



House of Commons

Environment, Food and Rural
Affairs Committee

**Future flood
prevention:
Government's response
to the Committee's
Second Report of
Session 2016-17**

Fourth Report of Session 2016–17

*Report, together with formal minutes
relating to the report*

*Ordered by the House of Commons
to be printed 18 January 2017*

The Environment, Food and Rural Affairs Committee

The Environment, Food and Rural Affairs Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Department of Environment, Food and Rural Affairs and associated public bodies.

Current membership

[Neil Parish MP](#) (*Conservative, Tiverton and Honiton*) (Chair)

[Chris Davies MP](#) (*Conservative, Brecon and Radnorshire*)

[Jim Fitzpatrick MP](#) (*Labour, Poplar and Limehouse*)

[Simon Hart MP](#) (*Conservative, Carmarthen West and South Pembrokeshire*)

[Kerry McCarthy MP](#) (*Labour, Bristol East*)

[Dr Paul Monaghan MP](#) (*Scottish National Party, Caithness, Sutherland and Easter Ross*)

[Rebecca Pow MP](#) (*Conservative, Taunton Deane*)

[Ms Margaret Ritchie MP](#) (*Social Democratic and Labour Party, South Down*)

[David Simpson MP](#) (*Democratic Unionist Party, Upper Bann*)

[Angela Smith MP](#) (*Labour, Penistone and Stocksbridge*)

[Rishi Sunak MP](#) (*Conservative, Richmond, (Yorks)*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/efracom and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Eliot Barrass (Clerk), Sian Woodward (Clerk), Danielle Nash (Second Clerk), Sarah Coe (Senior Committee Specialist), Anwen Rees (Committee Specialist), Caitriona Fleming (Senior Committee Assistant), Henry Ayi-Hyde, (Committee Assistant) and Nick Davies (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Environment, Food and Rural Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 5774; the Committee's email address is efracom@parliament.uk.

Contents

Future flood prevention: Government response	3
Conclusions	4
Appendix: Government response	5
Formal Minutes	18
List of Reports from the Committee during the current Parliament	19

Future flood prevention: Government response

1. The Environment Food and Rural Affairs Committee reported to the House on future flood prevention in its Second Report of Session 2016–17, published on 2 November 2016, as HC 115. The Government's response to the Report was received by the Committee on 30 December 2016.

2. We are pleased that the Committee's Report has stimulated a wider debate on how best to manage flood risk. The Government's response notes that there has been a considerable amount of work undertaken across Whitehall and by flood risk management bodies. We welcome the efforts of all those involved, including those on the front-line responding to flood events. Our Report's recommendations were aimed at assisting them in delivering the most effective, co-ordinated response to the increasing risk of major flood events to communities across England. These were based on wide-ranging stakeholder inputs during a detailed and lengthy inquiry. We are therefore disappointed that the Government's response addresses a number of our recommendations in only a cursory manner.

3. In particular, the response provides little insight into the assessment Defra has made about the merits of our recommendations on promoting catchment-wide approaches and on new governance arrangements. **We request that Defra provides us by the end of February with additional information on how much of the £2.5 billion flood risk management programme for 2015–16 to 2020–2021 includes natural flood management approaches, beyond the £15 million referred to in the response. We also request a fuller response by the end of February to our proposals for improving local governance and partnership working at catchment level to address our concerns about fragmented and inefficient flood risk management structures.**

4. Additionally, we consider the Government justification for its rejection of a number of other recommendations, including on insurance, resilience and sustainable drainage, to be deficient. The response largely repeats the original Government evidence to the inquiry about ongoing work programmes which have long-term or opaque timescales. We are disappointed there is no commitment to achieving outcomes on these issues by the deadlines set out in our Report. **Defra must update us by the end of 2017 on progress on those recommendations where actions will not be completed in the timescales we recommended.**

5. Effective flood risk management is vital for communities across England and the Committee will continue its scrutiny of Government approaches in future. We will be inviting the Secretary of State to discuss these matters at an evidence session to be held before the Summer.

6. The Government response is appended. Each conclusion and recommendation made in our original Report is set out in a bold paragraph. The Government's response is set out directly beneath in plain text.

Conclusions

1. We request that Defra provides us by the end of February with additional information on how much of the £2.5 billion flood risk management programme for 2015–16 to 2020–2021 includes natural flood management approaches, beyond the £15 million referred to in the response. We also request a fuller response by the end of February to our proposals for improving local governance and partnership working at catchment level to address our concerns about fragmented and inefficient flood risk management structures. (Paragraph 3)
2. Defra must update us by the end of 2017 on progress on those recommendations where actions will not be completed in the timescales we recommended. (Paragraph 4)

Appendix: Government response

Introduction

We note the EFRA Report on Future Flood Prevention. Managing flood risk is a key priority for the Government. We have made a strategic decision to provide certainty of funding throughout the parliament and beyond. This has enabled us to plan ahead, do more, leverage contributions and gain efficiencies, all of which are being invested in better defence. We are investing record levels to improve flood defences: £2.5bn between 2015/16 and 2020/21. This is a real terms increase in capital investment, up from £1.7 billion in the last Parliament and £1.5 billion between 2005 and 2010. Additional investment in flood defences has also been given through the coastal communities fund and growth deals. The long term settlement for river channel and asset maintenance included £171m in 2015/16 with an increase for inflation each subsequent year. The Budget in 2016 announced an extra £40m per year for asset maintenance from 2016/17 to 2019/20.

We are committed to working across Government to deliver the recommendations from the National Flood Resilience Review (NFRR). For example, Defra is working with the Environment Agency, HM Treasury and the National Infrastructure Commission to consider Government's future role in supporting the resilience of communities and our long term investment strategies on flood risk management. In addition, an inter-Ministerial group has been established to oversee flooding policy, including the implementation of the NFRR. The group met on 1 December to review progress to date and ensure the country is prepared for winter.

We will continue to develop our approach on how we intervene and invest to effectively manage flood risk in the light of emerging evidence such as that on climate change and flooding events. The Government's second Climate Change Risk Assessment is due to be laid in Parliament early in 2017.

The catchment based approach and the use of natural flood risk management is integral to the way we work and will be at the heart of Defra's 25 year Environment Plan. The 2011 Partnership Funding policy¹ recognises natural flood risk management benefits in the same way as other interventions, and also recognises environmental outcomes.

Environmental challenges do not exist in isolation. The Environment Agency is able to take a holistic view to managing challenges at a catchment scale in the water environment and keeping our communities safe. We do not agree there is a need for substantial structural change, though we are always looking for ways to improve and adapt the way we work to meet current and future needs. Our current system has protected more than 500,000 properties since 2005.

Strategies are most effective when Government, communities, local authorities and the private sector work together, ensuring there is a shared understanding of future risks to people, communities and buildings and we are acting in partnership to address them. We will continue to improve how we manage and communicate flood risk building on recent changes.

¹ Partnership Funding clarifies what level of government investment communities can expect so that they can secure funding from other sources to allow projects to go ahead

We are already implementing many of the suggestions this report makes, such as managing watercourses across entire catchment areas.

Catchment measures to reduce flood risk

1. Managing water flows from the top to bottom of river catchments helps to reduce flood risk, in many cases more cost-effectively than simply building flood defences in cities, towns and villages. Early results of trials are encouraging for smaller river catchments: there is sufficient evidence to roll-out ‘catchment scale’ approaches for a far greater number of small river basins. Agencies need more evidence, however, on how effective these measures might be at a larger scale. Agencies need more evidence, however, on how effective these measures might be at a larger scale. The Environment Agency must work with academics and with other flood risk management bodies including Internal Drainage Boards and local catchment partnerships to fill this evidence gap: we recommend that Defra commission by July 2017 a trial on a large catchment of 100–200 km². Defra should also set out clearly the auxiliary benefits it requires when adopting catchment approaches (Paragraph 17).

We support both a catchment approach to planning and greater use of natural flood management measures alongside hard, engineered defences. This will be at the heart of the Government’s 25 Year Environment Plan which will focus on maximising the multiple benefits the environment provides within and across catchments, landscapes and marine areas as the basis for enhancing everyone’s lives and livelihoods, whilst improving the environment. In the Autumn Statement, we announced funding of £15m specifically for Natural Flood Management schemes across England and further details on where this money will be spent will be announced in due course. There is also a natural flood management component to many of the schemes in our £2.5 billion capital programme. Together, these represent a significant investment in natural measures, which the recently announced dedicated fund will build on.

We agree that it is important to build up more evidence to support the catchment based approach. Defra, the Environment Agency, Natural England and the Forestry Commission are strengthening their approach to catchment level modelling and flood mitigation. This will ensure that government, communities, businesses and individuals are better informed, and empowered to put appropriate risk management and resilience measures in place. Existing projects are already expanding and are upscaling catchment approaches to develop the evidence for more natural flood management interventions in small and larger catchments. Several projects have been completed including at Belford in Northumbria and Pickering in North Yorkshire.

Building on the Cumbria and Calderdale Partnership Plans, the Cumbria Pioneer project is an important step in understanding the value of catchment management in larger catchments and will help us to identify good practice and innovative solutions that can be adopted across the country to deliver our long-term vision. This work will demonstrate the benefits that we would encourage from integrated catchment approaches in terms of flood risk reduction as well as associated benefits to the environment such as improved water quality, carbon sequestration, biodiversity and habitat creation which can have a profound effect on the quality of life and economic wellbeing of areas.

Defra and the Environment Agency are working with the Natural Environment Research Council (NERC) on a new £4m research programme that aims to improve our understanding of the effectiveness of different natural flood management measures for a range of flood risk scenarios.

2. Storing water on farmland can provide a cost-effective means of reducing flood risk, but farmers are naturally wary of allowing their land to be out of production for long periods. Defra should put flood risk management at the centre of any new support schemes for farmers which replace the Common Agricultural Policy (CAP) framework. The Department must consult by July 2017 on an incentive scheme to pay farmers to allow short-term or long-term storage of flood water on appropriate land. As a precursor to this, the National Farmers' Union should work with farmers to develop by the end of 2016 a detailed model for calculating the value to communities of land management that reduces flood risk. This model must demonstrate how storage methods can be used which have a low impact on farm productivity (Paragraph 24).

3. As part of work to develop farming policies outside the European Union, Defra must link support to sustainable land management practices, including in regard to flood management (Paragraph 25).

All flood risk management options need to be considered as part of a suite of measures which work together within a catchment. Risk management authorities will apply natural flood management measures to manage flood risk where it presents the most effective and viable option. Usually it is a combination of different hard and soft measures throughout the catchment which is most effective.

Storing water on farmland is already an important part of our approach. The Environment Agency operates around 1000 flood storage areas and enters into flood easements with land managers engaging with farmers to ensure fair payment for change of land use where appropriate. For example, the Morpeth flood alleviation scheme includes upstream storage on third party land that is used in combination with new flood defences in the town. This includes a number of farmers and land owners who are compensated for allowing flood water to spill over onto their land.

Countryside Stewardship is already designed to help improve flood resilience including options for natural flood management with further options for temporary storage of flood water and woody debris dams currently under consideration. Countryside Stewardship therefore provides a tool through which Common Agricultural Policy (CAP) money can incentivise land management from a natural flood defence perspective.

We agree that it will be important to link future agricultural support to sustainable land management practices. We now have an unprecedented opportunity to redesign our policies to ensure our agricultural industry is competitive, productive and profitable and that our environment is improved for future generations. Operating outside of the EU framework means we have the opportunity to better realise some of the connections between agriculture and the environment. Over 70% of land is agricultural so there is potential to deliver for the environment and tackle some of the issues we face: competitive food production and sustainable agriculture alongside air quality, water quality and biodiversity to name just a few—as well as flooding.

4. All flood risk management bodies must understand better the contribution that sustainable drainage systems (SUDs) and green infrastructure such as ponds and swales can make to protecting communities from flooding. We recommend that, in its response to this report, Defra set out how the Government's review of sustainable drainage regulations will ensure that SUDs are deployed to maximum effect in all new English developments. We make recommendations below on changes which would enable water and sewerage companies to take a wider role in local drainage, including responsibility for adopting SUDs: the Government's review should assess how this might incentivise the more effective use of sustainable drainage. The review must also set out, if measures in the Flood and Water Management Act 2010 on SUDs are not to be commenced, what alternative measures at least equal in strength will be adopted (Paragraph 31).

We welcome the insights provided by the Committee and are already addressing the issues raised in the Report. The Minister of State for Housing, Planning and London has outlined progress with the review of planning policies for sustainable drainage required by section 171 of the Housing and Planning Act 2016 on 27 October 2016 during the 8th sitting of the Neighbourhood Planning Bill Commons Committee Stage. Defra and EA are working with DCLG on the review which will make a constructive contribution to the work of the Adaptation Sub-Committee on Climate Change to inform their 2017 progress update on the National Adaptation Plan.

Provision was made in the Water Act 2014 to make clear that Sewerage Undertakers can use SuDS to fulfil their statutory duty to effectually drain. Water UK, representing the Water Companies, has started scoping work to develop a set of informal voluntary standards for the construction of SuDS that the local Company could adopt and maintain. The current plan is for Water UK is to compile a set of voluntary adoption standards by end March 2018.

5. The Environment Agency, Internal Drainage Boards and local authorities must ensure that their operational plans include adequate provision for river channel maintenance. Plans must also evaluate where dredging can provide an effective solution in reducing flood risk, taking account of impacts both near to the dredged site and downstream. The Environment Agency must by July 2017 streamline its permit system to allow those who need to dredge to gain the appropriate permissions quickly without requiring multiple applications (Paragraph 34).

The long term settlement for river channel and asset maintenance included £171m in 2015/16 with an increase for inflation each subsequent year. The Budget in 2016 announced an extra £40m per year for asset maintenance from 2016/17 to 2019/20. These activities are undertaken by the Environment Agency, Internal Drainage Boards (IDBs), local authorities and landowners. Public Sector Cooperation agreements are making it easier for Risk Management Authorities to work effectively together. In its 2014 report into strategic flood risk management, the Public Accounts Committee found that the Environment Agency has robust processes in place to prioritise maintenance spending based on the benefits and risks identified where there is positive value for money.

There are places where dredging as part of maintenance is not technically effective at reducing flood risk. We agree that dredging should be considered as one of the options for river channel maintenance and should take place where it is technically effective, value for

money and does not increase flood risk for others downstream. The Environment Agency plans to work more closely with the Association of Drainage Authorities (ADA) and IDBs to share resources to help carry out dredging more efficiently.

Significant steps have already been taken to streamline the permitting system which is kept under continual review. The move to Environmental Permitting regulations has made it easier for farmers and landowners to undertake low risk dredging activities without formal consent from the Environment Agency.

Predicting and communicating flood risk

6. The Environment Agency and the Met Office are working effectively to improve flood warning systems, including developing innovative ways of using real-time data in some places. However data sets need to be improved and new systems need to be used in catchments across the country. We recommend that the Environment Agency report by July 2017 on how it can work with the Met Office to collect more detailed real-time data on rainfall and river levels. We further recommend that systems such as those being developed in Somerset to feed real-time data into live flood forecast warnings are deployed across England at the earliest opportunity (Paragraph 38).

We agree that real time data should feed increasingly into live flood forecasts and warnings where it returns the greatest benefits and is an effective way of increasing public and business engagement and response resulting in increased action to mitigate flood impacts. The Environment Agency operates 5200 monitoring sites across England that provide real-time data on rainfall; river, lake, tidal and groundwater levels; and river flows. The telemetry systems bring back approximately 410,000 data values a day from these sites. The Environment Agency makes much of this information available in real time to the public on GOV.UK. It operates and maintains these monitoring sites and the telemetry systems that bring the data back from them for flood warning and forecasting, water resources management and environmental planning purposes. They are making significant improvements to enable real-time data into live flood warning forecasts and currently invest £4M per annum on improvements to our real-time monitoring sites (improving sites and installing new ones) and are also planning further investment in new telemetry systems.

The Met Office (MO) and Environment Agency have plans in place to review real-time rainfall and river level data gathering, introduce new flood forecasting systems to better visualise possible impacts and share more flood forecast information with the public. A joint project by the MO/Environment Agency is due to report on the adequacy of real-time rainfall monitoring by weather radar and gauges. The Environment Agency is also assessing the adequacy of river level station coverage. Both of these projects will be complete by Autumn 2017.

7. Flood risk agencies must find clearer ways of explaining flood risk, to spur both householders and businesses to prepare effectively for floods and to inform public views on national and local flood risk strategies. We recommend that the Met office and the Environment Agency set out by the end of 2016 a simpler system for explaining flood risk. The EA should also publish maps which include not only whether a place is

at risk of flooding but also the likely depth of flood water and duration. These maps should show risk from all types of flooding and be available at one website address (Paragraph 44).

The Environment Agency has learned from previous incidents, considered the insights from the 2015 Sciencewise public dialogue ‘on flood risk communication’ and are changing terminology on informing and presenting to the public. The Environment Agency is improving how they present flood risk information to the public and other audiences, by showing flood risk from rivers and sea, surface water and reservoirs from one website — <https://flood-warning-information.service.gov.uk/long-term-flood-risk/>. The Environment Agency presents information that now focusses on actions to take and less on the likelihood of flooding, with reference made to categories of flooding (high, medium, low and very low).

Improving resilience

8. Home buyers and the wider community must be assured that new development does not increase flood risk, either at the development site or further afield. Statistics show that planning decisions for developments in high flood risk areas are overwhelmingly being made in line with Environment Agency advice. However, there are exceptions. We recommend that from 2017 each local planning authority publish an annual summary of planning decisions taken against Environment Agency advice and the action it has taken to monitor flood risk impacts of all developments (Paragraph 48).

We agree that people should be assured that new development does not increase flood risk. There is already a clear requirement in national planning policy which means that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. But we do not consider there is justification to introduce a new reporting framework and take the view that current arrangements are appropriate.

All local planning authorities are required to maintain a register of planning applications in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. This means that local planning authorities are already required to record their planning decisions and the conditions and/or obligations attached to a planning permission, in their public planning registers. It is for local planning authorities to decide what information beyond the statutory minimum should be included on the planning register (having regard to the Code of Recommended Practice for Local Authorities on Data Transparency). We consider this to be an adequate and proportionate approach and do not believe there is sufficient justification to introduce an additional reporting requirement of local planning authorities.

Local planning authorities can decide how and when it would be appropriate to monitor compliance with planning permissions and they have powers to enforce breaches of planning conditions. However, local planning authorities are not responsible for monitoring flood risk impacts, which may be affected by a number of factors. Lead local flood authorities are responsible for maintaining a local flood risk management strategy for their areas and for investigating significant local flooding incidents and publishing the outcomes of their investigations. We encourage lead local flood authorities and local planning authorities to work closely together to ensure new development does not increase flood risk.

9. We are concerned that, where flooding linked to new building occurs, those affected find it difficult to seek redress from developers. We recommend that the Government impose by the end of 2017 a statutory liability on developers to meet the costs of flooding where their development fails to comply with planning requirements and increases flood risk, whether to a property sited on the new development or further afield. The Government's commitment to build more affordable homes should not be achieved at the expense of flood resilience of new residential properties. Regulations must provide for developers to avoid such liability where they comply with planning conditions: local planning authorities should be required to issue as part of planning processes a drainage certificate to confirm compliance (Paragraph 51).

The Government agrees that new development should not add to flood risk but has concerns about how this recommendation would work in practice and could lead to confusion with existing warranty and insurance arrangements, particularly if liabilities for existing properties further afield are to be included. Also, liabilities should only be placed on parties in respect of matters which they can control; and there will be circumstances around flooding events over which the developer would have no control.

Robust planning policies are in place to avoid and control development in flood risk areas. When determining planning applications, local planning authorities are expected to ensure that flood risk is not increased elsewhere, and that development is appropriately flood resilient and resistant. The evidence we have suggests the policy is working. The Government believes that the robust planning approach in place is the best way to control development so that it does not add to flood risk.

It is for the local authority to set appropriate planning conditions; and for the developer to meet these. Planning conditions have to be discharged as a condition of planning permission and powers are in place for LAs to enforce planning conditions.

10. To facilitate this, we recommend that bodies with a responsibility for managing the effects of developments on surface water flows, including water and sewerage companies, become statutory consultees for planning applications (Paragraph 52).

Water and sewerage companies are already statutory consultees on the preparation of local plans, which inform a local authority's planning strategy and provide the basis for determining planning applications. It is important that water and sewerage companies, and other infrastructure providers and flood risk management authorities, are engaged in plan-making. Commenting on the preparation of the local plan for the area is also more likely to be relevant to a whole catchment management approach.

Local planning authorities can already decide to consult water and sewerage companies where they consider that a proposal may have planning implications for the public sewer network. National planning guidance encourages consultation with other bodies, including sewerage undertakers where a connection to a public sewer is proposed. Making the process of consultation on planning applications statutory risks adds cost and delay – the opposite of what our planning reforms are seeking to achieve.

Sewerage companies have a clear statutory duty to provide, improve and extend the sewerage network in order to effectually drain their area from the 1991 Water Industry Act. In addition, the 2014 Water Act introduced a duty for Ofwat on resilience, including to (a)

secure the long-term resilience of sewerage systems as regards environmental pressures, population growth and changes in consumer behaviour, and (b) to secure that companies take steps to enable them to meet the long-term need for sewerage services.

11. We support voluntary approaches which will improve the use of flood resilience measures in new buildings and a new code should be finalised as soon as possible. Should a voluntary code not be agreed with key stakeholders by the end of 2016, then the Government must amend building regulations by the end of 2017 to require such measures to be used in all newly built properties (Paragraph 55).

The Government agrees with the Committee’s support for voluntary approaches by industry and welcomes the work done in developing standards for flood resilience measures, which has contributed to the development of BS 85500 Flood resistant and resilient construction—Guide to improving the flood performance of buildings which was published in 2015.

The Environment Agency will also be providing support to the industry in the development of a voluntary code on flood resilience measures. A further exploration of whether Building Regulations can be better used was one of the recommendations of the “Property Flood Resilience Action Plan”, which was published in October on GOV.UK. This will form part of ongoing work of the implementation group. Defra has also recently published research into Low Cost resilience research FD2682.

It is important that this work is given time to be drawn to a conclusion and for it to be implemented in practice. The Government has made it very clear in our planning practice guidance that councils must consider the strict tests in policy that protect people and property from flooding, and where these tests are not met development should not be allowed. Where development is necessary, it should be made safe and resilient – and without increasing flood risk elsewhere. Also, the statutory guidance in Approved Document C Site preparation and resistance to contaminants and moisture already gives guidance on flood resilient construction. The Government will continue to keep the subject under review and take action, including considering Building Regulations if deemed appropriate.

12. Flood Re appears to be allowing many households previously unable to do so to obtain affordable flood insurance cover. However the scheme is intended to provide a transition to an open market in insurance provision: it is therefore vital that Flood Re and insurance companies provide policy holders in flood risk areas with easily understandable information about the subsidy they are receiving so that they fully understand the need to improve their property’s resilience. We recommend that Defra report by January 2017 on how clearer information can be provided to policy holders on the subsidy provided by Flood Re (Paragraph 59).

13. In addition, flood insurance policy terms should allow for ‘building back better’ so that repairs to a flooded property can proactively deploy the full range of resilient materials and products. The Government should also review with the insurance industry how policy terms might incentivise the use of flood resilience measures by householders and businesses and report on this by January 2017 (Paragraph 60).

We agree that householders and businesses need to understand the importance of flood resilience measures and that insurance companies should provide clearly understandable information to policy holders about the subsidy they are receiving and how they can find

out more information on their flood risk and take steps to mitigate this. Insurers are already committed to providing such information to customers whose properties have been ceded to Flood Re. Flood Re is working to ensure that this is happening consistently and that the information shared is as clear and informative as possible. Flood Re actively assess their engagement with consumers through this process and more widely. As Flood Re further develops its Transition Plan it will consider what further information it should provide insurers to share with their customers. The Scheme has only been operational for 8 months and early 2017 is too soon to properly assess the impact of the information currently being provided.

Flood Re's Transition Plan sets out an ambition to develop a strong evidence base on how to incentivise householders to take the most effective measures to protect their homes against flooding and to collect data on the cost of flood claims, the aim being to be in a position where they can work with insurers and others to work out how to reduce the cost of repairs. Flood Re must update its Transition Plan at least every five Years (by 2021 at the latest). Flood Re has also committed to review what role they may have in encouraging the use of resilience measures by householders by 2018.

14. Some flood-hit businesses are understandably concerned that they may find it hard to obtain appropriate flood insurance in future. We welcome the insurance industry's progress in developing commercial solutions for many such businesses. However the market may not be able to provide affordable cover for all businesses, particularly small businesses. We recommend that the Government develops by the end of 2017 a grant scheme to support small businesses to undertake resilience measures. This scheme should be reviewed by the end of 2019 to assess whether there is need for further direct support for small businesses in the form of a Government-backed insurance scheme (Paragraph 65).

We agree that it is important for businesses to undertake resilience measures. The Government published its "Property Flood Resilience Action Plan" in September in collaboration with a number of commercial interested parties. It identified clear actions on how insurers (amongst others), can improve the uptake of resilience measures. The insurance industry and other members of the PLR Roundtable are committed to taking forward the actions identified, including around standards, certification and upskilling.

We have committed to work with BEIS, local authorities, the insurance industry and business representatives to better understand the nature and extent of the problem of unavailable insurance and what we can do to help small businesses. The outcome of this work will inform future actions. Businesses that were flooded in the last winter floods were eligible for the £5000 property level resilience grant.

We also welcome the British Insurance Broker Association (BIBA) insurance product and will need to assess the impact it has on the availability of insurance for SMEs to assess what further interventions may be necessary and whether it would be appropriate for government to fund the uptake of resilience measures.

15. Firefighters provided a vital and much valued first-line service to flooded communities in recent flood events. While we welcome the September National Flood Resilience Review commitment to increase funding to maintain equipment, we are concerned that continued pressure on resources could jeopardise the Fire and Rescue

Service's ability to deliver a high standard of service in future. We recommend that the Government places a statutory duty on the Fire and Rescue Service in England and Wales to provide an emergency response to flood events and commits the necessary additional funding and staff resources to support delivery of this responsibility. The Government must consult by the end of 2016 on methods of imposing and funding this duty (Paragraph 67).

Fire and Rescue Services in England already have the discretionary powers they need to respond to all local incidents including major flooding under the Fire and Rescue Service Act and the Civil Contingency Act. It is for local responders to work out what arrangements works best in their area through their Local Resilience Forums and their own Integrated Risk Management Plans, and in some areas and on some occasions it may be more appropriate for a different responder to take the lead. Locally, flood response involves a range of different responders, including the FRS who are generally the largest responder.

Each Fire and Rescue Authority has a statutory responsibility to produce an Integrated Risk Management Plan setting out how they will use their resources to manage risks to their communities, this includes flooding. A Statutory Duty would potentially reduce flexibility with a one size fits all approach, and there are clear advantages to a permissive regime where responders have broad powers and local discretion rather than a duty for each kind of risk.

Strategic governance and resource issues

16. We welcome the Government's commitment in the National Flood Resilience Review to implement improvements to flood risk management in a number of distinct areas such as the deployment of temporary barriers and the communication of risk. However, work on these separate strands will, on its own, be insufficient to deliver a holistic approach to flood prevention. It is vital that the Government continues to join-up action across departments and that ministerial changes do not interrupt momentum. We recommend that Defra and the Cabinet Office set out in the response to this report how the Departments will coordinate joined-up flood management across Whitehall (Paragraph 76).

Following the publication of the National Flood Resilience Review, Defra will work with the Environment Agency, HM Treasury and the National Infrastructure Commission building on the existing long-term investment scenarios to consider long term investment needs and funding options. We will consider the case for investment after 2021, priorities and Government's role in supporting the resilience of communities and the wider economy. In addition, the Government has convened an Inter-Ministerial Group on Flooding which will have strategic oversight of cross-Government work on flood preparedness and response policy more broadly. The Group will drive the work implementing the Review and ensure that strong progress is made quickly to address those gaps in resilience identified in the Review.

17. More fundamentally, ministers must take a fresh look at the governance and delivery of flood risk management and develop plans for a robust, long-term approach. Despite Government assurances as to the adequacy of its policies, we consider national flood management to be fragmented, inefficient and ineffective in meeting the level

of threat that flood risk poses to communities across England. With climate change increasing the likelihood of more frequent, more severe flood events it is imperative that the Government undertakes a root and branch review of national and local flood risk management. We make suggestions below on potential new approaches: there are many examples of good practice and plentiful instances of good will in partnerships across England to build on (Paragraph 77).

20. We recommend that Defra consult by 2017 on new governance arrangements and changes to delivery body roles to allow the development of coherent, long-term flood risk management plans which can better meet the increasing challenge of protecting communities from flooding. Key objectives in this consultation must be to develop outcomes that:

- ensure long-term plans are developed with adequate funding for delivery;
- increase impartiality, transparency and accountability in planning and delivery of national and local flood risk management;
- streamline delivery by removing the need to co-ordinate a plethora of flood risk management bodies, whilst enabling bodies such as Internal Drainage Boards and water companies to deliver their unique roles more effectively;
- integrate spatial planning and flood risk planning to develop flood resilient communities;
- tackle inefficiencies in Environment Agency and other flood risk management delivery bodies (Paragraph 77).

21. Defra must set out in its response to this report its views on our proposed new model, including the key elements of establishing:

- a new National Floods Commissioner for England; supported by Regional Flood and Coastal Boards;
- a new national English Rivers and Coastal Authority; and
- Water and Drainage Companies with local drainage remits (Paragraph 88).

We do not agree that there is a need for substantial change to the existing national and local governance provisions for flood risk management. Our current system has achieved notable successes including securing better protection for more than 500,000 properties since 2005. The current Environment Agency structure allows us to integrate flood and environmental/economic benefits in ways that a standalone flood agency could not. The Flood and Water Management Act 2010 clarifies roles and responsibilities for the management of local flood risk.

It is true that many different public and private bodies are involved in flood and coastal erosion risk management. This will always be the case as flooding has impacts for many aspects of daily life (property, business, health, transport, utilities, environment and more). The Environment Agency's [National Flood and Coastal Erosion Risk Management Strategy](#)

clearly describes and sets out the different roles, responsibilities and accountabilities. It explains how organisations and communities can work together to tackle flood and coastal risk in a co-ordinated and effective way.

The Environment Agency continues to improve its responsiveness to local communities and is best placed to deliver national and local flood risk management in partnership with others. Recent flooding events have shown how quickly and effectively the Environment Agency acts to lead on and co-ordinate an effective incident response and recovery. Managing flood risk in an integrated and partnership approach is the most effective way of managing a difficult but essential task while facilitating local involvement and ownership.

Regional Flood and Coastal Committees (RFCCs) play an important role in ensuring that there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines; and promoting efficient, locally targeted and risk-based investment of nationally and locally raised income. They are mandated to hold the Environment Agency and other Risk Management Authorities (RMAs) to account on behalf of the communities they represent.

Although we do not see a case to change the current structures substantially, we are always looking for ways to improve partnership working and collaboration between them. Public Sector Cooperation Agreements are a good example of this. They enable the Environment Agency and an Internal Drainage Board (IDB), Lead Local Flood Authority (LLFA), District Council (DC) or other RMAs to deliver flood risk maintenance works and similar activities for one another in a streamlined and efficient way.

The Environment Agency is due to refresh the national strategy which ensures that the role of all RMAs is understood and developed, using the best available evidence including the Environment Agency's long term investment scenarios. In addition, Defra and the Environment Agency are dedicated to working with local bodies including LLFAs to support their capacity and capability. To this end, we will be publishing a Local Flood Risk Management Action Plan in due course.

18. We recommend that Defra publishes by the end of 2017 its 25-year ambition for flood risk reduction for communities in England against scenarios for different climate change outcomes. This must be accompanied by an analysis of the necessary funding levels to secure this reduction, including for maintenance of existing and new assets (Paragraph 78).

19. To secure continued funding for local approaches whilst alternative governance models are being developed, the Government must ensure appropriate legislation is passed to enable local community projects, such as the Somerset Rivers Authority, to raise local levies (Paragraph 79).

This Government has a clear long-term ambition for managing and funding flood risk. This has two benefits and was a key strategic decision made by the Government to allow the Environment Agency to become more effective. Moving to a six year capital settlement now allows the Environment Agency to plan and manage projects more smoothly.

Record levels of investment on flood defences are being provided, along with certainty over funding levels. We are investing £2.5 billion on schemes that include hard and soft engineering and natural flood management, working with natural processes to better

protect communities between 2015/16 and 2020/21. This is a real terms increase in capital investment – up from £1.7 billion in the last Parliament and £1.5 billion between 2005 and 2010.

In Somerset, a specific need was identified locally which led to the establishment of the Somerset Rivers Authority (SRA). The SRA was given £1.9m of start-up funding from government in 2015/16 and the local authorities in Somerset were given the ability to continue to fund the Somerset Rivers Authority through additional council tax flexibility in April 2016. The government is continuing to work with the SRA on its long-term funding arrangements and intend to give this a statutory basis when parliamentary time allows. This has arisen because of the unique circumstances of the Somerset Levels.

Formal Minutes

Wednesday 18 January 2017

Members present:

Jim Fitzpatrick, in the Chair

Chris Davies	Ms Margaret Ritchie
Simon Hart	David Simpson
Kerry McCarthy	Angela Smith
Dr Paul Monaghan	

Jim Fitzpatrick took the Chair, in accordance with the Resolution of the Committee of 14 December 2016.

Draft Report (*Future Flood Prevention: Government's response to the Committee's Second Report of Session 2016–17*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 6 read and agreed to.

The Government's response was appended to the Report.

Resolved, That the Report be the Fourth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Wednesday 25 January at 2.00 pm

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2015–16

First Report	Defra performance in 2015–16	HC 443 (HC 894)
Second Report	Greyhound welfare	HC 478 (HC 133)
Third Report	Farmgate prices	HC 474 (HC 561)
Fourth Report	Air quality	HC 479 (HC665)
Fifth Report	Common Agricultural Policy: payments to farmers	HC 405–i (HC 664)
First Special Report	Defra performance in 2014–15: Government response to the Committee's First Report of Session 2015–16	HC 894
Second Special Report	Farmgate prices: Government response to the Committee's Third Report of Session 2015–16	HC 561

Session 2016–17

First Report	Appointment of the Chair of the Environment Agency	HC 649
Second Report	Future flood prevention	HC 115
Third Report	Animal welfare in England: domestic pets	HC 117
First Special Report	Greyhound welfare: Government response to the Committee's Second Report of Session 2015–16	HC 133
Second Special Report	Government response to the Committee's Fifth Report of Session 2015-16: Common Agricultural Policy: payments to farmers	HC 664
Third Special Report	Government response to the Committee's Fourth Report of Session 2015-16: Air quality	HC 665