

SUSTAINABLE DRAINAGE SYSTEMS ('SuDS') AND SURFACE WATER FLOODING

This fourth Defra newsletter provides an update on SuDS implementation, and includes the draft National Standards. It also provides a link to the stakeholder-led guidance; describes the outcome of the recent survey conducted to assess local authority preparedness; and gives a summary of the table top testing exercise held with a small group of local authorities last month. Continuing the theme of previous newsletters there is also a 'SuDS Watch case study, this time focussing on Bristol City Council's preparations for implementation.

Timeline to implementation of SuDS new-build regulations

You may recall that in the last newsletter we stated that Defra would be seeking to lay relevant SuDS secondary legislation in Parliament by April 2014, with implementation of Schedule 3 then taking place in October 2014.

While several departments are working hard on this, it has become clear that we will not be in a position to implement Schedule 3 from October 2014, as we had hoped.

The Government remains committed to implementing SuDS at the earliest available opportunity, but not in a way that affects development.

A statement will be made later in the summer which will set out in greater detail our plans for implementation. We still expect that the secondary legislation setting out the implementation date would be laid in Parliament approximately six months before implementation commences to allow local authorities adequate time to fully prepare.

We will of course keep you updated as more information becomes available.

Publication of draft National Standards and Guidance

Over the last year our stakeholder group has been working to develop stakeholder-led Guidance that will help local government and developers follow the SuDS National Standards from implementation. The current draft Guidance is available to view on [Flownet](#).

The latest draft National Standards are also available and have been attached with the email cover note for this newsletter. If you have not received a copy please email suds@defra.gsi.gov.uk. We will conduct a formal consultation of the Standards before implementation.

We'd like to thank everyone that helped us to develop the Guidance and draft National Standards; it's been a great joined-up effort across industry, local authorities and central government.



Department
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Table Top Testing Exercise

On Friday June 20th 2014, Defra held a Table Top Exercise to test the interactions between the Local Planning Authority (LPA) and SuDS Approving Body (SAB) planning application and SuDS approval processes; to share good ideas for mitigating actions for any practical issues that could arise when joint applications are made.

The session was attended by twenty representatives from a wide range of local authorities as well as officials from Defra, DCLG, and No. 10. Representatives included Planning Officers, future SAB officers, and Highways Engineers from unitary, county, and district/borough councils.

Scenarios were tested from both single tier and two-tier local authorities. Groups worked through a major planning application alongside a mock-SAB application for the same development. Attendees were asked to note the key activities they would undertake at specific points during the process and identify any pinch points and mitigating factors for these.

The outputs from the workshop were generally very positive. Discussions covered topics as wide-ranging as communication procedures, pre-application requirements, administrative tasks, consultation deadlines, and interactions with planning committees.

Attendees fed back that they found the opportunity to work through and test the processes very useful. We therefore thought it would be helpful to share the materials (minus the specific case information) from the exercise with you in case you would like to hold your own session with colleagues in your local authority as part of your preparations for implementation, and perhaps with local developers too.

An information pack designed to support you working through the specific SAB and LPA processes for your area, which could also be used as a capacity building exercise to improve colleagues' capabilities for dealing with SuDS applications, will be circulated in the next few days. Please contact suds@defra.gsi.gov.uk if you don't receive a copy and would like one or if you have any questions.

SuDS Approving Body Preparedness Survey

Thank you to those of you who completed the recent survey to assess SAB preparedness. 238 responses were received, representing 216 local authorities.

82% of future SABs responded and 58% LPAs responded which gave us a really good view of the work that local authorities need to do to prepare for implementation within their SAB area.

A number of helpful comments were received in addition to the survey responses which we are currently reflecting on and we will continue to do so as we develop plans for implementation.

SuDS Watch

This newsletter's 'SuDS Watch' follows Bristol City Council (BCC) which is in the top 10 cities in England of properties at risk of surface water flooding. BCC, as Lead Local Flood Authority (LLFA), has the statutory responsibility to lead on managing this flood threat.

They are working to introduce an interim SAB approach, within the current legislative framework, whilst awaiting the commencement of Schedule 3. The interim approach and guidance will align with draft National SuDS Standards giving a soft launch in advance of the process becoming mandatory. Several other LLFAs have successfully implemented such an approach, and others are planning to.

The interim approach BCC are putting in place will involve principally Highways and Transportation including Development Management, Flood and Highways Teams. It will also involve BCC colleagues in Environment and Leisure who currently comment on applications and manage maintenance of public open spaces.

A BCC Project Steering Group has been formed with cross-departmental representation to provide necessary oversight and support to develop internal procedures, protocols, and systems necessary to undertake the SAB role.

Four workstreams will manage the SAB implementation.

Workstream 1. SuDS Design Guidance to:

- produce a SuDS Design Guide for developers in Bristol which will signpost to BCC's existing local plan policies, national/local guidance and information to support the SuDS design approach. BCC are working with neighbouring LLFAs to align their approach wherever possible, and a West of England Guide is being prepared.
- promote a SuDS approach through education/training, hold a 'SuDS promotion/event' day for developers and a similar session for internal teams/services to cascade information.
- actively seek projects to pilot the guidance on internally and externally.
- work with Local Highways Authority colleagues to align SAB and LHA drainage requirements and guidance.

Workstream 2. Review of Application Process

- review and refine the existing consultation and development management process in terms of drainage and wider flood risk.
- align the process with a future SAB consultation and application process wherever possible.
- internal and external summary process charts will be prepared and lunchtime talks held with relevant teams/service areas.

- review of BCC's standing advice and services such as planning pre-application, aligned with a future SAB process wherever possible.
- review our processes/system for managing applications.

Workstream 3. Application Alignment with Planning Process

- SuDS will be added to the refresh timetable of planning policy documents and evidence, such as the SFRA.

Workstream 4. Adoption Process

Under the existing legislative framework there are a number of approaches to the adoption and maintenance of SuDS by Local Authorities. BCC plan to evaluate and disseminate these nationally through the production of a Ciria Susdrain fact sheet.

The workstream will also:

- review asset management systems and processes for bonds and inspections.
- propose that the ownership and maintenance responsibility of SuDS is considered on a site-by-site basis. Develop guidance with the below draft general principles:
 - a) encourage developers to install SuDS features that take non-highway surface water such that the maintenance responsibility transfers to the property owner.
 - b) should developers not wish for the SuDS to be adopted, BCC intend to develop a standard planning condition for notification and approval of SuDS maintenance management proposal/company.
 - c) the inclusion and acceptance of adoptable SuDS, maintainable by the LHA, will be based on the benefits provided against the additional maintenance. Agreement is needed on each SuDS feature type.
 - d) subject to b), where a SuDS feature takes highway drainage only it should be adopted as part of the public highway as part of the Section 38 agreement.
 - e) where SuDS features take surface water from multiple property owners it is more complex and will be the focus of the SusDrain fact sheet.

If you would like to contribute to the SusDrain Factsheet, sharing your experience of SuDS adoption approaches within the existing frameworks, or for further information on BCC's interim approach can be obtained via Robin.Campbell@arup.com (SAB Implementation Project Manager), Patrick.Goodey@bristol.gov.uk (Flood Manager) or John.Roy@bristol.gov.uk (Group Manager - Transport Assets).

More Information

If you would like any more information on SuDS or have any questions please email suds@defra.gsi.gov.uk.