



Water Resources Act 1991

1991 CHAPTER 57

PART VII

LAND AND WORKS POWERS

CHAPTER I

POWERS OF THE AUTHORITY

Flood defence and drainage works

166 Power to carry out works for purpose of providing flood warning system

- (1) Without prejudice to its other powers by virtue of section 4 above, Part IV of this Act and this Part, the Authority shall have power—
 - (a) to provide and operate flood warning systems;
 - (b) to provide, install and maintain apparatus required for the purposes of such systems;
 - (c) to carry out any other engineering or building operations so required.
- (2) Subsection (1) above shall not be construed as authorising, on the part of the Authority, any act or omission which, apart from that subsection, would be actionable at the suit of any person on any grounds other than a limitation imposed by law on the capacity of the Authority by virtue of its constitution.
- (3) The Authority may exercise the powers conferred by subsection (1)(b) or (c) above in an area in Scotland as if—
 - (a) its functions in relation to the areas of the regional flood defence committees whose areas are adjacent to Scotland were functions in relation to that area in Scotland; and
 - (b) that area in Scotland were included in the areas of each of those committees;

Status: This is the original version (as it was originally enacted).

but the powers conferred by this subsection are subject (except in the case of a power to maintain apparatus) to prior consultation with the local authority (within the meaning of section 1 of the Flood Prevention (Scotland) Act 1961) for the area in Scotland in question.

(4) In this section “flood warning system” has the same meaning as in section 148 above.