



Flood and Water Management Act 2010

2010 CHAPTER 29

PART 1

FLOOD AND COASTAL EROSION RISK MANAGEMENT

2. Strategies, co-operation and funding

12 Effect of national and local strategies: Wales

- (1) In exercising its flood and coastal erosion risk management functions, a Welsh risk management authority must—
 - (a) act in a manner which is consistent with the national strategy and guidance, and
 - (b) except in the case of a water company, act in a manner which is consistent with the local strategies and guidance.
 - (2) In exercising a flood or coastal erosion risk management function in relation to an area in Wales, a water company must have regard to the local strategies and guidance.
 - (3) In exercising any other function in a manner which may affect a flood risk or coastal erosion risk, a Welsh risk management authority must have regard to the national and local strategies and guidance.
 - (4) A cross-border internal drainage board for an internal drainage district that is mainly in England must—
 - (a) act in a manner which is consistent with the local strategies and guidance, and
 - (b) have regard to the national strategy and guidance.
 - (5) Subsection (4) does not affect the duties of a cross-border internal drainage board under section 11.
- [^{F1}(5A) In exercising a function in a manner which may affect a flood risk or coastal erosion risk in Wales, the Environment Agency must have regard to the national and local strategies and guidance.]

*Changes to legislation: There are currently no known outstanding effects for the
Flood and Water Management Act 2010, Section 12. (See end of Document for details)*

- (6) The Welsh Ministers may by order require a specified person to have regard to the national and local strategies and guidance in exercising a statutory function which may affect a flood risk or coastal erosion risk in Wales.
- (7) In this section—
- (a) references to the national strategy and guidance are references to (i) the national flood and coastal erosion risk management strategy under section 8, and (ii) any guidance on the national strategy issued by the Welsh Ministers, and
 - (b) references to the local strategies and guidance are references to (i) any local flood risk management strategy under section 10 for the relevant area, and (ii) any guidance on a local strategy issued by a lead local flood authority.
- (8) In subsection (6) “statutory function” means a function conferred by or under an enactment.

Textual Amendments

- F1** S. 12(5A) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013](#) (No. 755), art. 1(2), [Sch. 2 para. 454](#) (with Sch. 7)

Commencement Information

- I1** S. 12 in force at 1.11.2011 by [S.I. 2011/2204](#), [art. 4\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Flood and Water Management Act 2010, Section 12.