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SCHEDULES

SCHEDULE 10

Section 89

AMENDMENTS RELATING TO REGIONAL FLOOD AND COASTAL COMMITTEES

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

1 In the Schedule to the Public Bodies (Admission to Meetings) Act 1960 (bodies to which the Act applies), in paragraph 1(i), for "regional and local flood defence committees" there is substituted " Regional Flood and Coastal Committees ".

Local Government Act 1974 (c. 7)

2 In section 25 of the Local Government Act 1974 (authorities subject to investigation by the Commission for Local Administration in England), in subsection (1)(d), for "any regional flood defence committee" there is substituted " any Regional Flood and Coastal Committee ".

House of Commons Disqualification Act 1975 (c. 24)

3 In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (other disqualifying offices)—

(a) the entry for a chairman of a local flood defence committee for any district in England and Wales is repealed;

(b) in the entry for a chairman of a regional flood defence committee for any area of England and Wales, for "regional flood defence committee" there is substituted " Regional Flood and Coastal Committee ".

Land Drainage Act 1991 (c. 59)

4 In section 1 of the Land Drainage Act 1991 (internal drainage districts and boards), in subsection (1)(a), for "the areas of the regional flood defence committees" there is substituted " the regions of the Regional Flood and Coastal Committees (within the meaning of section 22 of the Flood and Water Management Act 2010) ".

Water Resources Act 1991 (c. 57)

5 The Water Resources Act 1991 is amended as follows.

6 (1) Section 134 (raising of general drainage charges) is amended as follows.

(2) In subsection (1) (power of Environment Agency and Natural Resources Body for Wales to raise charge per hectare of chargeable land in a local flood defence district), for "a local flood defence district" there is substituted " a flood risk management region ".

(3) In subsection (2) (power under subsection (1) subject to recommendation of the regional flood defence committee)—

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(a) for "any local flood defence district" there is substituted " any flood risk management region ";

(b) for "the regional flood defence committee for the area in which that district is situated" there is substituted " the Regional Flood and Coastal Committee for that region ".

(4) Subsection (3) (treatment of the parts of an area of a regional flood defence committee which are not local flood defence districts) is repealed.

7 (1) Section 135 (amount, assessment etc of general drainage charge) is amended as follows.

(2) In subsection (1) (charge to be at a uniform rate per hectare of chargeable land)—

(a) for "a local flood defence district" there is substituted " a flood risk management region ";

(b) for "that district" there is substituted " that region ".

(3) In subsection (3) (calculation), in paragraph (b), for "the local flood defence district" there is substituted " the flood risk management region ".

(4) In subsection (4) (provision that may be made by a single order)—

(a) in paragraph (b), for "one or more local flood defence districts" there is substituted " one or more flood risk management regions ";

(b) in the words following paragraph (b)—

(i) for "more than one local flood defence district" there is substituted " more than one flood risk management region ";

(ii) for "districts" there is substituted " flood risk management regions ".

8 (1) Section 137 (special drainage charges in the interests of agriculture) is amended as follows.

(2) In subsection (1) (power of Environment Agency and Natural Resources Body for Wales to devise scheme for drainage works in the interests of agriculture), for "the area of any regional flood defence committee" there is substituted " any flood risk management region ".

(3) In subsection (3) (scheme to designate land for special drainage charge), for "the area of the regional flood defence committee" there is substituted " the flood risk management region ".

9 (1) Section 138 (levying and amount of special drainage charge) is amended as follows.

(2) In subsection (3) (regional flood defence committee to determine the uniform amount), for "the regional flood defence committee for the area" there is substituted " the Regional Flood and Coastal Committee for the flood risk management region within which is the area ".

(3) In subsection (5) (provision that may be made by a single order)—

(a) in paragraph (b), for "such areas of regional flood defence committees" there is substituted " areas within such flood risk management regions ";

(b) in the words following paragraph (c)—

(i) for "more than one area of a regional flood defence committee" there is substituted " areas within more than one flood risk management region ";

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(ii) for "different areas" there is substituted " different flood risk management regions ".

10 In section 143(1) (power of Environment Agency and Natural Resources Body for Wales to levy navigation tolls in certain navigable waters), in paragraph (b), for "the area of a regional flood defence committee" there is substituted " a flood risk management region ".

11 (1) Section 145 (interpretation of Chapter 2 of Part 6) is amended as follows.

(2) In the definition of "chargeable land", for "the area of a regional flood defence committee" there is substituted " a flood risk management region ".

(3) At the appropriate place there is inserted—

""flood risk management region" means the region of a Regional Flood and Coastal Committee, within the meaning of section 22 of the Flood and Water Management Act 2010;".

12 (1) Section 166 (power of Environment Agency and Natural Resources Body for Wales to carry out works for the purpose of providing a flood warning system) is amended as follows.

(2) In subsection (3) (exercise of powers in Scotland)—

(a) in paragraph (a), for "the areas of the regional flood defence committees whose areas are adjacent to Scotland" there is substituted " the flood risk management regions adjacent to Scotland ";

(b) in paragraph (b), for "the areas of each of those committees" there is substituted " those flood risk management regions ".

(3) In subsection (4) (interpretation), at the appropriate place there is inserted—

""flood risk management region" means the region of a Regional Flood and Coastal Committee, within the meaning of section 22 of the Flood and Water Management Act 2010;".

13 In section 221(1) (interpretation of terms in the Act), in the definition of "flood defence provisions", in paragraph (b)—

(a) after sub-paragraph (i) there is inserted "and";

(b) sub-paragraph (iii) and the "and" following it are repealed.

14 In Schedule 15 (supplemental provisions with respect to drainage charges), in paragraph 3(1)(a), for "the local flood defence district" there is substituted " the flood risk management region ".

15 In Schedule 26 (procedure relating to bye-laws made by the Environment Agency), in paragraph 7 (meaning of "the relevant Minister")—

(a) in paragraph (a)(ii), for "the area of a regional flood defence committee the whole or the greater part of whose area is in England" there is substituted " a flood risk management region the whole or the greater part of which is in England ";

(b) after paragraph (c) there is inserted—

"For the purposes of this paragraph "flood risk management region" means the region of a Regional Flood and Coastal Committee, within the meaning of section 22 of the Flood and Water Management Act 2010."

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Environment Act 1995 (c. 25)

16 In section 6 of the Environment Act 1995 (general provisions with respect to water), in subsection (5) (flood defence functions to extend to the territorial sea), in paragraph (a), for "the area of any regional flood defence committee" there is substituted " the region of any Regional Flood and Coastal Committee ".

Freedom of Information Act 2000 (c. 36)

17 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general), for the entry for any regional flood defence committee there is substituted— " Any Regional Flood and Coastal Committee. "

Public Services Ombudsman (Wales) Act 2005 (c. 10)

18 In Schedule 3 to the Public Services Ombudsman (Wales) Act 2005 (authorities entitled to refer matters to ombudsman), in the entry for a regional flood defence committee for an area wholly or partly in Wales, for "regional flood defence committee" there is substituted " Regional Flood and Coastal Committee ".

The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)

19 In Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999, in the entry relating to the Local Government Act 1974, in paragraph (c), for "a regional flood defence committee" there is substituted " a Regional Flood and Coastal Committee ".

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/1288, art. 3(c)(d) by S.I. 2019/706 art. 2
- specified provision(s) amendment to earlier commencing S.I. 2017/462, arts. 4, 5 by S.I. 2017/926 art. 2