



Draft flood risk management plans consultation: Phase 2

Frequently asked questions and answers

Valid between 30 July 2021 – 31 October 2021

Contents

Phase 2 Public Consultation	3
What are you consulting on?	3
Why are the flood risk management plans and local flood risk management plans being consulted on together?	3
Are there separate questions for the local flood risk management plan and flood risk management plan consultation?	4
Why is the consultation being delivered in two phases?	4
Why has there been a delay to phase 2 of the consultation?	4
What are the time scales for the public consultation?	4
How do I respond to the consultation?	5
How do I access an alternative format of the consultation?	5
What happens after the consultation closes?	6
When will the final plans be published?	7
What are the flood risk management cycles?	7
Flood Risk Management Plans	7
What's the difference between the Flood Risk Management Plans and Local Flood Risk Management Plans?	7
What is a Local Plan District?	8
What is a Potentially Vulnerable Area?	8
What is a target area?	8
What is the National Flood Risk Assessment?	9
Where do the statistics on flood risk in the consultation come from?	9
I live in an area on the border between Scotland and England. What is happening in England/what are the Environment Agency doing?	9
Responsibilities	9
What can I do to protect myself from flooding?	9
What responsibilities do public bodies have regarding flooding?	10

Phase 2 Public consultation

What are you consulting on?

SEPA opened phase 1 of the consultation on the draft flood risk management plans on 21 December 2020. These were first published in December 2015 (referred to as the flood risk management strategies) and need to be reviewed and updated every six years. Phase 1 data included background information.

Phase 2 of the consultation opens on 30 July 2021. During this stage of the consultation, draft objectives and actions to manage flooding in target areas will be added. The actions are reported by proposed start date, with actions proposed before June 2028 and actions proposed after June 2028. These dates are linked to the deliver cycles of the local flood risk management plans.

In addition, lead local authorities¹ are consulting on the supplementary and implementation parts of their local flood risk management plans in, which turn the develop a local delivery plan. First published in 2016, these plans are now being updated. They provide more detail on actions proposed to take place before June 2028. This includes local coordination of the action and how the action may be implemented.

Within the same consultation, lead local authorities are asking for your views on the supplementary part of the updated Local Flood risk Management Plans.

Why are the flood risk management plans and local flood risk management plans being consulted on together?

The flood risk management plans and local flood risk management plan are closely linked documents. The local flood risk management plans turn the flood risk management plans into a local delivery plan. Presenting the information from the two plans together give a greater picture of what is proposed.

Presenting this information in one consultation is intended to make it easier for the responder.

Are there separate questions for the local flood risk management plan and flood risk management plan consultation?

No all the information from the flood risk management plan and the local flood risk management plan has been brought together into the one set of documents, therefore only one set of questions is required.

Why is the consultation being delivered in two phases?

The challenges presented by COVID-19 have led to the consultation being delivered in two phases. However, we are presenting a lot of information in this consultation, having a two phased approach allows participants to read, digest and understand the information before additional detail and questions are added in July.

Why has there been a delay to phase 2 of the consultation?

The original intention was to deliver phase 2 of the consultation in March 2021. In December 2020 SEPA were subject to a significant cyber-attack, involving complex and sophisticated criminality. For more information, visit sepa.org.uk/cyber-attack. This has led to an unavoidable delay to phase 2 of the consultation.

What are the time scales for the public consultation?

The consultation will be undertaken in two phases with phase two consultation questions open for three months:

- Phase 1: 21 December 2020 – 30 July 2021
- Phase 2: 30 July 2021 to 31 October 2021

Why are you asked if you a local authority?

Local authorities are being asked slightly reduced questions, which can be accessed by identifying they are a local authority on question 6. There are two reasons that Local authorities have a slightly different set of question. Firstly, local authorities have been heavily involved in the development of these documents and have already provided a number of specific comments for target area. They will also continue to be involved in the development of the final document. The second reason is that local authorities need to respond for all target areas in their authority. Members of the public should go

through the full set of questions which enables detailed responses to be submitted against specific areas.

Can I fill in a consultation response for multiple areas?

Yes - You will need to complete the full consultation for each area you are interested in.

How do I respond to the consultation?

During Phase 2, the preferred route for responses to the consultation is via:

Online consultation hub: <https://consultation.sepa.org.uk/>

If you wish to post your comments, please mark them for the attention of FRM consultation and send them to:

Scottish Environment Protection Agency

Angus Smith Building

6 Parklands Avenue

Eurocentral

Holytown

North Lanarkshire

ML1 4WQ

How do I access an alternative format of the consultation?

If you are a user of British Sign Language (BSL) the Contact Scotland BSL service gives you access to an online interpreter, enabling you to communicate with us using sign language.

Contact Scotland BSL: <http://contactscotland-bsl.org/>

Hard copies may be made available from 31 July 2021 if necessary. This service may be limited due to the ongoing challenges of Covid-19 and lack of access to SEPA offices.

If you require any other reasonable adjustments for the consultation in an alternative format please contact SEPA:

Phone: 07747 627671

Email with subject heading “FRM consultation” to: FRMplanning@sepa.org.uk

What if I have a query about the consultation?

Preferred route for queries is email with subject heading “FRM consultation” to: FRMplanning@sepa.org.uk

Contact on phone: 07747 627671

If you wish to post your query, please mark them for the attention of FRM consultation and send them to:

Scottish Environment Protection Agency

Angus Smith Building

6 Parklands Avenue

Eurocentral

Holytown

North Lanarkshire

ML1 4WQ

We will aim to get back to query within 10 working days from receipt of query.

What happens after the consultation closes?

Once the consultation has closed, where it has been agreed by the responder, consultation responses will be shared with the relevant local authority. SEPA will develop a digest of responses. This digest will be completed by 31 December and will be submitted to Scottish Ministers. The responses provided during the consultation will

be considered when developing the final versions of the flood risk management plans and the local flood risk management plans.

When will the final plans be published?

Delays to the consultation have been caused by COVID-19 and the cyber attack on SEPA. SEPA are currently in discussion with the Scottish Government about publication of the flood risk management plans.

The local flood risk management plans are due to be published six months after the flood risk management plans or as directed by Scottish Government.

What are the flood risk management cycles?

The Flood Risk Management (Scotland) Act 2009 (FRM Act) sets out a six year cycles for how flood risk management is planned and implemented in Scotland.

Cycle number	1	2	3	4	5
Flood Risk Management Plans (planning)	2015	2021	2027	2033	2039
Local Flood Risk Management Plan (implementation)	2016	2022	2028	2034	2040

Flood Risk Management Plans

What's the difference between the Flood Risk Management Plans and Local Flood Risk Management Plans?

SEPA leads on the development of the flood risk management plans. There are 14 across Scotland, one for each Local Plan District. Flood risk management plan coordinate efforts to tackle flooding in Scotland. They set the national direction of future flood risk management, helping to target investment and coordinate actions across public bodies. They explain what causes flooding in high-risk areas as well as the impacts when flooding does occur. This

information is used as a basis for better decision-making across flood risk management organisations. They are approved by Scottish Government and published by SEPA as Scotland's strategic flood risk management authority. SEPA have worked in collaboration with all 32 local authorities, Scottish Water and other organisations with a responsibility or interest in managing flooding.

The Local Flood Risk Management Plan is led by the lead local authority for a Local Plan District. It sets out in greater detail what actions will be progressed in the next 6-year cycle, who will lead them, how the action will be coordinated with other organisations, more detail on when the action will take place and how the actions will be funded.

What is a Local Plan District?

There are 14 Local Plan Districts in Scotland. These can be viewed via SEPA's webpage for the 2015 Flood Risk Management Strategies using the following link:

<https://www2.sepa.org.uk/FRMStrategies/>

A flood risk management plan is being developed by SEPA for each of these areas. The lead local authority for each Local Plan District is responsible for the local flood risk management strategy.

What is a Potentially Vulnerable Area?

The Potentially Vulnerable Areas (PVAs) were designated as part of the National Flood Risk Assessment 2018 and are further explained on SEPA's web page:

<https://www.sepa.org.uk/data-visualisation/nfra2018/> and click on the *Potentially Vulnerable Area* tab.

They are areas where flood risk is considered to be nationally significant. SEPA consulted on this prior to publishing the NFRA 2018. Potentially Vulnerable Areas are based on catchment boundaries. Each Potentially Vulnerable Area may contain one or more target areas, which are the focus of reducing flood risk.

What is a target area?

Target areas are based on communities at risk of flooding. These are situated within Potentially Vulnerable Areas and should benefit from actions to reduce flood risk. To benefit

the community, actions may apply to outside the target area. National flood risk management efforts and funding should be targeted to benefit these target areas. The draft actions applicable to these target areas will be consulted on from 22 March to 22 June 2021.

What is the National Flood Risk Assessment?

The National Flood Risk Assessment (NFRA) is the first step at protecting and preparing communities at flood risk, by improving our understanding of what and where flooding may happen. The NFRA provides a strategic, high-level overview of flood risk in Scotland. It is based on SEPA's flood maps and information provided by local authorities, Scottish Water and the public. The NFRA can be explored here:

<https://www.sepa.org.uk/datavisualisation/nfra2018/>

Where do the statistics on flood risk in the consultation come from?

Unless otherwise stated the statistics on flood risk come from the National Flood Risk Assessment. (see above)

I live in an area on the border between Scotland and England. What is happening in England/what are the Environment Agency doing?

The Environment Agency plans to consult on the draft flood risk management plan for the English part of the Solway Tweed in autumn 2021, subject to final confirmation. SEPA and the Environment Agency will continue to work together throughout the consultation process in order to coordinate the management of cross border flood risk. Coordination arrangements for cross border areas can be found in the related documents section of this consultation.

Responsibilities

What can I do to protect myself from flooding?

Individuals have responsibilities to protect themselves from flooding. Being prepared by knowing what to do and who to contact if flooding happens can help you reduce the damage and disruption flooding can have on your life. The first step to being prepared is

signing up to Floodline so you can receive messages to let you know where and when flooding is likely to happen. Other useful tools and advice on how to be prepared are available on the Floodline website, including a quick guide to who to contact in the event of a flood.

More information is available here: <https://www.floodlinescotland.org.uk/>

What responsibilities do public bodies have regarding flooding?

Public bodies have responsibilities and are working together to reduce the impacts of flooding in Scotland.

Local Authorities

Local authorities work together for flood risk management planning purposes through a lead local authority. The lead local authority must perform several important functions over and above the general flood-related duties and powers given to local authorities. Most significantly, the lead local authority, having contributed with other local authorities to the production of the Flood Risk Management Strategy, must prepare a Local Flood Risk Management Plan.

Local Authorities are responsible for implementing planning

SEPA

SEPA is Scotland's national flood forecasting, flood warning and strategic flood risk management authority. We have a statutory duty to produce Scotland's Flood Risk Management Plans. We work closely with other organisations responsible for managing flood risk through a network of partnerships and stakeholder groups to ensure that a nationally consistent approach to flood risk management is adopted.

SEPA provides flood risk advice to planning authorities when consulted on planning applications and co-operates in the preparation of development plans. The advice provided by SEPA relates to the risk of flooding and is provided based on the information it holds which is suitable and relevant for planning purposes. It will also be in line with the principles and duties set out in the FRM Act.

Scottish Water

Scottish Water is a responsible authority for flood risk management and is working closely with SEPA, local authorities and others to coordinate plans to manage flood risk. Scottish Water has the public drainage duty and is responsible for foul drainage and the drainage of rainwater run-off from roofs and any paved ground surface from the boundary of properties. Additionally, Scottish Water helps to protect homes from flooding caused by sewers either overflowing or becoming blocked. Scottish Water is not responsible for private pipework or guttering within the property boundary.

Scottish Water is a statutory consultee within the planning legislation and is required to comment on all outline or full planning applications which are referred by a local authority.

National parks

The two National Park Authorities, Loch Lomond and Trossachs National Park and Cairngorms National Park, were designated as responsible authorities for flood risk management purposes in 2012. Both have worked with SEPA, local authorities and Scottish Water to help develop Flood Risk Management Plan and Local Flood Risk Management Plans. They also fulfil an important role in land use planning, carrying out or granting permission for activities that can play a key role in managing and reducing flood risk.

Scottish Government

The Scottish Government oversees the implementation of the Flood Risk Management (Scotland) Act 2009, which requires the production of Flood risk management plans and local flood risk management plans. Scottish Ministers are responsible for setting the policy framework for how organisations collectively manage flooding in Scotland.