

FLOODING ISSUES ADVISORY COMMITTEE

Minutes of the meeting held on 23 February 2006, Conference Room 2, Victoria Quay, Edinburgh.

Present: Philip Wright (Scottish Executive, (SE) Environment Group, Climate Change and Air Division – chair).

Scottish Executive: Ramsay Dow (SE, Climate Change and Air Division – minutes), Nick Evans (SE, Planning Division), Debi Garft (SE, Climate Change and Air Division), John Henderson (SE, Assistant Chief Agricultural Officer), Judith Tracey (SE, Climate Change and Air Division), Hazel Gallagher (SE, Climate Change and Air Division).

David Howell (Scottish Natural Heritage), Prof. Alan Werritty (University of Dundee), Alvin Barber (City of Edinburgh Council), Mike Donaghy (Scottish Environment LINK), Jim Hutchison (DEFRA), Dr. Tim Jolley (SEPA), Steven Tingle (Renfrewshire Council), Dr. Roy Richardson (SEPA), Prof. Charles Ainger (MWH), Jim Conlin (Scottish Water), Ronnie Falconer (Jacobs Babtie), Andrew Smith (Homes for Scotland), Dinah Keal (National Flood Forum), Iain Mathieson (NFU Scotland), Helen McKay (Forestry Commission), John Smith (Royal Town Planning Institute), Matt Crossman (Association of British Insurers), Sarah Hutcheon (Scottish Natural Heritage).

Apologies: Dr. John Riddell (Independent Consultant), Tom Harvie-Clark (SE), John Hood (SE), David Rooke (Environment Agency, (EA)).

Agenda Item 2: Welcome from Chair and introduction

1. Philip Wright (PW) welcomed everyone to the third Flooding Issues Advisory Committee (FIAC) and Members introduced themselves.

Agenda Item 3: Minutes and action points from the second FIAC meeting on 5 October 2005.

2. Members agreed the minutes from the last meeting.

3. PW confirmed that the action points from the last meeting had been addressed. There was, however, a question mark over whether Secretariat could make the minutes of the SCOTS Flooding Group meetings, which it now receives on a routine basis, available publicly, given they are password protected/ restricted on the SCOTS website.

Action Point 1: Secretariat to contact SCOTS Flooding Group Secretariat to discuss the dissemination of the SCOTS minutes.

Agenda Item 4: Workplan FIAC2005 (3) and FIAC Priorities paper FIAC2005 (11) approval

4. PW explained that the Workplan had been updated to reflect the ideas expressed in the Priorities paper. Members discussed the role of the Sub-Committees and their priorities. Alvin Barber (AB) said that it was important not to overlook the Workplan items that are not highlighted in the Priorities paper or it could be misinterpreted as FIAC ‘dropping’ these

issues. PW reminded Members that FIAC had a limited timeframe and could not address all of the flooding issues which had been raised within that.

5. Members agreed that paragraph 5 of the Priorities paper should be amended so as not to pre-empt the outcome of the task on River Basin Management Planning (RBMP). It should now read that the Sub-Committee will consider the links between RBMP and catchment flood management planning.

6. Other than the point above the Committee agreed and endorsed both the Workplan paper (FIAC2005 (3)) and the Priorities paper (FIAC2005 (11)).

Agenda Item 5: Update on Legislative Change

7. Judith Tracey (JT) gave an update on legislative change developments, as there had been some reference to this in the press recently. She explained that the Alleviation Sub-Committee would be discussing legislative change at its next meeting on 25 May. The Sub-Committee will look at the links between the planning and the flood prevention legislation and how the processes might be streamlined, as well as considering whether more substantial changes are necessary to the existing flood prevention legislation. PW explained that no legislative vehicle was available yet for implementing changes to flood prevention legislation and therefore it is not possible to set out a definitive timeline for taking forward FIAC's proposals.

8. The Committee discussed how funding was allocated under the 1961 Act and agreed that more flexibility in how programme funds are spent would help the Executive address flood risks. PW confirmed that the Executive is pursuing the limits of flexibility within the existing Act with Solicitors, and this would help inform bids for the next spending review.

9. The Committee discussed the proposal for a European Flooding Directive, which will go to full consultation in the summer, and agreed that if it needs to be transposed into Scottish Law then that offered an opportunity to address flooding legislative changes more generally.

Agenda Item 6: Sub-Committee progress reports

Alleviation Sub-Committee

10. JT presented paper FIAC2006 (4) and gave a progress report from the Alleviation Sub-Committee. She confirmed that the Sub-Committee agreed the workplan and then gave an update on progress on writing the technical guidance for local authorities. The Contractors are preparing a second draft of each of the chapters for mid-March.

11. JT explained that, while the guidance would promote sustainable flood management practices as much as possible, it would have to do within the existing legislation, an aspect which the Sub-Committee had discussed in detail.

12. It was confirmed that the Executive's Solicitors would review the *statutory process* chapter. The timetable for the social impacts research study being conducted by the University of Dundee was discussed and the need for the Guidance to take account of the findings where possible.

Awareness and Assistance Sub-Committee

13. TJ gave a progress report from the Awareness and Assistance Sub-Committee. He explained that the Sub-Committee agreed the workplan and then explained how the Sub-Committee would be taking forward its priorities. This report is summarised in the paper FIAC2006 (2). Under the raising flood awareness task the Sub-Committee would start by identifying all available data in Scotland and would produce a paper on this.

14. TJ gave an update on how the Second Generation Flood Map was progressing. The coastal outlines were now finished but some work still needed on fluvial element. Interim arrangements will be put in place for the public to get access while licensing issues are resolved. However TJ is confident that the maps will still be complete by spring 2006.

15. As the map covers rural as well as urban flooding it was agreed that it should be mentioned in the Strategic Rural Development Plan (SRDP) document.

Action point 2: TJ to liaise with John Henderson to ensure that the SRDP refers to the second generation flood risk map.

16. Members felt that, when published, the map would have to be accompanied by a carefully worded statement to explain how it should be used and for what purpose.

17. Alan Werritty (AW) confirmed that the map will be an improvement on what is available at the moment and the Executive must encourage local authorities to use it to recalibrate their flood risk and identify priority areas. Members discussed who should own the map once completed but it was agreed that as long as the Executive and SEPA worked in partnership, ownership should not be an issue. Members discussed how a national flood map might be used at a local level and agreed that the map has an important role to play in the development of local plans.

Avoidance Sub-Committee

18. JC presented paper FIAC2006 (3).and gave a progress report from the Avoidance Sub-Committee.

19. Members discussed progress on the sustainable flood management work, some concern being expressed that the work was progressing too slowly and that Scotland would fall behind other countries. RF questioned whether a consultation was necessary. Debi Garft (DG) explained that although there had been detailed discussion during the pilot study, a full consultation was required to refine the work before local authorities and other responsible authorities can be expected to follow the guidance.

20. DG gave an update on the consultation process and explained that it would begin in May 2006 and would be discussed at the next Avoidance Sub-Committee meeting.

21. Nick Evans explained that SEPA is undertaking research to investigate the interfaces between the RBMP system and the statutory Development Plan system: this work would be of interest to FIAC.

22. PW thanked the Sub-Committee Chairs for their reports. In light of the action taken by the Avoidance sub-committee in responding to the designation of responsible authorities he asked the Committee if it was content to endorse the view that the Sub-committees should be allowed to respond in this way, on behalf of FIAC. Members confirmed their endorsement of this approach.

Action point 3: Secretariat to get a copy of the research specification from SEPA on the RBMP/Development Plan interface and forward to Members.

Agenda Item 7: Sustainable Flood Management and Rural Land Use - presentation from David Howell and Mike Donaghy – paper FIAC2006 (5)

23. David Howell (DH) introduced the paper and asked for any inaccuracies to be brought to his or MD's attention. He thanked the Sub-Committee for the comments received to-date.

24. MD highlighted the need to:

- link rural and urban flooding issues,
- develop 'tools' to use in addressing the flooding problem, and
- consider fully the economics of rural land-use in managing flooding.

25. Members discussed the fact that while there are controls in the urban environment there is no legal basis to help promote these rural land-use measures. Helen Mackay identified the lack of scientific evidence as a hindrance for these solutions. She also felt we must consider whether people will feel 'safe' being defended by natural solutions.

26. The importance of farmers, as land stewards, should not be understated as they, as landowners, controlled the management of the land. Fostering dignity and inclusion with farmers would help this process. Ian Mathieson suggested that most farmers would welcome the ideas expressed in the paper but that they need to be made aware of the benefits for them. He added that any proposed schemes should be voluntary. JH suggested that the rural stewardship scheme could help farmers become more involved in flood management.

27. CA suggested that the paper be seen as a 'vision of change' and we should be looking at what is stopping land managers from using these techniques. The end product might be a list of research and development topics.

28. It was agreed that every effort should be made to avoid duplicating work that will be taken forward through the Water Framework Directive. Roy Richardson said that it would be difficult for the first basin plans to address flooding issues but now is the time to start influencing the RBMP process. Concern was expressed at the possibility of flooding issues not being discussed in tandem with the development of RBMPs. DH suggested that diffuse pollution measures in RBMP will have to consider flooding impacts.

Action point 4: Members to submit comments to the Authors (cc: secretariat) by 10 March 2006.

29. The Chair thanked the authors.

Agenda Item 9 - Presentation on the Prioritisation of Flood prevention schemes - Dr. John Riddell and Professor Charles Ainger –paper FIAC2006(1)

30. CA presented the paper, which had been written by John Riddell (JR), RF and himself. He gave feedback from Members at the last Alleviation Sub-Committee meeting. AB also gave comments from a practitioner's point of view.

31. The chair thanked the authors for an excellent paper and AB for his comments.

32. Steven Tingle (ST) recognised that a prioritisation system would be a useful way to ensure a more sustainable approach is taken to flood prevention solution. However, he added that the system must not engender 'game playing' between local authorities. It was agreed that transparency was essential and that there should be cut-off dates for scheme submissions. Matt Crossman explained that DEFRA was trying to move away from its current prioritisation scheme towards a more long-term process which concentrates more on measuring outcomes.

33. Members discussed the proposal for scoring schemes and the deliverability rating and suggested that the scoring system should be tiered, with deliverability as a separate tier. It was suggested that 'readiness to deliver' would be a better assessment than 'deliverability'. RF expressed JR hope that a prioritisation scheme might encourage local authorities to lower costs. AW said that it is important to remember that the more transparent the system the more debate it will generate and the more difficult it will be to demonstrate fairness. HM and JH thought it would be better to leave the 'other' category out of the first assessment and only include it as a 'tie-breaker' if necessary. Several different ideas as to how this could be implemented were suggested and it was felt that written comments would be better suited.

34. PW asked Members to endorse the approach taken and for any detailed comments of specific points in the paper.

Action point 5: Members to submit written comments to the Authors (cc: secretariat) by 17 March 2006.

Agenda Item 10 – Any Other Business

35. RF informed Members of the ODPM consultation on planning paper PPS25 (<http://www.odpm.gov.uk/index.asp?id=1162059>) and that the consultation period would close at the end of February. He suggested that one of the Sub-Committees should consider and discuss it.

Action point 6: Secretariat to arrange for PPS25 to be on the agenda for the next Avoidance Sub-Committee meeting.

36. RF informed Members about GIS work being undertaken by Harman IT on EU water data sets (<http://www.harmonit.org/>).

37. HM tabled a paper on forestry issues (available on request to Secretariat).

38. Members agreed that it would be useful for the Secretariat to distribute an information sheet of flooding related developments for future meetings.

Action point 7: Members to forward items for an information sheet prior to future meetings. Secretariat to produce and distribute paper prior to future FIAC meetings.

Next meeting

39. The next meeting was arranged for 15 June 2006 at Victoria Quay, Edinburgh.

**FIAC Secretariat
March 2006**