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STATUTORY INSTRUMENTS

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**2009 No. 3042**

**The Flood Risk Regulations 2009**

**PART 6**

**CO-OPERATION**

**Duty to co-operate**

**35.**—(1) A relevant authority must co-operate with any other relevant authority which is exercising any function under these regulations.

(2) The following are “relevant authorities”—

- (a) the Environment Agency, and
- (b) each lead local flood authority.

**Power to require information**

**36.**—(1) An authority listed in paragraph (3) must comply with any request of the Environment Agency to provide information which the Agency reasonably requires in connection with its functions under these regulations.

(2) The Environment Agency and an authority listed in paragraph (3) must comply with a request of a lead local flood authority to provide information reasonably required in connection with the lead local flood authority’s functions under these regulations.

(3) The authorities are—

- (a) a lead local flood authority,
- (b) a district council for an area for which there is no unitary authority,
- (c) an internal drainage board (within the meaning given by section 1 of the Land Drainage Act 1991<sup>(1)</sup>),
- (d) a highway authority (within the meaning given by section 1 of the Highways Act 1980<sup>(2)</sup>),
- (e) a company which holds an appointment under Chapter 1 of Part 2 of the Water Industry Act 1991<sup>(3)</sup> or a licence under Chapter 1A of Part 2 of that Act,
- (f) a reservoir undertaker (within the meaning given by section 1 of the Reservoirs Act 1975<sup>(4)</sup>),

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<sup>(1)</sup> 1991 c.59.

<sup>(2)</sup> 1980 c.66. Section 1 has been amended by section 8 of, and paragraph 1 of Schedule 4 to, the [Local Government Act 1985](#), section 21(2) the [New Roads and Street Works Act 1991](#) and section 259 of the [Greater London Authority Act 1999](#).

<sup>(3)</sup> 1991 c. 56. Relevant amendments were made by the Competition and Service (Utilities) Act 1992 (sections 40 and 42 and schedule 1), the Competition Act 1998 (section 54 and 74 and schedule 10), the Competition Act 1998 (Competition Commission) Transitional, Consequential and Supplemental Provisions Order 1999 (S.I. 1999/506) (article 30), the Water and Sewerage Undertakers (Inset Appointments) Regulations 2000 (S.I. 2000/1842) (regulation 2), the Enterprise Act 2002 (sections 86, 164 and 278 and schedules 9 and 25), the Enterprise Act 2002 (Protection of Legitimate Interests) Order 2003 (S.I. 2003/1592) (article 16), and the Water Act 2003 (sections 11, 36, 53 to 56 and 101 and schedules 4, 8 and 9).

<sup>(4)</sup> 1975 c. 23. Relevant amendments were made by section 190 of, and Schedule 25 to, the Water Act 1989 and regulation 2 of, and Schedule 2 to, the Environment Act 1995 (Consequential Amendments Regulations 1996 (S.I. 1996/593)).

- (g) a navigation authority (within the meaning given by section 219 of the Water Industry Act 1991,
  - (h) a harbour authority (within the meaning given by section 313 of the Merchant Shipping Act 1995<sup>(5)</sup>),
  - (i) Natural England,
  - (j) the Historic Building and Monuments Commission for England,
  - (k) the Countryside Council for Wales, and
  - (l) the Welsh Ministers.
- (4) The information must be provided—
- (a) in the form or manner specified in the request, and
  - (b) within the period specified in the request.

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(5) 1995 c. 21. A relevant amendment was made by section 29 of, and Schedule 6 to, the Merchant Shipping and Maritime Security Act 1997.