

ROLES AND RESPONSIBILITIES

for Flood Risk Management Authorities



Flood and Water Management Act 2010

The Flood and Water Management Act 2010 sets out the roles and responsibilities for Flood Risk Management Authorities. This legislation came into place following an **independent review** by Sir Michael Pitt after widespread **surface water** flooding in the summer of 2007.



Tewkesbury Abbey, Gloucestershire, during the Summer 2007 Floods © Wright, 2017



Management vs Maintenance

Please note the roles and responsibilities set out in the Flood and Water Management Act 2010 relate to flood risk management, rather than watercourse maintenance. Watercourse maintenance remains a **riparian** responsibility. Maintenance may be arranged in a **watercourse** by a responsible authority under their permissive powers (see below) but for the vast majority of **watercourses** and water bodies, this is not the case, or if maintenance is arranged, it may not be on the optimum schedule for the site.

Flood Risk Management Authorities can also have **riparian** maintenance responsibilities, just like any other organisation, if they own or tenant land that contains or is next to a **watercourse** or water body (see **Rights and Responsibilities for Watercourse Maintenance**).



Permissive powers

Flood risk management authorities do not usually own the **watercourses** they manage and therefore they cannot have a legal duty to maintain them and so they have permissive powers instead. This means they can undertake maintenance works on any assets they manage and can take legal action to recover the costs from the person(s) or organisation(s) with **riparian** responsibilities.

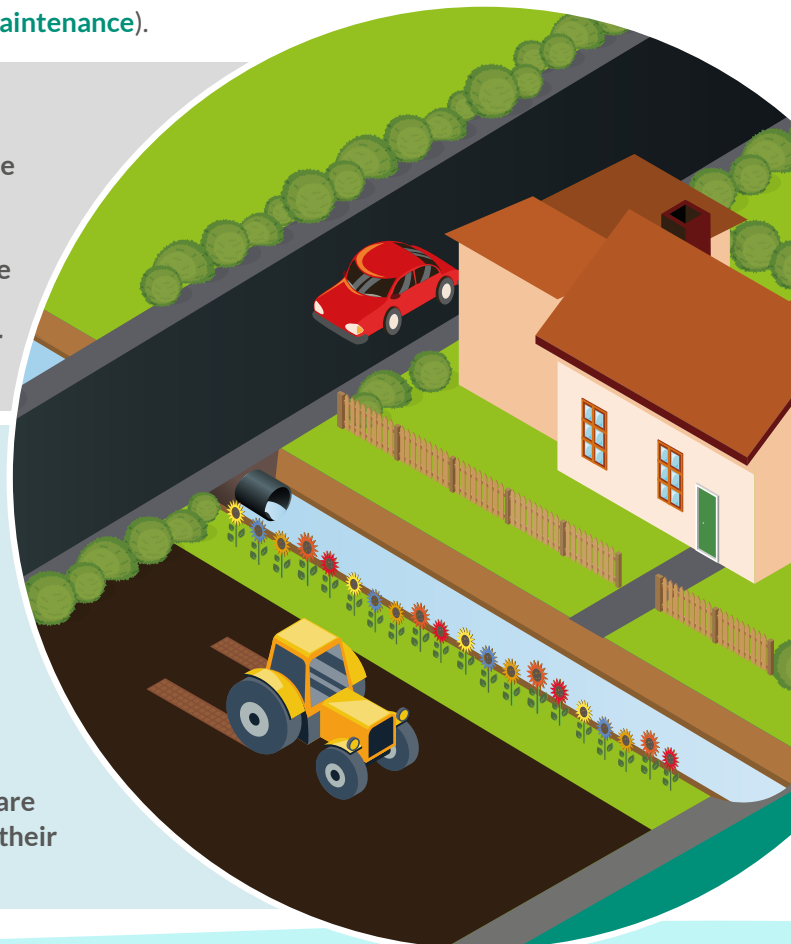


Roles and Responsibilities

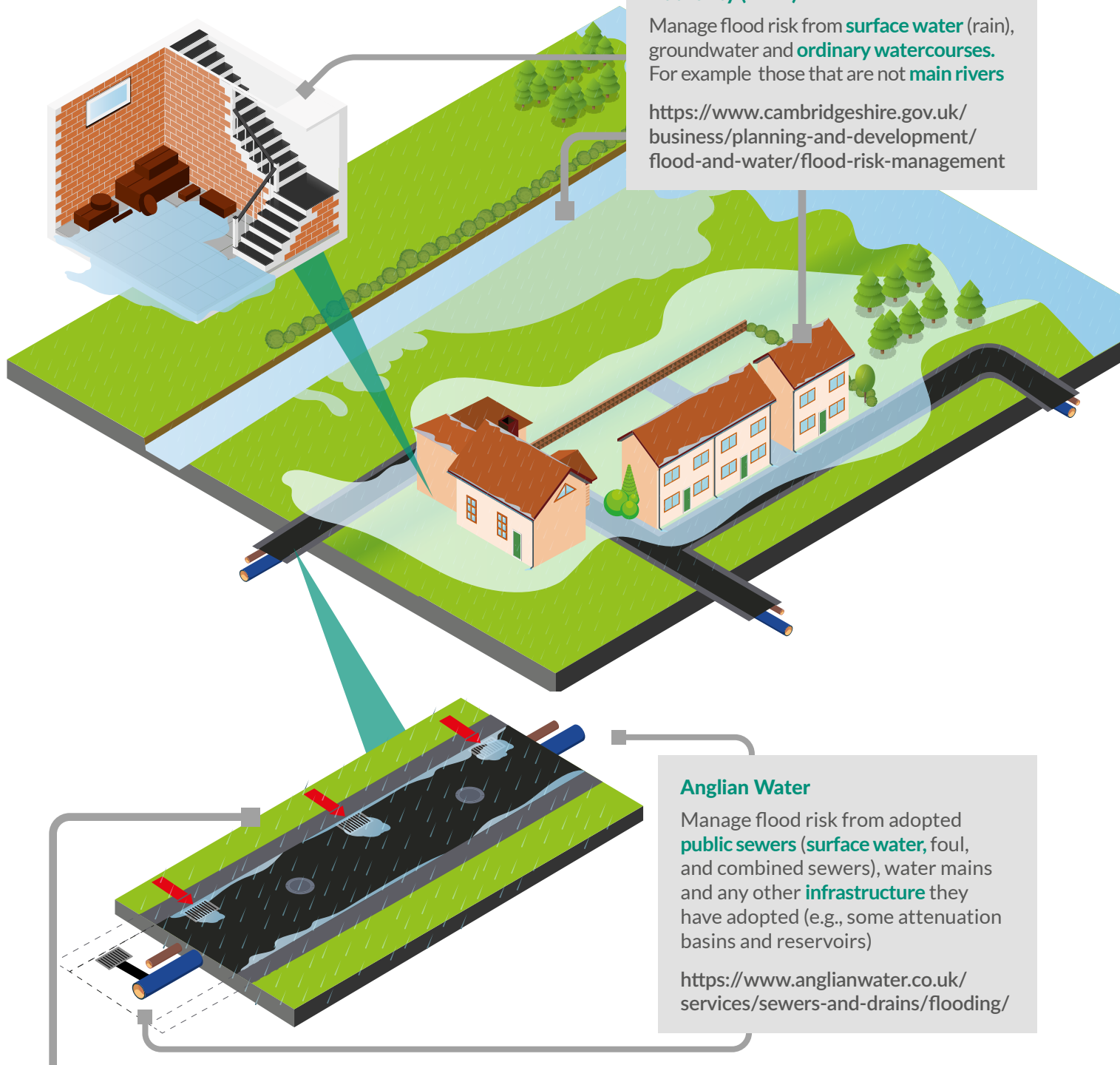
A full explanation of Cambridgeshire County Council's flood risk management roles and responsibilities as the Lead Local Flood Authority is available in Section 4 of the Cambridgeshire Local Flood Risk Management Strategy, which is available to view here:

www.cambridgeshire.gov.uk/business/planning-and-development/flood-and-water

Full explanations of what the roles and responsibilities are for other risk management authorities are available on their respective websites.



Who manages what?



Cambridgeshire Lead Local Flood Authority (LLFA)

Manage flood risk from **surface water** (rain), groundwater and **ordinary watercourses**. For example those that are not **main rivers**

<https://www.cambridgeshire.gov.uk/business/planning-and-development/flood-and-water/flood-risk-management>

Anglian Water

Manage flood risk from adopted **public sewers** (**surface water**, foul, and combined sewers), water mains and any other **infrastructure** they have adopted (e.g., some attenuation basins and reservoirs)

<https://www.anglianwater.co.uk/services/sewers-and-drains/flooding/>

Cambridgeshire Highways

Water from public highway assets is managed by the Local Highway Authority, which in Cambridgeshire is Cambridgeshire County Council. This includes roads, pavements, footpaths, and any drainage assets constructed by the Highway Authority.

For more information, visit the website below, which includes an interactive map of adopted public highway www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-records

District Councils

Manage flood risk from **watercourses** awarded to them under **enclosures acts**. They also take a lead role in emergency management during a flood risk event, as part of the Cambridgeshire Local Resilience Forum (LRF).

Cambridge City Council www.cambridge.gov.uk/flooding

South Cambridgeshire District Council www.scambs.gov.uk/environmental-health/flooding-and-drainage/

East Cambridgeshire District Council www.eastcambs.gov.uk/health-safety/flooding

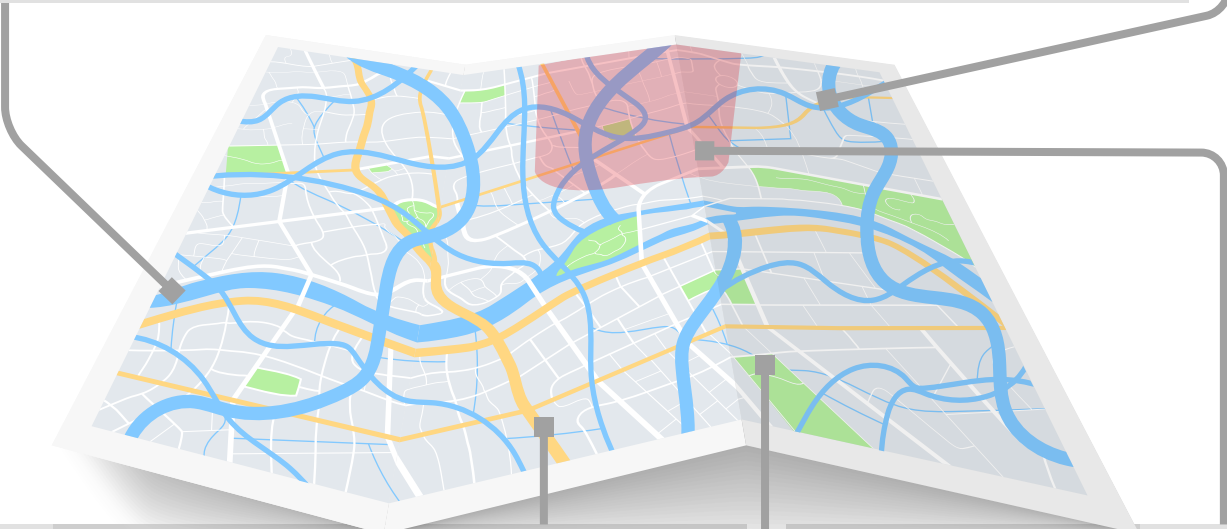
Huntingdonshire District Council www.huntingdonshire.gov.uk/environmental-issues/flooding/

Fenland District Council www.fenland.gov.uk/flooding

The Environment Agency

Manage flooding from **main rivers** and the sea and have a strategic overview of all other flood risks. **Main rivers** are defined as those indicated on the Main River Map:

www.arcgis.com/apps/webappviewer/index.html?id=17cd53dfc524433980cc333726a56386



National Highways (previously Highways England)

Water from motorways, some A-roads and accompanying assets is managed by National Highways. A map of this road network is available at: <https://nationalhighways.co.uk/our-roads/east/>

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Internal Drainage Boards (IDBs) and IDB groups


Manage water levels of watercourses within their areas, known as districts. These are different to district council areas. The roles and responsibilities of IDBs vary between IDB districts due to local **byelaws**. The Association of Drainage Authorities has a map of IDB district areas here: <https://www.ada.org.uk/idb-map/>

You can use this map to find out whether an area is within an IDB district and to find contact details for IDB districts.


Explanation Of Terms


 **Riparian** The word “riparian” means next to water, it can be used as to describe people who live on, own or tenant land next to a watercourse, and for the environment next to a watercourse, for example riparian planting and riparian trees.

 **Riparian Rights And Responsibilities** Riparian rights are to receive any flow of water from upstream, and riparian responsibilities are to maintain free flow of water for those downstream. They apply to any person or organisation, who owns or tenants land which contains or is next to a watercourse.


 **Watercourse** Over the years many different words have been used to describe the natural and urban systems that store and move water: river, stream, ditch, dyke, swale, lode, culvert, piped watercourse. We use the term “watercourse” as an umbrella term to describe any channel, above or below ground, that may to move water from one place to another.


Watercourses and waterbodies do not need to have a formal inlet or outlet to move or store water. Water can enter from rainfall, overland or groundwater inflow, and exit either by soakage into the ground beneath, or by evaporation. Usually, smaller watercourses discharge into larger watercourses, in a network that moves surface water runoff from rural and urban areas into rivers, and then out to the sea.

 **Independent Review** A review of a service or system, undertaken by a body separate to the provider of the service or system concerned.


 **Surface Water** Rainfall that has landed on the ground and pools, soaks into or runs off of ground surfaces.


 **Flood Risk Management Authority** An authority which has a role in flood risk management and accompanying responsibilities.


 **Byelaw** Byelaws are local laws made by a local council under an enabling power contained in a public general act or a local act requiring something to be done – or not done – in a specified area. They are accompanied by some sanction or penalty for their non-observance. (DLUHC and MHCLG, 2012).


 **Main River** Any watercourse which is identified on the main river map.

 **Ordinary Watercourse** All watercourses not identified on the main river map.

 **Public Sewer** A sewer, which is adopted by a sewerage undertaker, usually these are sewers which serve more than one property.

 **Sewerage Undertaker** Authority responsible for the management of public sewer networks, associated assets such as pumping stations, sewerage treatment at water recycling centres. In Cambridgeshire the Sewerage Undertaker is Anglian Water.

 **Water Main** A pipe carrying drinking water to one or more premises.

 **Infrastructure** The basic systems and services, such as transport and power supplies, that a country or organization uses in order to work effectively (Cambridge University Press, 2021).



Enclosures Act Originally, enclosure of land (land ownership) took place through informal agreement. However, from the 1750s enclosure of land by parliamentary Act became the norm. This meant common land was awarded to private owners in individual bills, known as “Enclosures Acts”. Overall, between 1604 and 1914 over 5,200 enclosure Bills were enacted by Parliament which related to just over a fifth of the total area of England, amounting to some 6.8 million acres. (UK Parliament).



Awarded Watercourse A number of Enclosures Acts awarded watercourses to landowners, meaning they now own the watercourses and have riparian rights and responsibilities. All district councils in Cambridgeshire have been awarded watercourses in this way.

References

Cambridge University Press, 2021. Cambridge Academic English Dictionary. [Online]

Available at: <https://dictionary.cambridge.org/dictionary/english/infrastructure>

DLUHC and MHCLG, 2012. Local Government Legislation: Byelaws. [Online]

Available at: <https://www.gov.uk/guidance/local-government-legislation-byelaws>

UK Parliament, n.d. Enclosing the land. [Online]

Available at: <https://www.parliament.uk/about/living-heritage/transformingsociety/towncountry/landscape/overview/enclosingland/>

Wright, L., 2017. The wettest summer on record - 10 years on from the 2007 floods. [Online]

Available at: <https://www.bbc.co.uk/news/uk-england-40548635>



Contact us

If you require assistance accessing any data or information discussed above, have a query, or would like more information about a topic or relating to your site, please do not hesitate to contact us at:

floodandwater@cambridgeshire.gov.uk or Call 0345 045 5200 between 9am-5pm Monday to Friday, ask for a member of the Flood Risk team.



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