



Land Drainage Act 1991

1991 CHAPTER 59

PART IV

FINANCIAL PROVISIONS

CHAPTER III

FURTHER FINANCIAL PROVISIONS

- 58 Allocation of [^{F1}appropriate agency] revenue for its functions as an internal drainage board**
- (1) Where the [^{F1}appropriate agency] is the drainage board for an internal drainage district (whether by virtue of section 3 or 4 above), it may by resolution specify an amount as corresponding to the amount of any contribution which, if it were not the drainage board for that district, it would—
 - (a) make to that drainage board under section 57 above; or
 - (b) require from that board under section 139 of the ^{M1}Water Resources Act 1991 (contributions from internal drainage boards to [^{F1}appropriate agency] expenses).
 - (2) Where any amount is specified under subsection (1) above, then, according as that amount is specified by virtue of paragraph (a) or (b) of that subsection—
 - (a) expenses incurred by the [^{F1}appropriate agency] as the drainage board for the internal drainage district in question shall, to the extent of that amount, be defrayed out of revenue received by it otherwise than as that board; or
 - (b) expenses incurred by the [^{F1}appropriate agency] as such shall be defrayed out of sums received by it as that board.
 - (3) The [^{F1}appropriate agency] shall publish any resolution under this section in one or more newspapers circulating in the internal drainage district in question.

Status: Point in time view as at 06/04/2014. This version of this provision has been superseded.

Changes to legislation: Land Drainage Act 1991, Section 58 is up to date with all changes known to be in force on or before 05 September 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)

- (4) Where a sufficient number of qualified persons or the council of any county ^[F2], county borough] or London borough are aggrieved—
- (a) by a resolution of the ^[F1]appropriate agency] under this section;
 - (b) whether on the ground that it is too small or on the ground that it is too large, by the amount specified in such a resolution; or
 - (c) by the failure of the ^[F1]appropriate agency] to pass such a resolution,
- they may appeal to the relevant Minister.
- (5) An appeal under subsection (4) above, other than an appeal on the ground that the ^[F1]appropriate agency] has failed to pass a resolution under this section, must be made within six weeks after the date on which the ^[F1]appropriate agency] published the resolution in respect of which it is made.
- (6) On an appeal under subsection (4) above the relevant Minister may, after considering any objections made to him, make such an order in the matter as he thinks just.
- (7) An order under subsection (6) above shall be treated as an order on an appeal under section 57(5) above or, as the case may require, under section 140 of the ^{M2}Water Resources Act 1991 (appeals with respect to resolutions requiring contributions from internal drainage boards).

Textual Amendments

- F1** Words in s. 58 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 326** (with Sch. 7)
- F2** Words inserted in s. 58(4) (1.4.1996) by 1994 c. 19, s. 22(5), **Sch. 11**, Pt. II, para. 4(9) (with ss. 54(5) (7), 55(5)); S.I. 1996/396, **art.3**
-

Marginal Citations

- M1** 1991 c. 57.
M2 1991 c. 57.

Status:

Point in time view as at 06/04/2014. This version of this provision has been superseded.

Changes to legislation:

Land Drainage Act 1991, Section 58 is up to date with all changes known to be in force on or before 05 September 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.