



# Land Drainage Act 1991

## 1991 CHAPTER 59

### PART II

#### PROVISIONS FOR FACILITATING OR SECURING THE DRAINAGE OF LAND

##### *General powers*

#### **16 Exercise of local authority powers under sections 14 and 15.**

- (1) Subject to subsection (3) below, where the powers conferred by section 14 or 15 above on a non-metropolitan district council are not exercised by that council, they may be exercised by the county council—
- (a) at the request of the council of the district; or
  - (b) after not less than six weeks' notice given in writing by the county council to the district council.

- (2) Subject to subsection (3) below, where the powers conferred by section 14(1) above on a metropolitan district council or London borough council or the Common Council of the City of London are not exercised by that council, they may be exercised by the NRA—
- (a) at the request of the council; or
  - (b) after not less than six weeks' notice given in writing by the NRA to the council;

and any expenses incurred by the NRA under subsection (3) above shall be recoverable from the council concerned by the NRA summarily as a civil debt.

- (3) Where the council to whom a notice has been given for the purposes of subsection (1) (b) or (2)(b) above—
- (a) appeal against the notice to the Secretary of State before it expires; and
  - (b) inform the county council or, as the case may be, the NRA of the appeal,
- the powers to which the notice relates shall not be exercised in pursuance of the notice by the county council or, as the case may be, the NRA unless it is confirmed by the Secretary of State.

**Status:**

Point in time view as at 01/12/1991. This version of this provision has been superseded.

**Changes to legislation:**

Land Drainage Act 1991, Section 16 is up to date with all changes known to be in force on or before 31 July 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.