STATUTORY INSTRUMENTS

1978 No. 665

LAND DRAINAGE

The General Drainage Charge (Ascertainment) Order 1978

Made - - - -	*4th May* 1978
Laid before Parliament	*12th May* 1978
Coming into Operation	*2nd June* 1978

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by sub-sections (1) and (3) of section 49 of the Land Drainage Act 1976(a) as amended by the Land Drainage Act 1976 (Amendment) Regulations 1978(b) and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the General Drainage Charge (Ascertainment) Order 1978 and shall come into operation on 2nd June 1978.

Interpretation

2.—(1) In this Order—

"the Act" means the Land Drainage Act 1976 as amended by the Land Drainage Act 1976 (Amendment) Regulations 1978; and

"the quotient", in relation to a general drainage charge raised by the Anglian Water Authority for a local land drainage district for any year means the quotient ascertained for the purposes of that charge in pursuance of section 49(1) of the Act (which specifies the method of ascertaining the amount of such a charge).

(2) The Interpretation Act 1889(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Ascertainment of amount of general drainage charge

3. For the purpose of ascertaining the amount per hectare at which a general drainage charge to be raised on the basis described in section 48(1) of the Act may be raised by the Anglian Water Authority in the local land drainage districts in their area for any of the years ending on 31st March in 1979, 1980 and 1981, the number by which the quotient is to be multiplied as well as being multiplied by 1p shall, in relation to each of the local land drainage districts specified in the first column of the Schedule to this Order, be the number set opposite each district in the second column of the said Schedule.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 4th May 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

(a) 1976 c. 70. (b) S.I. 1978/319. (c) 1889 c. 63.

SCHEDULE

Name of Local Land Drainage District	Number
The Essex Local Land Drainage District	30.4
The Great Ouse Local Land Drainage District	34.3
The Lincolnshire Local Land Drainage District	29.9
The Norfolk and Suffolk Local Land Drainage District	29.6
The Welland and Nene Local Land Drainage District	29.1

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Order concerns general drainage charges which may be raised by the Anglian Water Authority in their local land drainage districts for the years ending 31st March in 1979, 1980 and 1981. It defines in relation to each local land drainage district of that Authority a factor in the formula prescribed by section 49(1) of the Land Drainage Act 1976 for ascertaining the amount of the general drainage charge raised by the Authority for each such district.

Most of the Anglian Water Authority's revenues for land drainage purposes are raised under sections 46 and 47 of the Land Drainage Act 1976 by precepts issued to the county councils in their area, and these councils draw the revenue to meet these precepts from the general ratepayers in their districts. General drainage charges are levied on occupiers or owners of land not liable to general rates, and section 49(1) of the Act requires the factor in the formula to be calculated so that a general drainage charge raised by a water authority for a local land drainage district in accordance with the formula will be such an amount per hectare of chargeable land in that district as will secure that the total amount produced by the charge approximates to the total amount which would be produced by a general rate if the chargeable land were liable to such rates. The Order defines the factor in accordance with section 49(1)(b).

As a result of the amendment of section 49(1) of the Act by the Land Drainage Act 1976 (Amendment) Regulations 1978 the general drainage charge will from 1st April 1978 be raised at a uniform amount per hectare instead of per acre, and the factor defined in this Order has been calculated accordingly.

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