



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;

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)

- (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 ^{F1}... —
- (a) [^{F2}a company which holds] an appointment under Chapter 1 of Part 2 of the Water Industry Act 1991, or
 - (b) [^{F3}a person who holds] 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,
 - [^{F4}(aa) the Natural Resources Body for Wales,]
 - (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) [^{F5}the Natural Resources Body for Wales],
 - (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.
- [^{F6}(17) “Wales” has the meaning given by section 158 of the Government of Wales Act 2006.]

Textual Amendments

- F1** Words in s. 6(11) repealed (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 7 para. 144\(a\)](#); [S.I. 2016/465](#), art. 2(m), [Sch. 1 para. 1\(ff\)](#) (with [Sch. 2](#))

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)

- F2** Words in s. 6(11)(a) inserted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 144(b)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(ff)** (with Sch. 2)
- F3** Words in s. 6(11)(b) inserted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 144(c)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(ff)** (with Sch. 2)
- F4** S. 6(13)(aa) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 452(2)** (with Sch. 7)
- F5** Words in s. 6(15)(a) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (No. 755), art. 1(2), **Sch. 2 para. 452(3)** (with Sch. 7)
- F6** S. 6(17) inserted (14.7.2017) by Environment (Wales) Act 2016 (anaw 3), s. 88(3)(c), **Sch. 2 para. 25(2)**; S.I. 2017/714, art. 2

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.**

Changes to legislation:

There are currently no known outstanding effects for the Flood and Water Management Act 2010, Section 6.