

# Environment (Wales) Act 2016 Factsheet



Llywodraeth Cymru  
Welsh Government

## Flood and Coastal Erosion Committee and Land Drainage



### Introduction

The Act clarifies the law for a number of existing environmental regulatory regimes including flood risk management and land drainage.

### Establishment of the Flood and Coastal Erosion Committee

The Act establishes a Flood and Coastal Erosion Committee. In doing so this removes any conflicts in existing legislation so that a wider, advisory role is provided by this new Committee. This includes providing advice on the wider risks and benefits of flood and coastal erosion risk management in Wales across all sources of flooding i.e. flooding from surface water, main rivers, coastal flooding and coastal erosion.

This new committee replaces Flood Risk Management Wales. It streamlines accountability for Natural Resources Wales, by removing the duplication of scrutiny of Natural Resources Wales' budget and programme between the Natural Resources Wales Board and the existing Flood Risk Management Wales. It also provides advice to Welsh Ministers on a wider range of flood and coastal erosion issues as opposed to just advising Natural Resources Wales.

## Land Drainage

The Act makes two changes with regard to Internal Drainage Boards (the functions of which are now exercised by Natural Resources Wales):

- **Repeal of certain advertising requirements** – the Act removes a requirement on Natural Resources Wales to advertise in local newspapers and the London Gazette. This will provide Natural Resources Wales with the flexibility to choose how they advertise and communicate the relevant notices and procedures. As well as enabling the key audience to be targeted it will provide a cost effective means of advertising.
- **Appeals against special levies** – the Act enables appeals to be made by local authorities to the Welsh Government in the event they believe the levies raised by Natural Resources Wales to be unreasonable.

A further provision in the Act creates a power of entry to enable the Welsh Ministers' agents to carry out investigations ensuring that corrective action, as required by an order made by the Agricultural Land Tribunal, has been taken by the landowner or occupier to resolve a land drainage issue. This ensures that remedial drainage works have been carried out which in turn allows poorly drained land to be restored and ensure that drainage ditches are in good working condition.

This helps to alleviate flooding and ensure that farming land is sufficiently drained to be used for its intended purposes.

## Timeline

It is expected that the regulations to set up the membership and procedural requirements of the Flood and Coastal Erosion Committee will be prepared so that they can be made as soon as possible after the Act received Royal Assent. This will allow the new committee to start work as soon as the current committee is abolished.

The provisions relating to land drainage will take effect two months after the Act received Royal Assent.

## More information

The Act became law in March 2016. You can find out more about the Act on our website at:

**<http://gov.wales/environmentact>**

You can also subscribe to our monthly e-bulletin by emailing us at:

**[NRBulletin@wales.gsi.gov.uk](mailto:NRBulletin@wales.gsi.gov.uk)**