



# 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**F1** Ss. 1–3, 20, 62, 117(4), Sch. 5 para. 7 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt.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)

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**F2** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), Ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

##### *Internal drainage boards*

6, 7. ....<sup>F3</sup>

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

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**F3** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)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

**8, 9.** ..... <sup>F4</sup>

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**F4** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)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

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**F5** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

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

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**F6** Ss. 4–19, 63, 64, 67–69, 71, 72, 74–79, 80(2)–(4), 102–104A, 117(1)(3), Sch. 6, Sch. 7 paras. 6, 8, Sch. 8 repealed (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 3, 4(2), **Sch. 3** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

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

## PART II

### POWERS OF DRAINAGE AUTHORITIES

#### *Carrying out drainage works, etc.*

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)

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*

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**)

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

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

**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**)

*Schemes for drainage of small areas*

**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*

**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*

**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**)

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

### PART III

#### RESTORATION AND IMPROVEMENT OF DITCHES

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*

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*

48— ..... F17  
51.

##### 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*

52— ..... F18  
61.

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

**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*

**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)

**65, 66.** ..... **F21**

**Textual Amendments**

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

**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**

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

**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*

**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) 1by 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**

**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**

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

**Textual Amendments**

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

**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))

*Miscellaneous revenue-raising powers*

**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*

**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*

**90—** ..... **F33**  
**96.**



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

**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))

*Powers of local authorities*

**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**

**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.

**106—** ..... **F37**  
**115.**

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

**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  
..... 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;

..... F38  
..... F38  
..... F38  
..... F38

[<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

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

**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) ..... **F42**, 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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*Changes to legislation: There are currently no known outstanding effects  
for the Land Drainage Act 1976. (See end of Document for details)*

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**Marginal Citations**

**M1** 1976 c. 17.

**Changes to legislation:**

There are currently no known outstanding effects for the Land Drainage Act 1976.