



Flood and Water Management Act 2010

2010 CHAPTER 29

PART 1

FLOOD AND COASTAL EROSION RISK MANAGEMENT

3. Supplemental powers and duties

18 [F¹Reports about flood and coastal erosion risk management]

(1) The Environment Agency must report to the Minister about flood and coastal erosion risk management[F²in England].

[F³(1A) The Natural Resources Body for Wales must report to the Minister about flood and coastal erosion risk management in Wales.]

(2) In particular, the report must include information about the application of the national flood and coastal erosion risk management strategies under sections 7 and 8.

(3) The Minister may make regulations about—

- (a) the times or intervals at which a report must be made, and
- (b) the content of a report.

(4) In this section “the Minister” means—

- (a) the Secretary of State in relation to flood and coastal erosion risk management in England, and
- (b) the Welsh Ministers in relation to flood and coastal erosion risk management in Wales.

Textual Amendments

F1 S. 18 heading substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), [Sch. 2 para. 459\(4\)](#) (with Sch. 7)

F2 Words in s. 18(1) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), [Sch. 2 para. 459\(2\)](#) (with Sch. 7)

Changes to legislation: There are currently no known outstanding effects for the Flood and Water Management Act 2010, Cross Heading: 3. Supplemental powers and duties. (See end of Document for details)

F3 S. 18(1A) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), [Sch. 2 para. 459\(3\)](#) (with Sch. 7)

Commencement Information

I1 S. 18 in force at 19.7.2011 for E. by [S.I. 2011/1770](#), [art. 3\(b\)](#)

I2 S. 18 in force at 1.11.2011 for W. by [S.I. 2011/2204](#), [art. 4\(c\)](#)

19 Local authorities: investigations

- (1) On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate—
 - (a) which risk management authorities have relevant flood risk management functions, and
 - (b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.
- (2) Where an authority carries out an investigation under subsection (1) it must—
 - (a) publish the results of its investigation, and
 - (b) notify any relevant risk management authorities.

Commencement Information

I3 S. 19 in force at 6.4.2011 by [S.I. 2011/694](#), [art. 4\(1\)\(b\)](#)

20 Ministerial directions

- (1) The Minister may direct a risk management authority to exercise a flood or coastal erosion risk management function on behalf of another risk management authority (the “defaulting authority”).
- (2) The Minister may give a direction under subsection (1) only if satisfied that the defaulting authority—
 - (a) has failed to exercise the function, or
 - (b) has failed to exercise the function in accordance with the national strategies under sections 7 and 8 or the local strategies under sections 9 and 10.
- (3) A direction under subsection (1) may include provision about the recovery of costs of compliance from the defaulting authority.
- (4) The Minister must—
 - (a) send a copy of the direction to the defaulting authority, and
 - (b) publish the direction.
- (5) But the Minister may decide not to publish a direction if it appears that to do so would be contrary to the interests of national security.
- (6) In this section “the Minister” means—
 - (a) the Secretary of State in relation to risk management authorities that exercise functions only in England,
 - (b) the Welsh Ministers in relation to risk management authorities that exercise functions only in Wales, and

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- (c) the Secretary of State and the Welsh Ministers acting jointly in relation to risk management authorities that exercise functions in both England and Wales.

Commencement Information

I4 S. 20 in force at 1.10.2010 by [S.I. 2010/2169](#), [art. 4](#), [Sch.](#)

21 Lead local authorities: duty to maintain a register

- (1) A lead local flood authority must establish and maintain—
 - (a) a register of structures or features which, in the opinion of the authority, are likely to have a significant effect on a flood risk in its area, and
 - (b) a record of information about each of those structures or features, including information about ownership and state of repair.
- (2) The Minister may by regulations make provision about the content of the register and record.
- (3) The lead local flood authority must arrange for the register to be available for inspection at all reasonable times.
- (4) The Minister may by regulations provide for information of a specified description to be excluded from the register or record.
- (5) In this section, “the Minister” means—
 - (a) the Secretary of State in relation to authorities in England, and
 - (b) the Welsh Ministers in relation to authorities in Wales.

Commencement Information

I5 S. 21 in force at 6.4.2011 by [S.I. 2011/694](#), [art. 4\(1\)\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Flood and Water Management Act 2010, Cross Heading: 3. Supplemental powers and duties.