



Land Drainage Act 1991

1991 CHAPTER 59

PART IV

FINANCIAL PROVISIONS

CHAPTER I

PROVISION FOR THE EXPENSES OF INTERNAL DRAINAGE BOARDS

Raising and apportionment of expenses

37 Apportionment of drainage expenses.

- (1) Subject to any provision made by or under section 38 below, the following provision shall have effect with respect to the raising by a drainage board for any internal drainage district of their expenses for the financial year beginning in 1993 and each subsequent financial year, that is to say—
 - (a) the proportion of the expenses of the board which shall be raised from the proceeds of drainage rates shall be equal to the agricultural proportion, determined for that year in accordance with the following provisions of this section, of land values in that district; and
 - (b) the proportion of the expenses of the board which shall be raised from the proceeds of special levies shall be such as to raise the balance of the expenses of the board remaining after deduction of the amount to be raised for that year from the proceeds of drainage rates.
- (2) The drainage board for every internal drainage district, before 15th February 1993 and before 15th February in every subsequent year, shall determine for the financial year beginning on the following 1st April—
 - (a) the aggregate annual value of the chargeable properties in that district; and
 - (b) the aggregate value of all other land in that district;

Status: Point in time view as at 02/06/2022. This version of this provision has been superseded.

Changes to legislation: Land Drainage Act 1991, Section 37 is up to date with all changes known to be in force on or before 30 August 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)

and the agricultural proportion for any financial year of land values in that district shall be the amount determined for that year under paragraph (a) above divided by the sum of that amount and the amount determined for that year under paragraph (b) above.

- (3) A determination made under subsection (2) above for any financial year shall be made as at the 31st December preceding that financial year.
- (4) For the purposes of this section the annual value of a chargeable property shall be its annual value for the purposes of Chapter II of this Part.
- (5) For the purposes of this section the value of other land in an internal drainage district shall be taken to be—
- (a) in the case of a hereditament shown in the local non-domestic rating list of a charging authority on 1st April 1990, one third of the relevant proportion of the rateable value shown for that hereditament in respect of that date in that list on 31st December 1992;
 - (b) in the case of domestic property shown in a valuation list on 31st March 1990, one third of the relevant proportion of the rateable value shown for it in the list on that date multiplied by a factor of 6.73;
 - (c) in the case of a hereditament which—
 - (i) is neither one to which paragraph (a) above applies nor domestic property to which paragraph (b) above applies; but
 - (ii) was shown on the 31st March 1990 in the register maintained for the drainage board for that district in accordance with the ^{M1}Registers of Drainage Boards Regulations 1968,
 one third of the annual value shown for that hereditament in that register on that date multiplied by a factor of 8.02;
 - ^{F1}(d) in the case of any land which, as at 31st March 1990 was in the district but to which none of paragraphs (a) to (c) applies, and which did not then comprise agricultural land or agricultural buildings, a nil value;
 - (e) in the case of any land to which none of paragraphs (a) to (d) applies, the amount calculated by multiplying—
 - (i) the area of the land, expressed in hectares and parts of a hectare; by
 - (ii) such a unit value per hectare as represents the average value per hectare of all land to which those paragraphs do apply if the average is calculated by reference to the values determined in accordance with those paragraphs.]
- (6) In paragraphs (a) and (b) of subsection (5) above—
- “relevant proportion”, in relation to the rateable value of any hereditament, means the proportion of that value which the area of the part of the hereditament lying within the internal drainage district in question bears to the total area of that hereditament; and
- “valuation list” means a valuation list maintained under Part V of the ^{M2}General Rate Act 1967.

Textual Amendments

F1 S. 37(5)(d)(e) substituted (30.12.1992) for s. 37(5)(d) by S.I. 1992/3079, reg.3.

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Marginal Citations

M1 S.I. 1968/1672.

M2 1967 c. 9.

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