

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

This third Defra newsletter provides an update on current policy developments, outlines the next steps before implementation, and explores a snapshot of some of the work currently being undertaken by local authorities.

Timeline to implementation of SuDS new-build regulations

Defra Minister Dan Rogerson announced on Monday 6 January that “regrettably, it is looking increasingly unlikely that we will be in a position to ensure that the scheme comes into force this April, which was our preferred date for implementation as stated previously”.

Defra is instead providing local authorities with the extra time they need to prepare for these new regulations to ensure that local government are sufficiently prepared to undertake their statutory duties successfully from the outset.

Defra remains committed to implementing SuDS legislation and will be laying the relevant secondary legislation in Parliament by April 2014. As soon as Defra can confirm the commencement date all stakeholders will be notified and a subsequent newsletter sent out.

Consultation on charging mechanism to fund long term SuDS maintenance

A consultation document on charging mechanism for funding long-term SuDS maintenance is being prepared. Defra aims to begin this consultation in March.

Consultation on National Standards

The draft National Standards will go out for final consultation at the end of January when they will also be subject to a formal European Commission notification process, which includes a three-month technical stand-still period.



Capacity Building Workshops

In October and November last year Defra and the Environment Agency hosted a national programme of capacity building workshops for local government as part of the on-going commitment by central government to support local authorities taking on new duties and responsibilities under the Flood and Water Management Act 2010 (FWMA). The aim of the Autumn 2013 workshops was to inform delegates about the emerging requirements of Schedule 3 of FWMA and to share the draft SuDS National Standards and Guidance. It was an opportunity to bring together local government and developers to discuss the practicalities of establishing SuDS Approving Bodies (SABs).

One of the key messages that came out of these well-attended workshops was that local government was not prepared for an April 2014 implementation of Schedule 3. Consequently Defra has established a SuDS Implementation Preparedness Board (SIPB) to address this issue. More details on the SIPB can be found below.

Feedback and response

Thank you to all those who sent through comments and feedback on the Guidance presented at the capacity building workshops. Representatives from local government, water companies and developers are revising the Guidance in light of these comments.

Defra has collated a comprehensive list of questions from the workshops and is using this to refine issues and produce an FAQ document to further build understanding of the policy and capacity within local government. The FAQ document will be available next week on flownet (week commencing 20 January).

Building further capacity

Defra and the Environment Agency are developing an E-learning SuDS programme for local government, which will explain the principles of SuDS, signpost local authorities to the relevant National Standards, guidance and technical SuDS guidance, and set out the more complex details of SAB roles, including the relationship with the Environment Agency. This will address many of the issues raised at the capacity building workshops and ensure that understanding is built through clear and engaging case studies. This will go live in April, giving local authorities time to consult on it prior to the revised implementation date.

The Local Authority Flood Risk Management Capacity Building Programme Advisory Board will consider future local government capacity requirements. Defra is a member of this local authority-led Advisory Board.

SuDS Implementation Preparedness Board

Defra has set up a Preparedness Board to oversee the final development stages of the policy and processes needed for the successful implementation of Schedule 3. Membership includes representatives from Defra, local government, EA, Water UK and developers.

One of the first actions of the Board was to develop a survey to identify how prepared local government is for implementation. Defra facilitated the distribution of the survey on behalf of the Board before Christmas. The deadline to complete this survey is **24 January 2014**.

The Preparedness Board has so far met on 6 December and 3 January and will continue to meet fortnightly until April. Any issues highlighted by the Preparedness Board are being addressed by the SuDS Steering Group (made up of key stakeholders, including developers, local authorities and the water industry) and are being worked through collaboratively in task and finish groups.

Next Steps

We are aiming to lay our Statutory Instruments in Parliament by April 2014 – a more detailed timetable will be included in future newsletters.

The policy ‘commencement’ date, which is the date that the policy will come into effect, will be announced in advance of laying the secondary legislation, giving the certainty required for stakeholders to finalise their preparation arrangements to undertake their duties.

SuDS Watch

With the lead up to implementation, Defra has begun a ‘SuDS Watch’ in which we will be exploring the work local authorities are doing to prepare themselves to take on their new responsibilities and the opportunities for managing surface water flooding. These will be presented as a case study in each newsletter (below).

We welcome any information on the work you have been doing or which has been done within your local authority. We will be using this information to also develop the guidance which sits beneath the National Standards and to contribute to the content of the e-learning programme on duties and responsibilities.



Leicester City Council - Collaboration

This newsletter’s ‘SuDS Watch’ follows Leicester City Council, which has set up a ‘County Wide SuDS Group’ to ensure that both the city council and the two-tier county council have strong working relationships with their planners. The collaborative working relationships have been recognised in the August edition of Defra’s *Landscape* magazine.

Landscape identifies that Leicester is one of the most likely places in the country to suffer from surface water flooding and the county has been managing this risk by implementing a variety of small-scale projects and monitoring these to establish good practice. In particular it has worked to overcome the challenge of building SuDS in heavily built up areas. An example of this is the ‘Abbey Meadows wetland’.

'Abbey Meadows wetland' Case Study: a before and after of SuDS in built areas

The project aimed to provide additional flood capacity and improve the water quality of a road drain taking storm water from the heavily used A6 to the River Soar. The dark green horizontal line in the 'before' image shows the steep sided ditch which transported the road storm water quickly into the river. This has been significantly changed and landscape designer Chryse Tinsley describes the new system as “a wetland that provides 1,000m³ of water capacity, an opportunity to improve the quality of storm water and also greatly improves the amenity”.

<u>Before</u>	<u>After</u>
<ul style="list-style-type: none">• Step sided ditch• Fast flow of storm water to river increasing surface water flood risk	<ul style="list-style-type: none">• +1000m³ of water capacity• Improved water quality• Improved amenity
	

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