



Flood and Water Management Act 2010

2010 CHAPTER 29

PART 2

MISCELLANEOUS

43 Drainage: concessionary charges for community groups

- (1) An undertaker's charges scheme under section 143 of the Water Industry Act 1991 may include provision designed to reduce charges to community groups in respect of surface water drainage from their property.
- (2) Each undertaker may determine—
 - (a) whether to include provision in reliance on subsection (1);
 - (b) which classes of community group to benefit;
 - (c) what constitutes a community group (provided that the class is restricted to bodies that in the undertaker's opinion provide benefit to the local community);
 - (d) what reduction to allow (subject to subsection (3));
 - (e) different reductions for different classes of community group.
- (3) A reduction may not reduce a charge to nil, and must result in the application of a band or charge used for general purposes of the section 143 scheme.
- (4) For the purpose of subsection (2)(c) a benefit to the local community may—
 - (a) be provided voluntarily, in the exercise of statutory functions or otherwise;
 - (b) be provided exclusively to the local community or to the local community as well as to a wider class or area;
 - (c) consist of or relate to the provision of (i) youth groups or community centres, (ii) places of worship or other religious facilities, (iii) recreational, cultural, social or sporting facilities, or (iv) a benefit of any other kind.
- (5) Undertakers and the Water Services Regulation Authority shall have regard to any guidance issued by the Minister in respect of any aspect of subsections (2) to (4).

Changes to legislation: There are currently no known outstanding effects for the Flood and Water Management Act 2010, Section 43. (See end of Document for details)

(6) “The Minister” means—

- (a) in the case of an undertaker whose area is wholly or mainly in England, the Secretary of State, and
- (b) in the case of an undertaker whose area is wholly or mainly in Wales, the Welsh Ministers.

Commencement Information

II [S. 43](#) in force at 1.10.2010 for specified purposes by [S.I. 2010/2169](#), [art. 4](#), [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Flood and Water Management Act 2010, Section 43.