



# Environment Act 2021

## 2021 CHAPTER 30

### PART 5

#### WATER

##### *Land drainage*

#### **94 Valuation of other land in drainage district: England**

- (1) Section 37 of the Land Drainage Act 1991 (apportionment of internal drainage board's drainage expenses) is amended in accordance with subsections (2) and (3).
- (2) In subsection (5), in the words before paragraph (a), after "shall" insert " , subject to subsection (5ZA)".
- (3) After subsection (5) insert—
  - “(5ZA) The Secretary of State may by regulations make provision for the value of other land in an English internal drainage district to be determined in accordance with the regulations.
  - (5ZB) The provision that may be made under subsection (5ZA) includes, in particular, provision—
    - (a) about methods to be applied, or factors to be taken into account, in determining the value of land;
    - (b) for the value of land to be determined on the basis of estimates, assumptions or averages;
    - (c) for the value of land to be determined by reference to such time or times as may be specified in the regulations;
    - (d) for the value of land to be determined by reference to the value shown for the time being in a list or register prepared for the purposes of another enactment;
    - (e) for determining the value of land which is only partly within the internal drainage district in question;

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*Changes to legislation: There are currently no known outstanding effects  
for the Environment Act 2021, Section 94. (See end of Document for details)*

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- (f) for the making of adjustments to what would otherwise be determined to be the value of land;
  - (g) for land to be taken to have a nil value.
- (5ZC) Regulations under subsection (5ZA) may apply in relation to—
- (a) English drainage boards specified in the regulations;
  - (b) English drainage boards of a description specified in the regulations;
  - (c) all English drainage boards.
- (5ZD) Provision made by virtue of subsection (5ZC) may, in particular, include provision for an English drainage board—
- (a) to elect that the regulations are to apply to them, and
  - (b) to make such an election in accordance with the procedure specified in the regulations.
- (5ZE) Regulations under subsection (5ZA) may—
- (a) make different provision for different cases, including different provision in relation to different circumstances or different descriptions of English drainage board or of land;
  - (b) make such incidental, supplementary, consequential, transitional, transitory or saving provision as the Secretary of State considers appropriate.
- (5ZF) Provision made by virtue of subsection (5ZE)(b) may include provision which amends or repeals any provision of this Act.
- (5ZG) Before making regulations under subsection (5ZA) the Secretary of State must consult such persons (if any) as the Secretary of State considers appropriate having regard to the extent to which the regulations are, in the view of the Secretary of State, likely to affect the valuation of any land.
- (5ZH) Regulations may not be made under subsection (5ZA) unless a draft of the instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.”
- (4) In section 65(2) of that Act (regulations) after “Subject to” insert “section 37(5ZH)”.

**Commencement Information**

- I1** S. 94 not in force at Royal Assent, see [s. 147\(3\)](#)
- I2** S. 94 in force at 29.9.2022 by [S.I. 2022/988](#), [reg. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Environment Act 2021, Section 94.