



Water Resources Act 1991

1991 CHAPTER 57

PART VII

LAND AND WORKS POWERS

CHAPTER I

POWERS OF THE ^[F1]APPROPRIATE AGENCY]

^[F1]Restoration and improvement works for controlled waters

^[F1]161A Notices requiring persons to carry out works and operations

- (1) Where it appears to the ^[F2]appropriate agency] that—
 - (a) any poisonous, noxious or polluting matter or any waste matter is or has been present in, or is likely to enter, any controlled waters (so that section 161 applies), or
 - (b) any controlled waters are being or have been harmed, or are likely to be harmed, by any event, process or other source of potential harm (so that section 161ZA applies),the ^[F2]appropriate agency] shall be entitled to serve a works notice on any responsible person.
- (2) In this section “responsible person” has the same meaning as in section 161 or 161ZA) (as the case may be).
- (3) For the purposes of this section a works notice is a notice requiring the person on whom it is served to carry out such works or operations as may be specified in the notice.
- (4) The works or operations that may be so specified are works or operations which may be carried out under section 161(2) or (3) or section 161ZA(4) (as the case may be).

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 161A. (See end of Document for details)

- (5) Where the [^{F2}appropriate agency] has carried out any such investigations as are mentioned in sections 161(4) or 161ZA(5) and serves a works notice on a responsible person in connection with the matters to which the investigations relate it shall (unless the notice is quashed or withdrawn) be entitled to recover from that person the costs or expenses reasonably incurred in carrying out those investigations.
- (6) The appropriate national authority may, if it thinks fit in relation to any person, give directions to the [^{F2}appropriate agency] as to whether or how it should exercise its powers under this section or section 161AA.
- (7) In this section and sections 161AA and 161AB “controlled waters” has the same meaning as in Part 3 of this Act.]

Textual Amendments

- F1** Ss. 161-161AB substituted for s. 161 (22.12.2009) by [Water Resources Act 1991 \(Amendment\) \(England and Wales\) Regulations 2009 \(S.I. 2009/3104\)](#), regs. 1(c), **5** (with reg. 7)
- F2** Words in ss. 159-161B substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 283** (with Sch. 7)

Modifications etc. (not altering text)

- C1** Ss. 161-161D modified by S.I. 2010/675, Sch. 23 Pt. 8 para. 3 Table 9 (as substituted (1.10.2011) by [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2011 \(S.I. 2011/2043\)](#), reg. 1(b), **Sch. 1**)
- C2** Ss. 161-161D modified (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), Sch. 23 Pt. 7 paras. 1(3), **2** (with regs. 1(3), 77-79, Sch. 4)

Changes to legislation:

There are currently no known outstanding effects for the Water Resources Act 1991, Section 161A.