STATUTORY INSTRUMENTS

1990 No. 173

LAND DRAINAGE

The Drainage Rates (Forms) Regulations 1990

Made - - - -	*7th February 1990*
Laid before Parliament	*8th February 1990*
Coming into force	*1st March 1990*

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by sections 72(4) and 95 of the Land Drainage Act 1976(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 1990 and shall come into force on 1st March 1990.

(2) The Drainage Rates (Forms) Regulations 1977(b) are hereby revoked except in so far as they apply in relation to drainage rates made in respect of any period ending before 1st April 1990.

Form of drainage rate

2. Every drainage rate made by an internal drainage board in respect of a period beginning after the end of March 1990 and ending before 1st April 1993 shall contain the particulars set out in Form 1 in the Schedule to these Regulations.

Form of demand for drainage rates

3. Every demand for payment of a drainage rate shall be in Form 2 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 7th February 1990.

L.S.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

(a) 1976 c.70. The definition of "the Minister" is contained in section 116(1) of that Act. (b) S.I. 1977/357.

SCHEDULE

Regulation 2 and 3

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 63(2) of the Land Drainage Act 1976.

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

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

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

NOTES

(i) The period for which a rate may be levied is the financial year (1st April to 31st March).

(ii) The seal of the internal drainage board must be affixed in pursuance of a resolution authorising it to be affixed. (Section 72(1) of the Land Drainage Act 1976).

Form 2

.....Internal Drainage Board

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

Land Drainage Act 1976

To.....

Address.....

.....

The .....Internal Drainage Board have made a drainage rate at the amount in the pound shown below in respect of the 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	Owner's rate at p in the pound	Occupier's rate at p in the pound	Total
		£	£ : p	£ : p	£ : p
				Arrears of former rates	£ : p
				Total	£ : p
				Amount of current rates recoverable by occupier from owner	£ : p

(For amount of arrears recoverable by occupier from owner, see previous notices of rates due).

The amount due should be paid.....(Note (ii)).
Cheques, money orders and postal orders should be made payable to the.....
Internal Drainage Board and crossed "Account payee 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) Insert instructions as to place, time and method of payment.

(Reverse side of Form)

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

	Owner's Rate		Occupier's Rate	
	p.	p.	p.	p.
New works and improvement works.			–	
Contributions to the National Rivers Authority.....			–	
Maintenance works.....	–			
Administration and other expenses.	–			
Less:				
Government grants.....			–	
Contribution from the National Rivers Authority.....				
Other income.....				
Add/Deduct for adjustment of balances				

2 The definitions of "owner's rate" and "occupier's rate" can be found in section 63(2) of the Land Drainage Act 1976. The basis of assessment of agricultural land and buildings and rights of appeal and petitions by ratepayers are dealt with by the said Act as read with the Internal Drainage Boards (Finance) Regulations 1990 (S.I. 1990/72)

3. Any enquiries concerning this notice should be addressed to the Board at the address shown overleaf who should also be notified of any changes in the area of agricultural land included in the assessment.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Drainage Rates (Forms) Regulations 1977 and re-enact their provisions with the modifications which are necessary to take account of the changes in the system of financing internal drainage boards introduced by the Internal Drainage Board (Finance) Regulations 1990 whereby with effect from the financial year commencing 1st April 1990 drainage rates may be assessed only on agricultural land and agricultural buildings. The Regulations prescribe the particulars to be contained in a drainage rate and the form of demand for drainage rates from the agricultural sector in relation to rates made in respect of any period between 1st April 1990 and 31st March 1993.

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