
  - (b) the aggregate amount which, if the chargeable land in the local flood defence district had been liable to be rated for the financial year beginning in 1989, would have been produced by a rate levied on the land at an amount in the pound (of rateable value) equal to that quotient multiplied by one penny.
- (4) An order under this section may be made so as to apply either—
  - (a) to all general drainage charges; or
  - (b) to the general drainage charges proposed to be raised in any one or more local flood defence districts specified in the order;
 and any such order applying to more than one local flood defence district may make different provision as respects the different districts to which it applies.
- (5) Schedule 15 to this Act shall have effect with respect to the assessment, incidence, payment and enforcement of general drainage charges.
- (6) The power of each of the Ministers to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

<sup>F4</sup>[(7) In this section “relevant quotient” means a quotient determined for the year concerned in accordance with rules contained in regulations made by either of the Ministers.]

**Textual Amendments**

- F1** Words in ss. 120-143 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 276** (with Sch. 7)
- F2** Words in s. 135(2) repealed (1.8.1992 subject to savings in [S.I. 1992/1755](#), art. 2(2)) by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(1)(2), Sch. 13 para. 96(1), **Sch. 14** (with s. 118(1)(2)(4)); [S.I. 1992/1755](#), art. 2(1)

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the Water Resources Act 1991, Cross Heading: General drainage charges. (See end of Document for details)

- F3** Words in s. 135(3)(a) repealed (1.8.1992 subject to savings in S.I. 1992/1755, **art. 2(2)**) by Local Government Finance Act 1992 (c. 14), s. 117(1)(2), Sch. 13 para. 96(2), **Sch. 14** (with s. 118(1)(2)(4)); S.I. 1992/1755, **art. 2(1)**
- F4** S. 135(7) added (1.8.1992 subject to savings in S.I. 1992/1755, **art. 2(2)**) by Local Government Finance Act 1992 (c. 14), s. 117(1), **Sch. 13 para. 96(3)** (with s. 118(1)(2)(4)); S.I. 1992/1755, **art. 2(1)**

**Modifications etc. (not altering text)**

- C2** S. 135 restricted (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 2(2), 4(2), **Sch. 2 Pt. I para. 2(2)**.

**F5** **136** .....

**Textual Amendments**

- F5** S. 136 repealed (1.8.1992 subject to savings in S.I. 1992/1755, **art. 2(2)**) by Local Government Finance Act 1992 (c. 14), s. 117(1)(2), Sch. 13 para. 97, **Sch.14** (with s. 118(1)(2)(4)); S.I. 1992/1755, **art. 2(1)**

**Status:**

Point in time view as at 01/04/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the Water Resources Act 1991, Cross Heading: General drainage charges.