

NATIONAL TECHNICAL ADVISORY GROUP ON FLOODING ISSUES
WATER ENVIRONMENT AND WATER SERVICES (SCOTLAND) ACT 2003
FLOOD MANAGEMENT ISSUES UPDATE

Purpose

1. This paper gives members details of the Scottish Executive's proposed timetable for taking forward the EU Water Framework Directive in Scotland.

Background and proposed timetable

Local authorities

2. Under Section 2(4) of the Water Environment and Water Services (Scotland) Act, local authorities will be designated as "responsible authorities" and their functions under the 1961 Flood Prevention Act as "designated functions". This will mean that Local Authorities will be required to exercise their functions under the Act so as to secure compliance with the Water Framework Directive - this includes the mitigation of floods.

Consultation: Spring 2004

Laid before Parliament: September 2004

SEPA and Responsible Authorities

3. SEPA and the responsible authorities also have a duty to promote sustainable flood management so far as is consistent with the purposes of the designated function in question. This measure, along with the development of catchment flood management planning should mean that local authorities will promote flood prevention schemes in the context of a strategic proactive approach.

4. Along with the local authorities we propose to designate a number of other Responsible Authorities including Scottish Water, Scottish Natural Heritage and the Forestry Commission.

River Basin Management Planning

5. River Basin Management Planning will provide a strategic forum within which flood prevention measures can be considered. It brings together all those with an interest in flood management issues at the strategic scale.

Consultation: 2008 (lead by SEPA)

Building and Engineering Works Control Regime

6. The construction of flood defence schemes will soon be required to be consented in terms of the new control regime introduced under Section 20 of the Act on building,

7. engineering or other works in, or in the vicinity of, any body of inland surface water. That will be another means of ensuring that these schemes as a whole take a sustainable approach to flood management.

Consultation: Spring 2004

Laid before Parliament: September 2004

Conclusions

8. Members are invited to note the above.

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