1969 No. 438

LAND DRAINAGE

The River Authorities (Precepts on Internal Drainage Boards) Regulations 1969

Made - - -	*21st March* 1969
Laid before Parliament	*31st March* 1969
Coming into Operation	*1st April* 1969

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by Sections 22(3) and 74 of the Land Drainage Act 1930(a), as applied by section 5 of the Water Resources Act 1963(b), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, Commencement and Interpretation

1.—(1) These regulations may be cited as the River Authorities (Precepts on Internal Drainage Boards) Regulations 1969 and shall come into operation on the 1st April 1969.

(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, and as if these regulations and the regulations hereby revoked were Acts of Parliament.

Form of Statement of Purposes

2. Any statement prepared under section 22(3) of the Land Drainage Act 1930, as applied by section 5 of the Water Resources Act 1963 (which requires a river authority to prepare a statement of the purposes to which the amount demanded by any precept issued by the authority under that section is intended to be applied, and of the basis upon which it is calculated), shall be in the form set out in the schedule to these regulations, or in a form substantially to the like effect.

Revocation

3. The River Authorities (Precepts) Regulations 1965(d) are hereby revoked.

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st March 1969.

(L.S.)

Cledwyn Hughes,
Minister of Agriculture, Fisheries and Food.

(a) 1930 c. 44. For change of title of the Minister see S.I. 1955/554 (1955 I, p. 1200).
(b) 1963 c. 38. (c) 1889 c. 63. (d) S.I. 1965/542 (1965 I, p. 1675).

SCHEDULE
FORM OF STATEMENT

1. Statement of the purposes to which the amount demanded by precept is intended to be applied.	Total expenditure	Government grants	Defrayed from replacement fund (i)	Relevant expenditure (Col. (2) less Cols. (3) and (4))
PURPOSE	(2)	(3)	(4)	(5)
1. Expenses under enactments relating to land drainage— (1) Capital expenditure from revenue— (a) grant-aided works (b) non grant-aided items ... ... (2) Other expenditure— (a) Loan charges ... (b) Works of maintenance ... ... (c) Administration and general charges ... ... (d) Contributions to internal drainage boards ... ... (e) Contributions to water resources account ... ... (f) Other items (ii)				
2. Expenses (including administration) under enactments relating to rivers pollution prevention (ii)				
3. Expenses (including administration) under enactments relating to fisheries (ii)— (a) Contributions to water resources account ... ... (b) All other expenses, including administration				
4. Payments into any replacement fund (i) (other than payments from the water resources account of the Authority)				
5. Provision for working capital				
6. Debit balances brought forward in respect of transferred functions (iii)				
7. Debit balances brought forward in respect of new functions (iii) and (iv)				
			£	

II.		£	
(1)	Statement of income in respect of transferred functions under enactments other than section 87 of the Water Resources Act 1963—		
	(a) Contributions from internal drainage boards (see statement III)		
	(b) General drainage charge		
	(c) Fishery revenues		
	(d) Contributions from Water Resources account		
	(e) Sundry general receipts		
(2)	Credit balances brought forward in respect of transferred functions (iii)		
(3)	Credit balances brought forward in respect of new functions (iii) and (iv)		
(4)	Amount to be met under section 87 of the Water Resources Act 1963 by precepts on the councils of counties, county boroughs and London boroughs.		
	Total revenues	£	

III. Statement of the amounts demanded by precepts from internal drainage boards and of the basis on which they are calculated including amounts specified under section 21(1) of the Land Drainage Act 1961 as corresponding to contributions.	Amount of precept	Basis on which the precept is calculated
	£ s. d.	
.....		
.....		
.....		

Under section 21(1) of the Land Drainage Act 1930, which is made applicable to river authorities by virtue of section 5 of, and Schedule 3 to, the Water Resources Act 1963, a river authority shall by resolution require each internal drainage board to make towards the expenses of the river authority such contribution as the river authority may consider to be fair. By section 21(5) of the Land Drainage Act 1930 as applied to river authorities, an internal drainage board, if it is aggrieved by a resolution of a river authority determining the amount of the contribution, may, within six weeks after the date on which notice of the resolution is given by the river authority to the internal drainage board, appeal to the Minister of Agriculture, Fisheries and Food against the resolution, and the Minister may, after considering any objections made to him and, if he thinks fit, holding a local public inquiry, make such an order as he thinks just.

Notes

(i) "Replacement fund" means a fund authorised by section 85(1) of the Water Resources Act 1963.

(ii) Excluding payments into any replacement fund which are to be entered in paragraph 4 of section I.

(iii) The terms "transferred functions" and "new functions" have the meaning assigned to them by section 3(5) of the Water Resources Act 1963.

(iv) This will only be applicable when precepting for the first and possibly the second year during which a charging scheme is in force.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

River Authorities may raise money towards defraying their expenses by issuing precepts to internal drainage boards. These regulations, which come into operation on the 1st April 1969, prescribe a form of statement to be sent with every precept setting out the purposes to which the amount demanded is to be applied and the basis on which it is calculated.