
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Flood and Water Management Act 2010 (“the Act”).

Article 3 specifies provisions of the Act that come into force on 1st October 2011. These include—

- (a) provision for the Minister to issue guidance about how authorities are to achieve sustainable development when exercising flood or coastal erosion risk management functions;
- (b) provision for the reduction and subsidisation of an undertaker’s charges in a scheme under section 143 of the Water Industry Act (c. 56);
- (c) provision for the Minister to make orders and regulations under the Reservoirs Act 1975 (c. 23).

The provisions in article 3(2) come into force on 1st October 2011 in relation to Wales only. These include provision for the commencement of amendments to the Coast Protection Act 1949 (c. 74), the Land Drainage Act 1991 (c. 59) and the Water Resources Act 1991 (c. 57) in relation to Wales.

Article 4 specifies provisions of the Act that come into force on 1st November 2011. These include—

- (a) provisions about the effect of national and local strategies on Welsh risk management authorities; and
- (b) the requirement for the Environment Agency to report to the Welsh Ministers about flood and coastal erosion risk management in Wales.

Article 5 contains transitional provisions relating to the amendments to the Coast Protection Act 1949 and the Land Drainage Act 1991.

An impact assessment of the effect of the provisions commenced by this Order has not been produced as no impact on the private, voluntary or business sectors is foreseen.