



**FCERM Strategy 2050 Roles and Responsibilities Working Group
Webex – Tuesday 19 June 2018**

Focus of meeting

- Providing stakeholders with an update on context of the FCERM Strategy
- Hearing stakeholder thoughts on what the FCERM Strategy should include on roles and responsibilities
- Outlining the working group (WG) processes and tasks.

Suggested new approaches/ways of working

- The Strategy should consider the role of Riparian Landowners and the lack of awareness and action to maintain watercourses. It should consider how Professional Partners work with Riparian Landowners. Culverted watercourses in urban areas can be particularly problematic as they pose both a structural and a flood risk issue if not maintained. There are inconsistent approaches to enforcement between Risk Management Authorities due to different resources and concerns about liability and precedents if they take action.
- It was felt that we have got to a point where we understand what each other does and the challenges are now:
 - Articulating complex arrangements to the general public: consistency and managing expectations can be the issue rather than the legislation. To those flooded the source of the flooding is irrelevant and a lack of joined up working between Risk Management Authorities can cause frustration.
 - The need to work together collaboratively on shared flooding issues and find solutions to any legal issues rather than seeing them as barriers
 - The need to work together in a proactive way and openness to different ways of working
 - The need for close Partnership working and flexibility where appropriate e.g. delegating powers between RMAs, Public Sector Co-operation Agreements, shared Frameworks, one organisation taking a visible leadership role on complex flooding issues
 - Making sure all the right people are around the table and accept that they have roles and responsibilities. District Councils were cited as a particular challenge.
 - The need for consistency around the Country
- There is a need to consider what is working well and what isn't working well – what are the problem areas and where should the focus of the Working Group be?
- The Environment Agency (EA) Strategic Overview role is unclear. It would be beneficial to discuss and agree what the "strategic overview of all sources of flood risk" means in detail and in practice. The duties and responsibilities it gives the EA are not widely understood and there is inconsistency in the approach nationally. These need to be communicated more

effectively to enable better collaborative working. This can get confusing locally where LLFAs have been proactive and developed Strategies that cover all sources of flood risk and head up Strategic Flood Risk Management Partnerships.

- Utility and Infrastructure Companies are not defined as Risk Management Authorities in the Flood and Water Management Act but are important partners. There are opportunities in future to work together on flood schemes where there is a shared benefit and/ or where the location of services affects flood risk/ schemes. In the short term, action needs to be taken to improve communication and strengthen working relationships.
- Watercourse status can make a big difference e.g. in terms of funding and legal issues.
- Different organisations can have a different perspective on how they implement their roles and responsibilities e.g. utilities take action to protect their own assets rather than wider communities
- Non Risk Management Authorities can struggle to get involved in flooding issues because they can struggle to justify the time/resourcing, given that as a non-RMA they have a smaller role to play (and usually less funding). The Canal & River Trust is a non-RMA, but has an interesting position as both a "victim" of flooding, but a "cause" of flooding to others, given where their 2000 miles of waterways are situated.
- Roles and responsibilities need to be considered in more detail with regards to response to flood events, particularly as LLFAs do not have duty roles and are a 9-5 organisation but do have a duty to investigate. One reporting system for flooding from any source would be greatly beneficial at reducing frustration and confusion for the public (taking into account the new General Data Protection Regulations, 2018). The recently published Multi Agency Flood Plan Review (2018) should also feed into this consideration.
- Links to anchor points on statutory and non-statutory roles for FCERM, limited funding, need for clarity on roles and everyone to play their part, accountability and developing, maintaining and sharing skills and capacity.

Summary of evidence gaps/requirements

The key evidence gaps identified related to:

- Resources for liaison with Riparian Landowners where watercourses are not being maintained
- Examples of collaborative working arrangements that have worked well/ not so well
- Where are the grey areas/ gaps between the Roles and Responsibilities of different organisations? What are the barriers to collaborative working on a day to day basis? How do things work in practise rather than on paper?
- Examples of shared flood reporting systems
- Comparative extents of Main River and Ordinary Watercourses across the Country could also be useful

Annex 1 provides more detail on evidence gaps and how these will be addressed.

Agreed actions

ACTION	OWNER	DATE
Confirm July meeting details	EA	ASAP
Circulate evidence base and 2 page summary for this Working Group before Face to Face meetings	EA	04/07/18
Confirm whether a meeting of all working groups will be held later in the year	EA	29/06/18
Circulate meeting notes, details of Strategy website and information for all Working Groups	EA	22/06/18

Review Evidence Packs (to be shared after WebEx) – what are the gaps? Discussions between attendees and within organisations/networks between now and face to face meeting.	Group	11/07/18
Review the information and questions provided – start to develop ideas for change and what solutions there might be. Discussions between attendees and within organisations/networks/ communities between now and face to face meeting.	Group	11/07/18
Send further information through where necessary on projects mentioned at the WebEx. These should be sent to FCERMStrategy@environment-agency.gov.uk	Group	ASAP

Implications for other working groups

Key issues for other WGs highlighted in the meeting were:

- Protection and Funding – the role of utility and infrastructure companies in contributing to partnership flood schemes where there is mutual benefit
- Communities and Businesses: Communicating complex arrangements to the general public: consistency and managing expectations can be the issue rather than the legislation

Items to raise with Ambition Group

- In the long term, do responsibilities need to be simplified?
- How should all the relevant organisations be encouraged to step up to the table and contribute to resolving flooding issues in a collaborative manner?
- Integrating utility companies into the Flood Family and delivering collaborative schemes

Suggested Action points (i.e. those that may feed into the Strategy)

- Awareness raising and support at a national level for responsibilities for Riparian Owners and District Councils
- Strengthen working relationships with utility companies to start to bring them into the Flood Family

Questions asked (to feed into FAQs)

- How can Working Groups interact?
- Is the Strategy just for England? What engagement will take place with National Resources Wales, the Scottish Environmental Protection Agency and others internationally?
- Does the Strategy cover coastal protection and flood risk management?
- What is the scope of the Roles and Responsibilities that are being considered? For example, these operate at multiple levels and cover a range of different activities?

Legislative / policy points raised to share with Defra

- Riparian responsibilities need clearer communication and the issue of failing culverted watercourses in multiple ownership needs careful consideration.
- Roles and responsibilities need to be considered in more detail with regards to response to flood events and flood investigations.

ANNEX 1: Further information on evidence gaps and potential approaches to address

Evidence gap	Analysis required	Potential data source	Desk based or further engagement?	Can evidence be obtained to inform strategy development? Yes/No	If yes, when can this be provided by?	If no, provide more detail, e.g. would this need to be a new research project?
Resources for liaison with Riparian Landowners where watercourses are not being maintained	Identify examples of lack of riparian action, resource implications and options for the way forward	Anglian Northern RFCC paper on resource implications for enforcing Land Drainage responsibilities ADEPT 2017 research on LLFA land drainage responsibilities	Desk based, with potential discussion with ADA	Yes	July 18	
Examples of collaborative working arrangements	Collate examples and highlight best practise and lessons learnt	ADEPT From Strategy Working Groups	Desk based	Yes	July 18	
Grey areas between Roles and Responsibilities	What are the barriers to collaborative working? What works well and what hasn't worked so well? How do things work in practise?	Defra 2018 Surface Water Management Project work (not yet published) ASC Surface Water Metrics Report (not yet published) ADA Case Studies	Desk based	Unknown	Unknown	Depends on publication dates
Shared flood reporting systems	Examples of shared flood	Dorset County Council and South West RFCC SWIM system	Desk based, with discussion with Dorset County Council/ SW RFCC/ ADEPT	Yes	July 18	

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	reporting systems	ADEPT				
Distribution of Main River and Ordinary Watercourses	Comparative extents of Main River and Ordinary Watercourses across the Country	GIS datasets	Desk based analysis to identify comparative extents of Main River and Ordinary Watercourses across the Country	Yes	July 18	