

*These notes refer to the Flood and Water Management Act  
2010 (c.29) which received Royal Assent on 8 April 2010*

# **FLOOD AND WATER MANAGEMENT ACT 2010**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### **Part 1: Flood and Coastal Erosion Risk Management**

##### **General**

##### *Schedule 1: Risk Management: Designation of features*

##### **Emergency powers**

135. [Paragraph 12](#) includes specific powers for a responsible authority to act in an emergency.
136. This paragraph only applies if: (a) a person carries out works to alter, remove or replace a designated feature without obtaining consent; and (b) the responsible authority considers that this increases an immediate and serious flood or coastal erosion risk that warrants emergency action. In such an emergency situation the authority may take remedial action without the need to first serve an enforcement notice. Such emergency action includes entry to the land on which the feature is located (see paragraph 13 of Schedule 1).
137. The authority may recover from the owner any costs incurred in carrying out the emergency works.