

Status: Point in time view as at 21/09/1995.

Changes to legislation: Land Drainage Act 1991, Cross Heading: Numbers of members appointed by charging authorities is up to date with all changes known to be in force on or before 01 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

MEMBERS OF INTERNAL DRAINAGE BOARDS

PART II

MEMBERS APPOINTED BY CHARGING AUTHORITIES

Modifications etc. (not altering text)

C1 Sch. 1 Pt. II 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\(2\)](#)

Numbers of members appointed by charging authorities

- 6 (1) The number of appointed members of an internal drainage board—
- (a) shall be determined, in accordance with the following provisions of this paragraph, for the period 1st April 1993 to 31st March 1996 and each succeeding three-year period beginning with 1st April; and
 - (b) shall be so determined in relation to each drainage board by reference to [^{F1}the proportion of the expenses of the drainage board to be raised from the proceeds of special levies in the first financial year in that period, determined in accordance with section 37 of this Act.].
- (2) The number of appointed members of an internal drainage board—
- (a) shall not exceed by more than one the number of other members of the board; and
 - (b) subject to paragraph (a) above, shall be such that the number of appointed members bears, as nearly as possible, the same proportion to the maximum number of all the members of the board as [^{F2}the proportion of the expenses of the board that is to be raised from the proceeds of special levies.].
- (3) If more than one charging authority is entitled to appoint members of an internal drainage board under paragraph 5 above—
- (a) each such authority may appoint the number of members of the board calculated by multiplying the maximum number of appointed members by the relevant fraction for that authority and disregarding any fraction in the resulting product; and
 - (b) where in respect of the board—
 - (i) any such authority has appointed a member; or
 - (ii) the calculation referred in paragraph (a) above results in respect of each such authority in a product of less than one,

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the charging authorities shall, unless they otherwise agree, jointly appoint the number of members of the board representing the difference between the maximum number of appointed members and the aggregate number of members that may be appointed by individual charging authorities or, as the case may be, constituting the maximum number of appointed members.

- (4) For the purposes of sub-paragraph (3) above the relevant fraction, in relation to a charging authority, is the fraction ^{F3}the fraction of the expenses of the internal drainage board that is to be raised from the proceeds of special levies in the first financial year of the relevant period referred to in sub-paragraph (1)(a) above, which is to be raised by a special levy issued to that authority.]
- (5) In this paragraph “appointed members”, in relation to an internal drainage board, means members of the board appointed by one or more charging authorities under this Part of this Schedule or, at a time before the commencement of this Act, under the corresponding provisions of the ^{M1}Internal Drainage Boards (Finance) Regulations 1990.

Textual Amendments

- F1** Words in Sch. 1 para. 6(1)(b) substituted (30.12.1992) by S.I. 1992/3079, reg. 4(a)
F2 Words in Sch. 1 para. 6(2)(b) substituted (30.12.1992) by S.I. 1992/3079, reg. 4(b)
F3 Words in Sch. 1 para. 6(4) substituted (30.12.1992) by S.I. 1992/3079, reg. 4(c)

Marginal Citations

- M1** S.I. 1990/72.

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