



# Water Act 1989

## 1989 CHAPTER 15

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Other supplemental provisions*

#### **192 Application to Crown land etc.**

- (1) Subject to the following provisions of this section, the provisions of this Act shall have effect in relation to land in which there is a Crown or Duchy interest as they have effect in relation to land in which there is no such interest.
- (2) Subject to subsection (3) below, a power which is conferred by or under this Act in relation to land shall be exercisable in relation to any land in which there is a Crown or Duchy interest only with the consent of the appropriate authority.
- (3) Subsection (2) above shall not require any consent to be given—
  - (a) for the exercise of any power in relation to any land in which there is a Crown or Duchy interest to the extent that that power would be so exercisable apart from subsection (1) above;
  - (b) for the imposition in relation to any premises in which there is a Crown or Duchy interest of any charges for a service provided by a water undertaker or sewerage undertaker in the course of carrying out its functions;<sup>F1</sup> . . .
  - <sup>F1</sup>(c) . . . . .but nothing in this section shall be construed as authorising the Authority to require the Crown to make any payment to the Authority in respect of any premises.
- (4) A consent given for the purposes of subsection (2) above may be given on such financial and other conditions as the appropriate authority giving the consent may consider appropriate.
- (5) In this section—

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*Changes to legislation: There are currently no known outstanding effects for the Water Act 1989, Section 192. (See end of Document for details)*

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“the appropriate authority” has the same meaning as in [<sup>F2</sup>section 293 of the <sup>M1</sup>Town and Country Planning Act 1990]; and

“Crown or Duchy interest” means an interest belonging to Her Majesty in right of the Crown or of the Duchy of Lancaster, or to the Duchy of Cornwall, or belonging to a government department or held in trust for Her Majesty for the purposes of a government department;

and the provisions of [<sup>F2</sup>subsection (3) of the said section 293] as to the determination of questions shall apply for the purposes of this section.

#### **Textual Amendments**

- F1** S. 192(3)(c) and preceding word repealed by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c.60, SIF 130\)](#), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1) 15)
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 81(3)**

#### **Modifications etc. (not altering text)**

- C1** S. 192 applied (Isles of Scilly) (1.11.2019) by [The Isles of Scilly \(Application of Water Legislation\) Order 2019 \(S.I. 2019/1259\)](#), arts. 2(1), **3(1)(c)**

#### **Marginal Citations**

- M1** 1990 c. 8.

**Changes to legislation:**

There are currently no known outstanding effects for the Water Act 1989, Section 192.