



Water Resources Act 1991

1991 CHAPTER 57

PART VI

FINANCIAL PROVISIONS IN RELATION TO THE AUTHORITY

CHAPTER II

REVENUE PROVISIONS

Water resources charges

129 Directions and appeals with respect to exercise of powers under sections 127 and 128

- (1) The Secretary of State may give directions as to the exercise by the Authority of its powers under sections 127 and 128 above.
- (2) Without prejudice to the exercise of the power conferred by subsection (1) above, if on any application under section 127 or 128 above—
 - (a) the Authority refuses to make or terminate an agreement under section 127 above; or
 - (b) the applicant objects to the proposals of the Authority—
 - (i) as to the terms of such an agreement; or
 - (ii) as to the conditions subject to which such an agreement is to be terminated,and that objection is not withdrawn,
the applicant or the Authority may refer the question in dispute to the Secretary of State.
- (3) On a reference under subsection (2) above—
 - (a) the Secretary of State shall determine the question in dispute, having regard to the matters to which, in accordance with subsection (3) of section 127 above,

Status: This is the original version (as it was originally enacted).

- the Authority would be required to have regard in relation to the applicant on an application under that section; and
- (b) may give directions to the Authority requiring it to make an agreement with the applicant in accordance with his decision.
- (4) Section 68 above shall have effect for the purposes of so much of this section as relates to a reference to the Secretary of State as if references in that section to Chapter II of Part II of this Act included references to this section.
- (5) Any decision of the Secretary of State on a reference under subsection (2) above shall be final; and section 69 above shall apply in relation to the decision on a reference under this section as it applies in relation to a decision on a reference such as is mentioned in subsection (1)(b) of that section, but as if references to the other party were references to the applicant.