

LANDFORM surface water consultation 2008

Background

The **Local Authority Network on Drainage and Flood Risk Management (LANDFORM)** has been set up support to Local Authorities (LAs) with their contribution to flood risk management and sustainable drainage by improving their understanding of principles, challenges and opportunities. For further information visit www.ciria.org/landform.

The network provides a mechanism to communicate, share knowledge and experiences for those that work in, and with Local Authorities. More specifically the network's objectives are to:

- Provide a platform for sharing knowledge and experiences
- Enable focused communication between key stakeholders
- Provide tools and support mechanisms
- Ensure Local Authorities are kept updated on developments
- Assist with implementation
- Clarify roles and responsibilities

LANDFORM provides a focal point to discuss challenges and disseminate good practice for Local Authorities. Recent LANDFORM seminars have covered the implementation of sustainable drainage and flood risk management.

The network also provides a mechanism for LAs to communicate with other stakeholders. With this in mind a survey was developed to respond to some of the interim conclusions from the Pitt Summer 2007 flooding review and Defra's *Improving surface water management* consultation. This consultation process took place in April 2008, during the three week consultation period over 70 Local Authorities responded to the consultation.

Summary

The results of the survey provide a good insight into considerations and practices of those working on the ground. Those that responded to the consultation are broadly positive to the introduction of Surface Water Management Plans (SWMPs). However, there were concerns about the availability of appropriate resources in terms of funds, skills, experience and knowledge within Local Authorities. There is also some uncertainty in relation to what SWMPs could include and the interaction with spatial planning.

It was also recognised that there is considerable interaction between stakeholders, several responses highlighted the role of the Environment Agency (EA) and sewerage undertakers have in surface water management.

Supporting discussions recorded at LANDFORM events there was also huge support for greater clarity in terms of responsibilities for surface water management and for a framework for the adoption of Sustainable Drainage Systems (SUDS) to be proactively progressed.

LANDFORM enthusiastically supported by a Strategic Advisory Group that includes Central Government, local government, regulators, practitioners, researchers and other relevant stakeholders already provides a mechanism to support Local Authorities and facilitate a positive response to the proposals in the *Improving Surface Water Drainage* consultation. LANDFORM would therefore welcome the opportunity to work with others to communicate and build capacity within Local Authorities.

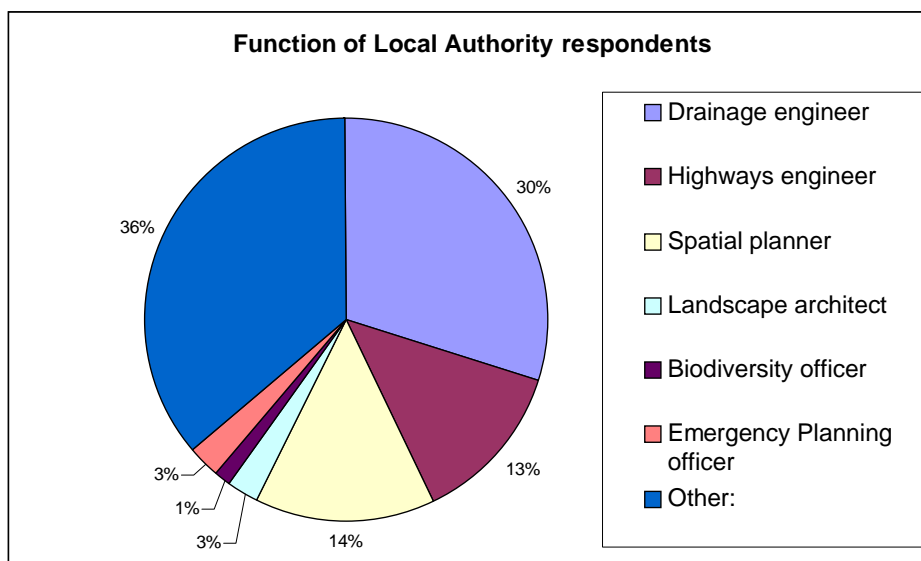
Results

There were 107 respondents, with 77 provided by Local Authorities. Respondents from other organisations mainly included consultants, practitioners, regulators and other interested stakeholders. Unless stated otherwise, the information and feedback provided in this briefing paper relate to the Local Authorities submission.

Question 1: Do you work for a Local Authority?

Out of 107 respondents 77 were from Local Authorities and the remainder were from other organisations and consultants.

Question 1a: If yes what function?

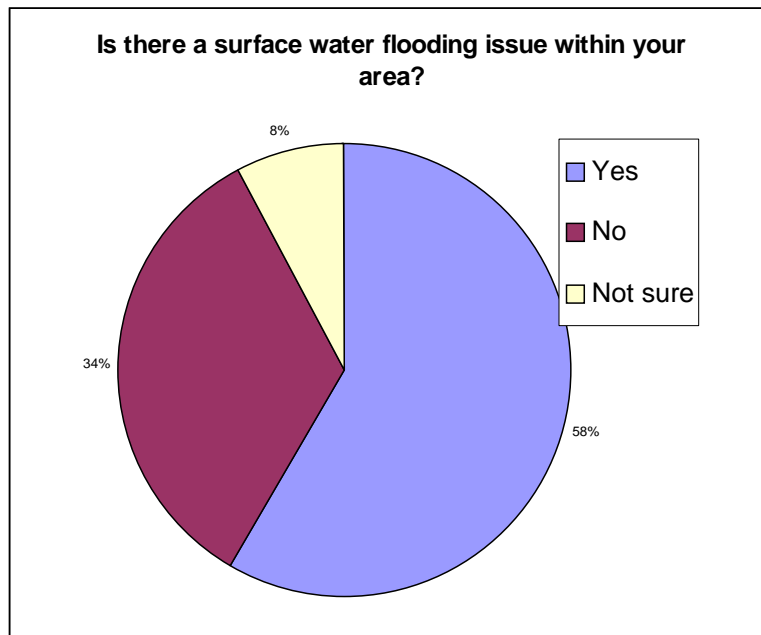


Over half of those responding (57%) comprised drainage engineers, spatial planners or highway engineers. The 'other' respondents (36%) include general engineers, flood risk managers, and building and development control.

Question 1b: If not Local Authority, please specify:

Those that undertook the survey that were not Local Authority primarily consisted of Environment Agency or private consultancies.

Question 2: *Is there a significant surface water flooding issue within your Local Authority area?*



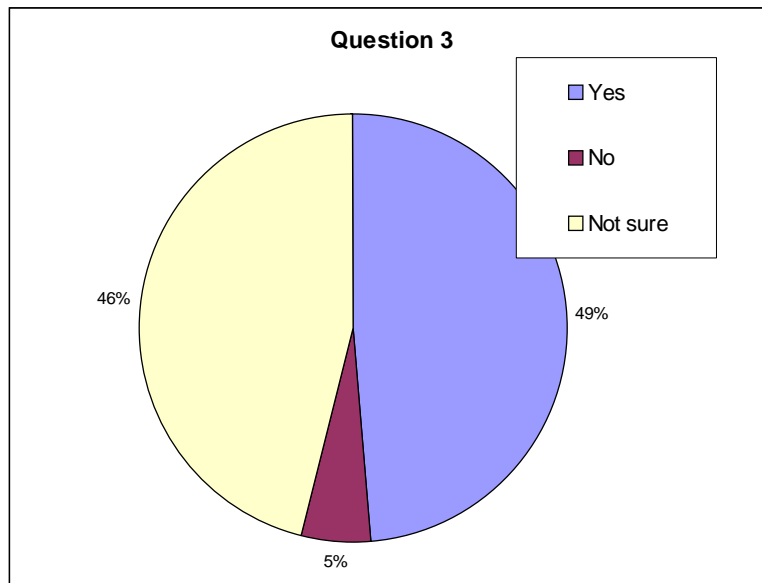
It was felt by over half (58%) of the respondents that there is a significant surface water flooding issue within their area. However, around a third (34%) felt that there was not an issue in their area.

Question 2a: *If yes, how is it being addressed?*

Spatial planners provided details on processes and suggested that issues were being addressed through a combination of Strategic Flood Risk Assessments (SFRAs) and the use of planning policies used to identify the areas currently at risk from flooding and to provide adequate policies for future growth and regeneration. Some of the engineers believed that current issues were being managed by ongoing minor maintenance of smaller watercourses. These two approaches form part of an overall framework to managing surface water drainage, with relatively new methods such as the Integrated Urban Drainage (IUD) pilots and flooding forums (partnerships) in local areas being used to implement more holistic approaches.

The results indicate that many Local Authorities lead on a variety of local projects, both undertaking minor asset maintenance and bringing stakeholders together to develop voluntary partnerships.

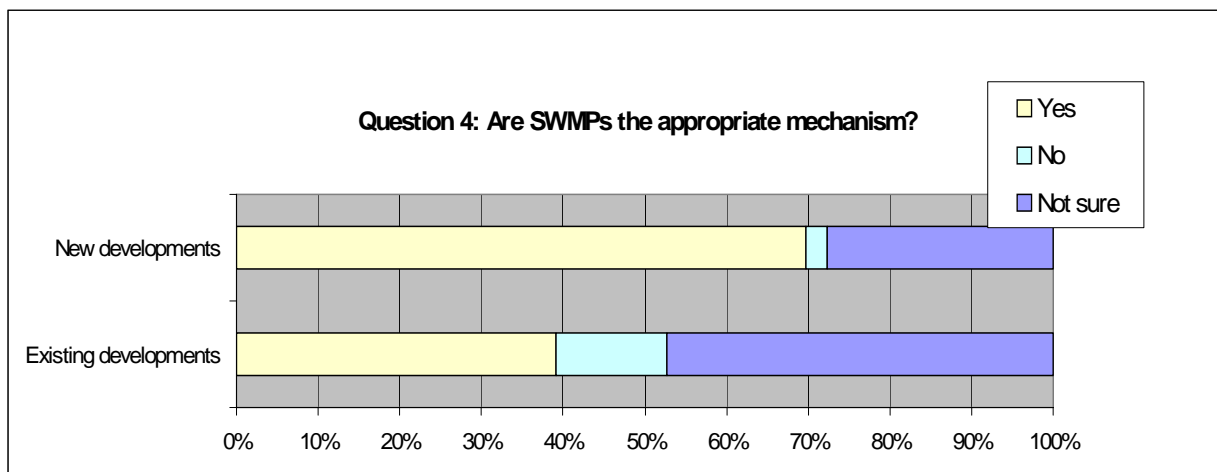
Question 3: In relation to PPS25 and Future Water do surface water management plans (SWMPs) offer the best solution to co-ordinate surface water drainage, bearing in mind the role of stakeholders (Environment Agency, sewerage undertakers, Local Authority etc) and related strategic documents (Strategic Flood Risk Assessments, Catchment Flood Management Plans etc)?



Although nearly half (49%) of those surveyed considered that SWMPs were an appropriate way to coordinate surface water management, almost the same percentage were unsure whether this was the correct approach. *This may reflect unfamiliarity with the concept of Surface Water Management Plans as no supporting information was provided and the question assumed knowledge of the principles.*

There was general consensus that whoever took the lead on SWMPs would require resources, both in terms of finance and skills, as this is likely to be a major issue for the production, implementation and delivery of the plans. SWMPs would require a coordinated approach from all the stakeholders involved in order for the process to be effective and not duplicate existing initiatives (eg Strategic Flood Risk Assessments (SFRAs)). Responsibilities for the outcomes and delivery of the plans also need to be addressed to ensure that the actions are carried forward by appropriate organisations. However, it was also noted that delivery of SWMPs would be difficult to achieve due to the diverse complexity of existing legal and planning powers/responsibilities held by stakeholders and that this could and should be changed. Concerns of equitability (when is a SWMP undertaken), consistency and involvement by all relevant organisations were raised as an issue, as well as the need to address legacy issues in existing developments.

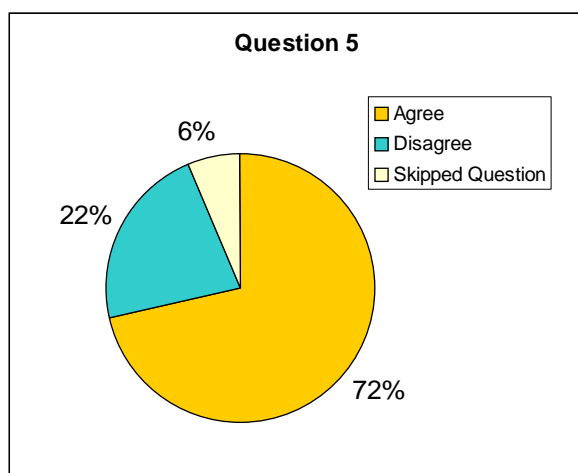
Question 4: Are SWMPs the appropriate mechanism for managing and resolving surface water drainage flood risk in existing and new developments?



The approach to existing issues is currently being dealt with in a piecemeal approach and that there is some question mark over whether the SWMPs are the correct mechanism for existing issues, with just over a third of respondents believing SWMPs were appropriate for existing developments. The responses identified that almost twice as many Local Authorities felt that SWMPs would be able to address new issues rather than existing issues.

Question 5: Please read the following statement:

"Local Authorities, under a compulsory approach, are the body to lead on SWMP's and implementing sustainable drainage. This should be District or County level depending on the extent of the area to be managed in order to minimise cross-boundary tensions. In Growth Areas, Local Delivery Vehicles could be delegated the role of co-ordination. Participation by relevant stakeholders should be made a requirement – and adequate capacity resources need to be identified."



The survey identifies that Local Authorities should be responsible for coordinating the SWMPs, however issues of consistency need to be managed and this may be achieved under a compulsory approach. There are linkages between SWMPs, spatial planning and sustainable development. There was also support for the EA to take an active role in coordination.

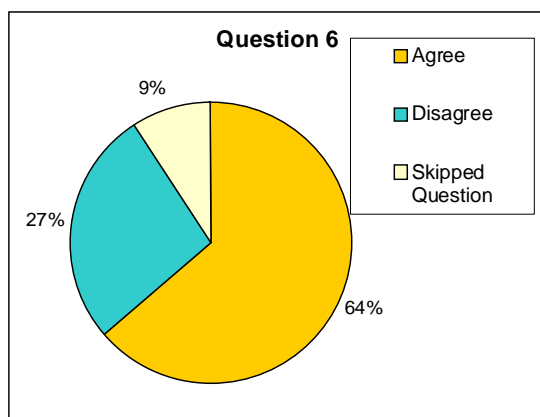
Of the respondents that disagreed, many of them were concerned that resource implications may mean that Local Authorities could not undertake

the role, despite being best placed to do so. There was some concern that the role of Local Authorities was not strategic enough and could not cover cross boundaries or larger catchment issues. To deal with the whole catchment wide approach it was suggested that the

Environment Agency may have the resources and skills to undertake SWMPs. This was also the view of many of the responders that were not Local Authorities.

Question 6: Please read the following statement:

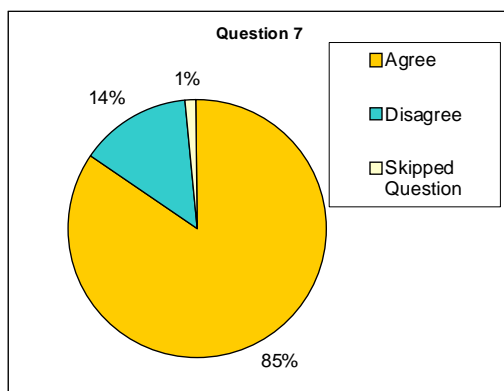
"The responsibility for co-ordination of SWMP's would add significantly to the effectiveness of local authorities in place shaping and delivering high quality services".



If responsibility for the SWMPs were that of the Local Authorities this would allow them to shape developments and communities contributing to sustainable development. However, this undertaking needs to be closely linked to the provision of resources, both financial and capacity supported by appropriate legislation and regulations. The collaboration of the stakeholders is also central to facilitate the delivery of effective plans.

Question 7: Please read the following statement:

"Most Local Authorities do not currently have the skills or capacity for SWMP's, although they can be augmented by consultancy support. The best way to achieve these skills would be to build up the basic capacity with Local Authorities over the next 3 to 5 years by experience of trial projects and exemplar schemes and full capacity within 5 to 8 years. Authorities already with experience could help to mentor adjoining Councils."



There was general agreement with the statement about the majority of Local Authorities experiencing a deficiency of relevant skills and there being potential for their capacity and contribution to expand in the future through trial projects and mentoring.

The objectives of LANDFORM are to encourage the mentoring of Local Authorities through informal communication and events providing a platform for capacity building. This network therefore already provides a

mechanism to help deliver some of the proposals in the consultation.

It was generally accepted that most Local Authorities have lost their drainage expertise and with it their local knowledge. There was recognition of the importance of local expertise and many respondents were looking to the Environment Agency to help support this.

Specific comments raised through the consultation include:

- Capacity building is likely to require significant funding and this may come down to political will and appetite.
- If consultants were to be used to provide skills it is likely that they would not have the local knowledge in order to provide a robust plan.
- The timescales in the statement were overly optimistic and that it is unlikely to be achievable if training has to start from scratch.
- In the interim, improved engagement and participation of the Internal Drainage Boards (IDBs) and/or Environment Agency could help bridge some of the skills gaps.
- Some Local Authorities felt that they already had the skills in place, but not the financial resources to dedicate to surface water management plans.
- The skills shortage is being experienced within the industry as a whole and is not just within Local Authorities.

Question 8: *In relation to specific schemes within your Local Authority area, please provide suitable case studies and examples of:*

Not many specific exemplar sustainable drainage schemes were suggested. However, an overview to the response is provided.

8a. Institutional arrangements hindering the resolution of surface water management problems.

This response highlighted that the institutional arrangements are causing difficulties when looking at providing solutions. There are generally too many parties involved in implementing SUDS schemes for a development and communication is poor (normally not early enough). The lack of legislation and allocation of responsibilities for SUDS maintenance are hindering the overall implementation of schemes.

The main issues that were highlighted were:

- Lack of cooperation from the key stakeholders, in terms of general engagement and data provision
- Unwillingness to adopt SUDS schemes by various stakeholders, and some disciplines (within Local Authorities) for a variety of reasons (primarily a lack of legislative support).
- Existing policy and legislation is not strong enough to make improvements to surface water management and implement SUDS (eg betterment and delivery of greenfield runoff rates).

8b. Surface water management and related development planning initiatives undertaken by your Authority.

Most of the Local Authorities responding to the survey are being proactive by including surface water requirements within their Local Development Frameworks, SFRA's and IUD pilots, helping to encourage the use of sustainable drainage. However, many LAs are dependent on the spatial planning system and resources. There are many examples of Local Authorities coordinating the implementation of SUDS management plans for specific areas, however, this is often limited by resources. The current methods for planning initiatives are broad and include:

- Considerable support and engagement for the delivery of SFRA's
- Cross boundary strategy groups inputting into Flood Alleviation Scheme.
- Local partnership approaches that involve all stakeholders, including community involvement.
- Development of policy on flood risk and sustainable drainage

- Major development approaches to provide comments for new developments.
- Local Authorities are heavily involved with the Integrated Urban Drainage pilots when they are within their area.
- Examples of good practice (over and above SFRAs) suggested include:
 - Integrated Urban Drainage Pilots (Camborne, Hoggsmill, Lincoln, Newcastle, Lower Irwell, Birmingham)
 - SUDS requirements and management plans (Waterlooville, Aylesbury)
 - Marston Vale Surface Water Management Plan

8c. Sustainable drainage (SUDS and drainage exceedance) being successfully implemented particularly those driven by a Local Authority.

Many of the Local Authorities providing feedback are implementing schemes on their own property, this has ranged from car parks to green roofs. There have also been successful partnerships in some areas to implement effective schemes at a local level. This approach is heavily dependent on the individual stakeholders and the LA involved.

8d. Sustainable drainage being promoted, particularly driven by Local Authority, but have not been successfully implemented and the reasons why.

Sustainable drainage schemes are being promoted through the Local Authorities planning however there are a number of challenges to implementation:

- Solutions suggested are inappropriate due to poor consideration of local conditions, which stems from lack of local knowledge.
- Implementation often depends on attitudes of developers. Some developers are not keen to put SUDS into development due to costs. In some examples Local Authorities have managed to achieve attenuation, however infiltration devices have been less successful to promote.
- There is no clear responsibility for maintenance and adoption of these post construction and this often impedes implementation.
- There is a lack of clarity between stakeholders, on some instances the Environment agency have agreed approaches and then the Highways Authority have agreed something different.
- Sustainable drainage issues are not addressed at the early planning stages and therefore they are difficult to achieve later in the process.

Many large development areas have no surface waters plan, which means that the suds schemes are being led by developers in a piecemeal approach rather than at a strategic level.

LANDFORM

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