



Water Resources Act 1991

1991 CHAPTER 57

PART IV

FLOOD DEFENCE

Main river functions

107 Main river functions under the Land Drainage Act 1991

- (1) This section has effect for conferring functions in relation to main rivers on the Authority which are functions of drainage boards in relation to other watercourses.
- (2) Notwithstanding subsection (3) of section 21 of the Land Drainage Act 1991 (power to secure compliance with drainage obligations), the powers of the Authority in relation to a main river shall, by virtue of this section, include the powers which under that section are exercisable otherwise than in relation to a main river by the drainage board concerned; and the provisions of that section shall have effect accordingly.
- (3) The powers of the Authority in relation to a main river shall, by virtue of this section, include the powers which under section 25 of the Land Drainage Act 1991 (powers for securing the maintenance of flow of watercourses) are exercisable in relation to an ordinary watercourse by the drainage board concerned; and the provisions of that section and section 27 of that Act shall have effect accordingly.
- (4) Sections 33 and 34 of the Land Drainage Act 1991 (commutation of obligations) shall have effect where—
 - (a) any person is under an obligation imposed on him by reason of tenure, custom, prescription or otherwise to do any work in connection with the drainage of land (whether by way of repairing banks or walls, maintaining watercourses or otherwise); and
 - (b) that work is in connection with a main river,as they have effect in relation to an obligation to do work otherwise than in connection with a main river but as if the Authority were under a duty to take steps to commute the

Status: This is the original version (as it was originally enacted).

obligation and the references in those sections to the drainage board for the internal drainage district where the works fall to be done were omitted.

- (5) In this section—
- (a) references to the exercise of a power in relation to a main river shall include a reference to its exercise in connection with a main river or in relation to the banks of such a river or any drainage works in connection with such a river; and
 - (b) expressions used both in this section and in a provision applied by this section have the same meanings in this section as in that provision.
- (6) The functions of the Authority by virtue of this section are in addition to the functions of the Authority which by virtue of the provisions of the Land Drainage Act 1991 are exercisable by the Authority concurrently with an internal drainage board.