

## **FLOOD RISK MANAGEMENT (SCOTLAND) BILL CONFERENCE**

### **Scottish Government briefing paper: Interaction between SEPA and local authorities in flood risk management planning**

#### **Introduction**

1. Many elements must come together to deliver flood risk management. Part 3 of the Bill creates a framework in which SEPA and local authorities, alongside other public, private and voluntary sectors, can work collectively to assess flood risks and put in place plans to coordinate and execute measures to manage those risks.
2. The provision in Part 3 transpose the Floods Directive, but they do so in way that is tailed to Scotland's flood risk management needs.

#### **SEPA as competent authority**

3. SEPA is identified as the competent authority for the (Floods) Directive. As such, SEPA will be responsible for preparing national assessments and plans to the fulfil the requirements of this piece of EC legislation.
4. In fulfilling this role, SEPA will be expected to work collaboratively with local authorities, Scottish Water and others to ensure that work to assess and manage flood risk is undertaken in a coordinated and consistent fashion across Scotland.
5. The Scottish Government have worked with Bill Advisory Groups, and in particular with local authorities and SEPA, to ensure that the Bill sets in place a process that isn't top heavy and will balance local needs and information with a national and strategic role for SEPA.
6. The intention is not for SEPA to direct or dictate flood management decisions, rather SEPA's role is to:
  - support coordination of flood risk management efforts;
  - facilitate good decision making through coordination and acquisition of information;
  - provide the necessary level of strategic national planning, guidance and prioritisation.

#### **Local authority role in flood risk management planning**

7. Local authorities will be responsible for preparing 'Local flood risk management plans'. These plans will supplement the district plans and will ensure that the objectives and measures set out in district plans are based on locally targeted and coordinated actions to manage flood risks. In practice, local authorities will be expected to work together and with SEPA and other responsible authorities and

stakeholders to identify particular flood risk management actions, including flood protection schemes, across catchments. This information will form the basis of the objectives and measures set out in the district plans prepared by SEPA.

8. Local plans must be consistent with the district plans, but the expectation is that they will include additional, locally relevant information, including additional details of particular measures. The Bill provides for both sets of plans (district and local) to be developed in tandem, and the expectation is for a two-way interaction between each set of plans. For instance, all district level planning will need to be undertaken in consideration of locally derived information, including information on flood risk and the suitability of measures; equally, all local planning will need to reflect national and strategic objectives set out in the district plans.

9. Each local plan must be accompanied by an implementation strategy setting out how the measures described in the plan will be taken forward, including an implementation timetable and a summary of who will be responsible for funding and undertaking each measure.

10. Local authorities will also be responsible for sub-district advisory groups. The sub-district groups will provide a critical link between the district and local plans, and will need to ensure that the district plans take account of local priorities and circumstances, and that local plans remain consistent with agreed national priorities.

