



RTPI

mediation of space · making of place

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Email to: Vikki.Little@scottish.parliament.uk

Dear Vikki

Scottish Parliament Rural Affairs and Environment Committee Flooding and Flood Management Inquiry

The Royal Town Planning Institute (RTPI) welcomes the opportunity to respond to this consultation as we consider that the planning system has a key role to play at national, city-region and local levels in addressing Scotland's current and future vulnerability to flooding.

The RTPI is the UK body chartered to represent the planning profession and offers these comments from the point of view of a diverse and policy neutral professional body committed to supporting devolved government in Scotland. The Institute has approximately 2000 members in Scotland working across all sectors of central government, local government, government agencies, the voluntary sector, private consultancy, the development industry and academia. Since devolution, the Institute has empowered its RTPI in Scotland Office, together with its Scottish Executive Committee, with the responsibility for working with government and public bodies generally for the improvement of the planning system in Scotland. This is in accordance with its charter obligation to work for the public interest.

Our comments are set out below under the headings of the questions posed in the consultation paper. The Institute does not wish to respond to questions regarding flood warning systems or responses to flooding events.

What is the potential impact of climate change on the frequency and severity of all types of flooding in Scotland?

A number of recent reports such as the Stern Review, work by the UK Climate Impacts Programme, and more specific reports on Scotland such as 'Foresight Future Flooding' have reviewed the scientific evidence for climate change and have identified risks and economic impacts and the need for action. The best regional estimates for the next 70 – 100 years suggest higher rainfall totals, increased storminess, and more intense rain concentrated on fewer days, higher consequent peak river flows, and sea level rise of 30 – 60 cms. These

aspects of climate change have implications for all types of flooding across Scotland. There are particular concerns for increased storminess leading to pluvial flooding resulting from rainfall generated overland flows. It will be important to identify vulnerable areas and to improve understanding of the capacity of existing drainage infrastructure in urban areas. Regular, updated national guidance will be needed on the impacts of climate change and on the implications for policy and practice.

What changes are needed to the existing legislation?

The primary flood legislation is now 46 years old and would benefit from streamlining amendment or replacement particularly in view of the specific requirements of the EU Directive on Flooding. Other factors which support a review of legislation include changing experience in practice, increased emphasis on adaptation and mitigation, changes in related legislation regarding planning and environmental issues, the need to speed up decision making processes and to integrate statutory flood management procedures with planning procedures and Controlled Activity Regulations wherever possible, and the need to clarify responsibilities and to address funding issues including combined funding mechanisms.

The Flooding Directive will require national legislation for flood risk management plans to be drawn up by 2015. These will run alongside the second round of River Basin Management Plans, following on from the initial 2009 -2015 round. Further changes to regulations must address risk reduction and the operational implementation of WEWS should be linked with the Flooding Directive to produce a programme for flood risk reduction. Given the requirement under the Floods Directive, it is hoped that the opportunity will be taken to permit responsible authorities to integrate flood management with other land and water management objectives.

Some improvements could be addressed under existing legislation; these include improvements to information availability and monitoring systems; raising awareness of flood hazards; guidance and co-ordination of activities including stakeholder engagement in flood management. There is a need to encourage partnership working and to dovetail actions by responsible authorities in both the built and landward areas. SEPA and SNIFFER have important roles to play in co-ordinating information and in disseminating best practice.

Who should be responsible for flood management and how should it be funded?

Flood management requires a co-ordinated approach across sectors at all levels. However, a single national body is needed to act as the strategic authority and to act as the 'competent authority' under the Directive. It would appear appropriate for SEPA to undertake this role. However, given the wide range of bodies involved in work to address flooding issues, it would be useful to have national advisory group similar to the former Flood Issues Advisory Committee. The Scottish Government should support strategic partnerships in flooding issues working with local authorities and other bodies. This work should be closely related to that of Strategic Development Planning Authorities and the Area Advisory Groups formed under the Water Environment and Water Services (Scotland) Act. Primary responsibility for implementation of specific flood management measures and schemes should rest with local authorities and be closely associated with land use planning responsibilities.

What role should sustainable flood management play in mitigating the effects of flooding?

Sustainable flood management focusing more on avoidance and adaptation to the flood threat and incorporating policies of managed retreat should play a key role in mitigating the effects of flooding wherever possible. Guidance should build on the earlier work of the Flood Issues Advisory Group.

What role can land-use management, the planning system and building regulations play in mitigating the effects of flooding?

The Institute supports the view that land use management, the planning system and building regulations all have important roles to play in mitigating the effects of flooding. Greater recognition of the interaction between these roles is important. There is a strong case for flood risk mitigation through sustainable land use practices in upper and middle catchment areas for the benefit of those areas downstream. This requires spatial co-operation and co-ordination across a number of stakeholder groups and the co-ordination of funding streams to allow catchment wide land management measures.

The spatial planning system is fundamental to sustainable flood management, in exercising control over development in flood plain areas and in ensuring that planning decisions do not exacerbate problems elsewhere. At the national level, SPP7 contains strong guidance aimed at preventing further development on land which is at significant risk of flooding from all sources, or which would materially increase the probability of flooding elsewhere. The Institute supports this policy position, which seeks to work with natural systems wherever possible. The risk of flooding should also be addressed through the National Planning Framework with close links established to Catchment Management and River Basin Management Strategies.

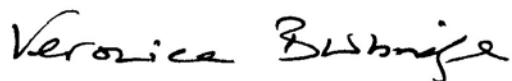
At the strategic level consideration of the possibilities afforded by more compact cities and the multi functional role of '*green infrastructure*' in safeguarding communities and infrastructure as well as providing for other objectives such as health and natural heritage should be recognised. The incorporation of flooding issues into strategic environmental assessment of policies plans and programmes at strategic and local levels should be based on robust and easily available data and monitoring and linked to work on the ameliorisation of social impacts of flooding.

With regard to building regulations, the Institute would support the introduction of measures to encourage increased resilience and resistance of buildings to flooding. Attention might also be given to protection of the historic environment and it is noted that Historic Scotland has developed advice about how to deal with particular aspects of building maintenance and the conservation of fabric and that specific guidance on the protection of historic heritage and archaeological fabric might be appropriate.

I hope that these points are helpful to you. Please do get in touch if you would like to discuss further.

Best wishes

Yours sincerely



Veronica Burbridge
National Director