



# Environment Act 1995

## 1995 CHAPTER 25

### PART V

#### MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS

##### *Drainage*

#### **100 Meaning of “drainage” in certain enactments.**

- (1) In the definition of “drainage” in section 113(1) of the <sup>M1</sup>Water Resources Act 1991, after paragraph (c) there shall be added the words “and
  - (d) the carrying on, for any purpose, of any other practice which involves management of the level of water in a watercourse;”.
- (2) For the definition of “drainage” in section 72(1) of the <sup>M2</sup>Land Drainage Act 1991 there shall be substituted—
  - ““drainage” includes—
    - (a) defence against water (including sea water);
    - (b) irrigation, other than spray irrigation;
    - (c) warping; and
    - (d) the carrying on, for any purpose, of any other practice which involves management of the level of water in a watercourse;”.

#### **Marginal Citations**

**M1** 1991 c. 57.

**M2** 1991 c. 59.

*Status: Point in time view as at 21/09/1995.*

*Changes to legislation: Environment Act 1995, Cross Heading: Drainage is up to date with all changes known to be in force on or before 09 June 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)*

## 101 Grants in connection with drainage works.

(1) In section 147 of the <sup>M3</sup>Water Resources Act 1991 (grants for drainage works) in subsection (4), after the words “expenditure properly incurred by it with a view to” there shall be inserted “ (a) ” and at the end of that subsection there shall be added—

- “(b) enabling it to determine in any particular case whether drainage works, or drainage works of any particular description, should or should not be carried out;
- (c) obtaining or organising information, including information about natural processes affecting the coastline, to enable it to formulate or develop its plans with respect to the defence against sea water of any part of the coastline; or
- (d) obtaining, at any time after the carrying out of drainage works, information with respect to—
  - (i) the quality or effectiveness, or the effect on the environment, of those works; or
  - (ii) any matter of a financial nature relating to those works.

(4A) Paragraphs (b) to (d) of subsection (4) above are without prejudice to any power—

- (a) to make any grant under subsection (1) or (4)(a) above, or
- (b) to impose any condition under subsection (2) above,

which could be made or imposed apart from those paragraphs.”

(2) In section 59 of the <sup>M4</sup>Land Drainage Act 1991 (grants to drainage bodies) in subsection (4), after the words “expenditure properly incurred by them with a view to” there shall be inserted “ (a) ” and at the end of that subsection there shall be added—

- “(b) enabling them to determine in any particular case whether drainage works, or drainage works of any particular description, should or should not be carried out;
- (c) obtaining or organising information, including information about natural processes affecting the coastline, to enable them to formulate or develop their plans with respect to the defence against sea water of any part of the coastline; or
- (d) obtaining, at any time after the carrying out of drainage works, information with respect to—
  - (i) the quality or effectiveness, or the effect on the environment, of those works; or
  - (ii) any matter of a financial nature relating to those works.

(4A) Paragraphs (b) to (d) of subsection (4) above are without prejudice to any power—

- (a) to make any grant under subsection (1) or (4)(a) above, or
- (b) to impose any condition under subsection (2) above,

which could be made or imposed apart from those paragraphs.”

### Marginal Citations

**M3** 1991 c. 57.

**M4** 1991 c. 59.

**Status:**

Point in time view as at 21/09/1995.

**Changes to legislation:**

Environment Act 1995, Cross Heading: Drainage is up to date with all changes known to be in force on or before 09 June 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.