



# Land Drainage Act 1976

## 1976 CHAPTER 70

### PART I

#### INTRODUCTORY

##### *Water authorities*

1—3. ....<sup>F1</sup>

#### Textual Amendments

**F1** Ss. 1–3, 20, 62, 117(4), Sch. 5 para. 7 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

VALID FROM 01/12/1991

4, 5. ....<sup>F2</sup>

#### Textual Amendments

**F2** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), Ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

*Status:* Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

*Changes to legislation:* There are currently no known outstanding effects for the Land Drainage Act 1976. (See end of Document for details)

*Internal drainage boards*

VALID FROM 01/12/1991

6, 7. .... F3

**Textual Amendments**

**F3** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

*Main rivers and their control*

VALID FROM 01/12/1991

8, 9. .... F4

**Textual Amendments**

**F4** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

*Transfers of functions and reorganisation of internal drainage districts*

VALID FROM 01/12/1991

10— ..... F5  
13.

**Textual Amendments**

**F5** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

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**Changes to legislation:** There are currently no known outstanding effects for the Land Drainage Act 1976. (See end of Document for details)

*Review of boundaries, supervision and exercise of functions in default*

VALID FROM 01/12/1991

14— ..... F6  
16.

**Textual Amendments**

**F6** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

**PART II**

**POWERS OF DRAINAGE AUTHORITIES**

*Carrying out drainage works, etc.*

VALID FROM 01/12/1991

17— ..... F7  
19.

**Textual Amendments**

**F7** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

*Drainage works concerning more than one drainage authority*

20 ..... F8

**Textual Amendments**

**F8** Ss. 1–3, 20, 62, 117(4), Sch. 5 para. 7 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

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VALID FROM 01/12/1991

21 ..... F9

**Textual Amendments**

**F9** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118](#), **reg. 12**)

*Arrangements with other persons and powers as respects the obligations and rights of other persons*

VALID FROM 01/12/1991

22— ..... F10  
27.

**Textual Amendments**

**F10** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118](#), **reg. 12**)

*Control of obstructions in and structures in, over or under watercourses*

VALID FROM 01/12/1991

28, 29. .... F11

**Textual Amendments**

**F11** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118](#), **reg. 12**)

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### *Schemes for drainage of small areas*

VALID FROM 01/12/1991

**30, 31.** ..... F12

#### **Textual Amendments**

**F12** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118](#), **reg. 12**)

### *Flood warning systems*

VALID FROM 01/12/1991

**32** ..... F13

#### **Textual Amendments**

**F13** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118](#), **reg. 12**)

### *Incidental powers*

VALID FROM 01/12/1991

**33—** ..... F14  
**39.**

#### **Textual Amendments**

**F14** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118](#), **reg. 12**)

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**PART III**

RESTORATION AND IMPROVEMENT OF DITCHES

VALID FROM 01/12/1991

40— ..... F15  
44.

**Textual Amendments**

**F15** Ss. 21–61, 106–115 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by S.I. 1990/118, **reg. 12**)

**PART IV**

RAISING OF REVENUE BY DRAINAGE AUTHORITIES

*Power of water authorities to require payment of their land drainage expenses by local authorities*

VALID FROM 01/12/1991

45— ..... F16  
47.

**Textual Amendments**

**F16** Ss. 21–61, 106–115 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by S.I. 1990/118, **reg. 12**)

*Power of water authorities to raise drainage charges*

VALID FROM 01/12/1991

48— ..... F17  
51.

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**Textual Amendments**

**F17** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118](#), **reg. 12**)

*Supplementary provisions as to drainage charges*

VALID FROM 01/12/1991

**52—** ..... **F18**  
**61.**

**Textual Amendments**

**F18** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47 in Sch. 2 para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118](#), **reg. 12**)

*Alternative basis for financing drainage expenses of water authorities*

**62** ..... **F19**

**Textual Amendments**

**F19** Ss. 1–3, 20, 62, 117(4), Sch. 5 para. 7 repealed by [Water Act 1989](#) (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

*Power of internal drainage boards to raise drainage rates*

VALID FROM 01/12/1991

**63, 64.** ..... **F20**

**Textual Amendments**

**F20** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

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65, 66. .... F21

**Textual Amendments**  
F21 Ss. 65, 66, 70, 73, 80(1), 81 repealed by S.I. 1991/523, reg. 8

VALID FROM 01/12/1991

67— ..... F22  
69.

**Textual Amendments**  
F22 Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), Sch.3 (with s. 2, Sch. 2 paras. 10, 14(1), 15)

70 ..... F23

**Textual Amendments**  
F23 Ss. 65, 66, 70, 73, 80(1), 81 repealed by S.I. 1991/523, reg. 8

*Supplementary provisions as to drainage rates*

VALID FROM 01/12/1991

71, 72. .... F24

**Textual Amendments**  
F24 Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), Sch.3 (with s. 2, Sch. 2 paras. 10, 14(1), 15)

73 ..... F25

**Textual Amendments**  
F25 Ss. 65, 66, 70, 73, 80(1), 81 repealed by S.I. 1991/523, reg. 8



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VALID FROM 01/12/1991

74— ..... F26  
79.

**Textual Amendments**

**F26** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch.3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

80  
(1) ..... F27  
(2) ..... F28

**Textual Amendments**

**F27** Ss. 65, 66, 70, 73, 80(1), 81 repealed by S.I. 1991/523, **reg. 8**  
**F28** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch.3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

81 ..... F29

**Textual Amendments**

**F29** Ss. 65, 66, 70, 73, 80(1), 81 repealed by S.I. 1991/523, **reg. 8**

VALID FROM 01/12/1991

82, 83. .... F30

**Textual Amendments**

**F30** Ss. 82–100 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch.3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for s. 89, in Sch. 2 para. 2(5))

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### *Miscellaneous revenue-raising powers*

VALID FROM 01/12/1991

84— ..... F31  
 88.

#### **Textual Amendments**

**F31** Ss. 82–100 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), sS. 3, 4(2), Sch. 3 (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for s. 89, in Sch. 2 para. 2(5))

### *Interpretation of Part IV*

VALID FROM 01/12/1991

89 ..... F32

#### **Textual Amendments**

**F32** Ss. 82–100 (1.12.1991) repealed by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), sS. 3, 4(2), Sch. 3 (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for s. 89, in Sch. 2 para. 2(5))

## PART V

### POWERS OF THE MINISTER AND LOCAL AUTHORITIES

#### *Powers of the Minister*

VALID FROM 01/12/1991

90— ..... F33  
 96.

#### **Textual Amendments**

**F33** Ss. 82–100 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for s. 89, in Sch. 2 para. 2(5))

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### *Powers of local authorities*

VALID FROM 01/12/1991

**97—** ..... **F34**  
**100.**

#### **Textual Amendments**

**F34** Ss. 82–100 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (subject to a saving for s. 89, in Sch. 2 para. 2(5))

**101** ..... **F35**

#### **Textual Amendments**

**F35** S. 101 repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**

VALID FROM 01/12/1991

**102—** ..... **F36**  
**104A.**

#### **Textual Amendments**

**F36** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 3, 4(2), **Sch.3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

## **PART VI**

### **MISCELLANEOUS AND GENERAL**

#### **105 Provisions relating to London.**

Schedule 5 to this Act, which contains provisions relating to London, shall have effect.

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VALID FROM 01/12/1991

106— ..... F37  
115.

**Textual Amendments**

**F37** Ss. 21–61, 106–115 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 3, 4(2), [Sch.3](#) (with s. 2, [Sch. 2](#) paras. 10, 14(1), 15) (subject to a saving for ss. 45 to 47, 89 and 110 in [Sch. 2](#) para. 2(5) and as so saved ss. 46(8), 47(1) are amended by [S.I. 1990/118, reg. 12](#))

**116 Interpretation.**

(1) In this Act, unless the context otherwise requires—

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“drainage” includes defence against water (including sea water), irrigation, other than spray irrigation, and warping;

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..... F38

“land” includes water and any interests in land or water and any easement or right in, to, or over land or water;

“land drainage” means the drainage of land and the provision of flood warning systems, and “land drainage functions” shall be construed accordingly;

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[<sup>F39</sup>“London excluded area” means so much of Greater London and of any area adjoining Greater London as did not on 31st March 1986 lie, for the purpose of the exercise of land drainage functions, within the area of any water authority;]

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(2) ..... F38

**Textual Amendments**

- F38** S. 116 repealed, except so much of subsection (1) as defines “drainage”, “land”, “land drainage”, “land drainage functions” and “the London excluded area” by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), s. 3, **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
- F39** Words in s. 116(1) substituted by S.I. 1986/208, **Sch. 1 para. 5**

**117 Transitional provisions, consequential amendments, repeals and saving.**

(1) ..... F40

(2) The enactments mentioned in Schedule 7 to this Act shall in consequence of this Act, be amended as there provided.

(3) ..... F40

(4) ..... F41

**Textual Amendments**

- F40** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
- F41** Ss. 1–3, 20, 62, 117(4), Sch. 5 para. 7 repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

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

- C1** The text of s. 117(2), Sch. 7 paras. 3, 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**118 Short title, commencement and extent.**

(1) This Act may be cited as the Land Drainage Act 1976.

(2) This Act shall come into force immediately after the coming into force of the <sup>M1</sup>Land Drainage (Amendment) Act 1976.

(3) ..... <sup>F42</sup>, this Act extends to England and Wales only.

**Textual Amendments**

- F42** Words repealed (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

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

- C2** 17.1.1977 appointed for commencement of [Land Drainage \(Amendment\) Act 1976 \(c. 17\)](#) by S.I. 1976/2244

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**Marginal Citations**

**M1** 1976 c. 17.

**Status:**

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**Changes to legislation:**

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