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

SCHEDULES

SCHEDULE 3

SUSTAINABLE DRAINAGE

Requirement for approval

- 7 (1) Construction work which has drainage implications may not be commenced unless a drainage system for the work has been approved by the approving body.
- (2) For the purposes of sub-paragraph (1)—
- (a) construction work means anything done by way of, in connection with or in preparation for the creation of a building or other structure, and
 - (b) construction work has drainage implications if the building or structure will affect the ability of land to absorb rainwater.
- (3) Sub-paragraph (1) does not apply to work requiring development consent under section 31 of the Planning Act 2008 (nationally significant infrastructure projects).
- (4) The Minister may by order—
- (a) provide that a specified class of work is to be or not to be treated as construction work;
 - (b) provide for work to be or not to be treated as having drainage implications in specified circumstances;
 - (c) provide exceptions to sub-paragraph (1).
- (5) For the avoidance of doubt, anything that covers land (such as a patio or other surface) is a structure for the purposes of sub-paragraph (2)(a).

Modifications etc. (not altering text)

- C1** Sch. 3 para. 7 excluded (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), s. 70(1), **Sch. 21 para. 6**
- C2** Sch. 3 para. 7 excluded (25.2.2020) by The Network Rail (East West Rail) (Bicester to Bedford Improvements) Order 2020 (S.I. 2020/114), arts. 1, **5(1)(d)** (with art. 37(2))
- C3** Sch. 3 para. 7 excluded (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), s. 64(1), **Sch. 21 para. 6**
- C4** Sch. 3 para. 7 excluded (3.11.2022) by The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022 (S.I. 2022/1067), arts. 1, **5(1)(d)**
- C5** Sch. 3 para. 7 excluded (11.1.2023) by The Network Rail (Cambridge South Infrastructure Enhancements) Order 2022 (S.I. 2022/1406), arts. 1, **5** (with art. 34(2), Sch. 12 paras. 5, 47, 79)

Commencement Information

- I1** Sch. 3 para. 7 in force at 2.5.2018 for specified purposes for W. by S.I. 2018/557, **art. 2(b)**
- I2** Sch. 3 para. 7 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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