

**South Cambridgeshire District Council's Response to the
Consultation Paper on Draft Flood and Water Management Bill**

Introduction

The Council supports the broader approaches to flood risk management that take account of all sources of flooding and of climate change. However, the Council is concerned that the proposed new powers and responsibilities are commensurate with the levels of funding and other resources available. Additionally, it is vitally important to the success of the legislation that the designated authorities referred to in the Bill have an ability, background and organisational culture to adapt to the proposed duties and responsibilities.

Future Roles and Responsibilities

The Council welcomes the enhanced role proposed for the Environment Agency (EA) offering a more consistent, holistic and sustainable approach to flood risk management.

The Council also welcomes the enhanced role proposed for County and Unitary Local Authorities. These new roles are very extensive and will place severe financial pressures on organisations that (for the most part) have limited knowledge and experience of providing for the new duties / responsibilities outlined. As ever, funding will be the key to the success of the Bill in this regard.

The leadership role for County and Unitary Local Authorities is supported but it will take many years to become established practice. Central Government support will therefore, be most important in the initial years of the legislation.

Local Delivery – Counties, Districts and Internal Drainage Boards

The Council supports the proposal to leave powers available to District Councils intact. It should be remembered that District Local Authorities do not have 'responsibility' for ordinary watercourses under current legislation. This rests with local landowners / tenants.

The Council supports the use of District Authority expertise by County or Unitary authorities on terms that include payment. However, additional funding for the lead authorities will be required in the first instance.

There appears to be a procedural advantage in providing County / Unitary authorities with powers concurrent with Districts especially given the County's enhanced role, even though the default option will be available. The Districts should retain their discretionary powers.

Sustainable Drainage Systems (SUDS)

The Council welcomes the development of national standards for the design and operation of SUDS systems. One particular issue in the Cambridge area relates to infiltration SUDS. The sand / gravel soils appear suitable for infiltration particularly when soak-away tests are undertaken in the late summer months. It has been found that a small increase in the water table makes the design unsuitable. This can be critical at locations where the water table level is suitable for say seven out of every

ten years. During the dry years therefore, the design will operate efficiently. However, some form of contingency will need to be incorporated into the design to cater for the wetter years

The Council supports the proposed approval process using a SUDS approving body (SAB).

The adoption and maintenance of new SUDS by County and Unitary authorities is consistent with the other new roles proposed in the legislation and is supported by the Council. However, the Council believes there are risks associated with the adoption of private systems through private gardens where fencing, hedging or other planting, walls and out-buildings will obstruct access for maintenance in the future. In these situations, communal SUDS should not be adopted by the SAB. The use of financial bond as part of the adoption process is fully supported by the Council.

The Council supports amending the automatic right to connect to the public sewer, as this is likely to increase the uptake of SUDS.

The provision of suitable funding for SUDS is likely to be one of the main factors influencing successful adoption. The notion that savings arising from the transfer of private sewers to the sewerage companies will create additional funding is misplaced. The best method of ensuring funding will be available for long-term maintenance is to insist the developers meet the costs. A commuted sum that covers average annual costs over a period of between thirty and fifty years can usually be agreed with the developer in most cases and guidance on this should be included as part of the adoption process.

The Council supports a flexible approach to the use of an adopting authority for SUDS especially where existing experience and in-house capacity already exists. This must be funded though. The Council believes the use and adoption of private SUDS should be kept to an absolute minimum, as they will almost always be problematic at some time in the future. The greatest impediment to the adoption of existing SUDS is likely to be funding. Central Government should assist with this.

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