



Environment Act 1995

1995 CHAPTER 25

PART I

THE ENVIRONMENT AGENCY AND THE SCOTTISH ENVIRONMENT PROTECTION AGENCY

CHAPTER I

THE ENVIRONMENT AGENCY

Flood defence committees

16 Change of composition of regional flood defence committee.

- [^{F1}(1) The Agency may, in accordance with the following provisions of this section, from time to time make a determination varying the total number of members of a regional flood defence committee.
- (2) The Agency shall submit any determination under subsection (1) above to the relevant Minister.
- (3) For the purposes of this section—
- (a) the total number of members of a regional flood defence committee shall not be less than eleven; and
 - (b) any determination by the Agency under subsection (1) above that a regional flood defence committee should consist of more than seventeen members shall be provisional and shall take effect only if the relevant Minister makes an order under subsection (4) below.
- (4) If the Agency submits a provisional determination to the relevant Minister with respect to any regional flood defence committee and he considers that the committee should consist of more than seventeen members, he may by order made by statutory instrument—
- (a) confirm it; or

Status: Point in time view as at 01/04/2011.

Changes to legislation: Environment Act 1995, Section 16 is up to date with all changes known to be in force on or before 30 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)

- (b) substitute for the number of members determined by the Agency some other number not less than seventeen.
- (5) Subject to the following provisions of this section, whenever—
- (a) the total number of members of a regional flood defence committee is varied under this section, or
 - (b) the relevant Minister considers it necessary or expedient to make an order under this subsection,
- the relevant Minister shall by order made by statutory instrument specify the number of members to be appointed to the committee by each of the constituent councils.
- (6) An order under subsection (5) above shall relate—
- (a) where paragraph (a) of that subsection applies, to times after the coming into force of the variation; and
 - (b) where paragraph (b) of that subsection applies, to such times as are specified in the order.
- (7) An order under subsection (5) above shall be so framed that the total number of members appointed under section 15(1)(a) and (b) above is one less than the number of those appointed by or on behalf of constituent councils.
- (8) For the purpose of determining for the purposes of subsection (5) above the number of persons to be appointed to a regional flood defence committee by or on behalf of each constituent council, the relevant Minister—
- (a) if he considers it to be inappropriate that that council should appoint a member of the committee, or
 - (b) if he considers that one or more members should be appointed jointly by that council and one or more other constituent councils,
- may include provision to that effect in the order.
- (9) In this section—
- “member”, in relation to a regional flood defence committee, includes the chairman of the committee;
- “the relevant Minister” has the same meaning as in section 15 above.]

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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