

FLOOD AND WATER MANAGEMENT ACT 2010

EXPLANATORY NOTES

COMMENTARY

Part 1: Flood and Coastal Erosion Risk Management

General

Section 31: Amendments of other Acts

151. *Section 31* introduces Schedule 2, Risk Management: Amendments of other Acts. The Schedule provides for various amendments to the Coast Protection Act 1949, the Land Drainage Act 1991, the Water Resources Act 1991, and the Environment Act 1995. These amendments have the effect of introducing flood and coastal erosion risk management provisions into those Acts.
152. Currently between them, those Acts provide the legislative framework for flood defence and coast protection. Part 1 of the Act establishes a risk management approach to flood and coastal erosion and that Part and the amended Acts taken together allocate responsibility for sources of flood and coastal erosion risk to certain bodies and provide powers to do works, which go wider than “defence” and “protection”, in order to manage the risks.
153. The amendments also apply existing provisions in the Acts to the flood and coastal erosion risk management regime. In particular these amendments apply existing consenting and enforcement provisions and also appeal, compensation, rights of entry and compulsory purchase provisions to the new powers. The Schedule also amends the Local Government Act 2000 so as to apply provisions of that Act to the actions of risk management authorities.