

SCH. 2

31. In section 81 of the 1930 Act (interpretation)—

(a) in the definition of “drainage” after “water”, where it first occurs, insert “(including sea water)”, after “irrigation” insert “other than spray irrigation” and omit “and the supply of water”; and

(b) at the end of the section add the following paragraph—

“References in this Act to the execution of drainage works include references to the improvement of drainage works, and in section 7 the reference includes also reference to the maintenance of drainage works.”

32. In section 82(2) of the 1930 Act (exercise of local Act powers where drainage boundaries are altered), for “a drainage district or drainage area” substitute “an internal drainage district”, for “drainage board of the district or area” substitute “internal drainage board of the district” and omit “or area” in the second place where those words occur.

1949 No. 2393. 33. In Part III of Schedule 2 to the 1930 Act (validity of orders), in paragraph 5 (which was added by the Statutory Orders (Special Procedure) (Substitution) Order 1949) omit the words “paragraphs 2 to 4 of” and for “those provisions” substitute “paragraphs 2 to 4 of this Part of this Schedule”.

34. In paragraph 1 of Part I of Schedule 3 to the 1930 Act (persons to vote at election of members of internal drainage board) after “land” where it first occurs insert “in a board’s district”, and in paragraph 2 of the said Part I in the first column for “exceeds £1000” substitute “amounts to £1000 or more”.

The Drainage Rates Act 1958

1958 c. 37. 35.—(1) Sub-paragraph (2) below shall have effect in substitution for subsections (2) to (6) of section 1 of the Drainage Rates Act 1958 (annual value for purposes of drainage rates) and the reference to that section in section 1(2)(a) of the Drainage Rates Act 1963 shall be construed accordingly.

1963 c. 10. (2) For the purposes of section 1(1) of the said Act of 1958 the annual value of any land for the purposes of Schedule A as determined for the purposes of the year of assessment 1962-63, is its annual value for the purposes of Schedule A as shown in the assessment for that year signed and allowed under section 35 of the Income Tax Act 1952 or, in any case where an appeal was made against the assessment, its annual value for those purposes as finally determined in the proceedings on or in consequence of the appeal.

1961 c. 48.

The Land Drainage Act 1961

1973 c. 37. 36. In subsection (1) (power of water authority to raise revenue by means of general drainage charges) of section 1 of the 1961 Act (as substituted by paragraph 12(1) of Schedule 5 to the Water Act 1973) after “district” insert “in their area”.

37. In section 1A of the 1961 Act (which is one of the sections substituted for section 1 of that Act by paragraph 12 of Schedule 5 to the

SCH. 2

Water Act 1973, and makes provision with respect to the amount of general drainage charges) after subsection (3) insert the following subsection—

“(3A) An order under this section shall be made by statutory instrument, shall be subject to annulment in pursuance of a resolution of either House of Parliament, and may be varied or revoked by a subsequent order under this section.”

38. Section 3 of the 1961 Act (designation of watercourses and special drainage charge) shall (without prejudice to the duty of a water authority, under section 19(1) of the Water Act 1973, to delegate their functions under the said section 3 to their regional land drainage committee) have effect as though the amendments to the said section 3 contained in paragraph 72(1) and (2) of Schedule 8 to the Water Act 1973 had not been made, and shall have effect also as though the last amendment to subsection (9) contained in paragraph 25(1) of Schedule 29 to the Local Government Act 1972 (substitution of certain words for “it”) had not been made.

39. In paragraph (c) of section 5(4) of the 1961 Act after “may” insert “(subject to any agreement to the contrary)”.

40. In section 6(2) of the 1961 Act (publication of drainage charges) for “that area” substitute “the area in respect of which the charge was raised”.

41. In section 8 of the 1961 Act (amendments as respects drainage charge) after subsection (3) add—

“(4) Where an amendment is made in pursuance of this section any amount overpaid shall be repaid or allowed and any amount underpaid may be recovered as if it were arrears of the charge.”

42. In section 11 of the 1961 Act (agreements for assessment to and recovery of drainage charge)—

(a) at the end of subsection (2) insert “and, in relation to any water authority, any chargeable land”;

(b) omit subsection (3) (which was inserted by paragraph 25(2) of Schedule 29 to the Local Government Act 1972).

1972 c. 70.

43. In section 23(2) of the 1961 Act (notice of relative fraction for drainage rates purposes) for the words from the beginning to “the notice”, in the second place where those words occur, substitute “The notice of the rate given under section 27 of the Act of 1930 and stating, in accordance with that section, the relative fraction”.

44.—(1) In paragraph (b) of section 23(4) of the 1961 Act (annual value for the purposes of that section) for the words from “(apportioned)” to the end of the paragraph substitute “or in any case where an appeal was made against the assessment, its annual value under Schedule A as finally determined in the proceedings on or in consequence of the appeal (apportioned where the hereditament forms part only of any land in respect of which an assessment to income tax was made under Schedule A for the year of assessment 1962-63).”

SCH. 2

(2) Omit section 23(5) of the 1961 Act (power of internal drainage board to obtain information from tax authorities).

45. In section 25(4) of the 1961 Act (whereby agreements entered into by an internal drainage board under that section may provide for amending the constitution of the board) after "appoint members of the board" insert "in addition to the elected members".

46. In section 28 of the 1961 Act (removal of obstruction from watercourses)—

(a) after subsection (5)(b) insert—

"(bb) in subsection (5) the words 'the part of the watercourse where the impediment occurs or land adjoining that part' shall be substituted for the words 'the premises in question';";

(b) at the end of subsection (5)(c) add "and after the words 'and he shall be liable' there shall be inserted 'on summary conviction'";

(c) at the end of subsection (6) add "(but no other provision of the said Act of 1936 shall apply in relation to the said section two hundred and ninety as applied by this section)".

47. In section 30(9) of the 1961 Act (schemes for drainage of small areas) before "drainage board" insert "internal", before "the Act of 1930" insert "sections 34 and 38 of", after "restrictions" insert "and liabilities" and for "that Act" substitute "those sections".

48. In section 34 of the 1961 Act (power of local authorities to undertake drainage works against flooding)—

(a) in subsection (2B) (which was inserted by paragraph 22(4) of Schedule 5 to the Water Act 1973) for the words from the beginning to "shall" substitute "A council other than the Greater London Council shall not";

(b) in subsection (4) for "expenses for special county purposes" substitute "special expenses chargeable on the district in respect of which they were incurred".

49. For section 38(3) of the 1961 Act substitute—

"(3) The council of a county or London borough, the Common Council and, as respects the main metropolitan watercourses (as defined in Schedule 14 to the London Government Act 1963), the Greater London Council, may by agreement with any person execute within the council's area, at his expense (excluding the amount of any grant paid under this subsection), any drainage works which that person is entitled to execute; and the Minister may, with the approval of the Treasury, make grants to a council in respect of the cost of any works executed by the council in pursuance of this subsection.

For the purposes of this subsection the area of the Common Council shall include the Inner Temple and the Middle Temple."

1973 c. 70.

The London Government Act 1963

SCH. 2

50. In Schedule 14 to the London Government Act 1963 (functions of local authorities in London in respect to land drainage)—

(a) in paragraph 1 after "the City", in both places, insert "and the Temples";

(b) in paragraph 3 omit the words from "and without prejudice" onwards;

(c) in paragraph 13 for the words from "under section 23" onwards substitute "(in like manner as under section 23(1A) of the Act of 1930)";

(d) in paragraph 15(1) at the end of the definition of "local enactment" add "or, where the watercourse is a metropolitan watercourse by virtue of an order under sub-paragraph (2)(a) below, such enactments as may be specified in relation thereto by the order" and in the first column of paragraph (2A) of the Table (the paragraph inserted by section 7(4)(d) of the Greater London Council (General Powers) Act 1968) omit the words from "and any other watercourse" onwards;

(e) after paragraph 15(2) insert—

"(2A) An order under sub-paragraph (2)(a) above shall specify the local enactments that are to be the local enactments for the purposes of this Schedule in relation to the watercourse or part of a watercourse dealt with by the order."

The Agriculture (Miscellaneous Provisions) Act 1968

1968 c. 34.

51. The special drainage charge raised by a water authority for any year shall be of such amount as may, subject to subsection (1) of section 23 of the 1968 Act, be determined by the authority's regional land drainage committee; and accordingly, that subsection shall be amended by substituting for the words "being an amount which exceeds" the words "and such amount shall be determined by the authority's regional land drainage committee but shall exceed".

52. In section 37(4) of the 1968 Act (grants in respect of the cost of works executed by agreement with other persons) after "water authority" insert "or internal drainage board".

The Agriculture Act 1970

1970 c. 40.

53. In subsection (4) of section 88 of the Agriculture Act 1970 (power of Greater London Council to provide flood warning system) for the words "section 51 of the Land Drainage Act 1930 and section 40 of the Land Drainage Act 1961" substitute "section 4 of the Land Drainage (Amendment) Act 1975", and for paragraph (i) of that subsection substitute—

"(i) in the case of the said section 4, in relation to, and to the functions under this subsection of, the Greater London Council as it applies in relation to, and to the functions of, an internal drainage board, or".

SCH. 2
1972 c. 70.
1961 c. 48.

The Local Government Act 1972

54. In paragraph 25 of Schedule 29 to the Local Government Act 1972 (amendments of Land Drainage Act 1961)—

- (a) in sub-paragraph (1) omit the words from “and for the word” to the end of the sub-paragraph; and
(b) in sub-paragraph (2) omit the words from “and at the end” to the end of the sub-paragraph.

1973 c. 37.

The Water Act 1973

55. In section 6(3) of the Water Act 1973 after “charges” insert “applying for a charges option order pursuant to section 19(7) below”.

56. In section 19(1) of that Act (discharge of water authority's functions by their regional land drainage committee) for “making” substitute “raising” and after “precepts” insert “the making of an application for a charges option order”.

57. In paragraph 11 of Schedule 5 to that Act (precepts by water authorities to local authorities)—

- (a) in sub-paragraph (11) (carrying forward excesses or deficiencies to the next financial year) for “the next financial year” substitute “the financial year following that in which the determination is made or (at the option of the water authority) the next financial year after that following financial year”, and for the words “that next financial year” substitute “the financial year to which it is brought forward”; and
(b) in sub-paragraph (13) (definitions) at the end of the definition of “relevant expenditure” insert “and this shall be taken to include an appropriate proportion of the administrative expenses of the authority, of the expenses of their research and related activities, of any amount allocated by them to reserve pursuant to paragraph 31(1) of Schedule 3 to this Act; and of any payment to the Council pursuant to paragraph 33 of that Schedule”.

SCHEDULE 3

Section 9(2).

REPEALS
ACTS

Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 5. c. lxxviii.	The Lancashire County Council (Drainage) Act 1921.	The whole Act.
13 & 14 Geo. 5. c. xcvi.	The West Riding of Yorkshire County Council (Drainage) Act 1923.	The whole Act.
20 & 21 Geo. 5. c. 44.	The Land Drainage Act 1930.	Section 4(1A). In section 8(1), the words “subject to subsection (1A) below”. Section 8(1A). In section 16, the words from the beginning to “and”. Section 11(2). Section 43. Section 51. Section 67. In Schedule 4, the entry relating to the Land Drainage Act 1930.
9 & 10 Geo. 6. c. 49.	The Acquisition of Land (Authorisation Procedure) Act 1946.	Section 1(2) to (6).
6 & 7 Eliz. 2. c. 37.	The Drainage Rates Act 1958.	Section 3(1A). Section 11(3).
9 & 10 Eliz. 2. c. 48.	The Land Drainage Act 1961.	In section 34(1), the words “forty-three” and the words from “and section forty” onwards. Section 40. In section 43, the words from “and the provision” onwards. In section 52(2), the concluding paragraph. In Schedule 1, paragraphs 17(2) and 18.
1963 c. 33.	The London Government Act 1963.	In Schedule 14, in paragraph 2 the words “and section 51” and in paragraph 7(c) the words from “or by virtue” onwards.
1968 c. 34.	The Agriculture (Miscellaneous Provisions) Act 1968.	In section 36(2), the words from “section 75” to “and”.
1972 c. 70.	The Local Government Act 1972.	In Schedule 29, in paragraph 25(1) the words from “and for the word” onwards and in paragraph 25(2) the words from “and at the end” onwards.
1973 c. 37.	The Water Act 1973.	In Schedule 8, paragraphs 21(4), 22, 23, 72(1) and (2) and 74.

SCH. 3

INSTRUMENTS

No.	Title	Extent of Repeal
1971 No. 1732. 1974 No. 595.	The Temples Order 1971. The Local Authorities etc. (Miscellaneous Pro- visions) (No. 2) Order 1974.	Paragraph (a) of Article 5(4). Article 3(5).

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