



Flood and Water Management Act 2010

2010 CHAPTER 29

PART 1

FLOOD AND COASTAL EROSION RISK MANAGEMENT

2. Strategies, co-operation and funding

11 Effect of national and local strategies: England

- (1) In exercising its flood and coastal erosion risk management functions, an English risk management authority must—
 - (a) act in a manner which is consistent with the national strategy and guidance, and
 - (b) except in the case of a water company, act in a manner which is consistent with the local strategies and guidance.
- (2) But—
 - (a) subsection (1) does not apply in relation to the function of the Environment Agency under section 7(1);
 - (b) the Agency must have regard to the national and local strategies and guidance in exercising that function.
- (3) In exercising a flood or coastal erosion risk management function in relation to an area in England, a water company must have regard to the local strategies and guidance.
- (4) In exercising any other function in a manner which may affect a flood risk or coastal erosion risk, an English risk management authority must have regard to the national and local strategies and guidance.
- (5) A cross-border internal drainage board for an internal drainage district that is mainly in Wales must—
 - (a) act in a manner which is consistent with the local strategies and guidance, and
 - (b) have regard to the national strategy and guidance.

*Changes to legislation: There are currently no known outstanding effects for the
Flood and Water Management Act 2010, Section 11. (See end of Document for details)*

- (6) Subsection (5) does not affect the duties of a cross-border internal drainage board under section 12.
- [^{F1}(6A) In exercising a function in a manner which may affect a flood risk or coastal erosion risk in England, the Natural Resources Body for Wales must have regard to the national and local strategies and guidance.]
- (7) The Secretary of State may by order require a specified person to have regard to the national and local strategies and guidance in exercising a statutory function which may affect a flood risk or coastal erosion risk in England.
- (8) In this section—
- (a) references to the national strategy and guidance are references to (i) the national flood and coastal erosion risk management strategy under section 7, and (ii) any guidance on the national strategy issued by the Environment Agency, and
 - (b) references to the local strategies and guidance are references to (i) any local flood risk management strategy under section 9 for the relevant area, and (ii) any guidance on a local strategy issued by a lead local flood authority.
- (9) In subsection (7) “statutory function” means a function conferred by or under an enactment.

Textual Amendments

- F1** S. 11(6A) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), art. 1(2), **Sch. 2 para. 453** (with Sch. 7)
-

Commencement Information

- I1** S. 11 in force at 19.7.2011 for E. by [S.I. 2011/1770](#), **art. 3(a)**
- I2** S. 11 in force at 1.11.2011 for W. by [S.I. 2011/2204](#), **art. 4(a)**

Changes to legislation:

There are currently no known outstanding effects for the Flood and Water Management Act 2010, Section 11.