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**Changes to legislation:** There are currently no known outstanding effects for the Local Government (Wales) Act 1994, SCHEDULE 11. (See end of Document for details)

## SCHEDULES

### SCHEDULE 11

Section 22(5).

#### WATER, LAND DRAINAGE AND COAST PROTECTION

#### PART I

#### WATER

##### *The Reservoirs Act 1975 (c. 23)*

- 1 In section 2 of the Reservoirs Act 1975 (functions of local authorities), in subsection (1)—
- (a) omit “and Wales”; and
  - (b) after “London boroughs” insert “, in Wales, the councils of counties and county boroughs”.

##### *The Water Industry Act 1991 (c. 56)*

- 2 (1) In section 191 of the Water Industry Act 1991 (duties to make recreational facilities available when building reservoirs in Wales), in subsection (2)(b), for “district” substitute “ county or county borough ”.
- (2) In section 219 of that Act (interpretation), in subsection (1), in the definition of “local authority”, at the end add “ but, in relation to Wales, means the council of a county or county borough ”.

##### *The Water Resources Act 1991 (c. 57)*

- 3 <sup>F1</sup>(1) .....
- <sup>F1</sup>(2) .....
- (3) In section 140 of that Act (appeals relating to contributions from internal drainage boards), in subsection (1)(b), after “county” insert “, county borough”.
- (4) In section 167 of that Act (power to dispose of spoil in connection with flood defence works), in subsection (3), after “London borough” insert “ or Welsh county or county borough ”.
- (5) In section 184 of that Act (duties to make recreational facilities available when building reservoirs in Wales), in subsection (2)(b), for “district” substitute “ county or county borough ”.
- (6) In section 221 of that Act (general interpretation), in the definition of “local authority” in subsection (1), after “county,” insert “ county borough,”.

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- (7) In Schedule 8 to that Act (proceedings on applications for drought orders), in the Table in paragraph 1(2), for “a county” in each place substitute “an English county”.
- (8) In Schedule 14 to that Act (orders transferring main river functions to the Authority), in paragraph 2(2)(a), after “county council” insert “, county borough council”.
- (9) In Schedule 15 to that Act (drainage charges), in paragraph 13(4), after “London borough” in each place insert “or Welsh county or county borough”.
- (10) In Schedule 16 to that Act (schemes imposing special drainage charges)—
- (a) in paragraph 1(2)(a)(i), after “county,” insert “county borough,”; and
  - (b) in paragraph 3(2)(a), after “county council” insert “, county borough council”.
- (11) In Schedule 19 to that Act (orders conferring compulsory works powers), in paragraph 1(3)(a), for “a county” substitute “an English county”.

#### Textual Amendments

- F1** Sch. 11 para. 3(1)(2) repealed (1.4.1996) by 1995 c. 25, s. 120(3), Sch. 24 (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3(xxxv)

#### Commencement Information

- II** Sch. 11 para. 3 partly in force; Sch. 11 para. 3 not in force at Royal Assent see s. 66; Sch. 11 para. 3(3)-(11) in force at 1.4.1996 by S.I. 1996/396, art. 3, Sch. 1

## PART II

### LAND DRAINAGE

#### *The Land Drainage Act 1991 (c. 59)*

- 4 (1) In section 10 of the Land Drainage Act 1991 (exercise of default powers by local authorities), in subsection (1), after “county,” insert “county borough,”.
- (2) In section 14 of that Act (general drainage powers of boards and local authorities), in subsection (4)(b), for “a county” substitute “an English county”.
- (3) In section 15 of that Act (disposal of spoil by boards and local authorities), in subsection (5), for “London borough,” substitute “London borough or Welsh county or county borough,”.
- (4) In section 16 of that Act (exercise of local authority powers under sections 14 and 15), in subsection (1), for “subsection (3)” substitute “subsections (3) and (3A)”, in subsection (2), after “borough council” insert “or Welsh county council or county borough council”, and at the end add—
- “(3A) Subsection (1) above does not apply in relation to powers conferred on a Welsh county council or county borough council.”
- (5) In section 18 of that Act (drainage of small areas), after subsection (1) insert—

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- “(1A) Subsection (1) above has effect in relation to land in Wales with the omission of the words “other than a district council”.”
- (6) In section 20 of that Act (arrangements with other persons for carrying out drainage works), at the end add—
- “(5) Subsection (2) above has effect in relation to Wales with the omission of “other than the council of a non-metropolitan district”.”
- (7) In section 55 of that Act (powers to borrow), in subsection (2), after “county” insert “ , county borough ”.
- (8) In section 57 of that Act (contributions by the NRA to expenses of internal drainage boards), in subsection (4)(b), after “county” insert “ , county borough ”.
- (9) In section 58 of that Act (allocation of NRA revenue for its functions as an internal drainage board), in subsection (4), after “county” insert “ , county borough ”.
- (10) In section 62 of that Act (powers to acquire land), in subsection (2), after “London borough” insert “ or Welsh county or county borough ”.
- (11) In section 66 of that Act (powers to make byelaws), in subsections (1) and (2), for “a county” in each place substitute “ an English county ”.
- (12) In section 72 of that Act (interpretation), in the definition of “local authority” in subsection (1), after “county,” insert “ county borough, ”.
- (13) In Schedule 2 to that Act (expenses and proceedings etc of internal drainage boards), in paragraphs 4(1)(b) and 5(1)(b), after “county” in each place insert “ , county borough ”.
- (14) In Schedule 3 to that Act (procedure with respect to certain orders), in paragraph 2(2) (a), after “county council”, insert “ , county borough council ”.
- (15) In Schedule 4 to that Act (schemes for small drainage works), in paragraph 3(2), after “county,” insert “ county borough, ”.

### PART III

#### COAST PROTECTION

##### *The Coast Protection Act 1949 (c. 74)*

- 5 (1) In section 2 of the Coast Protection Act 1949 (constitution of coast protection boards), in subsection (2)(a), after “county” insert “ (other than one in Wales) ”.
- (2) In section 20 of that Act (contributions towards expenses of coast protection)—
- (a) in subsection (1), omit “or Wales”;
- (b) in subsection (4), omit “or Wales”;
- (c) in subsection (5), for “or Wales” substitute “ , the council of a county or county borough in Wales ”.
- (3) In section 21 of that Act (grants), in subsection (1)(b), after “county” insert “ or county borough ”.

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- (4) In section 22 of that Act (incidental use of land acquired for coast protection), in subsection (2), for “or Wales” substitute “, the council of a county or county borough in Wales”.
- (5) In section 45 of that Act (service of notices and other documents), in subsection (1) (b), after “county,” insert “ county borough, ”.
- (6) In section 49 of that Act (interpretation), in the definition of “maritime district”, after second “district” insert “ or Welsh county or county borough ”.
- (7) In Schedule 1 to that Act (orders), in paragraph 1(a), after “county,” insert “ county borough, ”.

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