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

SCHEDULES

SCHEDULE 4

RESERVOIRS

“Large raised reservoir”

2 Before section 1 insert—

Large raised reservoir”: England and Wales

“A1 (1) In this Act “large raised reservoir” means—

- (a) a large, raised structure designed or used for collecting and storing water, and
 - (b) a large, raised lake or other area capable of storing water which was created or enlarged by artificial means.
- (2) A structure or area is “raised” if it is capable of holding water above the natural level of any part of the surrounding land.
 - (3) A raised structure or area is “large” if it is capable of holding 10,000 cubic metres of water above the natural level of any part of the surrounding land.
 - (4) The Minister must make regulations about how to calculate capacity for the purpose of subsection (3) (and “natural level” and “surrounding land” are to be construed in accordance with the regulations).
 - (5) The Minister may by regulations provide for a structure or area to be treated as “large” by reason of proximity to, or actual or potential communication with, another structure or area.
 - (6) In making regulations under subsection (5) the Minister shall aim to ensure that a structure or area is treated as large under the regulations only if 10,000 or more cubic metres of water might be released as a result of the proximity or communication mentioned in that subsection.
 - (7) The Minister may by order substitute a different volume of water for the volume specified in subsection (3) or (6).
 - (8) The Minister may by regulations provide for specified things not to be treated as large raised reservoirs for the purposes of this Act.
 - (9) A reference to a large raised reservoir includes a reference to anything used or designed to contain the water or control its flow.”

Commencement Information

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| I1 | Sch. 4 para. 2 in force at 1.10.2011 for specified purposes by S.I. 2011/2204 , art. 3(1)(e) |
| I2 | Sch. 4 para. 2 in force at 30.7.2013 for E. so far as not already in force by S.I. 2013/1590 , art. 3(b) |

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I3 Sch. 4 para. 2 in force at 1.4.2016 for W. in so far as not already in force by S.I. 2016/79, art. 2(b)

- 3
- (1) Omit section 1(1) to (3) (meaning of “reservoir”).
 - (2) In section 6 (construction and alteration) in subsection (1) for “existing reservoir” substitute “ existing structure or area ”.
 - (3) In section 6(3) for “existing reservoir” substitute “ existing structure or area ”.
 - (4) In section 8 (failure to comply with construction or alteration requirements) in subsection (1) for “existing reservoir” substitute “ existing structure or area ”.
 - (5) In section 12B (flood plans and national security) in subsection (2) for “a large raised reservoir” substitute “ large or raised ”.

Commencement Information

I4 Sch. 4 para. 3 in force at 30.7.2013 for E. by S.I. 2013/1590, art. 3(b)

I5 Sch. 4 para. 3 in force at 1.4.2016 for W. by S.I. 2016/79, art. 2(b)

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