

Land Drainage Act 1991

UK Public General Acts > 1991 c. 59 > Part II > General powers > **Section 21**

[Table of Contents](#)[Content](#)[More Resources](#) ?[◀ Previous: Provision](#)[Next: Provision ▶](#)[Plain View](#)[Print Options](#)

Changes over time for: Section 21

?



01/12/1991



01/04/1996



06/04/2012

Changes to legislation:

Land Drainage Act 1991, Section 21 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. ?

[▼ View outstanding changes](#)

21 Enforcement of obligations to repair watercourses, bridges, etc.

- (1) This section applies to any obligation to which any person was subject, before the commencement of this Act, by reason of tenure, custom, prescription or otherwise, except an obligation under an enactment re-enacted in this Act or the [M1](#) Water Resources Act 1991.
- (2) If any person—
 - (a) is liable, by reason of any obligation to which this section applies, to do any work in relation to any watercourse, bridge or drainage work (whether by way of repair, maintenance or otherwise); and
 - (b) fails to do the work,the drainage board concerned may serve a notice on that person requiring him to do the necessary work with all reasonable and proper despatch.
- (3) Subject to section 107(2) of the Water Resources Act 1991, the powers conferred by this section shall not be exercisable in connection with a main river, the banks of such a river or any drainage works in connection with such a river.
- (4) If any person fails, within seven days, to comply with a notice served on him under subsection (2) above by the drainage board concerned, the board may do all such things as are necessary for that purpose.
- (5) Any expenses reasonably incurred, in the exercise of their powers under this section, by the drainage board concerned may be recovered from the person liable

to repair.

(6) Subject to section 8 above, references in this section to the drainage board concerned—

(a) in relation to any watercourse, bridge or drainage works in an internal drainage district, are references to the drainage board for that district; and

[F1] (b) in relation to any watercourse, bridge or drainage works in an area outside an internal drainage district, are references to the lead local flood authority for the area.]

[F2] (7) “Lead local flood authority” has the meaning given by section 6 of the Flood and Water Management Act 2010.]

Textual Amendments

F1 S. 21(6)(b) substituted (6.4.2012) by [Flood and Water Management Act 2010 \(c. 29\)](#), s. 49(3), [Sch. 2 para. 31\(2\)](#) (with s. 49(1)(6)); S.I. 2012/879, art. 3(b)

F2 S. 21(7) added (6.4.2012) by [Flood and Water Management Act 2010 \(c. 29\)](#), s. 49(3), [Sch. 2 para. 31\(3\)](#) (with s. 49(1)(6)); S.I. 2012/879, art. 3(b)

Modifications etc. (not altering text)

C1 S. 21(3) excluded(01.12.97)by [Water Resources Act 1991 \(c. 57, SIF 130\)](#), [ss. 107\(2\), 225\(2\)](#).

Marginal Citations

M1 [1991 c. 57](#).

[◀ Previous: Provision](#)

[Next: Provision ▶](#)

[▲ Back to top](#)

[New site design](#) [Help](#) [About Us](#) [Site Map](#) [Accessibility](#) [Contact Us](#) [Privacy Notice](#) [Cookies](#) © Crown and database right

Content is available under the Open Government Licence v3.0 except where otherwise stated. This site additionally contains content derived from EUR-Lex, reused under the terms of the Commission Decision 2011/833/EU on the reuse of documents from the EU institutions. For more information see the EUR-Lex public statement on re-use.