

# PE2118/A: Review and restructure Scotland's flood risk management approach and operations

## Scottish Government written submission, 28 October 2024

Thank you for your email of 24th September regarding the above petition, which is calling on the Scottish Parliament; “to urge the Scottish Government to review the Flood Risk Management (Scotland) Act 2009, and improve flood alleviation and management processes by appointing an independent panel of engineers, economists, and geomorphologists to support the design of flood risk management plans.”

The Scottish Government recognises the growing challenges posed by climate change, including the increasing frequency and severity of flooding events. This is why we have already implemented a comprehensive framework under the **Flood Risk Management (Scotland) Act 2009**, which places flood risk management at the core of our environmental policies.

**The Flood Risk Management (Scotland) Act (“the Act”)** promotes *sustainable flood risk management*, a process based on a collaborative, sustainable, planned and proactive approach to managing flood risk. Importantly sustainable flood risk management recognises natural features in the landscape, such as floodplains and wetlands, can lower flood risk to communities downstream by managing the sources and pathways of flood water in a catchment.

The Scottish Government recognises the urgency of addressing the increasing risk of flooding, which has been exacerbated by climate change. Flooding threatens homes, businesses, and infrastructure, and we are committed to continually improving flood risk management in order to protect Scotland’s communities.

### Key Actions Already Underway

The second cycle of Flood Risk Management Plans for the period 2022-2028 were published by the Scottish Environment Protection Agency (SEPA) in December 2021, and they outline the long-term ambition by setting objectives and identifying actions within in a Local Plan District. The Flood Risk Management Plans are supplemented by the Local Flood Risk Management Plans which set out the detailed actions and how the actions will be funded.

### *Governance Reform and Commitment to Improved Delivery*

A joint Scottish Government/COSLA Flood Risk Management Working Group is currently considering funding and governance arrangements for flood protection schemes and actions set out within the cycle two Plans taking on board lessons learned from the first programme and current best practice.

Early recommendations from the Working Group have already contributed to improving the affordability of the remainder of the cycle 1 programme, and further recommendations will be put to Ministers and COSLA Leaders via the joint Scottish Government/COSLA officers’ Settlement Distribution Group with regards to the funding and governance of future cycles.

As part of this reform process, Scottish Ministers and council leaders have agreed that where funding is available for future schemes then there should be a staged/gateway process to assess and review the viability of schemes put forward for funding. Establishing such a process will build on the lessons learned from the development and delivery of cycle 1 schemes and will seek to ensure that future funding will be deployed to maximum benefit for local communities.

Since its inception, community engagement has been a cornerstone of the flood risk management act. We recognise that effective flood risk management must reflect local realities, including the unique challenges and priorities of individual communities. To this end, SEPA and local authorities are required to consult extensively with local communities during the development and implementation of Flood Risk Management Plans and Local Flood Risk Management Plans. The Scottish Government also actively encourages public consultation and stakeholder engagement to ensure that local knowledge and concerns are reflected in the plans.

The next cycle of Flood Risk Management Plans, scheduled for review and update by 2028, will again prioritise local engagement to ensure that each community's needs are considered, and will integrate lessons learned from previous floods.

### **Development of Scotland's Flood Risk Management Strategy**

The Scottish Government is developing Scotland's first Flood Risk Strategy (FRS). It is focused on enhancing community flood resilience by integrating people, places, and processes. Each of these themes plays a role in shaping a future where communities are better prepared for flood risks.

The Strategy will place a strong focus on the involvement of individuals and communities in flood resilience decision-making and highlights the crucial role that people can play in building flood-resilient communities. The overall outcome is to create flood-resilient places by actively engaging and empowering people and communities.

The Strategy builds on an extensive programme of engagement with a wide range of stakeholders, including a public consultation and will be published later in 2024.

### **Investment in Flood Protection and Resilience**

For the last 15 years the Scottish Government has provided Local Authorities with £42m per annum for flood resilience through the general capital grant and we have committed to continue that until 2026. We have also committed an additional £150m over the course of this Parliament to deliver improved flood resilience.

This funding directly supports local authorities, enabling them to implement flood protection measures, such as flood barriers, drainage improvements, and sustainable flood management techniques, including nature-based solutions. This not only supports the resilience of local communities but also enhances biodiversity and promotes environmental sustainability.

### **Expert Input and Continuous Review**

In relation to the suggestion to appoint an independent panel of engineers, economists, and geomorphologists, it is important to note that the development of

specific actions to address flood risk and improve resilience is the responsibility of local authorities.

The Flood Risk Management Planning process is led by SEPA but with extensive input by others. This includes input from engineers, hydrologists, and geomorphologists. This collaboration is based on the latest scientific knowledge and best practice.

The Flood Risk Management Act requires that all flood risk management plans be reviewed and updated by SEPA every six years. This process enables SEPA to adapt to new developments, integrate the latest scientific research, and consider lessons learned from recent flood events. As with any legislation, the Scottish Government continues to consider whether any amendments or enhancements are required.

### **Ongoing Commitment to Improvement**

In summary, the Scottish Government has made significant progress in flood risk management under the Flood Risk Management (Scotland) Act 2009, through a strategic, evidence-based approach supported by substantial investment. We are committed to further strengthening these efforts, with a focus on community engagement, expert input, and improving governance to ensure the delivery of effective flood resilience measures.

We remain committed to working with local communities, stakeholders, and experts across various disciplines to build a resilient and sustainable approach to flood risk management for the future.

I hope this information is helpful to the Committee in considering this petition.

Yours sincerely

**Flood Risk Management Team**