1962 No. 2556

LAND DRAINAGE AND IMPROVEMENT OF LAND

The Drainage Rates (Forms) Regulations 1962

Made - - - -	21*st November* 1962
Laid before Parliament	27*th November* 1962
Coming into Operation	28*th November* 1962

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred upon him by sections 26 (3) and 74 of the Land Drainage Act 1930(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, Commencement and Revocation

1.—(1) These regulations may be cited as the Drainage Rates (Forms) Regulations 1962 and shall come into operation on the 28th November 1962.

(2) The Land Drainage (Rates and Rate Book) Regulations 1937(b) are hereby revoked, except in so far as they apply in relation to drainage rates made in respect of any period ending before the 1st April 1963.

Interpretation

2. The Interpretation Act 1889(c) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Form of drainage rate

3. Every rate made by a drainage board, for a period beginning after the end of March 1963, shall contain the particulars set out in Form 1 in the Schedule to these regulations.

Forms of demand for drainage rates

4.—(1) Where no resolution of a drainage board under section 1 (2) of the Drainage Rates Act 1962(d) is in force at the beginning of a period for which that board makes a drainage rate, being a period beginning after the end of March 1963, every demand for payment of that drainage rate shall be in Form 2 in the Schedule to these regulations, or in a form substantially to the like effect.

(2) Where such a resolution of a drainage board as aforesaid is in force at the beginning of a period for which that board makes a drainage rate, being a period beginning after the end of March 1963, every demand for payment of that drainage rate shall be in Form 3 in the Schedule to these regulations, or in a form substantially to the like effect.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on the 21st November 1962.

(L.S.) *Christopher Soames,*
Minister of Agriculture, Fisheries and Food.

(a) 20 & 21 Geo. 5. c. 44. (b) S.R. & O. 1937/85 (Rev. XI, p. 892: 1937, p. 1500).
(c) 52 & 53 Vict. c. 63. (d) 10 & 11 Eliz. 2. c. 39.

SCHEDULE

Form 1 (*Particulars required to be set out in every drainage rate*)

(1) Whether the rate is an owner's rate or an occupier's rate within the meaning of section 24 (2) of the Land Drainage Act 1930.

(2) The amount in the pound of the rate, or, if a differential rating order is in force, the amount in the pound in each sub-district.

(3) If the drainage district includes any land for which a rateable value is shown in the valuation list, the relative fraction as defined in section 23 (1) of the Land Drainage Act 1961.

(4) The period for which the rate is made. (Note (i).)

(5) Whether a resolution of the drainage board under section 1 (2) of the Drainage Rates Act 1962 (Note (ii))—

(*a*) was in force at the beginning of the period for which the rate is made or

(*b*) has been passed by the Board and will have effect upon the drainage rates levied for the period for which the drainage rate is made unless the resolution is rescinded before the beginning of that period

and if so the date of the resolution.

(6) If the rate is declared to be payable by instalments, the amount of each instalment and the date when it becomes due.

(7) The date on which a resolution was passed by the drainage board authorising their seal to be affixed to the rate. (Note (iii).)

NOTES

(i) The normal period for which a rate may be levied is six or twelve months (section 26 (2) of the Land Drainage Act 1930) but the proviso to that sub-section enables first rates or supplementary rates to be made for varying periods.

(ii) Such a resolution allows the drainage board to calculate the amount of the drainage rate payable on a hereditament other than agricultural land and buildings by applying the relative fraction provided for in sections 22 and 23 of the Land Drainage Act 1961 to the rateable value of the hereditament instead of to the amount of the rate in the pound.

(iii) The seal of the drainage board must be affixed in pursuance of a resolution authorising it to be affixed. (Section 26 (1) of the Land Drainage Act 1930.)

Form 2 (*Demand for drainage rates when no resolution under Section* 1 (2) *of the Drainage Rates Act* 1962 *is in force*)

..... Drainage Board.

Number or name of sub-district (Note (i)).

Land Drainage Acts 1930 and 1961.

To .....

Address .....

.....

The ..... Drainage Board have made a drainage rate at the amount in the pound shown below in respect of the [half] year ending on the 19 .

Payment of the [rate] [..... instalment] [and of the arrears (if any) of former rates] shown below is now due from you.

No. in rate book	Situation of hereditament (if other than that specified in the address above) and description	Assessable value for drainage rates			Amount of rates		
		(*a*) Agricultural land and buildings	(*b*) Other hereditaments*	Dwelling houses attracting allowance under section 39 of the Land Drainage Act 1961 (Note (ii))	Owner's rate at s. d. in the pound on (*a*) and at s. d. in the pound on (*b*)	Occupier's rate at s. d. in the pound on (*a*) and at s. d. in the pound on (*b*)	Total
		£	£	£	£ s. d.	£ s. d.	£ s. d.

Arrears of former rates ... ...

Total ... ... £

Amount of current rates recoverable by occupier from owner £ s. d.

or

Amount of current rates recoverable by owner from occupier. £ s. d.
(Note (ii).)

(For amount of arrears recoverable by occupier from owner see previous demand notes.)

If the amount of the occupier's rate on dwelling houses for the current year is paid not later than ..... the board will make an allowance equal to ten per cent. of that amount. (Note (ii).)

* Drainage rates on "other hereditaments" are assessed on one third of their rateable value. A further reduction is effected by the application of the relative fraction (described overleaf) to the rate in the pound. The relative fraction is..... Where no rateable value is available and the value for drainage rates of "other hereditaments" has been determined by the board, one third of that determined value is used for drainage rating and no reduction is made in the rate in the pound.

The amount due should be paid ..... (Note (iii)).

Cheques, money orders and postal orders should be made payable to the ..... Drainage Board and crossed "Account payees only". They should not be made payable to any individual officer.

By order of the Board.

.....Clerk or other authorised officer.

NOTES

(i) For use only if a differential rating order is in force; otherwise omit.

(ii) For use only where a resolution under section 39 of the Land Drainage Act 1961 is in force; otherwise omit.

(iii) Insert instructions as to place, time and method of payment.

(Reverse side of demand note.)

1. The following statement shows how the rate in the £ on agricultural land and buildings is made up:—

	Owner's Rate		*Occupier's Rate*	
	s. : d.	s. : d.	s. : d.	s. : d.
New works and improvement works...	:		—	
Contributions to River Board... ...	:		—	
Maintenance works	—		:	
Administration and other expenses ...	—	:	:	:
Less:				
Government grants	:		—	
Contributions from River Board ...	:		:	
Other income	:	:	:	:
		:		:
Add/Deduct for adjustment of balances		:		:

2. The definitions of "owner's rate" and "occupier's rate" can be found in section 24 (2) of the Land Drainage Act 1930. This Act, the Drainage Rates Acts 1958 and 1962 and the Land Drainage Act 1961 deal with the basis of assessment of agricultural land and buildings, and of other property, and with rights of appeal and petitions by ratepayers.

3. Any enquiries concerning this demand should be addressed to the Board at the address shown overleaf.

NOTE

Explanation of the Relative Fraction

(i) From 1st April 1963 a hereditament having a rateable value for general rates is assessed for drainage rates on that value instead of on its Schedule A value.

(ii) Where the rateable value is used for drainage rating assessments, the yield of the drainage rate is higher than when Schedule A values are used. To keep the yield in line with what it would have been had the drainage rates continued to be levied on Schedule A assessments, the drainage rate poundage has to be reduced by a relative fraction.

(iii) Each drainage board calculates its own relative fraction. It arrives at the figure by dividing the aggregate of the Schedule A values of the hereditaments in the drainage district having rateable values by the aggregate of the rateable values of those hereditaments.

Form 3 (Demand for drainage rates when a resolution under section 1 (2) of the Drainage Rates Act 1962 is in force)

..... Drainage Board.

Number or name of sub-district. (Note (i).)

Land Drainage Acts 1930 and 1961 and the Drainage Rates Act 1962

To .....

Address .....

.....

The ..... Drainage Board have made a drainage rate at the amount in the pound shown below in respect of the [half] year ending on the 19

Payment of the [rate] [.....instalment] [and of the arrears (if any) of former rates] shown below is now due from you.

No. in rate book	Situation of hereditament (if other than that specified in the address above) and description	Assessable value for drainage rates				Amount of rates		
		Agricultural land and buildings	Other hereditaments*		Total	Owner's rate at s. d. in the pound	Occupier's rate at s. d. in the pound	Total
				Dwelling houses attracting allowance under section 39 of the Land Drainage Act 1961 (Note (ii))				
		£	£	£	£	£ s. d.	£ s. d.	£ s. d.

Arrears of former rates ... ...

Total ... ... £ .....

Amount of current rates recoverable by occupier from owner £ s. d.

or

Amount of current rates recoverable by owner from occupier. £ s. d.

(Note (ii).)

(For amount of arrears recoverable by occupier from owner see previous demand notes.)

If the amount of the occupier's rate on dwelling houses for the current year is paid not later than ..... the board will make an allowance equal to ten per cent. of that amount. (Note (ii).)

* Drainage rates on "other hereditaments" are assessed on one third of their rateable value. A further reduction is effected by the application of the relative fraction (described overleaf) to that one third. The relative fraction is ..... Where no rateable value is available and the value for drainage rates of "other hereditaments" has been determined by the board, one third of that determined value is used for drainage rating without any further reduction.

The amount due should be paid ..... (Note (iii)).

Cheques, money orders and postal orders should be made payable to the ..... Drainage Board and crossed "account payees only". They should not be made payable to any individual officer.

By order of the Board.

..... Clerk or other authorised officer.

NOTES

(i) For use only if a differential rating order is in force; otherwise omit.

(ii) For use only where a resolution under section 39 of the Land Drainage Act 1961 is in force; otherwise omit.

(iii) Insert instructions as to place, time and method of payment.

(Reverse side of demand note.)

1. The following statement shows how the rate in the £ is made up:—

	Owner's Rate		*Occupier's Rate*	
	s. : d.	s. : d.	s. : d.	s. : d.
New works and improvement works...	:		—	
Contributions to River Board... ...	:		—	
Maintenance works	—		:	
Administration and other expenses ...	—	:	:	:
Less:				
Government grants	:		—	
Contributions from River Board ...	:		:	
Other income	:	:	:	:
		:		:
Add/Deduct for adjustment of balances		:		:

2. The definitions of "owner's rate" and "occupier's rate" can be found in section 24 (2) of the Land Drainage Act 1930. This Act, the Drainage Rates Acts 1958 and 1962 and the Land Drainage Act 1961 deal with the basis of assessment of agricultural land and buildings, and of other property, and with rights of appeal and petitions by ratepayers.

3. Any enquiries concerning this demand should be addressed to the Board at the address shown overleaf.

NOTE

Explanation of the Relative Fraction

(i) From 1st April 1963 a hereditament having a rateable value for general rates is assessed for drainage rates on that value instead of on its Schedule A value.

(ii) Where the rateable value is used for drainage rating assessments, the yield of the drainage rate is higher than when Schedule A values are used. To keep the yield in line with what it would have been had the drainage rates continued to be levied on Schedule A assessments, the rateable value has to be reduced by a relative fraction.

(iii) Each drainage board calculates its own relative fraction. It arrives at the figure by dividing the aggregate of the Schedule A values of the hereditaments in the drainage district having rateable values by the aggregate of the rateable values of those hereditaments.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations, which come into operation on the 28th November 1962, prescribe the particulars to be contained in a Drainage Rate and the forms of demands for drainage rates.