



# Flood and Water Management Act 2010

## 2010 CHAPTER 29

### PART 1

#### FLOOD AND COASTAL EROSION RISK MANAGEMENT

##### *1. Key concepts and definitions*

#### **6 Other definitions**

- (1) “Main river” has the meaning given by section 113 of the Water Resources Act 1991.
- (2) “Watercourse” has the meaning given by section 72(1) of the Land Drainage Act 1991.
- (3) “Ordinary watercourse” means a watercourse that does not form part of a main river.
- (4) “Groundwater” means all water which is below the surface of the ground and in direct contact with the ground or subsoil.
- (5) “Surface runoff” means rainwater (including snow and other precipitation) which—
  - (a) is on the surface of the ground (whether or not it is moving), and
  - (b) has not entered a watercourse, drainage system or public sewer.
- (6) In subsection (5)(b)—
  - (a) the reference to a watercourse includes a reference to a lake, pond or other area of water which flows into a watercourse, and
  - (b) “drainage system” has the meaning given by paragraph 1 of Schedule 3.
- (7) “Lead local flood authority” in relation to an area in England means—
  - (a) the unitary authority for the area, or
  - (b) if there is no unitary authority, the county council for the area.
- (8) “Unitary authority” means—
  - (a) the council of a county for which there are no district councils;
  - (b) the council of a district in an area for which there is no county council;

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*Status: Point in time view as at 01/10/2010. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Flood and Water Management Act 2010, Section 6. (See end of Document for details)*

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- (c) the council of a London borough;
  - (d) the Common Council of the City of London;
  - (e) the Council of the Isles of Scilly.
- (9) “Lead local flood authority” in relation to an area in Wales means—
- (a) the county council for the area;
  - (b) the county borough council for the area.
- (10) “Internal drainage board” has the same meaning as in section 1 of the Land Drainage Act 1991.
- (11) “Water company” means a company which holds—
- (a) an appointment under Chapter 1 of Part 2 of the Water Industry Act 1991, or
  - (b) a licence under Chapter 1A of Part 2 of that Act.
- (12) “Highway authority” has the meaning given by section 1 of the Highways Act 1980.
- (13) “Risk management authority” means—
- (a) the Environment Agency,
  - (b) a lead local flood authority,
  - (c) a district council for an area for which there is no unitary authority,
  - (d) an internal drainage board,
  - (e) a water company, and
  - (f) a highway authority.
- (14) “English risk management authority” means—
- (a) the Environment Agency,
  - (b) a risk management authority within subsection (13)(b), (c) or (f) for an area that is wholly in England,
  - (c) an internal drainage board for an internal drainage district that is wholly or mainly in England, and
  - (d) a water company that exercises functions in relation to an area in England.
- (15) “Welsh risk management authority” means—
- (a) the Environment Agency,
  - (b) a risk management authority within subsection (13)(b), (c) or (f) for an area that is wholly in Wales,
  - (c) an internal drainage board for an internal drainage district that is wholly or mainly in Wales, and
  - (d) a water company that exercises functions in relation to an area in Wales.
- (16) “Cross-border internal drainage board” means an internal drainage board for an internal drainage district that is partly in England and partly in Wales.

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**Commencement Information**

- I1** S. 6 in force at 1.9.2010 for specified purposes by [S.I. 2010/2169](#), [art. 3\(2\)\(d\)](#)
- I2** S. 6 in force at 1.10.2010 in so far as not already in force by [S.I. 2010/2169](#), [art. 4](#), [Sch.](#)

**Status:**

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**Changes to legislation:**

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