
STATUTORY INSTRUMENTS

1993 No. 165

WATER RESOURCES, ENGLAND AND WALES

**The General Drainage Charges
(Relevant Quotient) Regulations 1993**

<i>Made</i>	- - - -	<i>31st January 1993</i>
<i>Laid before Parliament</i>		<i>1st February 1993</i>
<i>Coming into force</i>	- -	<i>2nd February 1993</i>

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by section 135(7) of the Water Resources Act 1991(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Title and commencement

1. These Regulations may be cited as the General Drainage Charges (Relevant Quotient) Regulations 1993 and shall come into force on 2nd February 1993.

Interpretation

2. In these Regulations—

“the 1976 Act” means the Land Drainage Act 1976(2);

“the 1991 Act” means the Water Resources Act 1991;

“council tax base” means the aggregate amount of council tax base for the areas or parts of areas in the district determined according to regulation 6 of the National Rivers Authority (Levies) Regulations 1993(3);

“district” means a local flood defence district wholly or mainly in England created by a scheme under section 12 of the 1991 Act or which is treated as such by virtue of section 134(3) of that Act or continues to be so treated under paragraph 14(1) of Schedule 2 to the Water Consolidation (Consequential Provisions) Act 1991(4);

“drainage charge” means a charge raised pursuant to section 134 of the 1991 Act;

(1) 1991 c. 57. The expressions “the Ministers” and “the Minister” are defined in section 221(1) of the Act. Section 135(7) was added by paragraph 96 of Schedule 13 to the Local Government Finance Act 1992 (c. 14); that Schedule contains other amendments relevant to these Regulations.

(2) 1976 c. 70.

(3) S.I.1993/61.

(4) 1991 c. 60.

“financial year” means a period of 12 months beginning with 1st April;

“the NRA” means the National Rivers Authority continued in being by section 1 of the 1991 Act.

Determination of relevant quotient

3. The determination of the relevant quotient for the purposes of section 135 of the 1991 Act shall be made by application of the following formula:

$$\left(\frac{A}{B} \times \frac{D}{E}\right) \div C = \text{relevant quotient}$$

where—

A means the aggregate amount demanded by the precepts issued in respect of the district under section 46(3) of the 1976 Act in respect of the financial year beginning in 1989;

B means the aggregate amount of the estimated penny rate products on the basis of which the amount A was apportioned in pursuance of section 46(1) of the 1976 Act in respect of that financial year;

C means the amount ascertained by dividing the amount A by the council tax base of the district for the financial year beginning in 1993;

D means the aggregate amount of the levies issued by the NRA in respect of the district under the National Rivers Authority (Levies) Regulations 1993 for the financial year in respect of which the drainage charge in question is raised; and

E means the council tax base of the district for the financial year in respect of which that charge is raised.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

31st January 1993.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

EXPLANATORY NOTE

(This note is not part of the Regulations)

Sections 134 and 135 of the Water Resources Act 1991 enable the National Rivers Authority (“the NRA”) to raise general drainage charges for local flood defence districts. These Regulations make provision for the method of ascertaining the quotient to be used to calculate such charges. They provide for the quotient to be determined by the application of a formula which varies the quotient calculated in respect of the financial year 1989/90. This variation is achieved by taking account of the amount of levies issued by the NRA in respect of a local flood defence district and the council tax base of that district in the financial year for which the drainage charge is raised (regulation 3).

These Regulations apply to local flood defence districts wholly or mainly in England.