

## **Background to CIWEM**

The Chartered Institution of Water and Environmental Management (CIWEM) is the leading professional and qualifying body for those who are responsible for the management of environmental assets. The Institution provides independent comment on a wide range of issues related to water and environmental management, environmental resilience and sustainable development.

CIWEM welcomes the opportunity to submit this written evidence to Department for Food, Environment and Rural Affairs and the Department for Communities and Local Government on delivering Sustainable Drainage Systems (SuDS).

In formulating this evidence, we have utilised the expertise of CIWEM's Rivers and Coastal Group and Urban Drainage Group Committees which represent over a thousand members working in flood and coastal risk management. The groups are broad in their scope and include representatives from Lead Local Flood Authorities, water companies, the Environment Agency, academics and consultants.

## **Consultation Questions and Answers**

### **Q1. Do you agree that the proposed revision to planning policy would deliver sustainable drainage which will be maintained? If not, why?**

No, CIWEM does not believe that the proposed revision would deliver SuDS which will be maintained.

CIWEM's view is that the mandatory use of SuDS in new development is essential to reduce urban flood risk, enable climate change adaptation, address urban diffuse pollution and make urban development greener, cheaper and better for communities. CIWEM also promotes the widespread uptake of retrofit SuDS to meet these challenges across entire urban areas, not just through new development.

The policy does little more than maintain the status quo (i.e. pre schedule 3 of the Flood and Water Management Act) and the current arrangements have not proven to deliver sufficient SuDS because of uncertainty over who will adopt and maintain and the continuing 'right to connect' storm water to sewerage systems.

The Schedule 3 provisions introduced key safeguards that are missing from the latest proposal. There was a guarantee of automatic adoption on completion (subject to design and construction quality), and a cessation of the default automatic right to connect (storm water) to the sewerage system.

**Q2. How should the Local Planning Authority obtain expert advice on sustainable drainage systems and their maintenance? What are the costs/benefits of different approaches?**

Local Planning Authorities (LPAs) can either:

1. Recruit or train staff with this expertise to support the planning application process
2. Join with other LPAs to share such resource
3. Buy-in the resource from the Lead Local Flood Authority (LLFA)
4. As above (1-3) but through use of technical consultants.

Each approach comes with a cost as new and specific expertise will be required. Depending on circumstance around consistency and volume of workload, any of these approaches can provide best value for money.

There are distinct benefits in sharing skills across LPAs, although neighbouring LPAs may well favour different SuDS policies which can introduce complexity that is difficult to manage.

There are benefits in centralising this expertise at the LLFA level because this would help deliver the strategic objectives of the Local Flood Risk Management Strategy and would ease consultation with water companies. We note that in unitary authority arrangements the LPA and LLFA are the same organisation.

We note that the Environment Agency has previously been a good source of advice for LPAs (and LLFAs) but that this support is in decline and reverting to standing instruction in anticipation of the forthcoming SuDS Approving Bodies (SABs) being established.

CIWEM's Urban Drainage and Rivers and Coastal Groups are established forums and publishers of guidance literature through which LPAs can gain expert training and advice. CIWEM's meetings and conferences already bring together LPAs, LLFAs and technical consultants to share good practice in this arena.

**Q3. What are the impacts of different approaches for Local Planning Authorities to secure expert advice within the timescales set for determining planning applications?**

Each approach is compatible with the timescales set for determining planning applications provided that sufficient expert resource can be provided.

**Q4. Do you agree that minor size developments be exempt from the proposed revision to the planning policy and guidance? Do you think thresholds should be higher?**

No. CIWEM recommends that the policy should apply to development of two or more properties. This is because property level source control (at least) is desirable in all situations and that the impact of many uncontrolled minor developments can be significant over time and should be managed from the outset.

**Q5. What other maintenance options could be viable? Do you have examples of their use?**

Sir Michael Pitt was clear in recommending adoption either by Local Authorities or water companies. CIWEM shares this opinion and looks to Scotland where adoption of SuDS by Scottish Water is routine and accepted.

"The Review believes that either local authorities or the sewerage undertakers would be best placed to adopt SUDS. We are of the opinion that establishing specialist SUDS drainage companies would exacerbate the existing problem of too many organisations being involved in flood risk management, creating a fragmented approach" (Pitt Report paragraph 6.59).

**Q7. Do you expect the approach proposed to avoid increases in maintenance costs for households and developers? Would additional measures be justified to meet this aim or improve transparency of costs for households?**

SuDS that are orphaned with no clear long-term adopter can become a significant burden for households. The orphaning risk increases in the absence of a compulsory and statutorily controlled charging system.

The precedent of former private sewers and their eventual adoption by water companies is informative. Voluntary adoption left a legacy of private systems with no adequate maintenance arrangements. The costs were then invisible and this led to significant hardship for the subsequent homeowners when major maintenance was required.