

## STATUTORY INSTRUMENTS

# 2011 No. 2855

## The Incidental Flooding and Coastal Erosion (England) Order 2011

### Application of compulsory purchase provisions to section 39 of the 2010 Act

4. Section 154 of the 1991 Act applies for the purposes of section 39 of the 2010 Act as if—
- (a) the words “A local authority” were substituted for the words “The Agency [<sup>F1</sup>or the NRBW] ” where they first appear in section 154(1);
  - (b) the functions referred to in section 154(1) included functions under section 39 of the 2010 Act;
  - (c) the words “the local authority” were substituted for <sup>F2</sup>...—
    - (i) [<sup>F3</sup>the words “the Agency or the NRBW” in] the second place they appear in section 154(1);
    - [<sup>F4</sup>(ia) the words “the Agency or, as the case may be, by the NRBW” in section 154(2);]
    - (ii) [<sup>F5</sup>the words “the Agency or the NRBW”] in section 154(2), (3) and (4); and
    - (iii) [<sup>F6</sup>the words “the Agency or the NRBW” and “the Agency or, as the case may be, the NRBW”] in section 154(6); and
  - (d) “local authority” had the same meaning as in section 39(6) of the 2010 Act.
  - [<sup>F7</sup>(e) section 154(7) were omitted.]
- (2) Section 157 of the 1991 Act applies for the purposes of section 39 of the 2010 Act as if—
- (a) the words “A local authority” were substituted for the words “The Agency [<sup>F8</sup>and the NRBW] ” where they appear in section 157(1);
  - (b) the words “the local authority” were substituted for the words “the Agency [<sup>F9</sup>or, as the case may be, the NRBW] ” where they appear in section 157(2)(a) <sup>F10</sup>...;
  - (c) section 157(2)(b) were omitted;
  - [<sup>F11</sup>(ca) the words “the local authority” were substituted for the words “the Agency” where they appear in section 157(6);]
  - (d) the reference in section 157(6)(a) to an order under section 168 were omitted;
  - (e) section 157(6)(c) to (e) were omitted; and
  - [<sup>F12</sup>(ea) section 157(7) were omitted;]
  - (f) “local authority” had the same meaning as in section 39(6) of the 2010 Act.

### Textual Amendments

- F1** Words in art. 4(1)(a) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 4 para. 415(2)(a)** (with Sch. 7)

- F2** Words in art. 4(1)(c) omitted (1.4.2013) by virtue of *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(2)(b)(i)** (with Sch. 7)
- F3** Words in art. 4(1)(c)(i) inserted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(2)(b)(ii)** (with Sch. 7)
- F4** Art. 4(1)(c)(ia) inserted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(2)(b)(iii)** (with Sch. 7)
- F5** Words in art. 4(1)(c)(ii) substituted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(2)(b)(iv)** (with Sch. 7)
- F6** Words in art. 4(1)(c)(iii) substituted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(2)(b)(v)** (with Sch. 7)
- F7** Art. 4(1)(e) inserted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(2)(c)** (with Sch. 7)
- F8** Words in art. 4(2)(a) inserted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(3)(a)** (with Sch. 7)
- F9** Words in art. 4(2)(b) inserted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(3)(b)(i)** (with Sch. 7)
- F10** Words in art. 4(2)(b) omitted (1.4.2013) by virtue of *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(3)(b)(ii)** (with Sch. 7)
- F11** Art. 4(2)(ca) inserted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(3)(c)** (with Sch. 7)
- F12** Art. 4(2)(ea) inserted (1.4.2013) by *The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755)*, art. 1(2), **Sch. 4 para. 415(3)(d)** (with Sch. 7)

**Changes to legislation:**

There are currently no known outstanding effects for the The Incidental Flooding and Coastal Erosion (England) Order 2011, Section 4.