



Water Resources Act 1991

CHAPTER 57

WATER RESOURCES ACT 1991

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Remuneration, pensions etc.

2 (1) The Authority shall pay to its members such remuneration,...

Staff

3 (1) The Authority may, with the approval of the Secretary...

Proceedings of Authority

4 Subject to the following provisions of this Schedule and to...

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5 Subject to section 106 of this Act, anything authorised or...

Interests of members

6 (1) A member who is in any way directly or...

Vacancies and defective appointments

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10 (1) Any document which the Authority is authorised or required...

Interpretation

11 In this Schedule— “the appropriate Minister”, in relation to any...

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Consultation with affected body

2 (1) Before determining whether to make an order on an...

Public consultation

3 (1) If the Ministers propose to make an order on...

Supplemental provisions of order

4 (1) An order under this Schedule may contain such incidental,...

Status: This is the original version (as it was originally enacted).

Objection to final order by affected bodies

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Public notice of order

- 6 (1) After making an order under this Schedule, the Ministers...

Challenge of order

- 7 (1) Subject to sub-paragraph (3) below, if any person aggrieved...

Effect of order or agreement

- 8 (1) Where, by virtue of an order or agreement under...

Ministers' expenses

- 9 (1) The costs incurred by the Ministers in connection with...

Compensation for officers and staff

- 10 (1) The Ministers shall by regulations make provision requiring the...

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- 11 (1) If it appears to the Ministers by whom an...

Interpretation

- 12 (1) In this Schedule “local enactment” means—

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- 1 (1) The relevant Minister may by order made by statutory...

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- 3 (1) Subject to the following provisions of this paragraph, a...

Vacation of office by disqualifying event

- 4 (1) The office of a member of a flood defence...

Resignation of office by members of regional committee

- 5 (1) The chairman of a regional flood defence committee may...

Resignation of office by members of local committee

- 6 (1) The chairman of a local flood defence committee may...

Appointments to fill casual vacancies

- 7 (1) Where, for any reason whatsoever, the office of a...

Eligibility of previous members for re-appointment

- 8 Subject to the provisions of this Schedule, a member of...

Appointment of deputies

- 9 (1) Subject to the following provisions of this paragraph, a...

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- 12 (1) Subject to section 106 of this Act and to...

Rules of procedure

- 13 (1) A flood defence committee may, with the approval of...

Declarations of interest etc.

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Status: This is the original version (as it was originally enacted).

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- 15 (1) Any notice or other document which a flood defence...

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Duty to provide copy of draft statement

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Approval of draft statement

- 4 (1) The Secretary of State may approve the statement either...

Notice and inspection of approved statement

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Section 48 of this Act

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Section 55 of this Act

3 No application shall be made under section 55 of this...

Section 60 of this Act

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Licences of right

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Consideration and determination of applications

2 (1) It shall be the duty of the Authority to...

Notification of proposal to give consent

3 (1) This paragraph applies where the Authority proposes to give...

Reference to Secretary of State of certain applications for consent

- 4 (1) The Secretary of State may, either in consequence of...

Consents without applications

- 5 (1) If it appears to the Authority—

Revocation of consents and alteration and imposition of conditions

- 6 (1) It shall be the duty of the Authority to...

Restriction on variation and revocation of consent and previous variation

- 7 (1) Each instrument signifying the consent of the Authority under...

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- 1 (1) Where the Authority applies to the Secretary of State...

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- 2 Where the Authority has applied for an order under section...

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Consideration of objections etc.

- 4 Without prejudice to section 213 of this Act, where an...

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

Procedure for applications

- 2 (1) The Authority shall not for the purposes of paragraph...

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- 3 (1) This paragraph applies where the relevant Minister proposes to...

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- 4 The Secretary of State and, in a case where he...

Modifications of proposals

- 5 (1) Where notices with respect to any proposed order have...

Consideration of objections etc.

- 6 Without prejudice to section 213 of this Act, where notices...

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- 7 The consent of the Treasury shall be required for the...

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with respect to water pollution matters to the Authority*

- 1 Where by virtue of the provisions of Schedule 2 to...

Order under section 32(3) of the 1974 Act

- 2 (1) Except in so far as the Secretary of State...

Pre-1989 transitional provisions

- 3 (1) A consent which has effect, in accordance with paragraph...

Discharge consents on application of undertakers etc.

- 4 (1) The repeal by the Water Consolidation (Consequential Provisions)
Act...

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Procedure on application for order

- 1 As soon as any scheme under section 108 of this...

Order making procedure etc.

- 2 (1) Before either of the Ministers makes an order under...

Determination of whether to make order

- 3 (1) Before either of the Ministers makes an order under...

Notice of orders

- 4 As soon as may be after an order under section...

Challenge to orders

- 5 (1) If any person aggrieved by an order under section...

Power to make regulations for purposes of Schedule etc.

- 6 The Ministers may make regulations in relation to—

SCHEDULE 15 — Supplemental provisions with respect to Drainage Charges

Raising of drainage charge

- 1 (1) A drainage charge— (a) shall be raised by the...

Status: This is the original version (as it was originally enacted).

Publication of drainage charge

- 2 (1) A drainage charge shall not be valid unless notice...

Occupiers liable for drainage charge

- 3 (1) Subject to paragraphs 4 and 5 below—

Cases where identity of occupiers in doubt

- 4 (1) The Authority may serve on the owner of any...

Arrangements for owner of land to pay drainage charge

- 5 (1) Subject to paragraph 6 below, the Authority may make...

Power of occupier to prevent arrangements under paragraph 5

- 6 (1) The occupier of any chargeable land may, by notice...

Assessment of chargeable land to drainage charge

- 7 (1) Where land is chargeable land during part only of...

Partial exemption of commercial woodlands

- 8 (1) The sum payable by way of a drainage charge...

Returns with respect to land

- 9 (1) The Authority may serve on any person appearing to...

Power to correct erroneous assessments etc.

- 10 (1) The Authority may, as respects any drainage charge raised...

Appeals against demands for drainage charges

- 11 (1) If any person is aggrieved by—

Recovery of drainage charges

- 12 (1) Arrears of any drainage charge may be recovered by...

Use of certain authorities as agents for assessment, collection etc. of drainage charges

- 13 (1) The Authority and any relevant authority may enter into...

SCHEDULE 16 — Schemes imposing Special Drainage Charges

Submission of scheme

- 1 (1) Before submitting a special charges scheme to either of...

Confirmation of scheme

- 2 (1) Subject to the following provisions of this Schedule the...

Notice of proposed order

3 (1) Before either of the Ministers makes an order confirming...

Determination of whether to make order

4 (1) Before either of the Ministers makes an order confirming...

Procedure and other matters after the making of an order

5 (1) After either of the Ministers has made an order...

Orders subject to special parliamentary procedure

6 (1) If— (a) no such memorial as is mentioned in...

Notice of unconfirmed orders

7 As soon as may be after an unconfirmed order has...

Challenge to unconfirmed orders

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

Power to make regulations for purposes of Schedule

9 The Ministers may make regulations in relation to—

Interpretation

10 (1) In this Schedule— “special charges scheme” means a scheme...

SCHEDULE 17 — Orders with respect to Navigation Tolls

Orders to be made by statutory instrument

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Inquiries

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Notice of order

3 (1) After the Secretary of State has made an order...

Orders subject to special parliamentary procedure

4 (1) If— (a) no such memorial as is mentioned in...

SCHEDULE 18 — Modification of Compensation Provisions etc. in relation to the
Creation of New Rights

Compensation enactments

1 Subject to the following provisions of this Schedule, the enactments...

Adaptation of the Compulsory Purchase Act 1965

56 The Compulsory Purchase Act 1965 (in the following provisions of...

Status: This is the original version (as it was originally enacted).

Section 7 of the 1965 Act

3 For section 7 of the 1965 Act (measure of compensation)...

Section 8 of the 1965 Act

4 For subsection (1) of section 8 of the 1965 Act...

Effect of deed poll

5 The following provisions of the 1965 Act (being provisions stating...

Section 11 of the 1965 Act

6 Section 11 of the 1965 Act (powers of entry) shall...

Section 20 of the 1965 Act

7 Section 20 of the 1965 Act (protection for interests of...

Section 22 of the 1965 Act

8 Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 19 — Orders conferring Compulsory Works Powers

Applications for orders

1 (1) Where the Authority applies to either of the Ministers...

Supply of copies of draft orders

2 Where the Authority is applying for a compulsory works order,...

Powers on an application

3 (1) On an application for a compulsory works order, the...

Consideration of objections etc.

4 (1) If, where an application for a compulsory works order...

Notice after making of order

5 (1) As soon as practicable after a compulsory works order...

Compulsory acquisition provisions

6 (1) Without prejudice to the provisions of Schedule 23 to...

Compensation in certain cases of compulsory acquisition

7 Where— (a) in connection with any engineering or building operations...

Compensation in respect of powers other than acquisition powers

8 (1) If the value of any interest in any relevant...

Protection of public undertakings

9 The provisions of section 179 and paragraphs 1, 2 and...

Interpretation

10 In this Schedule— “bridleway” and “footpath” have the same meanings...

SCHEDULE 20 — Supplemental Provisions with respect to Powers of Entry

Notice of entry

1 (1) Without prejudice to any power exercisable by virtue of...

Warrant to exercise power

2 (1) If it is shown to the satisfaction of a...

Manner of exercise of powers

3 A person designated as the person who may exercise any...

Supplementary powers of person making entry etc.

4 A person authorised to enter any premises or vessel by...

Duty to secure premises

5 A person who enters any premises or vessel in the...

Compensation

6 (1) Where any person exercises any power to which this...

Obstruction of person exercising power

7 A person who intentionally obstructs another person acting in the...

Interpretation

8 (1) In this Schedule— “relevant authority”, in relation to a...

SCHEDULE 21 — Compensation etc. in respect of certain works powers

Compensation in respect of street works powers

1 (1) This paragraph applies, in relation to the Authority, to...

Compensation in respect of pipe-laying works on private land

2 (1) If the value of any interest in any relevant...

Assessment of compensation under paragraph 2

3 (1) Any question of disputed compensation under paragraph 2 above...

Compensation in respect of discharges for works purposes

4 (1) It shall be the duty of the Authority—

Compensation in respect of flood defence and drainage works

- 5 (1) Where injury is sustained by any person by reason...

SCHEDULE 22 — Protection for particular Undertakings

General provisions protecting undertakings

- 1 (1) Nothing in any of the provisions of this Act...

Protection for statutory powers and jurisdiction

- 2 (1) Subject to sub-paragraph (2) below, nothing in—

Special protection for certain undertakings in respect of street works

- 3 (1) Subject to the following provisions of this paragraph and...

Protection for railways in connection with carrying out of flood defence functions

- 4 (1) Without prejudice to the preceding provisions of this Schedule,...

Protection for telecommunication systems

- 5 Paragraph 23 of Schedule 2 to the Telecommunications Act 1984...

Interpretation

- 6 In this Schedule “railway company” means the British Railways Board,...

SCHEDULE 23 — Mineral Rights

Acquisition of mineral rights

- 1 (1) This paragraph applies in each of the following cases,...

Notice required for the working of underlying mines

- 2 (1) If the owner of any mines or minerals underlying...

Mining communications

- 3 (1) If the working of any mines or minerals is...

Compensation relating to severance

- 4 (1) Where mines or minerals underlying any part of the...

Powers of entry

- 5 (1) Any person designated in writing for the purpose by...

No exemption for injury to mines and minerals

- 6 Nothing in any provision of this Act or of any...

Interpretation

- 7 (1) In this Schedule— “conveyance” has the same meaning as...

SCHEDULE 24 — Disclosure of Information

Part I — PERSONS IN RESPECT OF WHOSE FUNCTIONS DISCLOSURE MAY
BE MADE

Part II — ENACTMENTS ETC. IN RESPECT OF WHICH DISCLOSURE MAY BE
MADE

SCHEDULE 25 — Byelaw-making powers of the Authority

Byelaws for regulating use of inland waters

1 (1) Subject to the following provisions of this paragraph but...

Byelaws for regulating the use of navigable waters etc.

2 (1) The Authority shall have power to make such byelaws...

Byelaws for regulating the use of the Authority's waterways etc.

3 (1) The Authority shall have power to make such byelaws...

Byelaws for controlling certain forms of pollution

4 (1) The Authority may by byelaws make such provision as...

Byelaws for flood defence and drainage purposes

5 (1) The Authority may make such byelaws in relation to...

Byelaws for purposes of fisheries functions

6 (1) The Authority shall have power, in relation to any...

Restrictions on powers to make byelaws for fisheries purposes

7 (1) The Authority shall not make any byelaws by virtue...

SCHEDULE 26 — Procedure relating to Byelaws made by the Authority

Confirmation of byelaws

1 (1) No byelaw made by the Authority shall have effect...

Confirmation with or without modifications

2 (1) Subject to sub-paragraph (3) below, the relevant Minister, with...

Commencement of byelaw

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

Availability of confirmed byelaws

4 (1) Every byelaw made by the Authority and confirmed under...

Revocation of byelaws

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

Status: This is the original version (as it was originally enacted).

Proof of byelaws

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

Meaning of “the relevant Minister”

- 7 In this Schedule “the relevant Minister”— (a) in relation to...

Table of Derivations

- 1 Notes:
2 Transfer of functions orders (“TFOs”), where applicable in relation to...
3 General provisions contained in section 32 of the Magistrates' Courts...