



Land Drainage Act 1991

1991 CHAPTER 59

PART II

PROVISIONS FOR FACILITATING OR SECURING THE DRAINAGE OF LAND

General powers

17 Supervision of local authority powers under sections 14 to 16.

- (1) A local authority shall not carry out or maintain any drainage works authorised by sections 14 to 16 above in connection with any watercourse except with the consent of, and in accordance with any reasonable conditions imposed by, the [^{F1}Agency].
- (2) Before giving any consent or imposing any condition under subsection (1) above with respect to any drainage works in connection with a watercourse under the control of an internal drainage board the [^{F1}Agency] shall consult with the internal drainage board.
- (3) A consent required under subsection (1) above—
 - (a) shall not be unreasonably withheld; and
 - (b) shall be deemed to have been given if it is neither given nor refused within two months after application for it is made.
- (4) Any question arising under this section whether the consent of the [^{F1}Agency] is unreasonably withheld, or whether any condition imposed by the [^{F1}Agency] is reasonable, shall be referred to and determined by the Ministers.
- (5) Subsection (1) above shall not apply to any work carried out in an emergency, but a local authority carrying out any work excepted by this subsection shall, as soon as practicable, inform the [^{F1}Agency] in writing of the carrying out of the work and of the circumstances in which it was carried out.

Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.

Changes to legislation: *Land Drainage Act 1991, Section 17 is up to date with all changes known to be in force on or before 09 October 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. (See end of Document for details)*

Textual Amendments

- F1** Words in s. 17 substituted (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22**, para. 191 (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

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