

**2006 No. 804**

**LAND DRAINAGE, ENGLAND**

**The North West Regional Flood Defence Committee Order 2006**

*Made* - - - - *16th March 2006*

*Coming into force* - - *1st April 2006*

From 1st April 2006, the constituent councils for the North West Regional Flood Defence Committee (“the committee”) will be the councils for the counties and metropolitan districts specified in column (1) of the Schedule to this Order(a).

The Secretary of State considers—

(a) that it is necessary or expedient to make an order under section 16(5)(b) of the Environment Act 1995 (“the Act”)(b) specifying the number of members to be appointed to the committee by each of the constituent councils from 1st April 2006;

(b) that it is inappropriate that the council for any county or metropolitan district in relation to which an entry “none” appears in column (2) of the Schedule to this Order should appoint a member of the committee;

(c) that one member of the committee should be appointed jointly by the councils for any county or metropolitan district in relation to which an entry “one jointly” appears in column (2) of the Schedule to this Order; and

(d) that three members of the committee should be appointed jointly by the councils for any county or metropolitan district in relation to which an entry “three jointly” appears in column (2) of the Schedule to this Order.

Accordingly, the Secretary of State makes the following Order in exercise of the powers conferred by sections 16(5)(b) and (8) of the Act and now vested in her(c):

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(a) The constituent councils for any area of a regional flood defence committee are determined in accordance with section 15(6) of the Environment Act 1995 (c.25); the boundaries of the area of the committee will be altered on 1st April 2006 by The North-West, Severn-Trent and Welsh Regional Flood Defence Committees (Boundaries Alteration) Order 2005 (S.I. 2005/3047).  
(b) 1995 c.25.  
(c) Sections 15(7) and 16(9) define “the relevant Minister” and section 56(1) defines “the Minister”. By virtue of article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794), the power conferred by section 16(5) is now exercisable by the Secretary of State in relation to any regional flood defence committee, the whole or the greater part of which is in England.

### **Title, commencement and interpretation**

1.—(1) This Order may be cited as the North West Regional Flood Defence Committee Order 2006 and comes into force on 1st April 2006.

(2) In this Order, “the committee” means the regional flood defence committee established by section 14 of the Environment Act 1995(a) and known as the North West Regional Flood Defence Committee, for which the councils for the counties and metropolitan districts specified in the Schedule to this Order are the constituent councils.

### **Number of members of the committee to be appointed by each constituent council**

2.—(1) The number of members to be appointed to the committee by the council or councils of any county(b) or metropolitan district specified in column (1) of the Schedule to this Order is the number specified in the corresponding entry in column (2) of that Schedule.

(2) Where more than one county or metropolitan district is specified in any entry in column (1) of the Schedule to this Order, any appointment made to the committee in relation to that entry by the councils for the counties and metropolitan districts specified in that entry must be made jointly.

### **Revocation**

3. The North West Regional Flood Defence Committee Order 1998(c) is revoked.

16 March 2006

*Elliot Morley*  
Minister of State,  
Department for Environment, Food and Rural Affairs

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(a) 1995 c.25.

(b) By virtue of regulation 5(6) of the Local Government Changes for England Regulations 1994 (S.I. 1994/867), as amended by the Local Government Changes for England (Amendment) Regulations 1996 (S.I. 1996/611), in relation to an area for which there is a district council but no county council, any reference in a provision to a county council (or a county), so far as is required for giving effect to the provision, is to be construed as including a reference to a district council (or district).

(c) S.I. 1998/1637.

## SCHEDULE

Article 2

### NUMBER OF MEMBERS OF COMMITTEE TO BE APPOINTED BY EACH CONSTITUENT COUNCIL OR GROUP OF COUNCILS

<i>(1)</i>	<i>(2)</i>
<i>Constituent Councils</i>	<i>Number of Members (a)</i>
Cheshire, Warrington	One jointly
Cumbria	One
Derbyshire	None
Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford, Wigan	Three jointly
Blackburn with Darwen, Blackpool, Lancashire ("Lancashire Councils")	One jointly
Knowsley, Liverpool, St Helens, Sefton, Wirral, Halton ("Merseyside Councils")	One jointly
Lancashire Councils and Merseyside Councils	One jointly
Northumberland	None
North Yorkshire	None
Shropshire	None
Staffordshire	None

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(a) In accordance with section 16(7) of the Environment Act 1995, this Order has been so framed that the total number of members appointed under section 15(1)(a) and (b) of that Act is one less than the number of those appointed by or on behalf of constituent councils.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Article 2 of this Order specifies the number of members who are to be appointed by the constituent councils of the Environment Agency's North West Regional Flood Defence Committee ("the committee") to the committee from 1st April 2006. It relates to changes to the constituent councils of the committee on 1st April 2006 as a result of the alteration to the boundaries of the area of the committee on that date by virtue of The North-West, Severn-Trent and Welsh Regional Flood Defence Committees (Boundaries Alteration) Order 2005 (S.I. 2005/3047). Membership of the regional flood defence committees of the Environment Agency is determined by sections 15 and 16 of the Environment Act 1995.

Article 3 revokes the North West Regional Flood Defence Committee Order (S.I. 1998/1637).

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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