
STATUTORY INSTRUMENTS

2013 No. 1590

**The Flood and Water Management Act 2010
(Commencement No. 2, Transitional and
Savings Provisions) (England) Order 2013**

Transitional and savings provisions

4.—(1) Until paragraphs 2, 10 and 25 of Schedule 4 to the 2010 Act are brought fully into force in relation to England, references in sections A1(3) and (6), 6(6A) and 13(1) and (3) of the 1975 Act to “10,000” are to be read as references to “25,000”.

(2) For the relevant period, sections 11, 12 and 21(5) of the 1975 Act continue to apply in relation to a large raised reservoir in England as though paragraphs 16, 17 and 18 of Schedule 4 to the 2010 Act had not been brought into force in relation to England.

(3) In paragraph (2), “the relevant period” means the period beginning on 30th July 2013 and ending on the first date on which the Environment Agency gives notice to the undertaker of the large raised reservoir—

- (a) that it has designated the reservoir as high-risk under section 2B(1) of the 1975 Act; or
- (b) that it has not designated the reservoir as high-risk (whether or not having made a provisional designation under section 2A of the 1975 Act).

(4) But where the undertaker of a large raised reservoir who has been given a notice under section 2B(1) of the 1975 Act brings an appeal against the designation of the reservoir as high-risk, “the relevant period” in relation to that reservoir ends on the date on which the First-tier Tribunal either confirms or cancels the designation.

(5) In this article, “large raised reservoir” and “undertaker” have the same meanings as in section 1(1) and (4) respectively of the 1975 Act⁽¹⁾ as in force immediately before 30th July 2013.

(1) Section 1(4) is amended by the Water Act 1989 (c. 15), Schedule 25, paragraph 49, and S.I. 1996/593, regulation 2 and Schedule 1.