



# Agriculture (Miscellaneous Provisions) Act 1968

## 1968 CHAPTER 34

### PART IV

#### LAND DRAINAGE

##### *Drainage charges*

#### **21 Raising and levying of drainage charges on an acreage basis.**

- (1) Drainage charges under Part I of the Land Drainage Act 1961 (hereafter in the charges provisions referred to as " the principal Act ") shall, instead of being raised at an amount per pound on the annual value of chargeable hereditaments in river authority areas and levied on the occupiers or owners of the hereditaments, be raised at an amount per acre of chargeable land in those areas and levied on the occupiers or owners of the land in accordance with the charges provisions and the provisions of the said Part I as modified by this Act.
- (2) In sections 22 to 29 of this Act and this section " the charges provisions " means those sections and this section.

#### **22 Amount of general drainage charge.**

- (1) The general drainage charge raised by a river authority for any year shall be at a uniform amount per acre ascertained in accordance with subsections (2) and (3) of this section.
- (2) Subject to subsection (3) of this section, the said amount shall be ascertained by—
  - (a) dividing the aggregate amount demanded by the precepts issued by the river authority to the councils of counties, county boroughs and London boroughs under section 87(4) of the Water Resources Act 1963 in respect of the year for which the charge is raised by the aggregate amount of the appropriate penny

rate products on the basis of which the amount so demanded was apportioned in pursuance of section 87(3) of that Act among those councils; and

- (b) multiplying the quotient by one penny and by such number as the Minister may specify by order made for the purposes of this paragraph ;

and the number so specified shall (apart from any adjustment made to it to take account of rough grazing land) be such as the Minister considers will secure, so far as reasonably practicable, that the aggregate amount produced by any charge levied by reference to a quotient ascertained in pursuance of paragraph (a) of this subsection will be equal to the aggregate amount which, if the chargeable land in the river authority area were liable to be rated, would be produced by a rate levied on that land at an amount in the pound (of rateable value) equal to that quotient multiplied by one penny.

- (3) Where an amount ascertained in pursuance of subsection (2) of this section includes a fraction of a penny, the fraction shall—
  - (a) if it is one farthing or less, be disregarded ;
  - (b) if it is greater than one farthing but less than three farthings, be treated as one half-penny ;
  - (c) if it is three farthings or more, be treated as one penny.
- (4) An order under this section may be made so as to apply either to all general drainage charges which may be raised by river authorities or to the general drainage charges proposed to be raised by any one or more river authorities specified in the order, and any such order applying to the charges of more than one river authority may make different provision as respects the charges of the different authorities.
- (5) In subsection (2) of this section " appropriate penny rate product " has the same meaning as that expression has for the purposes of the said section 87, and the reference in that subsection to subsection (4) of that section does not include a reference to it as applied by subsection (5) of that section.

## **23 Amount of special drainage charge.**

- (1) The special drainage charge raised by a river authority for any year shall be at a uniform amount per acre of the chargeable land included in the area designated for the purposes of the charge by the scheme authorising it, being an amount which exceeds neither—
  - (a) an amount to be specified in the scheme as the maximum amount of the charge or such greater amount as may be authorised for the purposes of the scheme by an order made by the Minister on the application of the river authority ; nor
  - (b) two shillings or such other amount as may be substituted for two shillings by an order made by the Minister and approved by a resolution of the Commons House of Parliament.
- (2) An order under paragraph (b) of subsection (1) of this section may be made so as to apply either to all special drainage charges which may be raised by river authorities or to the special drainage charges proposed to be raised by one or more river authorities specified in the order or to the special drainage charges proposed to be raised in pursuance of one or more schemes made under section 3 of the principal Act and so specified; and any such order applying to the charges of more than one river authority or authorised by more than one such scheme may make different provision as respects the charges of the different authorities or the charges authorised by the different schemes, as the case may be.

## **24 Reduced liability for drainage charges in certain cases.**

- (1) Where the area of chargeable land in respect of which, apart from this section, a sum is payable by any person by way of a drainage charge consists of or includes a fraction of an acre, then for the purpose of calculating that sum the fraction shall be disregarded if it is less than one-half and treated as one acre in any other case.
- (2) The sum payable by way of a drainage charge in respect of chargeable land consisting of commercial woodlands shall be calculated as if the area of the land were one-fifth of its actual area; and in the application of subsection (1) of this section to such chargeable land the area ascertained in pursuance of this subsection (and not the area of which it is one-fifth) shall be treated as the area mentioned in that subsection.

## **25 Arrangements for payment of drainage charges by owners of land.**

- (1) A river authority may make arrangements with the owner of any chargeable land for any drainage charges which may be raised by the authority for any period in respect of the land to be levied on the owner instead of on the occupier of the land; and where such arrangements are made the charges in question shall be levied on the owner instead of on the occupier of the land and any reference to an occupier in the charges provisions (except this section) and in Part I of the principal Act shall be construed accordingly.
- (2) Where in pursuance of any such arrangements the owner of any land pays drainage charges in respect of the land to a river authority before the expiration of the period of two months beginning with the date of the service on him of the demand for the charges or before the expiration of one half of the period for which the charges are raised, the authority shall make to him an allowance equal to ten per cent. of the full amount of the charges; but no such allowance shall be made in respect of charges which, apart from this section, are payable for any period by the owner in pursuance of section 13 of the principal Act.
- (3) It shall be the duty of a river authority by whom arrangements are made under this section to give notice of the arrangements forthwith after they are made to the occupier of the land affected by them.
- (4) The owner of any land who is a party to any arrangements under this section in respect of the land may recover from the occupier of the land a sum equal to the amount of any drainage charges in respect of the land which, apart from the arrangements, would be payable by the occupier.
- (5) The occupier of any chargeable land may, by notice given to the river authority in whose area the land is situated,—
  - (a) determine that no arrangements under the foregoing provisions of this section shall be made in respect of the land and that any such arrangements previously made shall cease to have effect so far as they relate to the land and any drainage charge to be raised for a period beginning after the date on which the notice takes effect;
  - (b) revoke any determination under paragraph (a) above so far as it prohibits the making of such arrangements in respect of the land ;and a notice under this subsection shall take effect on the day following that on which it is given to the river authority.
- (6) It shall be the duty of a river authority to whom notice is given under subsection (5) of this section to send a copy of the notice to the owner of the land to which it relates.

**26 Power to require information.**

- (1) A river authority may serve on any person appearing to them to be the occupier of any land in their area a notice requiring him to furnish to the authority, within twenty-eight days beginning with the date of service of the notice on him, a return in writing, in such form as may be specified in the notice, containing such particulars as may reasonably be required for the purpose of enabling the authority to determine how much, if any, of the land occupied by him in their area is chargeable land and how much, if any, of it consists of commercial woodlands.
- (2) A river authority may make arrangements with the Minister for the exercise by him on behalf of the authority,  
  
in such cases as may be determined in pursuance of the arrangements, of the powers conferred on the authority by subsection (1) of this section; and any such arrangements shall contain provision for the reimbursement by the authority of any expenses incurred by the Minister in pursuance of the arrangements.
- (3) Subsections (4) and (5) of section 58 of the Local Government Act 1948 and so much of subsection (6) of that section as does not relate to imprisonment (which provide for a fine of twenty pounds for failure or continued failure to comply with a notice under that section requiring information and a fine of one hundred pounds for making false statements in a return to such a notice) shall apply for the purposes of this section as they apply for the purposes of that section.

**27 Minor and consequential modifications of enactments.**

- (1) Part I of the principal Act shall have effect subject to the modifications set out in Schedule 6 to this Act, being modifications consequential upon the charges provisions.
- (2) In section 5(2) of the principal Act (which requires any drainage charge to be raised in the year preceding that for which it is raised), for the words " in the year preceding that " there shall be substituted the words " before or during the year ".
- (3) In section 6(2) of the principal Act (which requires notice of the raising of a drainage charge to be affixed in a public or conspicuous place and published in a newspaper), the words from " affixed " to " and " shall be omitted.
- (4) In section 8(3) of the principal Act (which provides for notice of amendments of drainage charges to be served on each owner and occupier concerned) the words " owner and " shall be omitted.
- (5) In section 9(1) of the principal Act (which provides for appeals to quarter sessions in connection with demands for drainage charges) for the words from " on any ground " onwards there shall be substituted the words " he may appeal to the county court for the area in which the land or any part of it is situated ".
- (6) The references to chargeable hereditaments in section 8(4) of the Water Resources Act 1963, article 10(1) of the Thames Conservancy (New Functions of River Authorities in Thames Catchment Area) Order 1964 and article 5(1) of the Lee Conservancy Catchment Board (New Functions of River Authorities) Order 1965 shall continue to have the meaning assigned to them by the principal Act as originally enacted but shall be construed as including references to chargeable land.

## **28 Transitional provisions for general drainage charges.**

- (1) Nothing in the charges provisions shall affect any general drainage charge raised before the date of the passing of this Act, and accordingly the principal Act shall continue to have effect in relation to any such charge as if this Act had not been passed.
- (2) Any river authority who have raised a general drainage charge before the date aforesaid may, if they think fit, determine that this subsection shall apply to the authority for any of the years ending with 31st March 1969, 31st March 1970 or 31st March 1971 in respect of which the authority have not already made a determination under this subsection ; and where an authority have made a determination under this subsection with respect to any year they may raise a general drainage charge for that year as if section 52 of this Act and the charges provisions, except sections 21(2), 27(2) and (3) and 29 and this section, had not been passed.
- (3) A river authority who have made a determination under subsection (2) of this section may, if they think fit, also determine that this subsection shall apply to the authority for the year or years to which the determination under that subsection relates; and where an authority have made a determination under this subsection—
  - (a) the principal Act and any regulations under section 2 of that Act shall have effect, in relation to any general drainage charge to be raised by the authority in accordance with the said subsection (2) for the year or, as the case may be, each of the years aforesaid as if—
    - (i) section 2(3) of that Act (which defines precept rates) and any corresponding provision of the regulations were omitted; and
    - (ii) for any reference to the precept rate for any year in section 2(2) of that Act and those regulations there were substituted a reference to the amount produced by multiplying one penny by the quotient ascertained, for the purposes of the charge for the year in question, in pursuance of section 22(2) (a) of this Act; and
  - (b) the excepted provisions mentioned in subsection (2) of this section shall be treated as including section 22 of this Act so far as that section is required for the purposes of sub-paragraph (ii) above.
- (4) A river authority who have made a determination under subsection (2) of this section, or determinations under subsections (2) and (3) of this section, with respect to any year shall not be entitled to raise a general drainage charge for that year otherwise than in accordance with the provisions of the said subsection (2) or, as the case may be, of the said subsections (2) and (3); but subject to that, nothing in those subsections shall prevent a river authority from raising a general drainage charge in accordance with the charges provisions other than those subsections.

## **29 Interpretation etc.—drainage charges.**

- (1) In the charges provisions—
  - " chargeable land " means, in relation to a river authority area, the agricultural land and agricultural buildings in so much of the area as does not fall within an internal drainage district, excluding rough grazing land and woodlands other than commercial woodlands ;
  - " commercial woodlands " means woodlands managed on a commercial basis with a view to the realisation of profits;
  - " the principal Act " means the Land Drainage Act 1961; and

" rough grazing land " means land used as pasture ground on which the vegetation consists solely or mainly of one or more of the following, that is to say, bracken, gorse, heather, rushes and sedge, and land so used which is unsuitable for mowing by machine and on which the vegetation consists solely or mainly of grasses of poor feeding value.

- (2) The charges provisions shall be construed as one with the principal Act.
- (3) Without prejudice to subsection (2) of this section, references to the principal Act and Part I of that Act in section 51 of that Act (application to the Crown) and in section 52(4) of that Act (interpretation) shall be construed as including references to the charges provisions.

#### *Drainage rates*

### **30 Adjustment of annual values to secure fair distribution of burden of drainage rates.**

- (1) If a drainage board are of the opinion that the amount of the annual value of any relevant land in their district should, for the purpose of securing that the burden of the drainage rates payable in respect of all land in their district is fairly distributed so far as reasonably practicable among the persons liable to pay those rates, be increased or reduced having regard to changes in the circumstances by reference to which the annual value of the land in question or of any other relevant land in the district was fixed, the board may make a determination specifying as the annual value of that land such greater or smaller amount than the amount aforesaid as they consider just for that purpose, having regard to the changes and to any other alterations of annual values under this section made or proposed by the board.
- (2) If the owner or occupier of any relevant land in a drainage district is of the opinion that, having regard to such changes as aforesaid, the amount of the annual value of the land should be altered for the purpose mentioned in subsection (1) of this section, he may request the drainage board in writing to make such a determination in respect of the land as is so mentioned ; and where such a request is made the board shall either comply with it or, if they consider that no alteration of the value is required for the purpose aforesaid, determine that the request be refused.
- (3) Where a drainage board make a determination under the foregoing provisions of this section, they shall serve notice of the determination, together with a statement in writing of the rights of appeal conferred by section 32 of this Act, on the owner and occupier of the land to which the determination relates.
- (4) Subject to section 33 of this Act, where a determination in respect of any land is made under subsection (1) of this section, the annual value of the land shall, for the purposes of any drainage rate made after the effective date, be that specified in the determination ; and where such a determination specifying an annual value is made under subsection (2) of this section, the annual value of the land shall, for the purposes of any drainage rate made in respect of any period included in the financial year in which the request for the determination was made and any drainage rate made in respect of any subsequent period, be that specified in the determination.

For the purposes of this subsection—

" the effective date " means the date on which notices of the determination in question are served in pursuance of subsection (3) of this section on the

owner and occupier of the land to which the determination relates or, where the notices are served on different dates, the later of those dates; and

" financial year ", in relation to any drainage board, means the year fixed with respect to the board as mentioned in section 26(2) of the Land Drainage Act 1930.

- (5) Where the annual value of any land is altered by a determination under subsection (2) of this section and drainage rates for any period in respect of the land have been or are subsequently paid by reference to its annual value before the alteration, then if the period is one for which, in accordance with subsection (4) of this section, the amount of those rates falls to be assessed on the value specified in the determination, that amount shall be recalculated accordingly and any sum overpaid shall be repaid or allowed and any sum underpaid may be recovered as if it were arrears of drainage rates.
- (6) In this section " relevant land " means land in respect of which drainage rates fall to be assessed on, or on one-third of, the annual value of the land.

### **31 Apportionment of certain rateable values for purposes of drainage rates.**

- (1) Where the property which constitutes a hereditament for the purposes of drainage rates consists of or includes a part only of land for which a rateable value is shown in the current valuation list, the drainage board for the drainage district in which the hereditament is situated may if they think fit, and shall if the owner or occupier of the part in question requests them in writing to do so, determine that that list and each other valuation list from time to time in force in which a rateable value is shown for that land shall have effect—
- (a) for the purposes of subsections (4) to (6) of section 22 of the Land Drainage Act 1961 (which provide for the assessment of drainage rates by reference to rateable values); and
  - (b) for the purpose of arriving at the relative fraction in pursuance of section 23 of that Act in a case where any other part of that land is situated outside the drainage district aforesaid,

as if such proportion of the rateable value so shown as is specified in the determination were shown in the list in question as the rateable value for that part.

- (2) Where a drainage board make a determination under subsection (1) of this section, they shall serve notice of the determination, together with a statement in writing of the rights of appeal conferred by section 32 of this Act, on the owner and occupier of the part of the land to which the determination relates.
- (3) A determination made by a drainage board under this section shall, subject to section 33 of this Act, have effect for the purposes of any drainage rate made by the board on or after the effective date, but shall not affect any rate so made before that date ; and in this subsection " the effective date " means the date on which notices of the determination are served in pursuance of subsection (2) of this section on the owner and occupier there mentioned or, where the notices are served on different dates, the later of those dates.

### **32 Appeals against determinations under s.30 or s. 31.**

- (1) Where a determination in respect of any land is made by a drainage board under section 30 or section 31 of this Act, the owner and occupier of the land or either

of them may, subject to the following provisions of this section, appeal against the determination in accordance with those provisions.

- (2) An owner or occupier who wishes to appeal against such a determination must, before the expiration of the period of twenty-eight days beginning with the date of service of notice of the determination on him in pursuance of section 30 or section 31 of this Act, as the case may be, or of such longer period as the drainage board may allow either generally or in any particular case, serve on the board a notice objecting to the determination and stating the grounds of the objection.
- (3) Where notice of objection to a determination is served in pursuance of subsection (2) of this section, the drainage board may if they think fit, before the expiration of the period of twenty-eight days beginning with the date of service of the notice on them, cancel the determination and, subject to subsection (4) of this section, make in its place a fresh determination under the provisions of section 30 or section 31 of this Act under which the cancelled determination was made; and this section and the other provisions of those sections shall apply to the fresh determination accordingly.
- (4) Where notice of objection is served in pursuance of subsection (2) of this section in respect of a determination made by a drainage board under section 30(1) of this Act, the board may cancel the determination in accordance with subsection (3) of this section without making a fresh determination in its place; and in such a case the board shall serve notice of the cancellation on the person by whom the notice of objection was served on them.
- (5) Where notice of objection to a determination is served in pursuance of subsection (2) of this section and is not withdrawn before the expiration of the period mentioned in subsection (3) of this section and the drainage board do not cancel the determination in accordance with the said subsection (3), they shall, forthwith after the expiration of that period, transmit the notice and a note of the determination to the clerk to the local valuation panel for the time being constituted in pursuance of the General Rate Act 1967 for the area in which the land to which the determination relates is situated or, where different parts of that land are situated in different areas for which local valuation panels are so constituted, to the clerk to such one of those panels as may be determined by or under regulations made by the Minister.
- (6) The transmission in pursuance of subsection (5) of this section of a notice of objection to a determination of a drainage board shall constitute the lodging of an appeal against the determination, by the person who served the notice on the board, to a local valuation court constituted in accordance with section 33 of this Act.
- (7) The references in subsection (1) of this section to land in respect of which a determination is made under section 31 of this Act are references to the part of the land for which a value falls to be ascertained by reference to the determination.

### **33 Hearing and determination of appeals.**

- (1) It shall be the duty of the chairman or a deputy chairman of the local valuation panel to whose clerk a notice of objection is transmitted in pursuance of section 32 of this Act to arrange for the convening of a local valuation court to hear and determine the appeal to which the notice relates; and subsections (5) and (6) of section 88 of the said Act of 1967 shall apply to the constitution of the court and to the rehearing of the appeal in case of such a failure to agree as is mentioned in the said subsection (6).



- (2) Subsection (2) of section 76 of the said Act of 1967 (which regulates the procedure of local valuation courts) shall apply to a court convened in pursuance of subsection (1) of this section as if for the reference to the Minister of Housing and Local Government there were substituted a reference to the Minister and as if the reference to subsection (3) of that section were omitted.
- (3) On the hearing of an appeal to a local valuation court in pursuance of this section, the following persons, that is to say-
  - (a) the person whose notice of objection to the determination in question has resulted in the hearing; and
  - (b) any other person who is the owner or occupier of any land to which the determination relates; and
  - (c) the drainage board by whom the determination was made,shall be entitled to appear and be heard as parties to the appeal and to examine any witness before the court and to call witnesses.
- (4) The court to which an appeal is brought in pursuance of the foregoing provisions of this section shall, after hearing the persons mentioned in subsection (3) of this section or such of them as desire to be heard, either quash the determination to which the appeal relates or alter the determination in such manner as the court thinks just or dismiss the appeal.
- (5) Section 77 of the said Act of 1967 (which provides for appeals from local valuation courts to the Lands Tribunal) shall have effect in relation to a decision of a local valuation court under this section as if for the reference to section 76 of that Act there were substituted a reference to the foregoing provisions of this section and as if the words from " and the valuation officer " onwards were omitted.
- (6) Where the amount of any drainage rate has been calculated by reference to an annual value specified in a determination under section 30 of this Act or a rateable value attributable to a determination under section 31 of this Act and the determination is quashed or altered on appeal or cancelled in accordance with section 32(3) of this Act, then, except in so far as the parties agree otherwise, that amount shall be recalculated accordingly and any sum overpaid shall be repaid or allowed and any sum underpaid may be recovered as if it were arrears of drainage rates ; and where such a determination which has been quashed is subsequently restored on appeal, the amount of any drainage rate falling to be recalculated in consequence of the appeal shall, except as aforesaid, be recalculated accordingly and any sum overpaid shall be repaid or allowed and any sum underpaid may be recovered as aforesaid.

#### **34 Transfer to local valuation courts of appeals from certain decisions of drainage boards.**

- (1) Sections 32 and 33 of this Act shall apply to decisions of drainage boards under section 29(2) of the Land Drainage Act 1930 as they apply to determinations of drainage boards under section 30(1) of this Act, but as if for the reference in section 32(2) to the date of service of notice of the determination in pursuance of section 30 of this Act there were substituted a reference to the date of service of notice of the decision in pursuance of section 29(3) of the said Act of 1930 and as if for any reference in section 33(6) to a determination under section 30 of this Act there were substituted a reference to a decision under the said section 29(2).

- (2) Accordingly the said Act of 1930 shall have effect subject to the following amendments, that is to say—
- (a) in section 29(3) (which among other things provides for appeals to a magistrates' court from decisions under section 29(2)) for the words from " within twenty-eight days " onwards there shall be substituted the words " appeal against the decision in accordance with section 34 of the Agriculture (Miscellaneous Provisions) Act 1968 ";
  - (b) in section 30(1) for the words " under the last preceding section have appealed to a court of summary jurisdiction " there shall be substituted the words " have appealed in pursuance of section 29(3) of this Act "; and
  - (c) in section 31(3) for the words " to a court of summary jurisdiction " there shall be substituted the words " on an appeal in pursuance of section 29(3) of this Act ".

### **35 Registers of drainage hereditaments.**

- (1) It shall be the duty of each drainage board—
- (a) to prepare in the prescribed form and within the prescribed period, or such longer period as the Minister may allow in any particular case, a register containing the prescribed information in respect of the drainage hereditaments in their district and a map showing the prescribed particulars of such of those hereditaments as are of the prescribed description;
  - (b) to maintain the register and map prepared by them in pursuance of paragraph (a) above and to alter the register or map in such circumstances and in such manner and within such periods as may be prescribed; and
  - (c) to keep the register and map maintained by them in pursuance of this subsection open to inspection at prescribed places by members of the public at all reasonable times.
- (2) In subsection (1) of this section " prescribed " means prescribed by regulations made by the Minister.

### **36 Supplemental provisions—drainage rates.**

- (1) In section 92(1) of the General Rate Act 1967 (which among other things relates to the appointment of persons to assist local valuation panels in the performance of their functions under Part V of that Act) the reference to Part V of that Act shall include a reference to section 33 of this Act.
- (2) In section 75 of the Land Drainage Act 1930 (service of notices) and section 77 of that Act (Crown application), references to that Act shall be construed as including references to sections 30 to 34 of this Act.

### *Grants to drainage authorities*

### **37 Further powers to make grants and advances to drainage authorities.**

- (1) The Minister may, with the approval of the Treasury, make to a river authority grants in respect of expenditure incurred by the authority, and advances on account of expenditure to be incurred by the authority, in connection with the authority's functions

under section 34(1)(b) or (c) of the Land Drainage Act 1930 (which relate to the improvement of existing works and the construction of new works)—

- (a) in making payments arising from the exercise of any of the powers conferred on the authority by sections 65 and 66 of the Water Resources Act 1963 (which among other things provide for the acquisition of land and rights over land);
- (b) in providing housing accommodation for persons employed or to be employed by the authority in controlling works of such a kind or so located that those persons are or will be required to reside in the vicinity of the works;
- (c) in making payments in pursuance of subsection (3) of section 34 of the said Act of 1930 (which provides for compensation for injury arising from the exercise of the powers conferred by that section);
- (d) in paying compensation in pursuance of section 38(1C) of the said Act of 1930 (which relates to injury arising from the deposit of matter on the banks of water courses) in respect of injury which the Minister considers was or will be unavoidable,

and grants in respect of or advances on account of expenditure incurred or to be incurred in carrying out works for the rebuilding or repair of any bridge maintained by the authority, other than works appearing to the Minister to be maintenance works of a routine kind.

- (2) The Minister may, with the approval of the Treasury, make to an internal drainage board grants in respect of expenditure incurred by the board, and advances on account of expenditure to be incurred by the board, in carrying out works for the rebuilding or repair of any bridge maintained by the board, other than works appearing to the Minister to be maintenance works of a routine kind.
- (3) Where a drainage authority are about to incur expenditure in respect of which it appears to the Minister that a grant will be payable under section 38(2) of the Land Drainage Act 1961 (which provides for grants in respect of certain expenditure incurred with a view to the carrying out of drainage works), the Minister may, with the approval of the Treasury, make advances to the authority on account of the expenditure.
- (4) The Minister may, with the approval of the Treasury, make to a river authority grants in respect of the cost of any works executed by the authority in pursuance of section 35 of the said Act of 1961 (under which a drainage board may execute by agreement with and at the expense of any other person any drainage works which that person is entitled to execute); and the reference to expense in that section shall be construed as excluding the amount of any grant paid under this subsection in respect of the works in question.
- (5) Nothing in the foregoing provisions of this section shall be construed as prejudicing any power of the Minister to make grants or advances under any other enactment.
- (6) Expressions used in this section and the said Act of 1930 have the same meanings in this section as in that Act.