



Environment Act 1995

1995 CHAPTER 25

PART I

THE ENVIRONMENT AGENCY AND THE SCOTTISH ENVIRONMENT PROTECTION AGENCY

[^{F1}CHAPTER 1A

GENERAL FUNCTIONS OF THE AGENCY AND THE NATURAL RESOURCES BODY FOR WALES]

Flood defence committees

15 **Composition of regional flood defence committees.**

[^{F1}(1) Subject to subsection (2) below, a regional flood defence committee shall consist of the following, none of whom shall be a member of the Agency, that is to say—

- (a) a chairman and a number of other members appointed by the relevant Minister;
- (b) two members appointed by the Agency;
- (c) a number of members appointed by or on behalf of the constituent councils.

(2) Any person who immediately before the transfer date is, by virtue of his appointment—

- (a) by a Minister of the Crown,
- (b) by or on behalf of any council, or
- (c) by the National Rivers Authority,

the chairman or a member of an old committee which, by virtue of section 14 above, is replaced by a new committee shall be treated, on and after that date, for the remainder of the period for which he would, under the terms of his appointment, have held office in relation to the old committee, as if he had been appointed as the chairman or, as the case may be, a member of the new committee, and on the same terms, by that Minister or, as the case may be, by or on behalf of that council or, in the case of a person appointed by the National Rivers Authority, by the Agency.

Status: Point in time view as at 01/04/2015.

Changes to legislation: Environment Act 1995, Section 15 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) Subject to section 16 below and to any order under Schedule 4 to this Act amalgamating the areas of any two or more regional flood defence committees—
- (a) the total number of members of a new committee for any area shall be the same as the total number of members of the old committee for that area immediately before the transfer date;
 - (b) the number of members to be appointed to a new committee for any area by or on behalf of each of the constituent councils or, as the case may be, jointly by or on behalf of more than one of them shall be the same as the number of members of the old committee for that area which fell to be so appointed immediately before the transfer date.
- (4) In any case where—
- (a) the appointment of one or more members of a regional flood defence committee is (by virtue of subsection (3) above or an order under section 16(5) below), to be made jointly by more than one constituent council, and
 - (b) the councils by whom that appointment is to be made are unable to agree on an appointment,
- the member or members in question shall be appointed by the relevant Minister on behalf of those councils.
- (5) In appointing a person to be the chairman or a member of a regional flood defence committee under subsection (1)(a) or (c) or (4) above the relevant Minister or, as the case may be, a constituent council shall have regard to the desirability of appointing a person who has experience of, and has shown capacity in, some matter relevant to the functions of the committee.
- (6) The councils of every county, county borough, metropolitan district or London borough any part of which is in the area of a regional flood defence committee shall be the constituent councils for the regional flood defence committee for that area, and the Common Council of the City of London shall be a constituent council for the regional flood defence committee for any area which comprises any part of the City.
- (7) In this section—
- “old committee” has the same meaning as in section 14 above;
 - “new committee” means a regional flood defence committee established under section 14 above;
 - “the relevant Minister”—
- (a) in relation to the regional flood defence committee for an area the whole or the greater part of which is in Wales, means the Secretary of State; and
 - (b) in relation to any other regional flood defence committee, means the Minister.]

Textual Amendments

F1 Ss. 14-19 repealed (E.W.) (1.4.2011) by [Flood and Water Management Act 2010 \(c. 29\)](#), s. 49(3), [Sch. 2 para. 53](#) (with s. 49(1)(6)); S.I. 2011/694, art. 3(i)

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