

## **Part 1 - Flood and Coastal Erosion Risk Management**

### **Single Unifying Act**

#### **Issue**

The law on flood defence and surface water drainage is presently contained in ten Acts of Parliament, and is also affected by the town and country planning legislation and European Directives (Appendix 1). And responsibility for administering these laws is spread between eleven bodies, all with different but overlapping responsibilities (Appendix 2).

Because of this confusion, the Pitt Review in its Recommendation No 28 said: “The forthcoming flooding legislation should be a single unifying Act that addresses all sources of flooding, clarifies responsibilities and facilitates flood risk management”.

But unfortunately the Bill wholly fails in this regard. Although it endeavours to rationalise responsibilities, (except in two respects) it simply amends and adds to the existing extensive legislation. It also creates two new types of bodies: the Lead Local Flood Authorities (LLFAs) and the Sustainable Urban Drainage Approving Authorities (SABs).

#### **Water UK’s view**

Water UK is very disappointed that this opportunity to simplify and codify the law on flood defence and surface water drainage is going to be lost. It believes that this can only result in continuing administrative inefficiency and the consequential incurring of unnecessary costs.

Water UK therefore urges the Government and Parliament to replace the present legislative confusion with a single unifying Act as soon as it possibly can.

## **Appendix 1: Legislation**

- Water Resources Act 1991
- Land Drainage Act 1991
- Environment Act 1991
- Reservoirs Act 1975
- Water Industry Act 1991
- Water Act 2003
- Highways Act 1980
- Building Act 1984
- Coast Protection Act 1949
- Agriculture Act 1947
- Planning and Compulsory Purchase Act 2004
- Water Framework Directive 2000
- Floods Directive 2007

## **Appendix 2: Responsible Bodies**

- Department for Communities and Local Government
- Regional Planning Boards
- Local Planning Authorities
- Department for the Environment, Food and Rural Affairs
- Environment Agency
- Regional Floods Committees
- Internal Drainage Boards
- Highway Authorities
- Sewerage Undertakers
- Local Authorities
- Agricultural Lands Tribunals
- Landowners, Riparian Owners and Developers
- (Lead Local Flood Authorities)
- (Sustainable Urban Drainage Approving Authorities)

\*\*\*\*

For further information please contact:

Richard Venters [rventers@water.org.uk](mailto:rventers@water.org.uk)  
Water UK Legal Adviser

Dawn Waterman [dwaterman@water.org.uk](mailto:dwaterman@water.org.uk)  
Water UK Public Affairs Adviser  
020 7344 1865

Water UK represents all water and wastewater service suppliers at national and European level. The water industry has invested £85 billion since privatisation in 1989-90.