

NATIONAL TECHNICAL ADVISORY GROUP ON FLOODING ISSUES

GUIDANCE SUBGROUP – REMIT AND WORKING ARRANGEMENTS

Purpose

1. The purpose of this paper is to define the role of the National Technical Advisory Group on Flooding Issues sub-group on Guidance, and how it will work to help the Scottish Executive in the preparation of national technical guidance on flood prevention schemes.

Background

2. At the first meeting of NTAG on 17 December 2003 members recognised that much of the work required to be completed by September 2004 would best be carried out by sub-groups. Members agreed to set up a sub-group to discuss and advise the Executive on the preparation of technical guidance.

3. At present there is no comprehensive technical guidance for flood prevention schemes in Scotland. The Executive, however, can provide a short guide and a model outline scheme to explain the statutory requirements of the Flood Prevention (Scotland) Act 1961 (“the 1961 Act”). If a council submits a suitable scheme which meets the statutory requirements of the 1961 Act, Scottish Ministers may agree to make a grant payment at 50% of the approved grant-eligible cost of the scheme. Local authorities are referred to the DEFRA guidance for the economic appraisal required as part of the grant consideration.

Remit

4. This sub-group is tasked with providing the Executive with advice to inform the preparation of national technical guidance for local authorities and interested parties on flood risk management, in doing so it will:

- Determine what technical guidance on managing flood risk, including economic aspects, is required in Scotland. The sub-group will prioritise and consider the relevance of the areas outlined in paper NTAG2003(3) - Work plan. (A copy of paper NTAG2003(3) is attached at Annex 2.)
- Consider each of the 6 volumes of existing DEFRA technical guidance (DEFRA: Flood and coastal defence Project appraisal guidance: procedural guidance for operating authorities), which can be found at: <http://www.defra.gov.uk/environ/fcd/pubs/pagn/default.htm> and its relevance in Scotland. List which areas require Scotland-specific guidance.
- Consider the need for technical guidance in areas not covered by DEFRA guidance, for example, improving national guidance in connection with the promotion of flood prevention schemes, including design standards and climate change impacts.
- Consider and advise the Executive on the need for consultancy services to help in the drafting of technical guidance.

- Agree a work programme for producing the guidance and making it available to local authorities and other interested parties.
- Ensure that advice from the sub-group considering the definition of sustainable flood management is fully taken into account in the work programme.
- Take full account of the recommendations made in COSLA's Flooding Task Group Final Report.
- Report to NTAG on 1 April and 3 June 2004.

Membership

5. A membership list is given in Annex 1. The sub group draws on a wide range of experience and expertise. Once appointed, it is assumed that Members will be able to draw on expertise and resources of their constituent organisations to help deliver the objectives of the sub-group.

6. Alan Burdekin, of the Executive's Air, Climate and Engineering Unit will chair the meetings.

Pattern of Working

7. Initially the sub-group will meet twice. Meetings will be hosted by the Executive in Victoria Quay and will start at 11.00 am. It is expected that the meetings will last no more than 3 hours but circumstances may dictate the need for longer - or shorter - meetings. Any changes to the venue or format may be arranged with the prior agreement of Members. The first meeting will take place at 11.00 am on 21 January 2004. A second meeting has been provisionally set for Wednesday 3 March 2004.

8. The sub-group will report its conclusions to NTAG on 1 April 2004. A paper will be produced for this meeting. It will also review its performance and make recommendations to NTAG on whether it needs to meet again after 1 April 2004.

Remuneration

9. Membership of the sub-group will not normally attract any remuneration. However, the Secretariat will consider reasonable travel and subsistence expenses.

10. Exceptionally, it might be necessary to meet some consultancy expenses. Any such expenses must be approved in advance by the Secretariat and, depending on the sums involved, may also require Ministerial approval.

Secretariat

11. Secretariat support will be provided by the Executive's Air, Climate and Engineering Unit. This will include arranging and recording the outcome of meetings, preparing or commissioning papers, and managing the work programme. It will also provide guidance on the format, process and timescales for submitting papers to the sub-group.

Conclusions

12. Members are invited to consider the above working arrangements for the sub-group within the remit detailed at paragraph 4 above.

**NTAG Secretariat
January 2004**

THE NATIONAL TECHNICAL ADVISORY GROUP ON FLOODING ISSUES

**MEMBERSHIP OF THE NATIONAL TECHNICAL ADVISORY GROUP ON
FLOODING ISSUES GUIDANCE SUBGROUP**

Chair

Alan Burdekin, Scottish Executive (Environment Department, Air, Climate and Engineering Division)

Members

Tom Harvie-Clark, Scottish Executive (Environment Department, Analytical Services Division)

Jim Hutchison, DEFRA

Stan Irvine, Scottish Executive (Environment Department, Air, Climate and Engineering Division)

Adam Olejnik, COSLA

Dr John Riddell, Independent Consultant

Jonathan Chapman, Environment Agency

Secretariat

Debi Garft, Scottish Executive (Air, Climate and Engineering Division)

William Walker, Scottish Executive (Air, Climate and Engineering Division)

**NTAG Secretariat
January 2004**

NATIONAL TECHNICAL ADVISORY GROUP ON FLOODING ISSUES**WORK PLAN****Purpose**

1. This paper outlines the proposed work plan for the National Technical Advisory Group on Flooding Issues (“the Group”) until September 2004.

Background

2. First and foremost the Group has been set up to advise the Scottish Executive on the provision of technical advice on flood risk management. The range of technical guidance (outlined below) that the Group will be required to focus on is likely to be wide ranging. We therefore anticipate that most of the detailed work will be done through sub-groups set up by the Group. The Group will meet until September 2004 and report outcomes by November 2004. In view of the time constraints on the Group, we recognise that, exceptionally, some of the work may best be carried out on a consultancy basis.

Technical Guidance

3. The Group will offer expert advice to the Executive to help produce technical guidance for local authorities and interested parties on managing flood risk in Scotland from Environment Group’s interest. At the first meeting the Group will be asked to consider the relevance to Scotland of the existing Department for Environment, Food and Rural Affairs (DEFRA) guidance (Flood and coastal defence Project appraisal guidance: procedural guidance for operating authorities). Paper NTAG2003(5) gives brief details of the DEFRA guidance, which can be found at: <http://www.defra.gov.uk/environ/fcd/pubs/pagn/default.htm>. Members will also be asked to consider the need for technical guidance in areas not covered by DEFRA guidance, for example, in connection with the process and procedures to be followed when promoting a flood alleviation scheme. Issues to be covered could include the statutory process and funding.

4. After considering the relevance of the DEFRA guidance, members will be asked to consider the following options for Scottish guidance:

- (a) adopt DEFRA guidance as it stands (and accept that institutional aspects may not apply in Scotland);
- (b) adopt the substance of DEFRA guidance but amend it to reflect Scottish institutional/statutory arrangements;
- (c) option (b) with additional guidance on e.g. sustainable flood management; or
- (d) develop separate and different guidance.

5. To initiate discussion at the first meeting, we propose that option (c) should be the starting point as there is a need for Scotland-specific guidance, some of which could be based on existing DEFRA guidance. The Executive guidance should take the form of 7 volumes set out as follows:

- **Chapter one:** Overview and statutory process

- **Chapter two:** Design standards (incorporating climate change developments)
- **Chapter three:** Sewer flooding
- **Chapter four:** Economic appraisal (incorporating risk assessment)
- **Chapter five:** Finance
- **Chapter six:** Environment/ Sustainable flood management
- **Chapter seven:** Post project evaluation

In coming to a decision about the final content of technical guidance the Group will be asked to consider the relevance of the following areas in relation to flood risk management.

Second Generation/ Indicative flood risk Maps

6. The Group will discuss the role of second generation maps in helping to communicate flood risk to a wide audience including council departments, developers and the public. It will offer advice on how the maps might be used to help prevent inappropriate development in flood risk areas.

Scottish Planning Policy 7 – planning and flooding (“SPP7”)

7. The new SPP7 will further strengthen advice to planning authorities about avoiding inappropriate development in flood risk areas. The Executive will give the Group progress reports on the production of the revised SPP7 and related Planning Advice Note. This will ensure that the technical guidance reflects the latest planning advice.

Prioritisation of flood prevention schemes

8. Traditionally councils have adopted a reactive approach to addressing flood risk management. The Group gives an opportunity for the discussions/methodology of a prioritisation system for a more proactive approach to take account of financial constraints. The Group will be asked to consider how guidance might offer a more strategic approach to flood risk management with regard to scheme prioritisation.

Flood warning systems and dissemination

9. Allan Wilson, the Deputy Minister for the Environment and Rural Development, announced in October 2003 that £1.8m would be made available to SEPA to provide new formal flood warning schemes for the Clyde, Kelvin and Irvine valleys. The new schemes will cover a further 16,000 properties on flood plains bringing the total number of properties to benefit from this service to 47,000 - 60% of the total properties at risk of flooding from rivers. The Group will be invited to consider the role of flood warning systems, any further extension to the system and identify the best ways to disseminate flood warning information to the public at risk. It will also discuss how to address the needs of the remaining 40% of households.

Water Environment and Water Services (Scotland) Act

10. Part 1 of the Water Environment and Water Services (Scotland) Act 2003 (“the 2003 Act”) transposes the European Water Framework Directive, and in doing so introduces a new framework for the management and protection of Scotland's water environment. The Executive will provide feedback to the Group on progress being made taking forward the water framework directive through the 2003 Act.

River basin management

11. Chapter 2 of the 2003 Act promotes river basin management in particular it calls for river basin districts to be established. The designation of river basin districts will be completed by 22 December. The guidance on flood risk management will need to establish clear links with river basin management planning.

Sustainable flood management

12. At the first meeting, members will consider a paper (NTAG2003(4)) on the background to the duty in Part 2 of the 2003 Act for the relevant authorities to promote sustainable flood management. The Group will offer advice to the Executive to help define sustainable flood management and prepare guidance to local authorities.

Sustainable (urban) drainage systems (SuDS)

13. National guidance on flood risk management must recognise the importance of SuDS. The Group will take into account the role of SuDS within flood risk management when considering the scope of the guidance.

Research

14. The Executive will produce a summary of on-going (and proposed) research studies for the second meeting. This will include details of research to be carried out to set up a national archive of existing flood alleviation schemes, which will also show assets currently at risk of flooding. The Group will be asked to propose and discuss ideas for future research.

15. The Office of Science and Technology Foresight programme is currently carrying out a futures project to produce a challenging and long-term vision for the future of flood and coastal defence. The project takes account of the many uncertainties, is robust, and can be used as a basis to inform policy and its delivery. The Group will be given an opportunity to discuss the findings of the project as they become available.

16. The Group will be kept up to date on the flood-risk related activities of the Scotland and Northern Ireland Forum for Environmental Research (SNIFFER).

Building standards

17. The Group will consider the contribution that building standards can make to the management of flood risk.

Temporary/demountable defences

18. The Group will be asked to advise on the role of demountable defences in flood alleviation schemes, in particular consideration as capital works.

Awareness raising

19. Members will consider how the work of the Group might feed into the annual SEPA Flood Awareness Campaign in autumn 2004, which is an integral part of the Executive's flooding framework.

Final report of the CoSLA Flooding Task Group

20. The Group will reflect on and discuss the recommendations made by the CoSLA report and how the findings might inform national technical guidance. This will be on the agenda for the second meeting.

“Learning to Live With Rivers” report

21. A copy of the conclusions and recommendations of this report, prepared by the Institution of Civil Engineers at the request of the UK Government, will be made available to members and the Group will be asked to consider the relevance of the report and its findings for Scotland. This will be tabled for discussion at the second meeting.

Institutional/legislative changes

22. The Group will consider the workings of the Flood Prevention (Scotland) Act 1961 (“the 1961 Act”), 40 years on, and identify any areas which are now considered to be causing difficulties to managing flood risk.

Local authority biennial reports on flooding

23. Section 6A of the 1961 Act (as amended by section 3 of the Flood Prevention and Land Drainage (Scotland) Act 1997) places a duty on each local authority to prepare and publish a report every two years detailing the measures it considers necessary to prevent or mitigate flooding in its area. The Group will be invited to consider how best to present and draw on a national summary of this information provided by local authorities. In particular it will consider whether a biennial national conference would be appropriate to discuss the national position (as aggregated from local authority reports and other sources) and other flood risk matters.

Future of the Group

24. The Group will review its performance and make recommendations on whether there is a continuing need for members to meet regularly to discuss flooding issues for the Executive to take to Ministers by November 2004.

Conclusions

25. **Members are invited to:**

- **discuss and agree a final work plan for the Group,**
- **agree that the following areas of the work plan should be carried out by sub-groups:**
 - a. **considering the relevance of the DEFRA guidance to Scotland;**

