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

SCHEDULES

SCHEDULE 3

SUSTAINABLE DRAINAGE

Approving body

- 6 (1) The approving body for a drainage system is—
- (a) the unitary authority for the area in which it is, or in which it is to be constructed, or
 - (b) if there is no unitary authority, the county council for the area.
- (2) “Unitary authority” means—
- (a) the council of a county for which there are no district councils;
 - (b) the council of a district in an area for which there is no county council;
 - (c) a county borough council;
 - (d) the council of a London borough;
 - (e) the Common Council of the City of London;
 - (f) the Council of the Isles of Scilly.
- (3) The Minister may by order appoint a body as approving body for drainage systems in all areas or in one or more specified areas (instead of the body that would be the approving body under sub-paragraph (1)).
- (4) An order under sub-paragraph (3) may—
- (a) appoint a body as approving body for specified purposes only;
 - (b) appoint different bodies as approving body for different purposes.
- (5) An order under sub-paragraph (3) may confer on the approving body a power of a kind exercisable by the body that would be the approving body under sub-paragraph (1).
- (6) An order under sub-paragraph (3)—
- (a) if it includes provision under sub-paragraph (4) or (5)—
 - (i) may not be made by the Secretary of State unless a draft has been laid before and approved by resolution of each House of Parliament, and
 - (ii) may not be made by the Welsh Ministers unless a draft has been laid before and approved by resolution of the National Assembly for Wales, and
 - (b) otherwise, shall be subject to annulment in pursuance of a resolution of—
 - (i) either House of Parliament, in the case of an order of the Secretary of State, or
 - (ii) the National Assembly for Wales, in the case of an order of the Welsh Ministers.

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Commencement Information

- I1** Sch. 3 para. 6 in force at 2.5.2018 for specified purposes for W. by S.I. 2018/557, **art. 2(b)**
- I2** Sch. 3 para. 6 in force at 7.1.2019 for W. in so far as not already in force by S.I. 2018/557, **art. 3(b)**

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