



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

WRITTEN STATEMENT BY THE WELSH ASSEMBLY GOVERNMENT

Title: Flood and Water Management Act 2010

Date: 19 April 2010

**By: Jane Davidson, Minister for the Environment, Sustainability
and Housing**

The Flood and Water Management Bill received Royal Assent on 8 April 2010.

The new Act contains a range of provisions on flood and coastal erosion risk management and water management that will provide better, more sustainable flood and coastal erosion risk management measures for people, homes and businesses, help safeguard community groups from unaffordable rises in surface water drainage charges and protect water supplies to the consumer.

We worked closely with the UK Government to ensure that the Act, which builds on existing legislation for flood and coastal erosion risk management and water management, gives the Assembly Government and Welsh risk management authorities, the right tools to deliver better flood and coastal erosion risk management and water management. Gaps in existing legislation have been closed and clear lines of responsibility drawn. This is central to the flood and coastal erosion risk management provisions in the Flood and Water Management Act 2010.

Informed by the consultation responses and pre-legislative scrutiny, the Flood and Water Management Act 2010 includes specific provisions on:

- roles and responsibilities for flood and coastal erosion risk management;
- reservoir safety;
- flood and coastal erosion risk management assets owned by third parties;
- flood resilience within properties;
- sustainable drainage systems;
- rectification of an anomaly relating to the consenting of infrastructure projects in Wales under section 167 of the Water Industry Act 1991
- surface water charges – concessionary schemes for community groups
- water bills – social tariffs
- drought measures;
- reducing the level of “bad debt” in the water industry
- water administration regime; and
- development of a project based delivery approach for large infrastructure projects in the water sector;

The Act reflects the need to adapt to the increasing pressures posed by climate change, which is predicted to increase the likelihood of both extreme weather events such as flood and drought, and the erosion of our coast.

The clear definition of the roles and responsibilities of everyone involved in flood risk management set out in the Act will contribute to the protection of the public in Wales. The Welsh Assembly Government will develop a National Strategy for Flood and Coastal Erosion Risk Management, and local authorities will develop more detailed local strategies to manage flood risk. The Environment Agency will oversee the implementation of the National Strategy.

The modernisation of the reservoir safety regime will ensure that reservoirs in Wales are assessed based on the level of risk not just the size of the

reservoir. This will improve the safety of communities in Wales living in close proximity to reservoirs and will see the regulatory burden decreased for many owners of low risk, larger reservoirs.

The use of Sustainable Drainage Systems for surface water drainage in all new housing and business development is required by the Act. This approach to surface water management will reduce flood risk and improve water quality as well as providing improved amenity in many new developments.

I am confident that these measures will contribute to making the people of Wales safer from flooding and coastal erosion.

Our core principles for water are ensuring access to safe drinking water; maintaining water and sewerage services at an affordable price; and ensuring compliance with statutory obligations that drive water quality.

The water provisions contained in the Act will protect the interests of water customers and give water companies more flexibility and scope to better protect our water supplies.

Two recommendations from the Independent Review of Charging for Household Water and Sewerage Services (The Walker Review) have been included in the Act, providing provisions on Bad Debt and Social Tariffs. The clause on Bad Debt will ensure that a named person is listed on water bills for persons who are in rented accommodation, and will assist in tackling the high levels of bad debt within the water industry. The clause on Social Tariffs enables water and sewerage undertakers to include social tariffs in their charges schemes which are designed to reduce the charges for unspecified groups of customers who would otherwise have difficulty in paying water and sewerage bills in full. These are two key recommendations from the Review which required primary legislation to support them.

Over the coming months, the relevant provisions will be commenced and we will be working to put in place the associated Regulations and guidance.