



Water Resources Act 1991

1991 CHAPTER 57

PART VII

LAND AND WORKS POWERS

CHAPTER I

POWERS OF THE [F¹APPROPRIATE AGENCY]

Flood defence and drainage works

167 Power to dispose of spoil in connection with flood defence works.

- (1) Subject to subsection (2) below, the [F¹appropriate agency] may—
 - (a) without making payment for it, appropriate and dispose of any matter removed in the course of the carrying out of any work for widening, deepening or dredging any watercourse; and
 - (b) deposit any matter so removed on the banks of the watercourse, or on such width of land adjoining the watercourse as is sufficient to enable the matter in question to be removed and deposited by mechanical means in one operation.
- (2) Subsection (1) above shall not authorise the deposit of any matter if the matter deposited would constitute a statutory nuisance within the meaning of Part III of the ^{M1}Environmental Protection Act 1990.
- (3) The [F²appropriate agency] and the council of any district or London borough [F³ or Welsh county or county borough] may enter into an agreement providing—
 - (a) for the disposal by the council of any matter removed as mentioned in subsection (1) above; and
 - (b) for the payment by the [F²appropriate agency] to the council, in respect of the disposal of the matter by the council, of such sum as may be provided by the agreement.

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 167. (See end of Document for details)

- (4) In this section “banks” and “watercourse” have the same meanings as in Part IV of this Act.

Textual Amendments

- F1** Words in s. 167(1) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 286(2)** (with Sch. 7)
- F2** Words in s. 167(3) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 286(3)** (with Sch. 7)
- F3** Words in s. 167(3) inserted (1.4.1996) by 1994 c. 19, s. 22(5), **Sch. 11 para. 3(4)** (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**

Marginal Citations

- M1** 1990 c. 43.

Changes to legislation:

There are currently no known outstanding effects for the Water Resources Act 1991, Section 167.