

(2) General Regulations

THE LAND DRAINAGE (GENERAL) REGULATIONS, 1932,
DATED FEBRUARY 10, 1932, MADE BY THE MINISTER
OF AGRICULTURE AND FISHERIES UNDER THE LAND
DRAINAGE ACT, 1930 (20 & 21 GEO. 5. C. 44).

1932 No. 64

The Minister of Agriculture and Fisheries in exercise of the powers conferred upon him under the Land Drainage Act, 1930, hereby makes the following regulations :—

Section 9,
subsection
(2).

1. * Notice of a proposal of a Catchment Board to commute any obligation imposed on any person by reason of tenure, custom, prescription or otherwise, to do any works, (whether by way of repairing of banks, maintaining of watercourses or otherwise) in connection with the main river, shall specify the terms on which the obligation is to be commuted and the time within which objection to the proposal may be made to the Catchment Board, and shall be given in the manner prescribed by Article 8 of these Regulations.

Section 40,
subsections
(3) and (4).

2.—(1) A drainage board intending to enter into an arrangement with a navigation or conservancy authority for any of the purposes set out in Section 40 of the Land Drainage Act, 1930, shall publish a notice of such intention inserted as an advertisement in one or more newspapers circulating in the drainage district at least one calendar month before the arrangement is made.

(2) When a Drainage Board has made an arrangement under the said Section, the notice of the arrangement to be published in the London Gazette shall contain the following particulars :—

- (a) the names of the authorities making the arrangement ;
- (b) the date of the arrangement ;
- (c) the purpose or purposes for which the arrangement has been made ;
- (d) the place where a copy of the arrangement may at all reasonable times for a period of one month from the date of the publication of the notice be inspected by persons interested.

Section 49,
subsections
(1) and (2).

3.—(1) The date in every year before which a drainage board shall send to the Minister a report of their proceedings during the year ending the thirty-first day of March shall be the first day of July following.

(2) The report shall, in the case of a Catchment Board, be in the Form A in the Schedule to these Regulations, and in the case of any other drainage board in the Form B in the Schedule to these Regulations, and shall contain such information as is prescribed by those forms, together with such additional information as the Minister either generally or in individual cases may from time to time require.

4.—(1) Notice of the making of a draft scheme under Section fifty-two of the Land Drainage Act, 1930, for the improvement of an area, and of the place where it can be inspected and of the time within which objections to the scheme may be presented to the Council shall be given in the manner prescribed by Article 8 of these Regulations to the owner and occupier of land comprised within the area and to any navigation authority or other body or person appearing to the Council to be affected by the scheme.

Section 52,
subsection
(2).

(2) A copy of the notice shall be published in a newspaper circulating in the district in which the area is situate.

5.—(1) If any person interested in any land desires to drain it and for that purpose considers it necessary that new drains should be opened through lands belonging to another person or that existing drains in land belonging to another person should be cleansed, widened, straightened or otherwise improved, he shall make application as hereafter specified to that other person (in this Regulation referred to as "the adjoining owner") for leave to make such drains or improvements in drains through or on his lands.

Section 58,
subsection
(2). Fifth
Schedule.
Part II,
para 8.

(2) The application shall be in writing and shall contain the following particulars :—

- (a) the nature of such drains or improvements in drains, together with a map or plan on which the length, width and depth of the proposed drains or improvements in drains shall be delineated ;
- (b) the amount of the compensation, if any, which the applicant is willing to pay to the owner.

(3) The application shall be served in the manner prescribed in Article 8 of these Regulations upon the adjoining owner.

(4) (a) If by means of the construction of any drain to which this Regulation relates any natural watercourse will be diverted from its ordinary channel into any other watercourse, the application containing the particulars prescribed in paragraph (2) of this Regulation (except the map or plan) to construct such drain shall be served in the manner prescribed in Article 8 of these Regulations upon every owner of land abutting upon the watercourse into which the diversion is to be made and situate within four miles of the point of junction, and upon all other persons interested, and a copy thereof shall be published by the applicant by means of a notice inserted as an advertisement in one or more newspapers circulating in the locality in which the drain proposed to be constructed is situate.

(b) The applicant shall also deposit a copy of the application with the map attached with the Clerk of the Peace of the County wherein the proposed drain is situate.

6.—(1) Where any persons interested in any land are of opinion that it is capable of improvement by drainage works but these works cannot be executed by reason of the objection or disability of any person whose land would be entered upon, cut through or interfered with by or for the purpose of such works, desire an order authorising them to execute such drainage works as are expedient with a view to

Section 59,
subsections
(2) and (3).

LAND DRAINAGE AND IMPROVEMENT OF LAND

the improvement of the land and make an application to the Minister for this purpose, the application under this Regulation shall contain the following particulars :—

- (a) the names of the persons by whom the proposed works are to be executed ;
- (b) the nature of the proposed works, together with a map or plan showing the proposed works ;
- (c) the description and situation of the land required to be entered upon, cut through or interfered with for the purpose of the proposed works or likely to be affected thereby ;
- (d) a schedule showing the reputed owners and occupiers of the land proposed to be improved by drainage works ;
- (e) the estimated cost of the proposed works, including the amount of the compensation money in respect of land required to be entered upon, cut through or interfered with ;
- (f) a statement of the actual condition of the land proposed to be drained or improved, and the probable increased value of the land consequent upon the proposed works ;
- (g) such further particulars as the Minister may require.

(2) Notice of the application and of the place where it can be inspected and of the time within which objections to the proposed works may be made to the Minister shall be given in the manner prescribed by Article 8 of these Regulations, to any person, not being a party to the application, whose lands are proposed to be cut through, entered upon or interfered with, or to any drainage authority having jurisdiction in any district or area within which all or any of the proposed works are to be executed. A copy of the notice shall be published in a newspaper circulating in the district in which all or any of the proposed works are to be executed.

(3) Every notice under this Regulation shall contain the following particulars :—

- (a) the nature of the proposed works ;
- (b) the description and situation of the land required to be entered upon, cut through or interfered with for the purposes of the proposed works or likely to be affected thereby, and the names of the reputed owners, lessees and occupiers thereof ;
- (c) the names of the persons by whom the proposed works are to be executed ;
- (d) the place where a copy of the application, together with the plan annexed thereto, may at all reasonable times within the period prescribed by this Regulation for the making of objections, be inspected.

(4) The notice shall also state that any objection must be presented to the Minister, and every notice sent to an owner, lessee or occupier or to any drainage authority shall state the period within which an objection may be so presented to him in accordance with these Regulations.

(5) The period within which an objection to the application may, under paragraph (4) of this Regulation, be presented to the Minister by a person interested in the land to which the application relates or by a drainage authority having jurisdiction in any district or area within which all or any of the proposed works are to be executed shall be the period of one calendar month from and after the date on which notice of the application is sent to him or them ; or if no notice is sent to him or them, in that case from and after the date of the advertisement of a notice of the application.

7. The persons or bodies affected by an Order under the Land Drainage Act, 1930, who have an interest sufficient for the presentation of a memorial that the Order shall not become law without confirmation by Parliament shall be such as are prescribed in this Regulation. Second Schedule.
Part II,
para. 1.

(a) In the case of an Order directing that an area shall be added to the First Schedule to the said Act, or that an area for the time being included in the said Schedule shall be removed therefrom, or that such alterations, whether by the combination or re-grouping of catchment areas or otherwise, as the Minister may think fit, shall be made in the said Schedule—

(i) the council of any county or county borough within the area ;

(ii) any harbour authority, conservancy authority, navigation authority, or drainage board within the area.

(b) In the case of an Order confirming a scheme of a Catchment Board making provision for the alteration of the boundaries of any internal drainage district, or the amalgamation of the whole or any part of any internal drainage district with any other such district, or the abolition or reconstitution of any internal drainage district and of the drainage board thereof, or the constitution of new internal drainage districts and drainage boards or the constitution of drainage boards for all or any of the separate drainage districts constituted by the scheme, or the amendment of the method of constituting a drainage board, or the making of alterations in, and the additions of supplemental provisions to, the provisions of any local Act, or of any award made under any such Act, or any matter supplemental or consequential thereto—

(i) the drainage authority of the existing drainage area ;

(ii) the proprietors of not less than one-sixth part of the lands within the area affected.

(c) In the case of an Order for the constitution of an area which is not comprised within a Catchment area as a separate drainage district or for the alteration of the boundaries of any drainage district or drainage area, or for abolishing or reconstituting any drainage district, and the drainage board thereof, or for amending the method of constituting a drainage board, or for altering or supplementing the provisions of any local Act, or of any award made under any such Act—

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- (i) the proprietors of not less than one-sixth part of the lands within the area affected by the proposed Order ; and
 - (ii) the drainage authority of the existing drainage area.
- (d) In the case of an Order confirming a scheme of a catchment board for revoking, varying or amending any provision in an award made under any public or local Act which in any manner affects or relates to land drainage in a catchment area :—
- (i) the proprietor of any land affected by the award.
- (e) In the case of an Order for the transfer to a catchment board or to a council of an administrative county or county borough of the powers, duties, liabilities, obligations and property of a drainage authority or drainage board.
- (i) the drainage authority or drainage board.
- (f) In the case of an Order revoking, varying or amending the provision of any local Act relating to navigation rights over, or to the powers and duties of any navigation authority with respect to any waters within any drainage district—
- (i) the navigation authority concerned and any harbour authority, conservancy authority or navigation authority, with whose area of jurisdiction the waters of the navigation authority concerned connect.
- (g) In the case of any Order under the said Act—
- (i) the council of any administrative county or county borough or the catchment board of any catchment area in which a drainage area affected by the Order, or the drainage district proposed to be constituted by the Order, or any part of the area or district is situate ; and
 - (ii) any body or person certified by the Minister to be affected by the Order and to have an interest sufficient for the presentation of a memorial.

8.—(1) Any notice required to be given by these Regulations to any person or in respect of any land, shall be served by registered post or by delivery to or at the residence of the person to whom it is addressed, or where addressed to the owner or occupier of premises, by delivery of the notice or a copy thereof to some person on the premises or, if there is no person on the premises to whom the notice or a copy can be delivered, by fixing the notice or a copy thereof on some conspicuous part of the premises.

(2) Any notice required to be given by these Regulations to a corporation or public body shall be sent by registered post or left at the principal office of business of such corporation or public body, or if no such office can after diligent enquiry be found, shall be sent by registered post or served on some principal officer, if any, of such corporation or public body.

(3) Any notice required to be given by these Regulations ;

General Regulations

- (i) in the case of land under the management of the Commissioners of Crown Lands shall be given to those Commissioners ;
- (ii) in the case of land belonging to the Duchy of Lancaster shall be given to the Clerk of the Council of the Duchy at the Office for the time being of the Duchy ;
- (iii) in the case of land vested in, or enjoyed by, the Duchy of Cornwall, or the possessor for the time being of the Duchy of Cornwall, shall be given to the Secretary to the Council of that Duchy ; and
- (iv) in the case of land under the management of the Board of Trade shall be given to the Secretary of that Board.

9. These Regulations may be cited as “The Land Drainage (General) Regulations, 1932”.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this tenth day of February, Nineteen hundred and thirty-two.

(L.S.)

A. T. A. Dobson,
Assistant Secretary.

SCHEDULE

FORM A.

Catchment Boards

Title of Local Authority in full.

CATCHMENT BOARD.

If the Catchment Board is the successor of another Authority.
Name of that Authority

RETURN of the RECEIPTS (OR INCOME) and EXPENDITURE of the above-mentioned authority during the year ended 31st March, 19 .

Names of Administrative Counties or County Boroughs which are wholly or partially situated within the Catchment Area.	Rateable Value, on 1st April, 193 , of the hereditaments within the Catchment Area which are situated within each County or County Borough.
	£
Total Rateable Value as furnished by the Councils of the above-mentioned Counties or County Boroughs.	

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ABSTRACT of the Receipts (or Income) and Expenditure of the

PART I.—RECEIPTS (or Income), other than Capital Receipts.

				£
1. From Councils of Counties or County Boroughs (Section 20 (1) of the Land Drainage Act, 1930) :—				
Name of County or County Borough.	£	Name of County or County Borough. Brought forward....	£	
_____		_____		
_____		_____		
_____		_____		
Carried forward		Total carried out		
2. From Internal Drainage Boards :—				
Name of Drainage Board.	£	Name of Drainage Board. Brought forward....	£	
_____		_____		
_____		_____		
_____		_____		
Carried forward		Total carried out		
3. From Other Local Authorities :—				
Names of Local Authorities.			£	

4. Government Grants (other than Capital Grants)				
5. Tolls and Dues				
6. Other Receipts (or Income), not being Capital Receipts				
7. Total Receipts (or Income), other than capital receipts excluding balance				
8. Balances in hand at commencement of year				
9. Balances overdrawn at end of year				
10. Total Receipts (or Income) and Balances (agreeing with Total opposite)				

PART II.

				£
1. Government Grants for capital purposes				
2. Loans raised to repay earlier loans				
3. Loans raised for the construction, etc., of works				
4. Transfers from Revenue Account (for capital works)				
5. Other Receipts (or Income) on Capital Account				
6. Total Receipts (or Income) on Capital Account				
7. Balance in hand at commencement of year				
8. Balance overdrawn at end of year				
9. Total Receipts (or Income) and Balances (agreeing with Total opposite)				

General Regulations

Catchment Board, Year ended 31st March, 19

PART I.—EXPENDITURE, other than Capital Expenditure.

	£	£
11. Loan Charges :—		
(a) Amount of principal repaid during the year otherwise than out of sinking funds or out of unexpended balance of loans*		
(b) Amount paid for interest (including income tax on interest)		
(c) Amount paid to sinking funds		
(* NOTE.—Sums paid off by means of re-borrowings should not be shown here, but in Part II. Repayments of loans met out of sinking funds should not be included here, but should be entered in Parts III and IV.)		
12. Construction, Improvement and Maintenance of Works, including wages and working expenses, rates, taxes and insurance, in respect of works :—	£	
(a) Construction of new works		
(b) Improvement of existing works		
(c) Maintenance of works		
13. Salaries or Other Remuneration of Members and Officers and Establishment Charges		
14. Transfers to Capital Account (i.e., capital expenditure met out of revenue)		
15. Contributions to Internal Drainage Boards		
16. Other Expenditure not being Capital Expenditure		
17. Total Expenditure, other than capital expenditure, excluding balances		
18. Balances overdrawn at beginning of year		
19. Balances in hand at end of year		
20. Total Expenditure and Balances (agreeing with Total opposite)		

CAPITAL ACCOUNT.

	£	£
10. Capital Expenditure on :—		
(a) Construction of new works		
(b) Improvement of existing works		
11. Loans repaid by means of other loans	£	
12. Unexpended balances of loans and other capital receipts :—		
(a) Transferred to sinking funds		
(b) Applied in repayment of loans to lenders		
13. Total Capital Expenditure		
14. Balance overdrawn at commencement of year		
15. Balance in hand at end of year		
16. Total Capital Expenditure and Balances (agreeing with Total opposite)		

LAND DRAINAGE AND IMPROVEMENT OF LAND

YEAR ending in March, 19 .

Catchment Board.

PART III.—LOANS.	£
Amount of loans outstanding at the commencement of the year	
<i>Add</i> —Loans (if any) borrowed during the year for the purpose of	
paying off other loans 	
Loans raised during the year for the Construction, etc.,	
of works 	
	£
<i>Deduct</i> —Amount of principal repaid during the year :—	
Out of other loans 	
Out of unexpended balances of loans 	
Out of other capital receipts 	
Out of sinking funds or redemption funds	
(invested or uninvested) 	
Out of income (other than income paid into	
sinking funds or redemption funds, invested	
or uninvested) 	
Amount of loans outstanding at the end of the year 	

**PART IV.—SINKING FUNDS OR REDEMPTION FUNDS (invested or uninvested)
for the REPAYMENT of BORROWED MONEYS.**

Amount standing to the credit of the funds at the commencement of the year 	£
<i>Amount paid into the funds during the year :—</i>	
<i>Interest and dividends accruing to the funds during the</i>	
<i>year </i>	£
Unexpended balances of loans transferred to the funds	
Other moneys, set aside out of income, etc. 	
Amount taken out of the funds during the year and applied to the repayment of principal 	
Amount standing to the credit of the funds at the end of the year	

I hereby certify that the foregoing are correct accounts for the year ended 31st March, 19 .

(Signed)

Clerk (or Secretary).

Office Address

Post Town

Date

19 .

General Regulations

FORM B.

*Drainage Authorities
and
River Conservancy Authorities
(not being Catchment Boards)*

Title of Local Authority in full.

RETURN of the RECEIPTS (or INCOME) and EXPENDITURE of the above-mentioned Authority during the year ended 31st March, 19 .

District, Level, or Places for which the Local Authority act.	Administrative County (or Counties) in which the District, Level, or Places are situate.

Date of the Commission or Order or reference to the Statutes (or principal Statute) under which the Local Authority act :—

Particulars of rates levied by the Authority during the year :—

LAND DRAINAGE AND IMPROVEMENT OF LAND

ABSTRACT of the Receipts (or Income) and Expenditure of the

PART I.—RECEIPTS (or Income), other than Capital Receipts.

	£	£
1. Rates levied by the Authority :—		
(a) On Owners 		
(b) On Occupiers 		
2. Tolls and Dues 		
3. From Urban District Councils (Section 25 (1) of Land Drainage Act, 1930) 		
4. From Catchment Boards :—	£	
Names of Catchment Boards.		

5. From Other Local Authorities :—	£	
Names of Local Authorities.		

6. Government Grants (Other than Capital Grants) 		
7. Other Receipts (or Income), not being Capital Receipts 		
8. Total Receipts (or Income), other than capital receipts, excluding balances 		
9. Balances in hand at commencement of year 		
10. Balances overdrawn at end of year 		
11. Total Receipts (or Income) and Balances (agreeing with Total opposite) 		

PART II.

		£
1. Government Grants for capital purposes 		
2. Loans raised to repay earlier loans 		
3. Loans raised for the construction, etc., of works 		
4. Transfers from Revenue Account (for capital works) 		
5. Other Receipts (or Income) on Capital Account 		
6. Total Receipts (or Income) on Capital Account 		
7. Balance in hand at commencement of year 		
8. Balance overdrawn at end of year 		
9. Total Receipts (or Income) and Balances (agreeing with Total opposite) 		

General Regulations

Year ended 31st March, 19

PART I.—EXPENDITURE, other than Capital Expenditure.

	£	£
12. Loan Charges :—		
(a) Amount of principal repaid during the year otherwise than out of sinking funds or out of unexpended balances of loans*		
(b) Amount paid for interest (including income tax on interest)		
(c) Amount paid to sinking funds		
(* NOTE.—Sums paid off by means of re-borrowings should not be shown here, but in Part II. Repayments of loans met out of sinking funds should not be included here, but should be entered in Parts II and III).		
13. Construction, Improvement and Maintenance of Works, including wages and working expenses, rates, taxes and insurance, in respect of works :—	£	
(a) Construction of new works		
(b) Improvement of existing works		
(c) Maintenance of works		
14. Salaries or Other Remuneration of Members and Officers and Establishment Charges		
15. Transfers to Capital Account (i.e. capital expenditure met out of revenue)		
16. Payments to Catchment Boards Under Precept		
17. Other Expenditure not being Capital Expenditure		
18. Total Expenditure, other than capital expenditure, excluding balances		
19. Balances overdrawn at beginning of year		
20. Balance in hand at end of year		
21. Total Expenditure and Balances (agreeing with Total opposite)		

CAPITAL ACCOUNT.

	£	£
10. Capital Expenditure on :—		
(a) Construction of new works		
(b) Improvement of existing works		
11. Loans repaid by means of other loans	£	
12. Unexpended balances of loans and other capital receipts :—		
(a) Transferred to sinking funds		
(b) Applied in repayment of loans to lenders		
13. Total Capital Expenditure		
14. Balance overdrawn at commencement of year		
15. Balance in hand at end of year		
16. Total Capital Expenditure and Balances (agreeing with Total opposite)		

LAND DRAINAGE AND IMPROVEMENT OF LAND

YEAR ending in March, 19 .

Drainage Authority.

PART III.—LOANS.		£
Amount of loans outstanding at the commencement of the year		
<i>Add</i> —Loans (if any) borrowed during the year for the purpose of paying off other loans		
Loans raised during the year for the construction, etc., of works		
<i>Deduct</i> —Amount of principal repaid during the year :—		£
Out of other loans		
Out of unexpended balances of loans		
Out of other capital receipts		
Out of sinking funds or redemption funds (invested or uninvested)....		
Out of income (other than income paid into sinking funds or redemption funds, invested or uninvested)		
Amount of loans outstanding at the end of the year		

PART IV.—SINKING FUNDS OR REDEMPTION FUNDS (invested or uninvested) for the REPAYMENT OF BORROWED MONEYS.

		£
Amount standing to the credit of the funds at the commencement of the year		
<i>Amount paid into the funds during the year :—</i>		£
Interest and dividends accruing to the funds during the year		
Unexpended balances of loans transferred to the funds		
Other moneys, set aside out of income, etc.		
Amount taken out of the funds during the year and applied to the repayment of principal		
Amount standing to the credit of the funds at the end of the year		

I hereby certify that the foregoing are correct accounts for the year ended 31st March, 19 .

(Signed)

Clerk (or Secretary)

Office Address

Post Town

Date

19 .