



Floods and Water Management Act – Schedule 3 and the Sustainable Drainage Approval Body (SAB).

Introductions



Katherine Waters

Technical Director

Katherine.Waters@WSP.com

Katherine has approximately 20 years of experience working within the Water Management sector specialising in flood risk management and SuDS. Prior to joining WSP 10 of these have been within a Local Government setting as a Flood Risk Manager and chair and co-founder of the Association of SuDS Authorities (ASA).

Katherine is the Technical Lead within the Sustainable Water Team for LLFA and the Local Government support and specialising in Flood Risk Management, Strategies, policies and SuDS.

As part of her role as chair of ASA she was a member of the technical advisory panel on the initial review of Schedule 3 and the implementation of the SAB, which included presenting to the All-Parliamentary Group for Flood Prevention. Katherine remains part of the DEFRA Schedule 3 Advisory Group on the future implementation of Schedule 3 and the SAB.

Contents

- Floods and Water Management Act 2010
 - Schedule 3 and the SuDS Approval Body (SAB)
 - Background to Schedule 3 and the SAB
 - Schedule 3 Why?
 - SuDS Approval Body
 - What are SuDS?
 - Current Process
 - Requirements
 - Proposed Process
 - WSP Skills Research
 - Costs
 - Service Delivery Options
 - Questions
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Slide 3

SPL0

Consider after bullet 2...

- > The impact of SAB and what this means in practise (capability, capacity, governance etc)
- > Service delivery options (wrap bullets 3,4,5 together)
- > Readiness Priorities & key next steps

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Floods and Water Management ACT 2010 – Schedule 3

The implementation of Schedule 3 has been under review since November 2021. The outcome will be a different way that drainage is designed and approved at all stages of planning, how its adopted and maintained and by whom.

The government has taken on board the recommendation that Schedule 3 of the Flood and Water Management Act should be implemented in England and has accepted this recommendation.

Slide 4

SPL0

Consider after bullet 2...

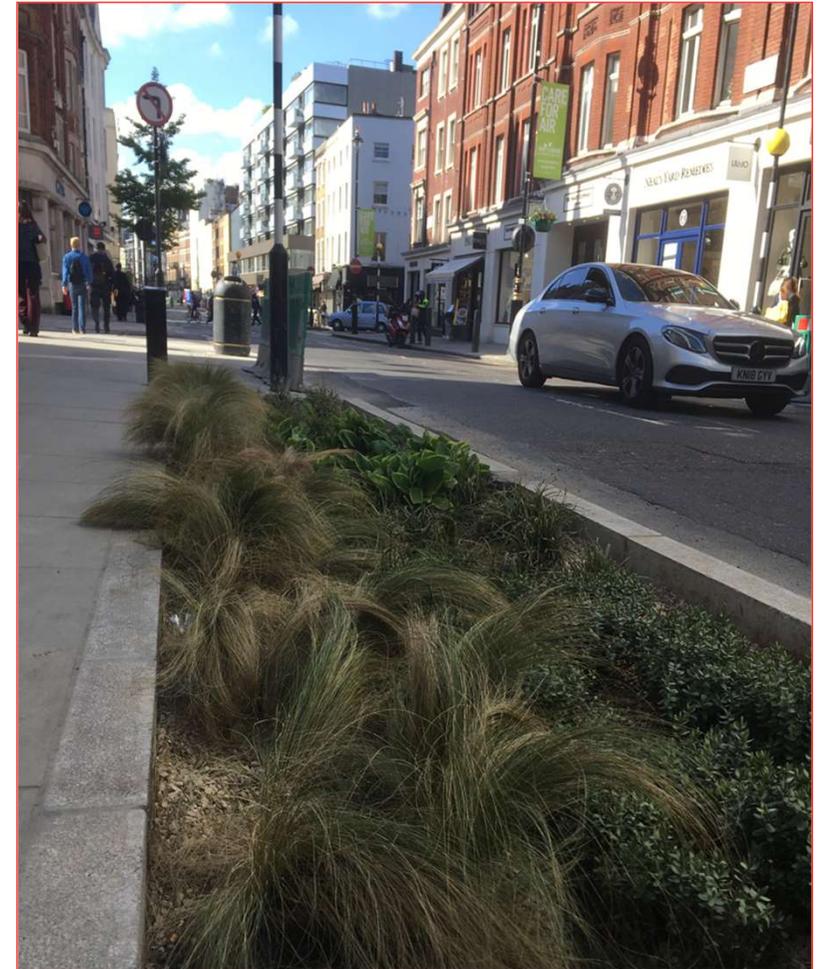
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Schedule 3 and SuDS Approval Body

Flood and Water Management Act (2010)

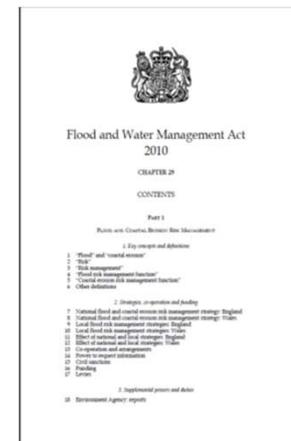
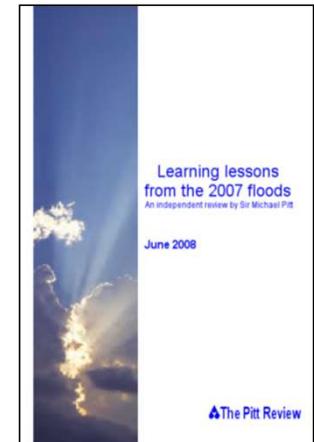
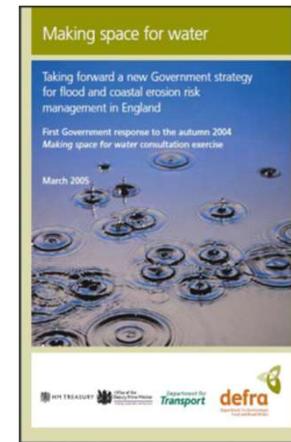
- The Flood and Water Management Act (2010) was enacted to address the gaps identified with how flood risk was managed in England and Wales.
- Schedule 3 of the Flood and Water Management Act was never enacted in England. It provides a framework for:
 - The approval and adoption of drainage systems
 - A sustainable drainage system approving body within unitary / county councils
 - National standards on the design, construction, operation and maintenance of sustainable drainage systems for the lifetime of the development
 - Approving the right to connect surface water runoff to public sewers (conditional to drainage systems being approved before construction work can start)



Background



Water Framework Directive 2000
DEFRA "Making Space for Water (2005)
Summer Floods of 2007
EU Floods Directive 2007
The Pitt Review 2008-2010
Flood and Water Management Act 2010
National Planning Policy Framework 2012
Non-Statutory National SuDS Standards (2015)
Update to National Planning Policy Framework (2018)
Schedule 3 and the SAB in Wales, National SuDS Standards (2018)
Design and Construction Guidance replaces Sewers for Adoption and becomes mandatory (2020)
Schedule 3 and the SAB in England, National SuDS Standards (tbc)



Schedule 3 WHY? – Storm Water Overflows

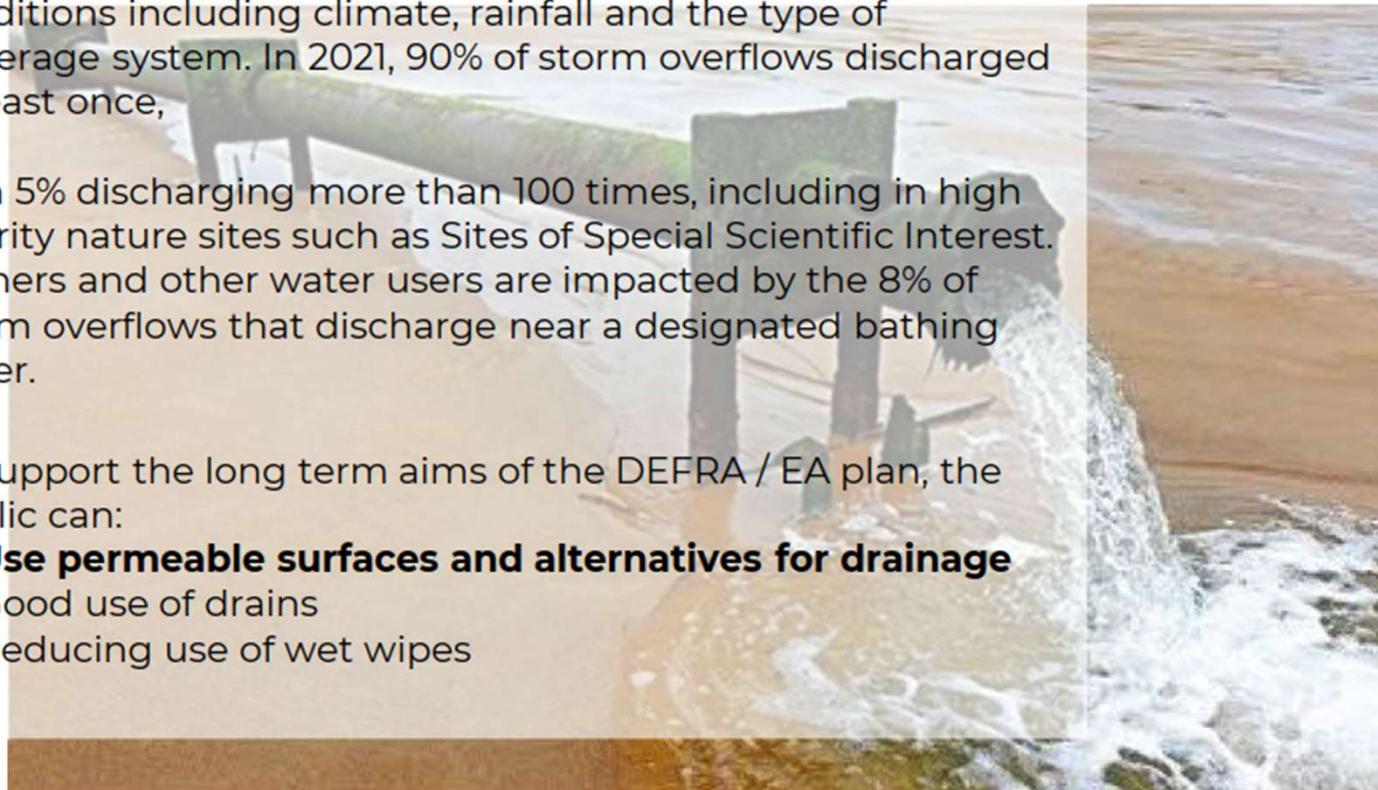
There are around 15,000 storm overflows in England.

They discharge at different rates depending on local conditions including climate, rainfall and the type of sewerage system. In 2021, 90% of storm overflows discharged at least once,

with 5% discharging more than 100 times, including in high priority nature sites such as Sites of Special Scientific Interest. Bathers and other water users are impacted by the 8% of storm overflows that discharge near a designated bathing water.

To support the long term aims of the DEFRA / EA plan, the public can:

- **Use permeable surfaces and alternatives for drainage**
- Good use of drains
- Reducing use of wet wipes



SuDS Approval Body (SAB)

The review for implementation of Schedule 3

The Government's review for the implementation of Schedule 3 resulted in a recommendation to make SuDS mandatory in new developments in England.

This approach will ensure SuDS are designed effectively to reduce the impact of flooding to new developments.

Regulations and processes for the creation of SuDS at new developments will now be devised through the implementation of Schedule 3, expected during 2024.



SuDS Approval Body (SAB)

The review for implementation of Schedule 3

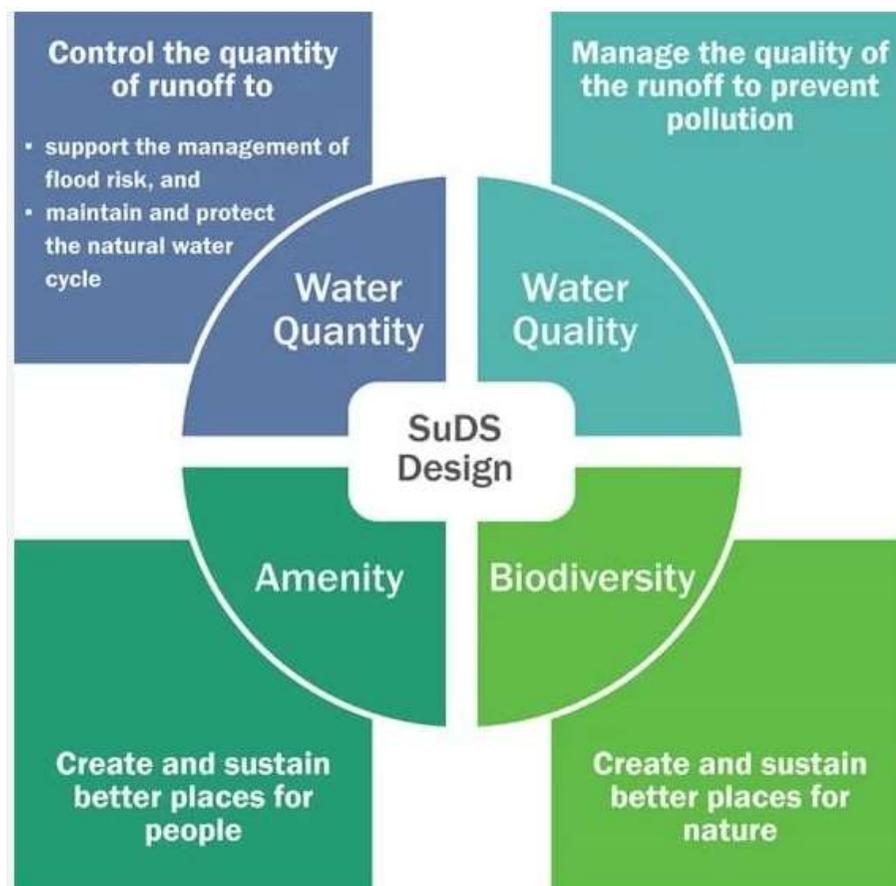
As part of this, Unitary Councils and where there is not a Unitary Council the County Council will become the SuDS Approval Body (SAB).

SuDS schemes will require approval from the local authority acting in its SAB role in addition to other permissions .

This will lead to environmental benefits for developments, as SuDS will be designed to not only control flows and volumes, but to provide water quality, amenity and biodiversity.



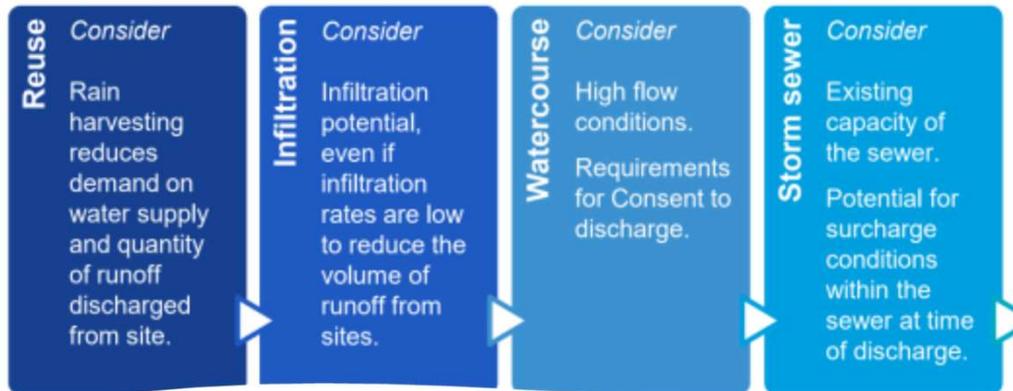
What are Sustainable Drainage Systems?



What are Sustainable Drainage Systems?

Sustainable Drainage Systems – SuDS

- SuDS are an approach to managing surface water which take account of water quantity, water quality, biodiversity and amenity.
- SuDS are designed to mimic natural systems, typically managing rainfall close to where it falls.
- They can be designed to transport surface water and slow down runoff before it enters watercourses using areas of water storage. Alternatively, water can be allowed to soak into the ground.



SuDS Approval Body (SAB)

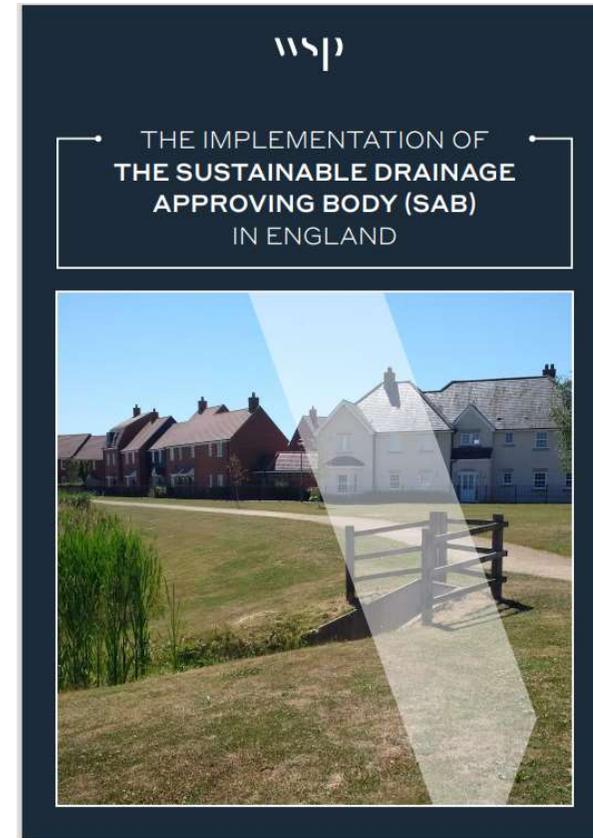


Requirements

It is uncertain when these requirements will apply – it will likely not apply to developments which have already received planning consent and have commenced construction by the point of implementation (anticipated 2024).

Currently, the requirements concentrate on the management of the quantity of water from a site, however more weight will be given to amenity, biodiversity and water quality of the drainage system.

Other types of developments (such as Permitted Developments and minor developments) do not legislatively require SuDS. The introduction of the SAB may require these schemes to incorporate SuDS within their master planning and subsequent design.



Requirements

All projects larger than 100m² that have a drainage implication will need to incorporate a SuDS based drainage scheme that complies with new standards and is approved by the SAB before construction can commence.

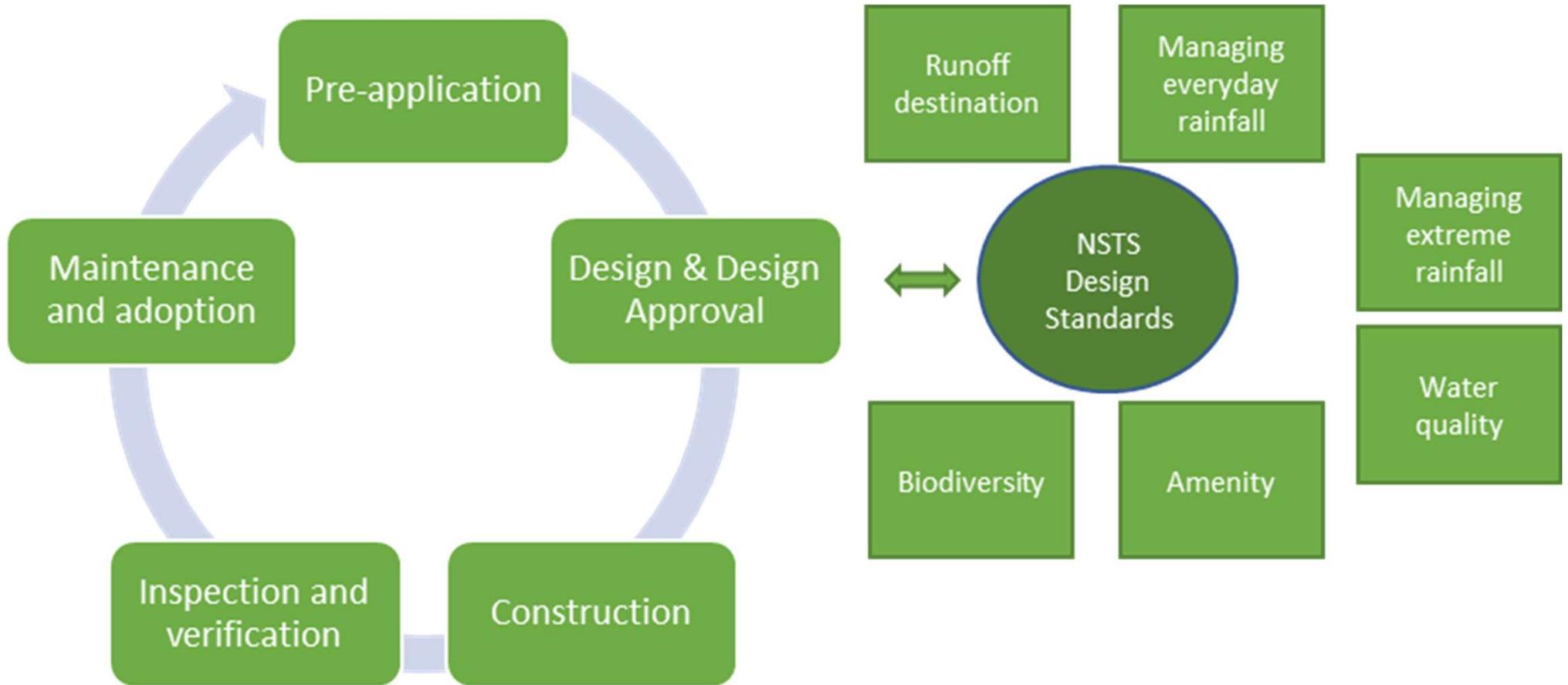
SuDS should be imbedded in the design from early stages, to avoid SAB refusal, resultant delays to the project, additional costs and future design changes to the scheme and layout.

Drainage systems will be subject to mandatory adoption therefore the SuDS will have to be located within publicly accessible land.

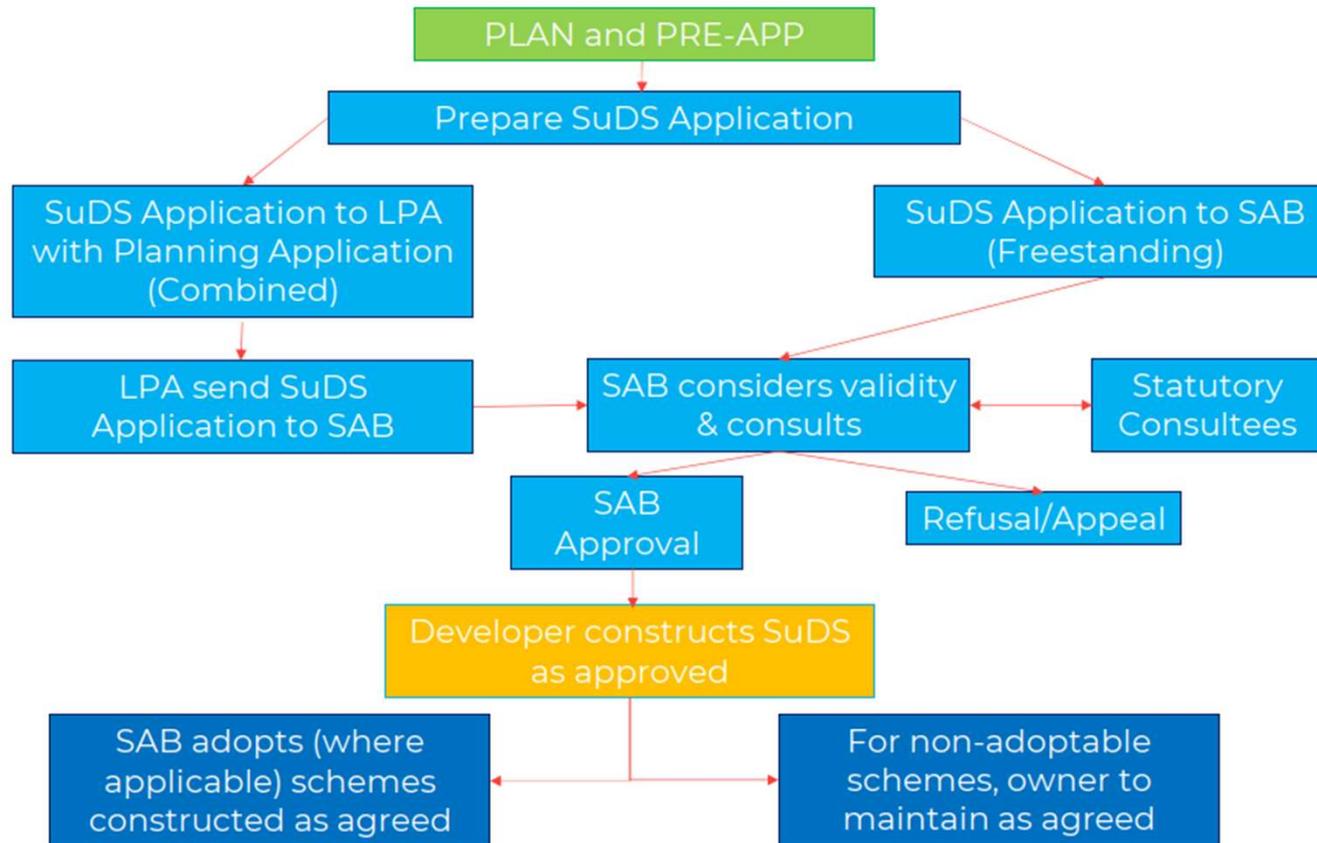
SAB consent will be required prior to commencement of construction in addition to planning requirements at an additional standalone fee. There will also be a fee to cover on-going maintenance

	Applications received	Applications decided ²
Year or quarter	Number	Number
2012-13	454,825	419,215
2013-14	471,887	426,339
2014-15	473,906	409,845
2015-16	474,301	425,190
2016-17	486,681	439,940
2017-18	470,058	431,207
2018-19	447,128	406,253
2019-20	424,451	391,263
2020-21	431,446	369,333
2021-22	459,177	423,538
2022-23	395,227	376,456

SAB Delivery Process

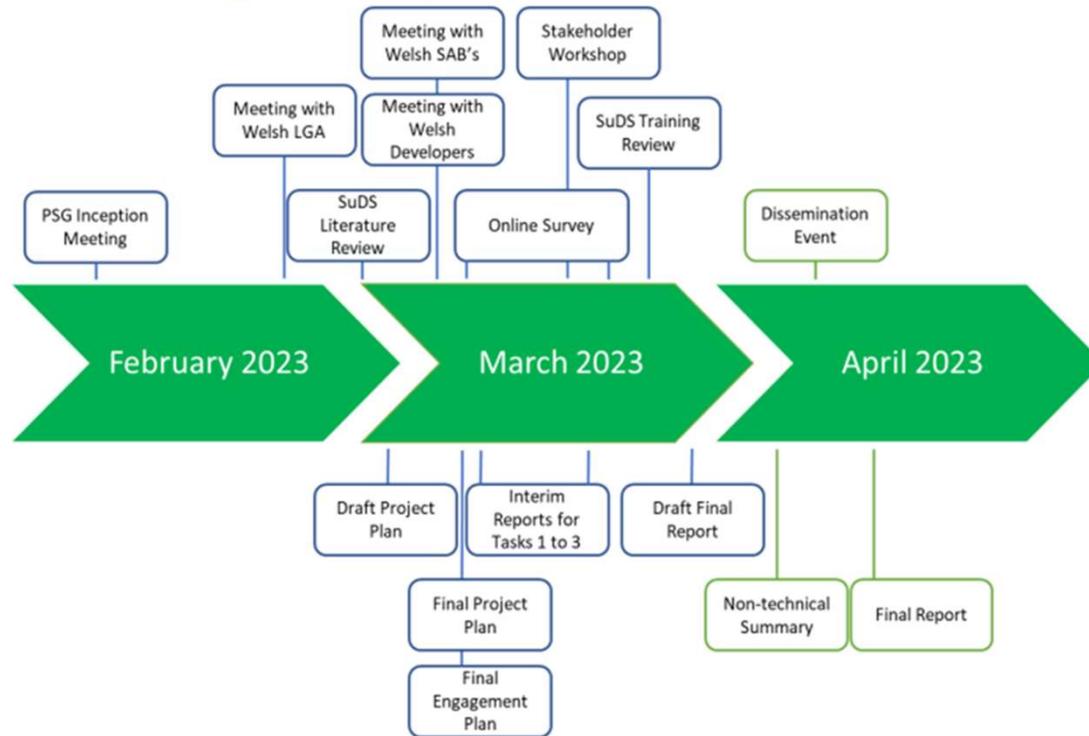


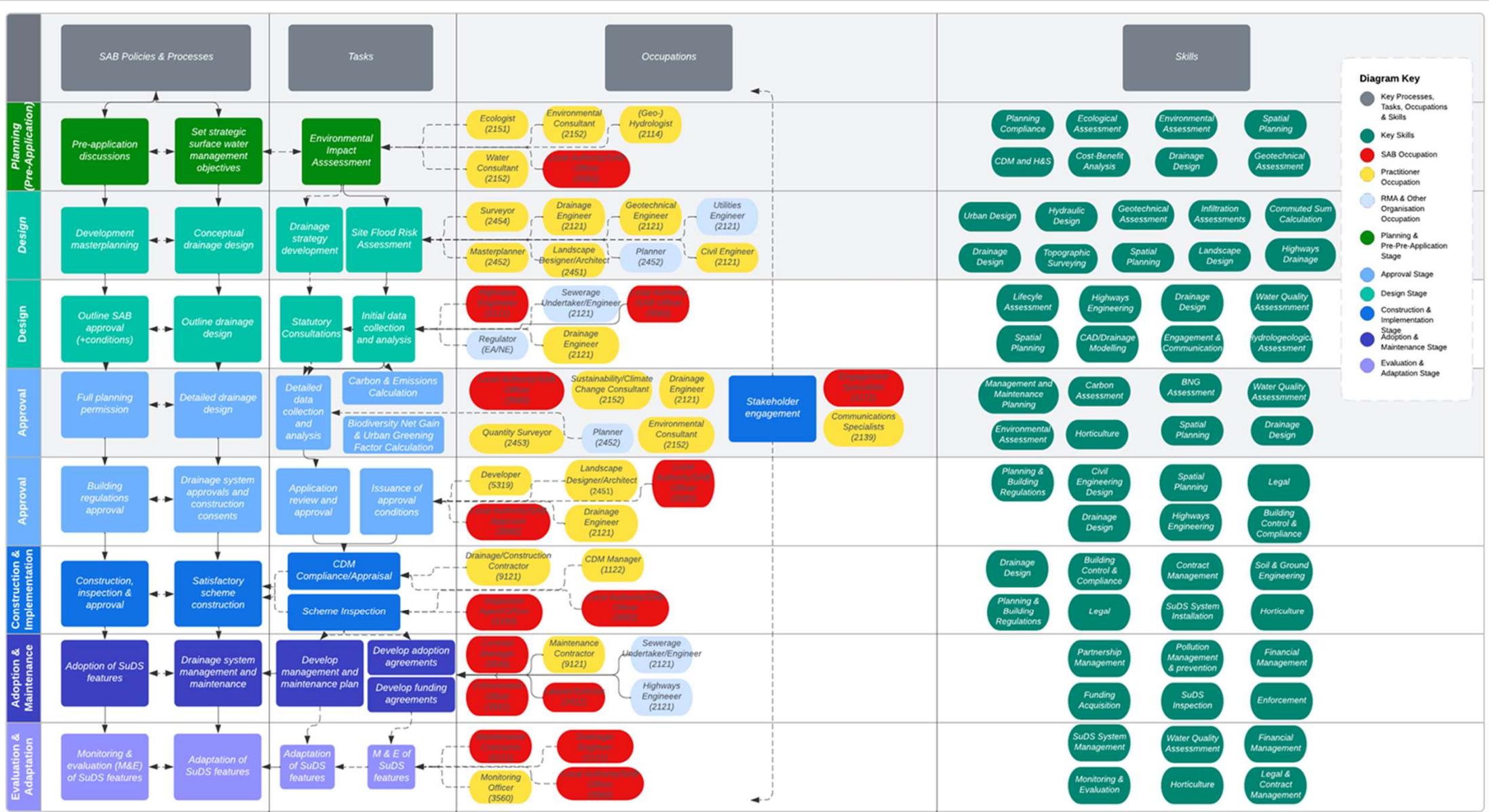
SAB Application Process (Anticipated to follow Welsh Process)



Schedule 3 – WSP ROLE

WSP are finalising the DEFRA funded capacity study: Review of skills gap and training requirements for the implementation of Sustainable Drainage Systems (SuDS) and Schedule 3 to the Floods and Water Management Act (2010)





Skills



Drainage design	Hydraulic modelling	Geotechnical assessment
SuDS design	Civil engineering	Landscape assessment
Landscape design	Highway engineering	Environmental assessment
Hydrological assessment	Water quality management	Ecological assessment
Hydraulic design	Spatial planning	Carbon assessment
Urban design	Engagement and communication	Building control/compliance
Sewerage connectivity	SuDS construction	SuDS maintenance
Contract management	Legal services	Partnership management
Obtaining funding	Economic assessment	Quantity surveying
Surveying	Geology	Horticulture

COSTS

Application fee

- £tbc
- Based on size of development

Other costs

- Pre-application advice (Section 93 of the Local government act 2003) – varies per SAB
- Inspections (£tbc per visit, schedule agreed in advance with SAB)

Non-performance bond

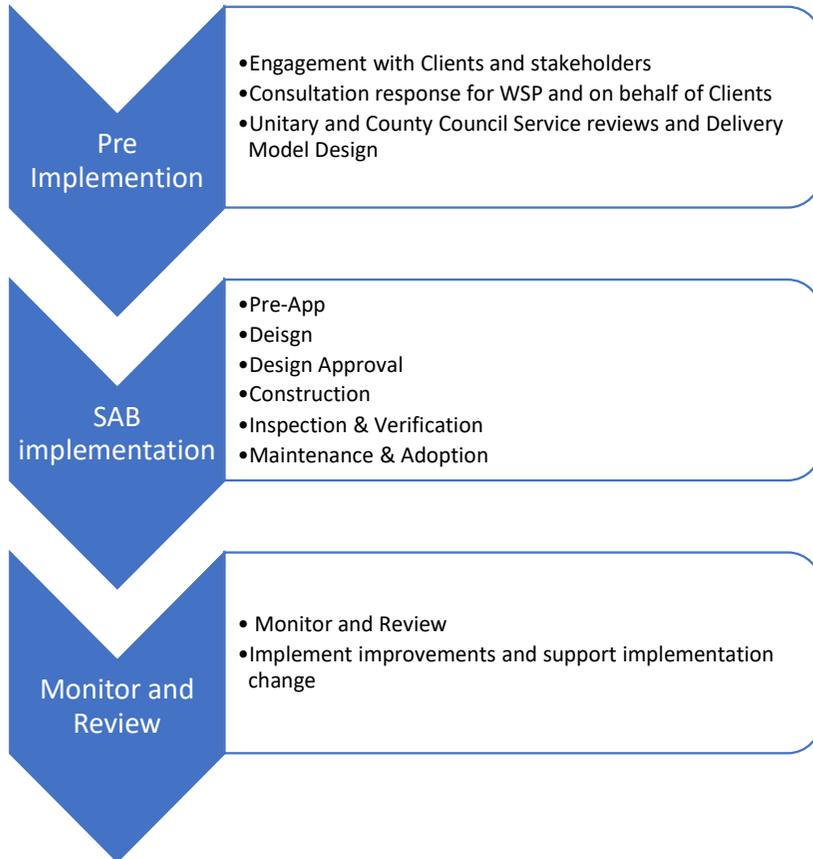
- At SAB's discretion for sub-standard or incomplete works
- Returned on completion of works

Long term maintenance and funding

- Maintenance Plan must accompany application
- Funding options vary, tbc:
 - Commuted sums/maintenance funding for full design life
 - Direct Labour Force or Management company delivery
 - Other options?



WSP SAB implementation Process





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Questions





Thank you

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