



# Land Drainage Act 1991

## CHAPTER 59

### LAND DRAINAGE ACT 1991

#### PART I

##### INTERNAL DRAINAGE BOARDS

###### *Constitution etc. of boards*

- 1 Internal drainage districts and boards.
- 2 Review of boundaries of internal drainage districts.
- 3 Schemes for reorganisation of internal drainage districts etc.
- 4 Powers to make the appropriate supervisory body a drainage board.
- 5 Transfer of functions etc. back from the appropriate supervisory body.
- 6 Schemes and orders under sections 3 to 5: compensation for loss of office.

###### *General provision with respect to functions of drainage boards*

- 7 Supervision of drainage boards by the appropriate supervisory body.
- 8 Concurrent powers of Agency.
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*Status: Point in time view as at 09/01/2022.*

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- 16 Exercise of local authority powers under sections 14 and 15.
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- 18 Drainage of small areas.
- 19 Arrangements as to works etc. with navigation and conservancy authorities.
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- 21 Enforcement of obligations to repair watercourses, bridges, etc.
- 22 Powers of Ministers to authorise landowners to carry out drainage works.

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- 23 Prohibition on obstructions etc. in watercourses
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- 27 Appeals against notices under section 25.

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- 36 Raising of the expenses of internal drainage boards.
- 37 Apportionment of drainage expenses.

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- 43 Adjustment of annual values to secure fair distribution of rating burden.
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- 47 Power to grant exemptions from rating.

*Making and assessment of rates*

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- 58 Allocation of appropriate agency revenue for its functions as an internal drainage board
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- 60 Power of local authority to contribute to expenses of drainage works.
- 61 Land drainage expenses of local authorities.

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- 66 Powers to make byelaws.
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- 69 Power to hold inquiries for land drainage purposes etc.
- 70 Confidentiality of information obtained by Agency and Natural Resources Body for Wales etc.

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- 72 Interpretation.
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- 74 Application to Crown.
- 75 Application to the Isles of Scilly.
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## SCHEDULES

### SCHEDULE 1 — MEMBERS OF INTERNAL DRAINAGE BOARDS Part I — ELECTION OF MEMBERS

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*Election rules*

- 1 (1) An election of members of an internal drainage board...

*Eligibility of electors*

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

*Number of votes for each elector*

- 3 (1) Each elector at an election of members of an...

*Qualification for election*

- 4 (1) A person shall not be qualified for election as...

Part II — MEMBERS APPOINTED BY CHARGING AUTHORITIES

*Appointment of members by charging authorities*

- 5 (1) The charging authority for any area wholly or partly...

*Numbers of members appointed by charging authorities*

- 6 (1) The number of appointed members of an internal drainage...

Part III — SUPPLEMENTAL PROVISIONS WITH RESPECT TO MEMBERS

*Terms of office etc. of members*

- 7 (1) Subject to the following provisions of this Part of...

*Resignation etc. of elected members*

- 8 (1) An elected member of an internal drainage board may...

*Insolvency of members or candidates*

- 9 (1) A person who is an undischarged bankrupt or who...

*Filling casual vacancies*

- 10 (1) Subject to sub-paragraph (2) below, if for any reason...

*Eligibility of vacating member of board*

- 11 Subject to the preceding provisions of this Schedule, a vacating...

*Meaning of “elected member”*

- 12 References in this Part of this Schedule to an elected...

SCHEDULE 2 — EXPENSES AND PROCEEDINGS ETC. OF INTERNAL DRAINAGE BOARDS

*Payment of expenses etc. of members and officers*

- 1 (1) The relevant Minister may, if he thinks fit, by...

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*Payments etc. to staff*

- 2 (1) An internal drainage board may pay to persons employed...

*Proceedings of internal drainage board*

- 3 (1) An internal drainage board may, with the approval of...

*Annual report*

- 4 (1) An internal drainage board shall— (a) before such date...

*Accounts*

- 5 (1) An internal drainage board shall— (a) as soon as...

SCHEDULE 3 — PROCEDURE WITH RESPECT TO CERTAIN ORDERS

*Application and interpretation of Schedule*

- 1 (1) This Schedule applies to the following orders under this...

*Notice of proposed order*

- 2 (1) Before making an order to which this Schedule applies...

*Determination of whether to make order*

- 3 (1) Before making an order to which this Schedule applies...

*Procedure and other matters after the making of an order.*

- 4 (1) After the appropriate Minister has made an order to...

*Orders subject to special parliamentary procedure*

- 5 (1) If, in the case of any order to which...

*Notice of unconfirmed orders*

- 6 As soon as may be after an unconfirmed order has...

*Challenge to unconfirmed orders*

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

*Power to make regulations for purposes of Schedule etc.*

- 8 The Ministers may make regulations in relation to—

SCHEDULE 4 — SCHEMES FOR SMALL DRAINAGE WORKS

*Consultation and notice with respect to proposed scheme*

- 1 (1) Before making a scheme under section 18 of this...

*Objections to scheme*

- 2 (1) Where any objections to a scheme are duly made...

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*Notice of scheme after it is made*

- 3 (1) Where a scheme is made by the or a...

SCHEDULE 5 — BYELAWS

*Publicity for application for confirmation*

- 1 (1) An internal drainage board shall, at least one month...

*Confirmation*

- 2 (1) The relevant Minister, with or without a local inquiry,...

*Commencement of byelaw*

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

*Publicity for confirmed byelaw*

- 4 (1) Any byelaw confirmed under this Schedule shall be printed...

*Revocation of byelaw*

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

*Proof of byelaws*

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

*Interpretation*

- 7 In this Schedule “the relevant drainage board”, in relation to...

SCHEDULE 6 — PROTECTION FOR PARTICULAR UNDERTAKINGS

*Undertakings protected by Schedule*

- 1 (1) The following are the undertakings protected by this Schedule,...

*Protection for statutory powers and jurisdiction*

- 2 Without prejudice to any power under this Act to transfer...

*General provisions protecting undertakings*

- 3 Nothing in this Act or in any order under this...

*Special protection for railways etc.*

- 4 Without prejudice to the preceding provisions of this Schedule, nothing...

*Conditions of consent and grounds for refusal*

- 5 A consent for the purposes of paragraph 3 or 4...

*Determination of disputes*

- 6 If any question arises under this Schedule—

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### — Table of Derivations

Notes:

- 1 The following abbreviations are used in this Table:— 1976 =...
- 2 Transfer of functions orders (“TFOs”), where applicable in relation to...
- 3 General provisions contained in section 32 of the Magistrates’ Courts...



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