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# Flood risk management and funding



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## Summary

Several million properties in England are at risk of flooding, according to the Environment Agency.

It is not possible to prevent all flooding or coastal erosion, but the impacts on communities can be reduced with effective flood and coastal erosion risk management (known as FCERM).

## Who is responsible for managing flooding?

In England, the Department for Environment, Food and Rural Affairs leads on FCERM and provides funding for projects. They are mostly delivered through the Environment Agency.

The Environment Agency produces a [national flood and coastal erosion risk management strategy for England](#). The current strategy was published in July 2020, alongside a new [Government policy statement on FCERM](#). Both the policy statement and the strategy focus on “resilience” to flood risk.

There are several authorities involved in managing flood risk in England, including: the Environment Agency; regional flood and coastal committees; lead local flood authorities; local authorities; and internal drainage boards.

Importantly, all powers relating to flooding and land drainage are permissive, so the bodies involved do not have a duty to take action. Landowners have the main responsibility for safeguarding their land and property against flooding.

Flood risk management in Scotland, Wales and Northern Ireland is the responsibility of the devolved administrations. Section 6 of this paper provides information on the approach in the devolved nations.

## Funding for defences and management

Funding for flood defences is regularly debated and scrutinised, often to compare between Governments and across regions.

By the end of the 2017-19 Parliament, the Government was committed to investing £2.6 billion in capital funding for flood defences between 2015/16 and 2020/21. In March 2020, the Government announced that in the next six-

year investment programme (beginning in 2021/22) the total capital budget would double to £5.2 billion.

Funding for flood risk management is complex. The Environment Agency gets grant-in-aid (GiA) funding directly from the Government and spends some of this directly on FCERM activities. However, risk management authorities can also apply to the EA for GiA funding for local projects. A project is assessed for GiA based on how much public benefit it will have. If it only qualifies for part-funding from GiA, the funds can be topped up through partnership funding from other, local sources.

# 1 Overview

## 1.1 Impacts of flooding

### 1 Economic vs financial costs

The costs of the impacts of flooding in this section refer to the **economic costs**, as reported by the Environment Agency. These differ from **financial costs**.

Assessments of economic costs aim to estimate costs at a national level, rather than an individual household/business or local area level. This means that economic costs take into account factors such as transfers (e.g. taxes and subsidies), betterment, and displacement of economic activity from one part of the economy to another.

For example, if flooding reduces tourism in the affected area, potential tourists may visit a different region or spend their money in other ways – meaning that the economic value has been retained at a national level. Reported economic costs cannot therefore be compared directly to financial estimates, such as the value of publicly reported insurance claims.<sup>1</sup>

Flooding and coastal erosion can have severe economic, social and environmental effects. Flooding can result in loss of life and major effects on the health and well-being of people affected, as well as major disruption to vital services such as water, communications, energy and transport infrastructure. Public services such as schools and hospitals can be affected as well as local businesses and livelihoods. In 2019-20, over two-thirds of properties in England were served by infrastructure sites and networks located in, or dependent on others located in, areas at risk of flooding.<sup>2</sup>

The economic costs (see Box 1) of flooding from major storms can also be significant, with the cost of the 2007 summer floods amounting to £3.9 billion; the winter floods 2013-14 costing £1.3 billion; and the winter floods 2015-16

<sup>1</sup> Environment Agency, [Estimating the economic costs of the 2015 to 2016 winter floods](#) [pdf], January 2018, pp 11-12

<sup>2</sup> GOV.UK, [Flood and coastal erosion risk management report: 1 April 2019 to 31 March 2020](#), 29 April 2021

costing the economy £1.6 billion (these figures are in 2015 prices).<sup>3</sup> More recently, the flooding in winter 2019-20 was estimated to have led to economic losses of around £333 million.<sup>4</sup>

The [UK Climate Change Risk Assessment Evidence Report 2021](#) summarised some of the main impacts of climate change on flooding (see further detail in section 2.4 below):

Climate change will increase sea levels and associated coastal flooding and erosion, as well as altering rainfall patterns leading to changes in river, surface water and groundwater flooding. [...]

Flooding poses a significant risk to people, communities and the built environment with approximately 1.9 million people across the UK currently living in areas at significant risk from either river, coastal or surface water flooding. The number of people at risk could double as early as the 2050s.<sup>5</sup>

Section 2.4 below provides more information on how flood risk is included in assessments of climate change risk.

## 1.2 Levels and sources of flood risk

There are several different sources of flood risk: rivers (also known as fluvial); sea/coastal; surface water (also known as pluvial); and groundwater.

In its annual [flood and coastal erosion risk management report](#), the Environment Agency (EA) calculated that, as of 31 March 2021 in England:

- Just under 2.5 million properties were at risk of flooding from rivers and the sea, of which 198,000 were at high risk (annual likelihood of flooding greater than 3.3%).
- Around 3.2 million properties were at risk from surface water flooding, of which 326,000 were at high risk.
- 660,000 properties were estimated to be at risk from flooding from both rivers/sea and surface water.
- Between around 122,000 and 290,000 properties were at risk from groundwater flooding, which may also include properties at risk from other sources.<sup>6</sup>

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<sup>3</sup> Environment Agency, [Estimating the economic costs of the 2015 to 2016 winter floods](#) [pdf], January 2018, p. 7

<sup>4</sup> Environment Agency, [Flood and coastal erosion risk management report: 1 April 2019 to 31 March 2020](#), updated 29 April 2021

<sup>5</sup> Climate Change Committee, UK Climate Risk, [Flooding and Coastal Change Briefing](#) [pdf] [accessed 6 August 2021]

<sup>6</sup> Environment Agency, [Flood and coastal erosion risk management report: 1 April 2020 to 31 March 2021](#), 15 March 2022

Box 2 below provides information on how members of the public can find out more about their own flood risk.

## 2 Checking the flood risk for your local area

The Government has a [postcode checker for England](#) so people can see the long term flood risk information for a specific location. This service also links to maps of the specific locations showing the different types of flood risk for a particular postcode. Resources for Wales, Scotland and Northern Ireland are also linked to.

People can check flood risk and sign up for flood warnings [online](#). They can also call Floodline on 0345 988 1188 or follow [@EnvAgency](#) on Twitter for flood updates. The Government has a detailed guidance page on [flooding and coastal change](#), which includes links to useful information and advice, including what to do before, during and after a flood.

## 1.3

## Defence, risk management and resilience

Various terms are used to describe measures aimed at reducing, or otherwise managing, the risks from flooding and coastal erosion.

The term **flood and coastal erosion risk management (FCERM)** has for some years been the primary way of describing a range of interventions, which include traditional defence infrastructure as well as approaches such as natural flood management (see Box 3). The term **flood defence** is still used; for example, the Government has described the 2021-27 capital investment in FCERM (see section 4.1 below) as the “flood and coastal defence programme”.<sup>7</sup>

More recently, the concept of **resilience** has been increasingly emphasised. It is central to the Government [flood and coastal erosion policy statement](#), and the [Environment Agency FCERM strategy](#), both published in July 2020.

Resilience is sometimes taken to go beyond the prevention of flooding, and to also include measures to reduce the impacts when a flood does occur. The Government’s summer 2019 call for evidence on flooding and coastal erosion (intended to inform the policy statement) stated that there is no single definitive definition of resilience, but that it is “an increasingly used term to

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<sup>7</sup> HM Government, [Flood and coastal erosion risk management: Policy Statement](#) [pdf], July 2020, p. 6

describe the overall concept for what we are seeking to achieve” in relation to FCERM.<sup>8</sup>

### 3 How can the risk of flooding be managed?

A range of measures are used by risk management authorities and property owners to manage flood risk. These include:

- **Traditional infrastructure:** This involves engineered solutions such as sea walls, flood barriers and embankments. These measures are generally aimed at physically preventing the ingress of water.
- **Natural flood management:** This is a range of approaches which involve working with natural processes to reduce the risk of flooding. Examples include restoring bends in rivers, changing the way land is managed so soil can absorb more water and creating saltmarshes on the coast to absorb wave energy. For more information see the POSTnote on [Natural mitigation of flood risk](#) (PN 623, 19 May 2020).
- **Property level resilience:** There are a number of measures that can be taken by individual homeowners. These include “resistance” measures such as installing flood doors and flood barriers, and “resilience” measures such as moving vulnerable features such as electric sockets above floor level. More information and further resources are available on the National Flood Forum webpage [Protecting your property](#).

It is not possible to prevent all flooding and all these measures have their limitations. These include the need for ongoing maintenance, and the risk of defences being overwhelmed by a significant flood event.

## 1.4

### Who manages flood risk in England?

There is a range of bodies involved in managing the risk of flooding and coastal erosion in England. The relevant body in any given case will depend on factors including the location and the type of flooding. It is important to remember that the powers of these various bodies to manage flood risk are permissive – they do not have a duty to take action.

Table 1 summarises the bodies involved in flood risk management, and the remainder of this section provides further detail. This complex picture has sometimes been seen as contributing to a lack of clarity around responsibilities, which is detailed further in section 2.2 below.

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<sup>8</sup> As above, p. 7

**Table 1: Roles in managing flood risk**

<b>Risk management authorities</b>	<b>Role</b>
Central Government	<ul style="list-style-type: none"> <li>• The Department for Environment, Food and Rural Affairs (Defra) is the lead Government department for flood and coastal erosion risk management.</li> <li>• The Department for Levelling Up, Housing and Communities (DLUHC) is the lead Government department for response and recovery when a flood occurs. It is also responsible for planning policy.</li> <li>• The Cabinet Office has a role in relation to emergency planning and response.</li> </ul>
Environment Agency	Operational responsibility to manage flooding from main rivers and the sea; strategic overview of all sources of flooding.
Regional Flood and Coastal Committees	Direct flood risk management decisions in each region; must be consulted by the Environment Agency about FCERM work in their region.
Lead Local Flood Authorities (unitary authorities and county councils)	Prepare local flood risk management strategies; maintain registers of flood risk assets; lead responsibility for managing flood risk from surface water, groundwater and ordinary watercourses
Local authorities	Local planning authorities play a role in ensuring development is safe, flood resilient and does not increase flood risk overall; local authorities also have statutory powers to carry out flood defence works on ordinary watercourses which are not in an Internal Drainage Board area.
Internal Drainage Boards	Independent public bodies covering around 10% of England; have statutory powers to carry out works to manage water levels within their drainage districts.
Water and sewerage companies	Manage the risk of flooding from surface water and foul or combined sewer systems.
Highways authorities	Responsible for highway drainage and roadside ditches.

Source: Local Government Association, [Managing flood risk: roles and responsibilities](#) (accessed 20 December 2021), and Defra, [Flood and coastal erosion: risk management authorities](#), 7 May 2015

## Central Government

Defra is the lead Government department for flood and coastal erosion risk management (FCERM). Reducing the likelihood and impact of flooding and coastal erosion on people, businesses, communities and the environment is one of the four Defra-led priority outcomes identified in the Department's 2021-22 outcome delivery plan.<sup>9</sup> Most of Defra's FCERM funding is passed to the Environment Agency as grant in aid (GiA). Defra also spends some funding directly on ad-hoc programmes.

The Department for Levelling Up, Housing and Communities (DLUHC) is the lead Government department for response and recovery when a flood occurs.<sup>10</sup> DLUHC also has an impact on flood risk management in other ways, for example through planning policy and through the funding it provides to local authorities (including in their role as lead local flood authorities).

The Cabinet Office also has a role to play in relation to its role in emergency planning and response. During significant flood events, Government response may be co-ordinated from the Cabinet Office Briefing Room (COBR) and by the Civil Contingencies Secretariat (CCS).<sup>11</sup>

For more information on flood response (as opposed to flood risk management), see section 1.5 below.

## Environment Agency

The Environment Agency (EA) is an executive non-departmental public body, sponsored by Defra. The Agency receives Grant-in-Aid funding from Defra for flood and coastal erosion risk management, some of which it spends directly and some of which is passed on to risk management authorities (see section 4 below).

The Environment Agency is responsible for taking a strategic overview of all sources of flooding and coastal erosion. This includes, for example, providing evidence and advice to inform Government policy and support others; working collaboratively to support the development of risk management skills and capacity; and providing a framework to support local delivery.<sup>12</sup> The [Flood and Water Management Act 2010](#) requires the Environment Agency to

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<sup>9</sup> Defra, [Department for Environment, Food and Rural Affairs Outcome Delivery Plan: 2021 to 2022](#), 15 July 2021

<sup>10</sup> Environment, Food and Rural Affairs Committee, [Government Written evidence to Efra committee inquiry into the government's approach to managing food risk \(FLO0042\)](#), published July 2020, para 1.12

<sup>11</sup> Defra, [National Flood Emergency Framework for England](#), December 2014, p 11

<sup>12</sup> Defra, [Flood risk management: information for flood risk management authorities, asset owners and local authorities](#), updated 3 June 2014

develop, maintain, apply and monitor a [National Flood and Coastal Erosion Risk Management Strategy](#) [pdf] for England.<sup>13</sup> For more information on the national strategy, see section 2.1 below.

The EA is also directly responsible for managing the risk of flooding from main rivers, estuaries, the sea and reservoirs. It has discretionary powers under the [Water Resources Act 1991](#) to carry out works to manage flood risk from the sea or a main river (i.e. usually larger rivers and streams, as opposed to “ordinary watercourses”; see the [main river map](#)).<sup>14</sup>

## Regional Flood and Coastal Committees

The Environment Agency is required to establish Regional Flood and Coastal Committees (RFCCs) to direct flood risk management decisions in each region.<sup>15</sup> The Environment Agency has published a [map to show the boundaries of the 12 RFCCs in England](#).

RFCCs are comprised of members appointed by Lead Local Flood Authorities and independent members with relevant experience appointed by the Environment Agency. The chairs are appointed by Defra. The Environment Agency must consult with RFCCs about flood and coastal risk management work in their region and take their comments into consideration.<sup>16</sup>

## Lead Local Flood Authorities

Lead Local Flood Authorities (LLFAs) are the unitary authority for the area, or if there is no unitary authority, the county council for the area.<sup>17</sup> LLFAs are responsible for developing, maintaining and applying a local flood risk management strategy in their area.<sup>18</sup> The local strategy must be consistent with the national strategy, and other risk management authorities must act consistently with (or have regard to) the local strategy in exercising their flood and coastal risk functions.<sup>19</sup> LLFAs may (but do not have to) develop joint strategies if they deem it appropriate, for example, where flood catchment areas run across the administrative boundaries of LLFAs.

LLFAs also have lead responsibility for managing the risk of flooding from surface water, groundwater and ordinary watercourses. They are responsible for producing or contributing to flood risk management plans (FRMPs) for local sources of flooding in their areas (see Box 6). LLFAs are also required to

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<sup>13</sup> Flood and Water Management Act 2010, [section 7](#)

<sup>14</sup> Water Resources Act 1991, [section 165](#)

<sup>15</sup> Flood and Water Management Act 2010, [section 22](#)

<sup>16</sup> ADA, [Regional Flood & Coastal Committees](#) [accessed 20 September 2021]

<sup>17</sup> Flood and Water Management Act 2010, [section 6\(7\)](#)

<sup>18</sup> Flood and Water Management Act 2010, [section 9](#)

<sup>19</sup> Flood and Water Management Act 2010, [section 11](#). All risk management authorities are required to act in a manner consistent with the national strategy. They are also required to act in a manner consistent with the local strategies, with the exception of water companies, which are required to have regard to the local strategies.

maintain a register of structures and features which are likely to have a significant effect on flood risk in their area.<sup>20</sup>

## Local authorities

Local authorities (unitary, county or district councils) have permissive powers to undertake flood defence works under the [Land Drainage Act 1991](#) on all watercourses that have not been designated as main rivers (known as ordinary watercourses) and which are not within internal drainage board areas.

A district council will be a risk management authority in an area for which there is no unitary authority. Working with LLFAs and others, district councils manage flood risk from ordinary watercourses and can operate and maintain existing sea defences and carry out other work to manage flood risk from the sea (with the consent of the Environment Agency).

District and unitary councils in coastal areas also act as coastal erosion risk management authorities.

## Internal Drainage Boards

Internal Drainage Boards (IDBs) are independent public bodies carrying out water level management in low lying areas. Drainage boards have existed for decades, but enactments relating to IDBs were consolidated by the [Land Drainage Act 1991](#).

IDBs have permissive powers provided by the 1991 Act to manage water levels within their respective drainage districts. IDBs undertake works on ordinary watercourses to reduce flood risk to people and property and manage water levels to meet local needs. The Environment Agency can also enter into public sector co-operation agreements with IDBs to facilitate IDBs undertaking maintenance activities on main rivers.<sup>21</sup>

IDBs play a role in flood risk management, and in creating and managing natural habitats. Each IDB operates within a defined area, known as a drainage district. They are made up of elected members who represent land occupiers, and others nominated by local authorities who represent the public and other interest groups.

IDBs are funded by contributions from “local beneficiaries”, in the case of householders through their council tax. Section 36 of the Land Drainage Act 1991 determines that IDB expenses (in England) shall be met by:

- drainage rates collected from agricultural land and buildings within the internal drainage district;

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<sup>20</sup> Flood and Water Management Act 2010, section 21

<sup>21</sup> ADA, [Public Sector Cooperation Agreements](#) [accessed 20 September 2021]

- special levies issued on District and Unitary Authorities within the internal drainage district (which are in turn funded by council tax and business rates from the local area);
- contributions from the Environment Agency (known as higher land water contributions).

Further explanation of IDBs and their funding arrangements is available on the [website of the Association of Drainage Authorities](#).

## Water and sewerage companies

Water and sewerage companies manage the risk of flooding to water supply and sewerage facilities and flood risks from the failure of their infrastructure. They have a duty under [section 94](#) of the [Water Industry Act 1991](#) to ensure that the area they serve is “effectually drained”. This includes drainage of surface water from the land around buildings as well as provision of foul sewers.<sup>22</sup>

Since 2018, water and sewerage companies have been developing non-statutory [Drainage and Wastewater Management Plans](#) (DWMPs), which aim to “provide the basis for more collaborative and integrated long-term planning by organisations that have interests and/or responsibilities relating to drainage, flooding and protection of the environment”.<sup>23</sup>

The [Environment Act 2021](#) provides for a statutory duty to be placed on sewerage undertakers to produce Drainage and Sewerage Management Plans. This provision is not yet in force (as of 21 June 2022). For further information on drainage planning, see section 2.3 of this paper.

## Highways authorities

Highways authorities have lead responsibility for providing and managing highway drainage and roadside ditches on the trunk roads and motorways they maintain under the [Highways Act 1980](#).

## Rivers authorities

There is currently one area of England covered by a body described as a “rivers authority”. Following the floods of winter 2013-14, the [Somerset Rivers Authority](#) (SRA) was created in January 2015 to coordinate existing local flood Risk Management Authorities and utilise expertise of individual partners. The SRA now oversees a Flood Action Plan for the whole of Somerset, and funds work that meets its objectives. The SRA complements, but does not replace, existing flood risk management authorities or their funding.

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<sup>22</sup> LGA, [Managing flood risk: roles and responsibilities](#) [accessed 20 September 2021]

<sup>23</sup> Atkins commissioned by Water UK, [Working together to improve drainage and environmental water quality: An overview of Drainage and Wastewater Management Plans](#) [pdf], September 2019, p. 2

The SRA initially received interim funding from Defra, local authorities and internal drainage boards, but for 2016-17 it was given power by central Government to raise a “shadow precept” of up to 1.25% of council tax. Local authorities in Somerset vote annually on whether to continue this funding arrangement for the SRA.<sup>24</sup>

The Government consulted between January and March 2019 on a proposal to put the SRA on a statutory footing. This would establish the SRA as a flood risk management authority and provide precepting powers. The Government stated that primary legislation would allow local partners in Somerset to “make a proposal to incorporate formally” the SRA. The consultation document clarified that “the Somerset Rivers Authority is a specific solution for Somerset” and the Government was not currently considering establishing Rivers Authorities in other parts of England.<sup>25</sup>

The [Rivers Authorities and Land Drainage Bill 2017-19](#), introduced by Somerton and Frome MP David Warburton and supported by the Government, would have given the Secretary of State a power to establish a river authority by regulations, following a submission from the relevant risk management authorities.<sup>26</sup> The Bill fell at the end of the 2017-19 parliamentary session. The SRA’s annual report for 2020-21 stated that it had asked Environment Minister Rebecca Pow about progress with legislation to give the SRA powers to raise its own share of council tax. According to the report, the Minister explained that progress had not been possible due to Parliament’s large legislative programme, but she expressed continuing support for the SRA.<sup>27</sup>

## Coastal erosion

Coastal erosion risk management authorities have powers to install defences and control activities on the coast such as the removal of beach material. The work of these authorities is guided by [Shoreline Management Plans](#) (SMPs), which are developed by Coastal Groups with members mainly from local councils and the Environment Agency.

Further information on the management of coastal erosion is given in section 2.3 below.

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<sup>24</sup> Somerset Rivers Authority, [Somerset Rivers Authority’s purpose, history and funding](#) [accessed 13 December 2019]; Defra, [Improving our management of water in the environment: Consultation proposals](#) [pdf], January 2019, pp 30-32. In general terms, precepts are charges collected via the council tax system. The [Local Government Finance Act 1992](#) as amended lists various “precepting authorities” (including county councils, Police and Crime Commissioners and parish councils). For more information see the Library briefing paper [Council tax: FAQs](#), 18 May 2020.

<sup>25</sup> As above

<sup>26</sup> House of Lords Library, [Rivers Authorities and Land Drainage Bill: Briefing for Lords Stages, LLN-2019-0053](#), 8 May 2019

<sup>27</sup> Somerset Rivers Authority, [Annual Report 2020-21](#) [pdf], p. 6

## Landowners

Landowners have the main responsibility for safeguarding their land and property against flooding. Box 4 provides an introduction to measures which households can take to increase their resilience to flooding.

The common law requires that property owners use their property or land in a way that does not increase the risk of flooding to a neighbouring property, for example by keeping drains clear within the property and maintaining any flood defences. The common law also allows property owners to take reasonable measures to protect their land and property from flooding, provided these measures do not cause harm to others. The UK Environmental Law Association web page on [rights and duties of property owners](#) provides further information.

The Environment Agency may carry out flood maintenance work on or near main rivers or to main river and sea defences. If the Agency stops its maintenance work (usually if the cost is judged to outweigh the benefits) it will notify all those that will be affected. More information on how landowners will be notified and can challenge such decisions, as well as information on how the relevant landowners can maintain the asset themselves, is available in the Government guidance on [Flood and sea defences when maintenance stops](#).<sup>28</sup>

If people believe that action taken by the Environment Agency, internal drainage boards or local councils has put their property at risk, they can make a complaint, but they should keep in mind that all powers relating to flooding and land drainage are permissive. In other words, the various bodies involved do not have a duty to take action. More information is available on the Local Government Ombudsman web page on [Flooding and land drainage issues](#).

### 4 Property Flood Resilience (PFR)

There are several measures that can be taken by homeowners to make their own property more resilient to flooding. These fall under the descriptions Property-Level Protection (PLP) or Property Flood Resilience (PFR), and might include:

- Installing flood doors and flood barriers;
- Installing water-tight air brick covers and waterproofing brickwork;
- Installing non-return valves; and
- Moving vulnerable features such as electric sockets above floor level.

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<sup>28</sup> Defra and Environment Agency, [Flood and sea defences: when maintenance stops](#), updated 6 April 2016

More information and is available on the National Flood Forum web page [Protecting your property](#).

The Government has acknowledged that an increase in the uptake of PFR is needed, and has said that “the buildings industry, insurance industry and experts in building materials all need to play their part”.<sup>29</sup> A call for evidence was also held between February and March 2021, seeking responses on more ways to accelerate the uptake of PFR.<sup>30</sup>

In July 2019, a five-year review of the Flood Re insurance scheme included recommendations that the scheme be amended to facilitate installation of PFR measures; following a consultation, [Defra stated in July 2021](#) that it would work with industry to take forward these proposals.<sup>31</sup> For background information on Flood Re, see the Library briefing paper on [Household flood insurance: Flood Re](#) (CBP 8751).

## 1.5 Responding to a flood

The focus of this paper is on flood risk management; that is, steps taken before a flood occurs, to either prevent it or reduce its impacts. When a flood has occurred, it then becomes the subject of incident response and recovery efforts. There is an established framework for various bodies and agencies to respond to emergencies at a local level, which can include flooding but is not specific to it. This involves “bronze” (operational), “silver” (tactical) and “gold” (strategic) levels of management.

The structure for responding to any emergency will depend on the nature and circumstances of that emergency, and a multi-agency “Gold Command” may be convened to provide coordination across agencies. For further information, see the Local Government Association web page [Flooding: emergency planning](#), and the LGA document [A councillor’s guide to civil emergencies](#) (November 2018).

For emergency planning, Local Resilience Forums (LRFs) are responsible for identifying and planning for local civil resilience risks. They are multi-agency partnerships made up of representatives from local public services, including the emergency services, local authorities, the National Health Service (NHS), the Environment Agency (EA) and others. These agencies are known as

<sup>29</sup> HM Government, [Flood and coastal erosion risk management: Policy Statement](#) [pdf], July 2020, p 30

<sup>30</sup> Defra, [Local factors in managing flood and coastal erosion risk and property flood resilience: summary of responses - A summary of the responses to each question in the Call for Evidence](#) [pdf], 29 July 2021, p 35

<sup>31</sup> Flood Re, [Regulation 27: The Quinquennial Review](#) [pdf], July 2019, pp 10-11; Defra, [Consultation on amendments to the Flood Re scheme: Summary of responses](#) [pdf], July 2021, p 60

Category 1 Responders, as defined by the [Civil Contingencies Act 2004](#). LRFs are also supported by organisations, known as Category 2 Responders. The geographical area the forums cover is based on police areas. For further information see the Library paper on [Dealing with civil contingencies: Emergency planning in the UK](#) (July 2017) and Cabinet Office guidance on [The role of Local Resilience Forums](#) (July 2013).

Multi-agency flood plans are an example of the emergency plans developed by Local Resilience Forums. Defra has produced [guidance on developing multi-agency flood plans](#), updated September 2020. It sets out the purpose, and suggested construction and key content of multi-agency flood plans, but notes that LRF members ultimately determine the specific information to include and the level of detail.<sup>32</sup> This guidance replaces previous guidance from 2011, and draws on the [Multi-Agency Flood Plan Review](#) led by Tim Cross in 2018 (see also the [Government response to the review](#)).

In some emergencies, there may also be more significant central Government involvement. The [National Flood Emergency Framework for England](#) (December 2014) provides an indication of when and how this might occur, although it notes that a number of factors will in practice determine the level of central Government involvement.<sup>33</sup>

Box 5 provides information on support that may be available for those affected by flooding. For an example of involvement by central Government in responding to a recent flood event, see the Library paper on the [Autumn and winter floods 2019-20](#) (CBP 8803).

## 5 Support following a flood

When flooding occurs, people often ask if there is support available for those impacted, from the Government or elsewhere. In response to certain flood events in recent years, the UK Government has made available various support measures for affected households and businesses.

The [Flood Recovery Framework](#) sets out a core package of measures which might be made available in England following a flood, but it is for Ministers to decide whether support is made available and, if so, the eligibility criteria. The Government states that, as an indication, funding might most typically be deployed when facing severe weather with significant impacts across multiple local authorities, such as those seen during the flooding that occurred in November 2019 and following Storms Ciara and Dennis in February 2020. These support measures are made available via eligible local authorities (so individuals and businesses deal with their local authority, rather than

<sup>32</sup> GOV.UK, [Developing a multi-agency flood plan](#), 23 September 2020

<sup>33</sup> GOV.UK, [The national flood emergency framework for England](#), updated 18 December 2014

claiming directly from central Government). See [guidance for local authorities on the Flood Recovery Framework](#) (October 2021).

Other potential sources of guidance or support include:

- Local authorities may make discretionary support available following a flood event.
- The [National Flood Forum](#) is a charity for communities at risk of flooding, which has an advice line for those impacted by flooding: 01299 403055.
- The [Flood Guidance website](#), operated by the Property Flood Resilience Roundtable, provides information on [various funding and grants](#) which may be available for those impacted by flooding, as well as pointers to other sources of information.
- Finally, the local [Citizens Advice Bureau](#) may be able to help.

## 2

# Flood risk management: the policy landscape in England

The [Flood and Water Management Act 2010](#) (FWMA) is the most recent comprehensive legislation addressing flooding in England. It followed a number of developments, including the Pitt Review of lessons learned from the 2007 floods.

## 2.1

### Government policy and strategy

#### The Environment Agency strategy

The Flood and Water Management Act places a duty on the Environment Agency (EA) to develop and maintain a national flood and coastal erosion risk management (FCERM) strategy for England. A similar duty applies to the Welsh Government to develop a strategy for Wales. The remainder of this subsection focusses on the English strategy; further information on Wales and the other devolved nations is provided in section 6.

The national FCERM strategy must (among other things) specify the objectives for managing flood and coastal erosion risk, the measures proposed to achieve those objectives, and the costs and benefits of those measures. In developing the strategy, the EA must consult the risk management authorities in England, the public, and the devolved administrations in Scotland and Wales (if the strategy will affect risk management in those nations).

Risk management authorities are required to exercise their flooding and coastal change functions in a manner which is consistent with the national strategy. The local strategies produced by lead local flood authorities must also be consistent with the national strategy. The Environment Agency and coast protection authorities may only carry out works where they are desirable having regard to the national strategy.<sup>34</sup>

The first national FCERM strategy under the Act, entitled “[Understanding the risks, empowering communities, building resilience](#)”, was published by the Environment Agency in 2011. In 2019, the EA [consulted on a draft update](#) to the strategy. The [final version](#) of the new strategy was published in July 2020,

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<sup>34</sup> Environment Agency, [National Flood and Coastal Erosion Risk Management Strategy for England](#) [pdf], July 2020, p. 28

alongside the Government’s [flooding policy statement](#), and adopted in September 2020. The 2020 version supersedes the 2011 strategy.

The current strategy sets out the EA’s “three core ambitions” concerning future risk and investment needs:

- **“Climate resilient places”**: working with partners to increase resilience to flooding and coastal change;
- **“Today’s growth and infrastructure resilient in tomorrow’s climate”**: making investment and planning decisions to secure sustainable growth and environmental improvements, as well as resilient infrastructure; and
- **“A nation ready to respond and adapt to flooding and coastal change”**: ensuring local people understand their own flood and coastal risk and responsibilities, and how to take action.<sup>35</sup>

The next review of the overall FCERM strategy is planned for 2026.<sup>36</sup>

The strategy was initially supplemented by an Action Plan, published in May 2021 and focussing on actions from April 2021 to April 2022.<sup>37</sup> In June 2022, the EA published a [Roadmap to 2026](#), setting out actions to be taken by it and partners under the three ambitions within the FCERM strategy.<sup>38</sup>

## The Government policy statement

The Government published a [flood and coastal erosion risk management policy statement](#) in July 2020, which it described as “the most significant ramping up of flood policies for a decade”.<sup>39</sup> The policy statement, published the same day as the updated Environment Agency FCERM strategy, sets out the Government’s “long-term ambition” to “create a nation more resilient to future flood and coastal erosion risk”.<sup>40</sup>

The policy statement had been preceded by a July 2019 [call for evidence](#) on a number of specific issues relating to flooding and coastal erosion. This included questions on defining and measuring “resilience”, adapting to coastal change, and various funding issues. The consultation closed in August 2019.<sup>41</sup>

The approach detailed in the policy statement encompasses actions to “better protect” against flood and coastal risk (such as building flood

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<sup>35</sup> GOV.UK, [National Flood and Coastal Erosion Risk Management Strategy for England](#), 14 July 2020, p. 8

<sup>36</sup> GOV.UK, [National Flood and Coastal Erosion Risk Management Strategy for England](#), 14 July 2020, p. 32

<sup>37</sup> GOV.UK, [National flood and coastal erosion risk management strategy for England action plan](#), 12 May 2021 [now redirects to Roadmap]

<sup>38</sup> GOV.UK, [Flood and Coastal Erosion Risk Management Strategy Roadmap to 2026](#), 7 June 2022

<sup>39</sup> GOV.UK, [Flood and coastal erosion risk management: policy statement](#), 14 July 2020, p. 4

<sup>40</sup> As above, p. 6

<sup>41</sup> Defra, [Call for Evidence on Flooding and Coastal Erosion](#), 8 July 2019

defences and avoiding inappropriate development), as well as those to “better prepare” (such as issuing flood warnings and taking steps to reduce the impacts when flooding does occur). Specific actions in the policy statement include:

- by spring 2021, publishing further details of what the Government expects to achieve from the six-year capital investment of £5.2 billion, and how it is to be managed;
- by the end of 2021, commencing a review of statutory powers and responsibilities to map, monitor, inspect and maintain flood and coastal assets;
- doubling the number of Government-funded projects which include nature-based solutions;
- on development and flood risk, assessing whether current protections in the National Planning Policy Framework are enough, and considering options for further reform (as previously announced by the then Ministry of Housing, Communities and Local Government in March 2020);<sup>42</sup>
- supporting the voluntary sector to improve their capacity and capability to help local communities in the event of a flood; and
- by 2026, reforming local flood and coastal erosion risk planning, “so that every area of England will have a more strategic and comprehensive plan that drives long-term local action and investment”.

The Government also said it would develop a “national set of indicators to monitor trends over time”, which would enable it to measure progress and gain “a better understanding of the impacts of our policies to inform future action”.<sup>43</sup> Further information on metrics was set out in the [July 2021 FCERM investment plan](#). The “headline indicator” is the primary objective of better protecting 336,000 properties through the 2021-27 programme.<sup>44</sup>

## The concept of resilience

Both the policy statement and the FCERM strategy centre on the concept of “resilience” in the context of flooding and coastal risk. Environment Agency Chair Emma Howard Boyd said in the foreword to the 2020 FCERM strategy that resilience encompasses more than immediate protection:

When we talk about resilience, we are talking about enabling lives to be lived and planned comfortably alongside the climate impacts of the future. That

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<sup>42</sup> GOV.UK, [Planning for the future](#), 12 March 2020

<sup>43</sup> GOV.UK, [Flood and coastal erosion risk management: policy statement](#), 14 July 2020

<sup>44</sup> GOV.UK, [Flood and coastal erosion risk management: an investment plan for 2021 to 2027](#), 29 July 2021, p. 25

includes the necessary immediate and medium term protections for communities, but it is more than that.<sup>45</sup>

The policy statement has an overarching goal to “create a nation more resilient to future flood and coastal erosion risk”. This is broken down into goals of better protection, to reduce the likelihood of flooding and erosion, and better preparedness, to reduce the impacts when flooding does happen.<sup>46</sup>

The use, and meaning, of the resilience concept has been the subject of discussion in recent years. The Government’s summer 2019 [call for evidence on flooding and coastal erosion](#) [pdf] (intended to inform the policy statement) stated that there is no single definitive definition of resilience, but that it is “an increasingly used term to describe the overall concept for what we are seeking to achieve” in relation to FCERM. The call for evidence itself invited views on what is understood by “resilience”, as well as referring to a complementary research project on understanding the concept.<sup>47</sup>

### A “standard” of resilience?

The National Infrastructure Commission (NIC) said, in its July 2018 National Infrastructure Assessment, that “there is no clear long term objective for the level of flood resilience that the government is seeking to achieve”. The NIC concluded that a cost-benefit basis for capital investment decisions is not sustainable and recommended that a standard should be set for the level of flood resilience to be achieved by 2050. This would include a nationwide standard of resilience to floods with an annual likelihood of 0.5%, where feasible, while densely populated areas would have a higher standard of resilience (resilient to floods with a 0.1% likelihood).<sup>48</sup>

The Government policy statement published in July 2020 did not include a nationwide standard of flood resilience. The Government said that it had considered the NIC recommendation and decided on an alternative approach “focused on a similar vision”, involving enhancing cost-benefit appraisal techniques, monitoring trends, reviewing national reporting of progress, and strengthening local plans.<sup>49</sup>

In a letter to NIC Chair Sir John Armitt, Defra Secretary George Eustice explained that the responses to the Government’s 2019 call for evidence, and its research on different approaches to resilience, had demonstrated there is “no agreed understanding of resilience”, and no established method for assessing and quantifying flood resilience. He also said that a nationwide

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<sup>45</sup> GOV.UK, [National Flood and Coastal Erosion Risk Management Strategy for England](#), 14 July 2020, p. 8

<sup>46</sup> GOV.UK, [Flood and coastal erosion risk management: policy statement](#), 14 July 2020, p. 11

<sup>47</sup> As above, p. 7

<sup>48</sup> National Infrastructure Commission, [National Infrastructure Assessment](#) [pdf], July 2018, pp 12-13

<sup>49</sup> GOV.UK, [Flood and coastal erosion risk management: policy statement](#), 14 July 2020, p. 11

standard would “inevitably” be a “lowest common denominator” due to local variation in risk, vulnerability and the potential for action.<sup>50</sup>

The Environment, Food and Rural Affairs Committee concluded in February 2021 that “the Government’s refusal to set a national standard for resilience to flooding means there is uncertainty about the level of its ambition”. The Committee recommended that the Government sets out the long-term level of resilience intended to be delivered by its FCERM interventions, and urged it to “seriously re-examine the case for expressing [its objectives] as a national standard for flood resilience”.<sup>51</sup>

## 2.2 Responsibilities for flood risk management

The number of bodies involved in flood risk management, and the range of applicable legislation, have been raised as contributing to a lack of clarity over responsibilities. The Pitt Review in 2008 recommended “a single unifying Act that addresses all sources of flooding, clarifies responsibilities and facilitates flood risk management”.<sup>52</sup>

The Labour Government had already announced a Bill, which became the Flood and Water Management Act 2010 (FWMA), although it said in 2009 that “a single unifying Act will not be achieved” in that Bill.<sup>53</sup> The Coalition Government’s final progress report on the Pitt Review in 2012 reiterated that the FWMA had “focused on the immediate legislative requirements” due to parliamentary time constraints, and that it was “intended to consolidate legislation in due course, probably once further water legislation is passed”.<sup>54</sup>

The FWMA made the Environment Agency responsible for producing a national flood and coastal erosion risk management strategy for England (see section 2.1 above). It also made Lead Local Flood Authorities (county councils and unitary authorities) responsible for producing a local flood risk management strategy for their areas, and placed a duty on risk management authorities to co-operate. Introducing the Second Reading debate on the Bill in December 2009, the then Environment Secretary Hilary Benn said: “one of the principal purposes of the Bill is to ensure that organisations know what bit of flood risk they are responsible for managing and that local people know that, too”.<sup>55</sup>

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<sup>50</sup> [Rt Hon George Eustice MP to Sir John Armitt](#), 14 July 2020

<sup>51</sup> Environment, Food and Rural Affairs Committee, [Flooding](#), HC 170, 8 February 2021, para 35

<sup>52</sup> [The Pitt Review: Learning lessons from the 2007 floods](#) [pdf], June 2008 [archived on 7 August 2020], recommendation 28

<sup>53</sup> Defra, [The Government’s Response to Sir Michael Pitt’s Review of the summer 2007 floods: Progress Report](#), December 2009, p. 57

<sup>54</sup> Defra, [The Government’s Response to Sir Michael Pitt’s Review of the summer 2007 floods: Final Progress Report](#) [pdf], January 2012, p. 5

<sup>55</sup> HC Deb 15 Dec 2009, [c840](#)

Following the FWMA, there have continued to be concerns about the complicated landscape of responsibility for managing flood risk. In March 2014, the Public Accounts Committee recommended that the Environment Agency should consider how to improve the understanding of third parties who have responsibilities for flood defences.<sup>56</sup>

In June 2014, the Environment, Food and Rural Affairs (EFRA) Committee also reported evidence that there was confusion over the division of responsibilities, particularly in relation to maintenance activities.<sup>57</sup> A subsequent EFRA Committee report in November 2016 proposed a new governance model for flood risk management in England, to “enable increased co-ordination between bodies, and strengthen links between water and flood management and between spatial planning and flood management”.<sup>58</sup>

The Department for Environment, Food and Rural Affairs (Defra) commissioned an [independent evaluation of the effectiveness of local flood risk management in England](#) [pdf] under the FWMA, which was published in January 2017.<sup>59</sup> The evaluation included findings on the following aspects of local flood management: local flood risk management strategies; flood investigations; registers of flood risk assets; consenting on ordinary watercourses; and powers to create byelaws and to carry out works. Alongside this report, Defra also published a local flood risk action plan which identified the following key areas of improvements in the management of local flood risk:

- delivery and partnership working;
- skills and capacity;
- investment and infrastructure;
- community resilience; and
- emergency response.<sup>60</sup>

More detail is set out in Defra’s [memorandum to the EFRA Committee](#) as part of the Committee’s post-legislative scrutiny of the implementation of the FWMA (see section 5 below).

In its 2019 progress report to Parliament, the Climate Change Committee (CCC) stated that the various plans and policies relevant to flood and coastal

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<sup>56</sup> Public Accounts Committee, [Strategic Flood Risk Management](#) [pdf], HC 737, 25 March 2014 [accessed 15 February 2016]

<sup>57</sup> Environment, Food and Rural Affairs Committee, Winter Floods 2013-14, [HC 240](#), 17 June 2014, para 12 [accessed 15 February 2016]

<sup>58</sup> Environment, Food and Rural Affairs Committee, [Future flood prevention](#) [pdf], HC 115, 2 November 2016, para 82

<sup>59</sup> Defra, [Evaluation of the arrangements for managing local flood risk in England](#), January 2017

<sup>60</sup> Defra, [Post-legislative scrutiny of the Flood and Water Management Act 2010](#), 24 January 2017, annex D

erosion risk management (including local plans as well as national policies such as the 25 Year Environment Plan) do not represent “a statutory, long-term strategy that addresses the likely climate change risks”. The Committee highlighted the “heterogeneous time and spatial scales” of the plans.<sup>61</sup> In its 2021 report, the CCC said that progress had been made in bringing together a long-term plan, with the new policy statement and EA strategy, but it noted that “the challenge now will be to move from strategic aspirations to delivery on the ground”.<sup>62</sup>

Box 6 provides an overview of some types of plans and strategies relevant to flooding and coastal risk.

## 6 Plans and strategies

Various bodies maintain various plans and strategies with relevance to flood and coastal risk management. This box provides an overview of some of these plans, but it is not comprehensive as flood/coastal risk will also factor into other types of plan.

- The **National Flood and Coastal Erosion Risk Management Strategy** is produced by the Environment Agency under the *Flood and Water Management Act 2010*. It provides a strategic overview with which local strategies and actions undertaken by risk management authorities must be consistent.
- **Local flood risk management strategies** are produced by Lead Local Flood Authorities under the *Flood and Water Management Act 2010*. They must assess the local flood risk, set out objectives for managing local flooding and list the costs and benefits of measures proposed to meet these objectives. A summary of the local flood risk management strategy must be published by the LLFA. These documents are likely to be the best source of information for determining the relevant risk management authorities for a particular area and the relevant roles and responsibilities of such bodies.
- **Flood risk management plans (FRMPs)** are produced by the Environment Agency and/or Lead Local Flood Authorities (LLFAs) under the [Flood Risk Regulations 2009](#). Each FRMP covers a specific area called a river basin district (RBD) and set out how flood risk will be managed in nationally identified flood risk areas (FRAs). There are seven river basin districts solely in England, with a further two overlapping with Wales, and one overlapping with Scotland.<sup>63</sup>

The Environment Agency is responsible for producing FRMPs covering flooding from main rivers, the sea and reservoirs. LLFAs are responsible

<sup>61</sup> Committee on Climate Change, [Progress in preparing for climate change: 2019 Report to Parliament](#), July 2019, p. 104

<sup>62</sup> Climate Change Committee, [Progress in adapting to climate change: 2021 Report to Parliament \[pdf\]](#), June 2021, p. 122

<sup>63</sup> Environment Agency, [Draft Flood Risk Management Plans](#) [accessed 20 December 2021]

for producing FRMPs for FRAs that cover local sources of flooding in their area. However, the EA states that “preferred approach” is to work with LLFAs to produce a single FRMP for all sources of flood risk in the river basin district.<sup>64</sup> More information is available in the [Government guidance on responsibilities for FRMPs](#).

FRMPs must be reviewed by the Environment Agency and LLFAs every six years. A [three-month consultation on draft FRMPs](#) for the period 2021-27 launched on 22 October 2021, and closed on 21 January 2022.<sup>65</sup> The Environment Agency also consulted on [draft river basin management plans](#) (RBMPs) between October 2021 and April 2022.<sup>66</sup> RBMPs set out how organisations, stakeholders and communities will work together to protect and improve the water environment.<sup>67</sup>

- **Catchment flood management plans** for each river catchment area in England set out an overview of all types of inland flooding (including tidal flooding) and recommended ways of managing the risk now and over the next 50 to 100 years. These are grouped by river basin district. A catchment approach helps the Environment Agency and other risk management authorities to plan and agree the most effective way to manage flood risk for the whole catchment in the future.<sup>68</sup>

## 2.3

## Specific flooding and coastal issues

### Planning and development

#### Planning policy and flood risk

The Government’s main planning policies are set out in its [National Planning Policy Framework](#) (NPPF), which provides the framework against which local planning authorities (LPAs) draw up Local Plans and determine applications for planning permission. In relation to flood risk for new developments, the NPPF provides tests, which all LPAs are expected to follow. Where these tests are not met, the NPPF states that new development should not be allowed. The NPPF is supported by more detailed [planning practice guidance \(PPG\) on flood risk and coastal change](#).

Key to planning policy for flood risk are the “sequential test” and “exception test”, as explained in Box 7.

<sup>64</sup> GOV.UK, [Flood risk management plans \(FRMPs\): responsibilities](#) [accessed 12 December 2019]

<sup>65</sup> Environment Agency, [Draft Flood Risk Management Plans](#) [accessed 20 December 2021]

<sup>66</sup> Environment Agency, [Draft river basin management plans](#) [accessed 20 December 2021]

<sup>67</sup> Environment Agency, [Introducing draft flood risk management plans](#) [accessed 20 December 2021]

<sup>68</sup> Environment Agency, [Catchment flood management plans](#), December 2009

## 7 The sequential and exception tests

The sequential test and exception test are central to planning policy for flood risk. The tests are currently set out in paragraphs 159 to 169 of the [National Planning Policy Framework](#) (July 2021).

The aim of the **sequential test** is to steer new development to areas with the lowest risk of flooding from any source. Planning policy states that development should not be permitted in a particular site if there are “reasonably available” alternative sites with a lower risk of flooding.

If it is not possible for development to be located in areas with a lower risk of flooding, the **exception test** may need to be applied. The exception test requires that the development will both provide wider sustainability benefits to the community (that outweigh the flood risk), and that it will be safe for its lifetime without increasing flood risk elsewhere.

Applications for some minor development and changes of use should not be subject to the sequential or exception tests.<sup>69</sup>

There has long been concern about development in areas at risk of flooding and coastal change. This is often framed in terms of “building on the floodplain”. The Government’s Flood Risk Map for Planning distinguishes four “flood zones”:

- Zone 1: Low probability (land having a less than 1 in 1,000 annual probability of river or sea flooding).
- Zone 2: Medium probability (land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding).
- Zone 3a: High probability (land having a 1 in 100 or greater annual probability of river flooding; or land having a 1 in 200 or greater annual probability of sea flooding).
- Zone 3b: The functional floodplain (this zone comprises land where planning guidance explains “water has to flow or be stored in times of flood”).<sup>70</sup>

LPAs should undertake a Strategic Flood Risk Assessment to fully understand the flood risk in the area, to inform Local Plan preparation. In areas at risk of flooding or for sites of 1 hectare or more, developers undertake a site-specific flood risk assessment to accompany applications for planning.<sup>71</sup> There is

<sup>69</sup> Ministry of Housing, Communities and Local Government (MHCLG, now the Department for Levelling Up, Housing and Communities, DLUHC), [National Planning Policy Framework](#) [pdf], July 2021, paras 159-169

<sup>70</sup> MHCLG, Guidance: [Flood risk and coastal change](#), last updated 20 August 2021, paragraph 065

<sup>71</sup> MHCLG, [Guidance: Flood risk and coastal change](#), last updated 20 August 2021, paragraph 030

Government guidance on [when to use standing advice on site-specific flood risk assessments, and when to consult the Environment Agency](#).<sup>72</sup>

As the [PPG on flood risk and coastal change](#) explains, before granting planning permission, there is a statutory requirement for LPAs to consult the Environment Agency (EA) for non-minor developments in areas at risk of flooding (specifically, areas within Flood Zones 2 or 3, or areas within Flood Zone 1 which have been notified as having critical drainage problems).<sup>73</sup>

In February 2020, the chief executive of the EA, Sir James Bevan, [gave a speech](#) in which he set out how making the “right decisions” about land use and avoiding the “wrong kind of development in the floodplain” could contribute towards greater resilience.<sup>74</sup> The 2008 Pitt Review stated that it is “not realistic” to completely end development on the floodplain:

Many submissions to the Review call for a complete end to building on the flood plain. This is not realistic. The country cannot end all development along the Thames, or bear the costs of siting critical infrastructure, such as water treatment works or power stations, away from the water supplies they need to function.

That does not mean that our institutional frameworks should not be stronger. Development control is a central part of the process of managing flood risk, by avoiding development in risk areas where possible and, where such building does take place, by ensuring that risk is reduced both to the development itself and for those living nearby. [...] <sup>75</sup>

The Commons Library briefing [Planning and flood risk](#) provides an overview of some issues relating to development and flooding.<sup>76</sup> The following subsection includes some further information on developments since that briefing was last updated.

### Recent developments in planning policy for flood risk

The NPPF was updated in July 2018, February 2019 and July 2021. The 2018 update included a number of changes to the paragraphs dealing with flood risk, but the general approach of applying the sequential and exception tests was retained. The changes included:

- A more specific requirement for strategic policies to consider cumulative impacts in, or affecting, areas susceptible to flooding.

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<sup>72</sup> GOV.UK, [Review individual flood risk assessments: standing advice for local planning authorities](#), updated 8 February 2022

<sup>73</sup> as set out in the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(SI 2015/595\)](#). See MHCLG, Guidance: [lood risk and coastal change](#), last updated 20 August 2021

<sup>74</sup> Defra, [Speech: Defusing the 'Weather Bomb': The Future of Flood Defence](#), 25 February 2020

<sup>75</sup> [The Pitt Review: Learning lessons from the 2007 floods](#) [pdf], June 2008 [archived on 7 August 2020], para ES.24

<sup>76</sup> [Planning and flood risk](#), CBP 7517

- New text referring to the use of natural flood management techniques where appropriate in new development to reduce flooding.
- Amended language on the use of sustainable drainage systems (SuDS; see section on surface water below). Where previously development at risk of flooding needed to “give priority” to SuDS, it was now required that major developments incorporate SuDS “unless there is clear evidence that this would be inappropriate”. There is also more detail on what the inclusion of SuDS should involve.<sup>77</sup>

The March 2020 policy paper [Planning for the Future](#) stated that the Government would review policy for building in areas at flood risk.<sup>78</sup> The subsequent [Planning for the Future white paper](#) [pdf] (published in August 2020) also discussed flood risk and said that the Government was “assessing the extent to which our planning policies and processes for managing flood risk may need to be strengthened along with developing a national framework of green infrastructure standards”.<sup>79</sup>

The [findings of the review](#) of planning policy in flood risk areas were published in July 2021. The review concluded that “there are robust measures in place to protect people and property from flooding which all local planning authorities are expected to follow”, but noted that “there are opportunities to strengthen current policy, guidance and its implementation”. The Government also stated that planning guidance across a number of areas would need to be clarified and revised in light of policy developments (including the 2020 flooding policy statement and Environment Agency strategy).<sup>80</sup>

Amendments were also made to the NPPF in July 2021, in part reflecting the findings of the review.<sup>81</sup> The amendments included clarification that the sequential test applies to flood risk from all sources, and defining “appropriately flood resistant and resilient” (as required of any development which is allowed in flood risk areas) to mean that “in the event of a flood, it could be quickly brought back into use without significant refurbishment”.<sup>82</sup>

As well as the changes to the NPPF, the review’s findings stated that “significantly revised and updated” [Planning Practice Guidance on flood risk](#) would be published later in 2021.<sup>83</sup> The section of the flood risk guidance dealing with permitted development rights was updated in August 2021, but otherwise the guidance has not been updated as of 21 June 2022.<sup>84</sup> The

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<sup>77</sup> DCLG, [National Planning Policy Framework](#), March 2012, paras 100-104; MHCLG, [National Planning Policy Framework](#), July 2018, paras 155-165

<sup>78</sup> MHCLG, [Planning for the future](#), 12 March 2020

<sup>79</sup> MHCLG, [White paper Planning for the Future](#) [pdf], August 2020, paragraph 3.23

<sup>80</sup> GOV.UK, [Review of policy for development in areas at flood risk](#), 29 July 2021, p. 23

<sup>81</sup> MHCLG, [National Planning Policy Framework and National Model Design Code: consultation proposals](#), updated 20 July 2021

<sup>82</sup> MHCLG, [National Planning Policy Framework: Draft text for consultation](#) [pdf], January 2020, pp 46-49

<sup>83</sup> GOV.UK, [Review of policy for development in areas at flood risk](#), 29 July 2021, p. 23

<sup>84</sup> DLUHC, [Guidance: Flood risk and coastal change](#) [accessed 13 May 2022]

Government also said that the review’s findings would inform a “future more detailed review of the National Planning Policy Framework which is likely to be required, as implementation of the government’s proposals for wider reform of the planning system”.<sup>85</sup> The Government said in May 2022 that “as part of our wider ambitions for an improved planning system we intend to review the NPPF to ensure that it contributes to climate change mitigation and adaption as fully as possible”.<sup>86</sup>

### Flood risk and reform of the planning system

The August 2020 [Planning for the Future white paper](#) [pdf] proposed to categorise all areas of land in England as “growth areas” (suitable for “substantial development”), “renewal areas” (suitable for development) and areas that are protected. In areas identified by Local Plans as “growth areas”, outline planning permission would be automatically granted for the principle of development, but this would exclude “areas of flood risk”. For more information on the white paper, see the Library briefing paper [Planning for the Future: planning policy changes in England in 2020 and future reforms](#).<sup>87</sup>

The Government introduced a [Levelling-up and Regeneration Bill](#) in May 2022.<sup>88</sup> In a [response to a Select Committee report](#), published the following day, the Government confirmed that it would not pursue the proposal in the white paper for three planning zones.<sup>89</sup> The [Government press release](#) accompanying the Bill set out how it believed its planning provisions would deliver the right homes in the right places, with stronger protections for the environment.<sup>90</sup>

The Bill would amend the [Planning and Compulsory Purchase Act 2004](#) so that a Local Planning Authority (LPA) will now be required to prepare a single Local Plan. The Local Plan must be “designed to secure that the use and development of land in the local planning authority’s area contribute to the mitigation of, and adaption to, climate change”. A similar requirement is placed on other types of plan referred to in the Bill.<sup>91</sup> The Government has said that the Bill’s changes will mean that “decisions on applications are more genuinely plan-led”.<sup>92</sup>

The Bill will also provide for the imposition for a new Infrastructure Levy (IL) in England, which the Government says will “ensure that developers pay their fair share to deliver the infrastructure that communities need”. Currently, there is a two-fold system through which LPAs may seek developer contributions through [planning obligations](#) (sometimes known as section 106

<sup>85</sup> GOV.UK, [Review of policy for development in areas at flood risk](#), 29 July 2021, p. 23

<sup>86</sup> [PQ 324](#) [on Planning: Floods], 12 May 2022

<sup>87</sup> CBP 8981

<sup>88</sup> UK Parliament bill page, [Levelling-up and Regeneration Bill](#) [accessed 18 May 2022]

<sup>89</sup> DLUHC, [Policy paper: Future of the planning system in England: government response to the Select Committee report](#), 12 May 2022, paras 8-15

<sup>90</sup> DLUHC, [Press release: New bill to level up the nation](#), 11 May 2022

<sup>91</sup> [Levelling-up and Regeneration Bill](#) [pdf], Schedule 7

<sup>92</sup> DLUHC, [Levelling Up and Regeneration: further information](#), 11 May 2022

agreements) and the [Community Infrastructure Levy](#) (CIL).<sup>93</sup> The Government has said that much of the detail of the new IL will be set in regulations following consultation. Specifically, it has said that planning conditions and “narrowly targeted” section 106 agreements will be used to ensure that infrastructure “integral to the operation and physical design of a site” will be delivered by developers. This includes flood risk mitigations.<sup>94</sup>

For more information on the Levelling-up and Regeneration Bill, see the [Library briefing paper](#) (CBP 9558).

## Surface water

### Overview

Surface water flooding (which occurs when the volume and intensity of rainfall overwhelm local drainage) has been a particularly challenging issue for flooding policy. The 2008 Pitt Review found that “very little is known about surface water flood risk” and identified “a distinct lack of clarity around the responsibilities of the relevant organisations”.<sup>95</sup> In 2018, the National Infrastructure Assessment did not consider surface water flooding due to “a lack of reliable data”, and stated that “further work is needed urgently” given the “little progress” since the Pitt Review.<sup>96</sup>

The Government has said that surface water flooding is a growing challenge with climate change bringing more frequent heavy storms, new developments increasing the need for drainage, and sewerage infrastructure which is costly to maintain and upgrade. The UK Climate Projections, published in 2018 by the Met Office and updated in 2019, anticipated future increases in the intensity of heavy summer rainfall events, which would impact on the frequency and severity of surface water flooding in urban areas particularly. Defra has acknowledged that surface water flood risks are less obvious than risk from rivers and the sea, and there can be confusion about responsibility for managing surface water risk.<sup>97</sup>

The Library briefing paper on [Sewer flooding](#) (CBP 7839) provides background information on some issues connected with surface water management.

### Government policy on surface water management

Defra published [Surface Water Management: An Action Plan](#) in July 2018. The then Environment Minister Dr Thérèse Coffey said in a [written statement](#) that the Surface Water Management Action Plan would “bring our preparedness

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<sup>93</sup> See the Library briefing papers on [planning obligations](#) (CBP 7200) and the [Community Infrastructure Levy](#) (SN 3890).

<sup>94</sup> DLUHC, [Levelling Up and Regeneration: further information](#), 11 May 2022

<sup>95</sup> Cabinet Office, [The Pitt Review: Learning lessons from the 2007 floods](#) [pdf], June 2008, para 6.2 [accessed 15 February 2016]

<sup>96</sup> National Infrastructure Commission, [National Infrastructure Assessment](#) [pdf], July 2018, p. 86

<sup>97</sup> Defra, [Surface Water Management: An Action Plan](#), July 2018, p. 5; Met Office et al, [UK Climate Projections: Headline Findings](#) [pdf], September 2019, p. 7

for surface water flood risks more closely into line with that for risks from main rivers and the sea”. The Action Plan set out the Government’s intentions to improve understanding of surface water risks and ensure those responsible can manage them effectively.<sup>98</sup>

The Surface Water Management Action Plan also included an action to review the arrangements for determining responsibility for surface water and drainage assets. In July 2019, the Government announced that this review would be conducted by David Jenkins, Chair of the Wessex Regional Flood and Coastal Committee. The report of the independent review was published in August 2020.<sup>99</sup>

The Jenkins review made a number of recommendations around promoting advice and best practice. It described a lack of clarity on responsibility for maintaining drainage systems:

Clarity as to who is responsible for constructing and maintaining drainage systems and their various components is crucial for their effective working. Such clarity is often lacking in our present arrangements. Ownership of surface water drainage features is fragmented across a range of both public and private parties, including local authorities, highway authorities, internal drainage boards, water companies, and private individuals and businesses. Powers and duties to manage drainage features are often less than clear cut.<sup>100</sup>

The Government accepted 12 recommendations of the Jenkins review upon its publication. The Government subsequently published an update on the Surface Water Management Action Plan, along with its full response to the Jenkins review, in July 2021. In all, the Government accepted 24 of the 28 recommendations at that time.<sup>101</sup>

The Government subsequently announced, in the Autumn 2021 Budget and Spending Review, that it would commission a study from the National Infrastructure Commission on [effective approaches to the management of surface water flooding in England](#). The study would assess the current approaches to managing surface water and consider the role of a range of interventions, including both traditional built infrastructure and nature-based solutions. The Commission will report by November 2022.<sup>102</sup>

## Drainage planning

An important part of managing the risk of surface water flooding is effective surface water drainage. Water companies have a statutory responsibility under the [Water Industry Act 1991 \(section 94\)](#) to ensure that the area they serve is “effectually drained”. Defra [published guidance in 2010](#), principally

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<sup>98</sup> [HCWS860](#) [on Surface Water Management Action Plan], 17 July 2018

<sup>99</sup> GOV.UK, [Report of a review of the arrangements for determining responsibility for surface water and drainage assets](#), published August 2020 (dated May 2020)

<sup>100</sup> As above, p. 4

<sup>101</sup> Defra, [Surface water management: A government update](#) [pdf], 29 July 2021, pp 20-22

<sup>102</sup> HM Treasury, [Autumn Budget and Spending Review 2021](#) [pdf], October 2021, p. 141

for local authorities, on the production of surface water management plans (SWMPs). These are non-statutory plans which can be used to inform planning decisions for new development and provide an evidence base for the development of local flood risk management strategies (see section 2 below).<sup>103</sup> However, there is no statutory duty to prepare long-term plans for managing wastewater and drainage.

Since the Government's [Water for Life](#) White Paper in 2011, there have been several initiatives and efforts by the Environment Agency, Ofwat, and the water industry to develop and improve long term strategic planning for drainage.<sup>104</sup> The National Infrastructure Assessment (July 2018) also recommended that water companies and local authorities should work together to publish joint plans to manage surface water flood risk by 2022.<sup>105</sup> In September 2018, the water sector launched the Drainage and Wastewater Management Planning framework. Through this, the industry has begun a process of developing non-statutory [Drainage and Wastewater Management Plans](#) (DWMPs).<sup>106</sup> The [Environment Act 2021](#) includes provision for statutory Drainage and Sewerage Management Plans<sup>107</sup> to be developed by water and sewerage undertakers; for further information see section 6 of [the Library paper on the Environment Bill](#) as it was originally introduced to Parliament (CBP 8824). As of 21 June 2022, this provision is not yet in force.

### Sustainable Drainage Systems

Sustainable Drainage Systems (SuDS) are approaches to surface water management which mimic nature and typically manage rainfall close to where it falls. As explained on [the Susdrain website](#) (created by construction industry research body CIRIA), SuDS can be designed to transport (convey) surface water, slow runoff down (attenuate) before it enters watercourses, provide areas to store water in natural contours, or allow water to soak (infiltrate) into the ground or evaporate. SuDS can also provide other environmental benefits, such as reducing water pollution and improving amenity and biodiversity.<sup>108</sup>

Statutory provision for SuDS was made by Schedule 3 of the Flood and Water Management Act 2010, but never commenced in England. Under Schedule 3, all construction work which has “drainage implications” would need approval from the local authority that its drainage system met national standards for sustainable drainage before connecting to the public sewer.<sup>109</sup> Schedule 3

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<sup>103</sup> LGA, [Surface water management plans \(SWMPs\)](#) [accessed 13 December 2019]

<sup>104</sup> Defra, [Water for Life: White Paper](#), 8 December 2011; Defra, [Improving our management of water in the environment: consultation document](#), January 2019, pp 14–15

<sup>105</sup> National Infrastructure Commission, [National Infrastructure Assessment](#) [pdf], July 2018, p. 92

<sup>106</sup> Water UK, [Drainage and Wastewater Management Plans](#) [accessed 13 December 2019]

<sup>107</sup> Environment Act 2021, [section 79](#). The Act refers to “sewerage” rather than “wastewater”.

<sup>108</sup> Susdrain, [Sustainable drainage](#) [accessed 1 October 2021]

<sup>109</sup> Flood and Water Management Act 2010, [Schedule 3](#)

came into effect in Wales, following commencement by Welsh Ministers, in January 2019, but it has never been commenced in relation to England.<sup>110</sup>

For England, the UK Government instead focussed on using national planning policy to further the installation of SuDS. The current National Planning Policy Framework states that all major developments, and all development in flood risk areas, should only be allowed if it incorporates SuDS, “unless there is clear evidence that this would be inappropriate”.<sup>111</sup> Some recent reviews of flooding policy called on the Government to re-examine the case for commencing Schedule 3, including the August 2020 Jenkins review of surface water management (see above), and the February 2021 Environment, Food and Rural Affairs Committee report on flooding (see section 5 below).

The Government in July 2021 accepted the Jenkins review recommendation that “the case be re-examined for bringing into effect Schedule 3 of the Flood and Water Management Act of 2010, or some equivalent mandatory arrangements”.<sup>112</sup> A review of the case for implementing Schedule 3 commenced in October 2021, looking at the benefits and impacts of implementation as well as alternative methods for ensuring that SuDS are incorporated in future developments. The Government has said it is expected to conclude in August 2022.<sup>113</sup>

## Coastal flooding and erosion

Coastal erosion is the process of wearing away a shoreline. It is distinct from coastal flooding, which occurs when seawater inundates usually dry land.<sup>114</sup> While the Environment Agency leads directly on managing the risk of coastal flooding, coastal erosion risk management is led by local authorities under the EA’s overview.<sup>115</sup> The EA is also required to establish Regional Flood and Coastal Committees (RFCCs) under the Flood and Water Management Act 2010 (see section 1.4 above).

Shoreline management plans (SMPs) are intended to identify the most sustainable approach to managing the flood and coastal erosion risks to the coastline in the short, medium and long term. SMPs are developed by Coastal Groups with members mainly from local councils and the Environment Agency. Defra produced guidance for the production of SMPs in 2006, which set out the four policy options available to shoreline managers:

- **Hold the existing defence line:** maintaining or changing the standard of protection.

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<sup>110</sup> [The Flood and Water Management Act 2010 \(Commencement No. 2\) \(Wales\) Order 2018](#). The Schedule was commenced for the purpose of making subordinate legislation (in Wales) in May 2018, and for all remaining purposes in January 2019.

<sup>111</sup> MHCLG, [National Planning Policy Framework](#) [pdf], July 2021, para 167

<sup>112</sup> Defra, [Surface water management: A government update](#) [pdf], 29 July 2021, p. 24

<sup>113</sup> [PQ 324](#) [on Planning: Floods], 12 May 2022

<sup>114</sup> Committee on Climate Change, [Managing the coast in a changing climate](#), October 2018, p. 19

<sup>115</sup> Local Government Association, [Coastal flooding and erosion](#) [accessed 13 May 2022]

- **Advance the existing defence line:** building new defences on the seaward side of the original defences.
- **Managed realignment:** allowing the shoreline to move backwards or forwards, with management to control or limit movement (such as reducing erosion or building new defences on the landward side of the original defences).
- **No active intervention:** no investment in coastal defences or operations.<sup>116</sup>

The second (and current) generation of shoreline management plans (known as SMP2) are [available online](#). The Environment Agency said in May 2019 that it was spending £1 million over 3 years on a refresh of SMPs, to ensure they are up-to-date and use the best evidence.<sup>117</sup>

The Government said in its July 2020 flood and coastal risk policy statement that it would “review national policy for Shoreline Management Plans to ensure local plans are transparent, continuously review outcomes and enable local authorities to make robust decisions for their areas”. It also said that it would “review the current mechanisms – including legal powers – which coastal erosion risk management authorities can use to manage the coast”.<sup>118</sup>

## 2.4

## Wider environmental policy

### Climate change

The Government takes various actions to adapt and prepare for the potential effects of climate change, including extreme weather events and consequences like flooding. Every five years, the [Climate Change Act 2008](#) (as amended) requires the Government to compile an assessment of the risks and opportunities arising from climate change.

The Climate Change Committee (CCC) published its [advice to Government for the third Climate Change Risk Assessment](#) in June 2021. This included eight priorities for further adaptation in the next two years, several of which have relevance to flooding, including risks to soil health from increased flooding and drought, and risks to agriculture and food supply chains from climate hazards. While these eight priority areas were described as “critical for adaptation action in the next two years”, the CCRA advice also noted that other flooding-related risks remain significant but have relatively smaller

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<sup>116</sup> Defra, [Shoreline management plan guidance Volume 1: Aims and requirements](#) [pdf], March 2006, pp 13-14

<sup>117</sup> Environment, Food and Rural Affairs Committee, [Written Evidence submitted by the Environment Agency \(FCC0007\)](#) [pdf], 14 May 2019, para 3.2

<sup>118</sup> HM Government, [Flood and coastal erosion risk management: Policy Statement](#) [pdf], July 2020, p. 38

gaps in adaptation planning as “well-developed policies are in place for managing these hazards”.<sup>119</sup>

Subsequently, the Government’s [third UK Climate Change Risk Assessment \(CCRA3\)](#) was published in January 2022. CCRA3 states that, while the CCRA’s latest advice did not include the effects of flooding and coastal change as a priority risk area, the Government “fully recognises that flood risk to people from rivers, surface water and coastal flooding remains high both now and in the future”.<sup>120</sup>

The CCC also publishes a report to Parliament on progress in adapting to climate change every two years (alongside annual reports on progress in reducing emissions). In its [June 2021 report](#), the CCC gave an improved “plan” score to some elements of flood and coastal risk management (following progress including the publication of the policy statement and Environment Agency strategy in July 2020), but the “risk management” scores for flood and coastal erosion risk remained the same from 2019. For river/coastal and surface water flood alleviation, and capacity to recover from flooding, the risk management score is “medium”. For development in areas at river/coastal/surface water flood risk, property flood resilience and coastal erosion risk management, the risk management score is “low”.<sup>121</sup>

## Environment Act

The Environment Act 2021 covers a range of environmental issues and sectors. The Government said that the Environment Bill:

sets a new and ambitious domestic framework for environmental governance as we maximise the opportunities created by leaving the European Union and helps to deliver on the government’s commitment to be the first generation to leave our environment in a better state.<sup>122</sup>

The House of Commons Library has published a [comprehensive briefing paper on the Bill](#) (CBP 8824), as well as a [report on its subsequent passage through the Commons](#) (CBP 9119) and a [paper on its Lords and “ping pong” stages](#) (CBP 9345).

The Act includes two key provisions which directly relate to flood risk management (although other provisions of the Bill, such as those on water company plans, may also be relevant):

- Placing a duty on sewerage undertakers (i.e. a company providing sewerage services in a given area) to produce statutory drainage and sewerage management plans (see also section 2.3 above).

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<sup>119</sup> CCC, [Independent Assessment of UK Climate Risk: Advice to Government for the UK’s third Climate Change Risk Assessment \(CCRA3\)](#) [pdf], June 2021, pp 12-15

<sup>120</sup> HM Government, [UK Climate Change Risk Assessment 2022](#), 17 January 2022, p. 37

<sup>121</sup> CCC, [Progress in adapting to climate change: 2021 Report to Parliament](#), June 2021, sections 3.2-3.3

<sup>122</sup> GOV.UK, [30 January 2020: Environment Bill 2020 policy statement](#), updated 1 April 2022

- Providing for an updated valuation of land in internal drainage districts, which the Government says will address a barrier to the creation and expansion of Internal Drainage Boards (IDBs) (see section 1.4 above).

These sections, as of 21 June 2022, are mostly not yet in force. The measures had previously been included in Defra's 2019 consultation entitled [Improving our management of water in the environment](#). Further detail on these provisions can be found in the section 6 of the [Library paper on the Bill](#).

The [paper on the Bill's Lords stages](#) also includes information on amendments relating to storm overflows (which involve diluted wastewater being released into rivers to prevent sewers from becoming overloaded).

## Agriculture Act

The Agriculture Act 2020 provides a legislative framework for a new system of farm support following the UK's exit from the European Union, and departure from the EU Common Agricultural Policy (CAP). The cornerstone of the new policy is a move away from area-based direct payments (as under the CAP), and toward a system of "public money for public goods". The centrepiece of the public goods approach is Environmental Land Management (ELM), a new financial support scheme using powers in the Agriculture Act.

ELM is being gradually piloted and rolled out, while CAP-style direct payments are phased out between 2021 and 2027 as part of a seven-year agricultural transition. ELM will consist of three "components": Sustainable Farming Incentive, Local Nature Recovery, and Landscape Recovery. These schemes will allow farmers and other land managers to enter into agreements to deliver the following broad outcomes:

- clean and plentiful water;
- clean air;
- thriving plants and wildlife;
- protection from environmental hazards;
- reduction of and adaptation to climate change; and
- beauty, heritage and engagement with the environment.<sup>123</sup>

The Government and stakeholders consider that ELM could play a role in managing the risk of flooding. Defra set out its environmental and climate ambitions for the ELM schemes in January 2022, including natural flood management.<sup>124</sup>

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<sup>123</sup> GOV.UK, [Environmental Land Management schemes: overview](#), 15 March 2021 [accessed 2 July 2021]

<sup>124</sup> GOV.UK, [Environmental land management schemes: outcomes](#), 6 January 2022

For further information on the Act and the new farm support policy, see the [Library paper on the Agriculture Act 2020](#) (CBP 8702) and the paper on [Farm funding: implementation of new approaches](#) (CBP 9431).

## Other policies

A number of other Government environmental initiatives have relevance to flooding. These include:

- The Government's [25 Year Environment Plan](#) [pdf] (published January 2018) included measures aimed at “reducing risks from flooding and coastal erosion”, including expanding the use of natural flood management solutions, putting in place more sustainable drainage systems and making ‘at-risk’ properties more resilient to flooding.<sup>125</sup>
- The [England Trees Action Plan 2021-2024](#) [pdf] (published May 2021) notes that “the right trees and woodland in the right places along and near rivers and within water catchments” present opportunities for flood alleviation.<sup>126</sup>
- The [England Peat Action Plan](#) [pdf] (published May 2021) states that measures to map, restore and protect peatlands will deliver natural flood management alongside improved water quality and drought resilience.<sup>127</sup>

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<sup>125</sup> HM Government, [A Green Future: Our 25 Year Plan to Improve the Environment](#) [pdf], January 2018, pp 51-55

<sup>126</sup> UK Government, [The England Trees Action Plan 2021-2024](#) [pdf], May 2021, p. 8

<sup>127</sup> UK Government, [England Peat Action Plan](#) [pdf], May 2021, p. 5

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## 3 How does flood funding work?

### 3.1 Where does funding come from?

Flood and coastal erosion risk management (FCERM) is funded from several different sources. Defra provides the majority of its funding for FCERM as Grant-in-Aid to the Environment Agency. Defra retains a small proportion for ad hoc programmes, such as the Community Pathfinder flood resilience projects, which is referred to as Core Retained funding.

Defra's FCERM funding includes a multi-year capital investment programme, as well as resource budgets which tend to be announced annually (see Box 8 for an explanation of these terms). Further information on the Government's capital and resource budgets is provided in section 4 of this paper.

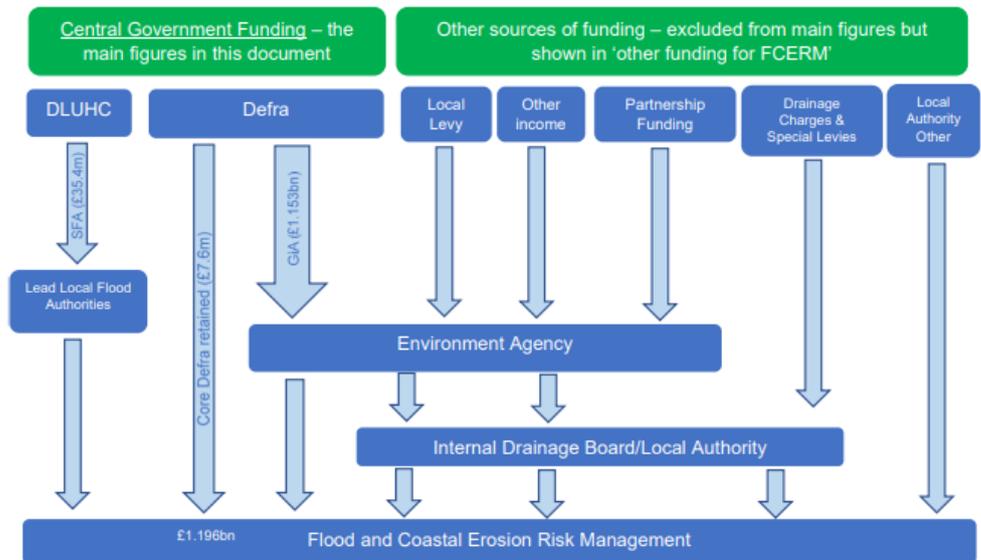
In addition to FCERM funding provided by central Government, the Environment Agency raises funding through levies on local authorities, and funding can also be raised for a range of flood schemes through the partnership funding approach (see below). Other non-Government sources of funding include drainage charges and levies paid to internal drainage boards (IDBs).

Until 2015/16, Defra transferred some of its FCERM funding to Lead Local Flood Authorities via what is now the Department for Levelling Up, Housing and Communities (DLUHC); the DLUHC component is now provided to LLFAs through the overall Settlement Funding Assessment for local authorities.<sup>128</sup>

The diagram below provides an overview of funding sources for FCERM. The figures included show the 2021/22 budget allocations.

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<sup>128</sup> Defra, [Central Government Funding for Flood and Coastal Erosion Risk Management in England](#), March 2022, p. 2



Source: Defra, [Central Government Funding for Flood and Coastal Erosion Risk Management in England](#), April 2022

## 8 What’s the difference between capital and resource spending?

**Capital spending** is money that is spent on investment and things that will create growth in the future. It typically involves building or major refurbishment of flood defence assets.

**Resource spending** is money that is spent on day to day resources and administration costs. Amongst other things, it covers spending on routine maintenance of defences. It can also be referred to as revenue spending.

## Partnership funding

In the past, flood defence projects were largely funded from a national budget. In May 2011, the Coalition Government announced changes to the system to encourage more local contributions to flood defence schemes. In this way the Government hoped that more flood defence projects would go ahead, at a lower cost. This was a recommendation of the Pitt Review, and it generally had widespread support.<sup>129</sup>

The 2011 National Flood and Coastal Erosion Risk Management Strategy summarised the system as follows:

In essence, instead of meeting the full cost of a limited number of schemes, a new partnership approach to funding could make government money available to pay a share of any worthwhile scheme. The amount in each case will depend

<sup>129</sup> Cabinet Office, [The Pitt Review: Learning lessons from the 2007 floods](#) [pdf], June 2008 [accessed 9 February 2016]

on the level of benefits the scheme provides. For example, the number of households protected, or the amount of damage that can be prevented. The level of government funding potentially available towards each scheme can be easily calculated. Local authorities and communities can then decide on priorities and what to do if full funding isn't available. Projects can still go ahead if costs can be reduced or other funding can be found locally.<sup>130</sup>

The Government stated that its proposals would help to:

- Encourage total investment in flood and coastal erosion risk management by operating authorities to increase beyond what is affordable to national budgets alone;
- Enable more local choice within the system and encourage innovative, cost-effective options to come forward in which civil society may play a greater role; and
- Maintain widespread take-up of flood insurance.<sup>131</sup>

It was an HM Treasury condition of the 2015-21 programme that Defra would secure 15% contributions from other sources (about £345 million).<sup>132</sup> Defra's investment plan states that partnership funding is essential:

Partnership funding from local communities and the private sector is essential. Our partnership funding policy prioritises investment on a transparent and objective basis. It increases certainty, local ownership and choice, and incentivises communities to reduce costs and maximise benefits. Contributions from partners have already increased significantly, and our long-term investment programme will strengthen partnership working in future. We estimate that this programme could benefit from over £600 million additional contributions through partnership funding.<sup>133</sup>

During the 2015-21 investment period, there were some concerns about the level of private sector funding under the partnership model. For example, the EFRA Committee said in November 2019 that there was an "apparent stalling" of private sector contributions.<sup>134</sup> The Environment Agency had told Committee that £586 million total partnership funding had been spent or secured for 2015-21 by June 2019, of which £50 million came directly from private sector sources. The Agency stated that figures for public contributions

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<sup>130</sup> Environment Agency, [National flood and coastal erosion risk management strategy for England: Summary Strategy](#) [pdf], July 2011 [accessed 9 February 2016]

<sup>131</sup> [Future Funding for Flood and Coastal Erosion Risk Management, Impact Assessment, Defra, 8 November 2010](#) [pdf]

<sup>132</sup> Environment, Food and Rural Affairs Committee, [Winter floods 2013-14: Government response to the Committee's First Report of Session 2014-15](#) [pdf], HC 701, 17 October 2014, p.7 [accessed 19 February 2016]

<sup>133</sup> Defra, [Reducing the risks of flooding and coastal erosion: an investment plan](#) [pdf], December 2014, p3

<sup>134</sup> Environment, Food and Rural Affairs Committee, [Coastal flooding and erosion, and adaptation to climate change: Interim Report](#) [pdf], HC 56, 1 November 2019, para 46

will themselves include some private investment, for example a contribution from a local authority which had in turn raised private funding.<sup>135</sup>

For the 2021-27 capital programme, Defra has said that “it is expected that between £310 and £610 million of Partnership Funding contributions will be secured and invested”. It stated that the lower end of this range is less than that required for the first investment programme, given the higher levels of Government investment and the changes announced to the partnership funding policy in April 2020 (see next section).<sup>136</sup>

## 3.2 The “formula” for allocating flood funding

The Environment Agency spends some of its Grant-in-Aid (GiA) directly on FCERM projects. Risk management authorities can also apply to the Environment Agency for GiA from the Government’s multi-year capital funding to carry out local FCERM projects. The method for determining GiA funding levels for FCERM projects is often referred to as the “formula” for flood funding.

How much GiA funding risk management authorities can get is based on the benefits and outcomes of the proposed project. This can include, for example, how many households are better protected from flood risk or coastal erosion, how many of those households are in deprived areas (which carries a heavier weighting), and any benefits to wildlife. The Environment Agency has published [guidance on calculating GiA funding](#) for flood and coastal erosion risk management projects.<sup>137</sup>

If a project qualifies for GiA which only pays for a proportion of the works, it can still go ahead if it can raise funds from partners – this is referred to as “partnership funding”. Partnership funds can be sourced from anyone who will benefit from a local project, including local communities, businesses, local authorities or local developers.<sup>138</sup>

The Environment Agency provides [guidance](#) on how to produce and submit a project proposal for these purposes.

### Which local projects have been granted funding?

Projects which are successful are announced by Defra and the Environment Agency and added to the Environment Agency’s [programme of flood and coastal erosion risk management schemes](#). This database includes details

<sup>135</sup> Environment, Food and Rural Affairs Committee, [Further written evidence submitted by the Environment Agency \(FCC0041\)](#) [pdf], 16 October 2019, p. 2

<sup>136</sup> Defra, [Flood and coastal erosion risk management: An investment plan for 2021 to 2027](#) [pdf], 29 July 2021, p. 5, pp 16-17

<sup>137</sup> Environment Agency, [Calculate GiA funding for FCERM projects 2020](#), 21 October 2021

<sup>138</sup> GOV.UK, [Partnership funding for FCERM projects](#), 2 September 2021

such as the location of the project (searchable by constituency), the funding and expected timetable for the projects.

Local choices about how Grant-in-Aid and maintenance funding are prioritised at a community level are delivered through Regional Flood and Coastal Committees (RFCCs, see section 2.4 above), made up of representatives from local councils and independent members, in collaboration with the Environment Agency.<sup>139</sup>

Due to the model, specific decisions on FCERM funding depend on a range of factors, and they cannot always be easily summarised or compared with other cases. The Environment Agency has said that it prioritises FCERM investment where the risk is highest and where it will offer the greatest benefits for people and property. It told the Environment, Food and Rural Affairs Committee in May 2019 that local views are also sought when considering investment in maintaining its own operational defences.<sup>140</sup>

During the 2019 general election campaign, the fact checking charity Full Fact [produced an analysis](#) of claims that planned spending on flood defences until 2021 favoured London and the south-east of England. Full Fact found that there was insufficient data to be able to prove this, and that previous estimates did not “clearly show this divide”.<sup>141</sup>

## Changes to the funding formula

The Government announced changes to the flood funding “formula” in April 2020. These included:

- updated payments to account for inflation and based on new evidence on the overall impacts of flooding, such as mental health;
- increased payments for flood schemes which also create a range of environmental benefits;
- more funding for flood schemes which also protect properties that will later become at risk of flooding due to climate change; and
- a new risk category (between high and medium risk) which the Government says will enable schemes that prevent surface water flooding to qualify for more funding.<sup>142</sup>

Furthermore, the Government announced that “new funding streams” would mean more money for schemes helping to protect critical infrastructure (such

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<sup>139</sup> Environment, Food and Rural Affairs Committee, [Written evidence submitted by the Department for Environment, Food and Rural Affairs \(FCC0013\)](#) [pdf], 14 May 2019, para 21

<sup>140</sup> Environment, Food and Rural Affairs Committee, [Written Evidence submitted by the Environment Agency \(FCC0007\)](#) [pdf], 14 May 2019, paras 6.1-6.2

<sup>141</sup> Full Fact, [We don't know if there's a north/south divide in flood defence spending because the data was taken offline](#), 15 November 2019

<sup>142</sup> Defra, [Local factors in managing flood and coastal erosion risk and Property Flood Resilience - call for evidence](#), 1 February 2021, p. 11, fig. 1

as hospitals and roads), and more money to upgrade existing Environment Agency defences. The changes announced in April 2020 would apply to all new schemes from April 2021 (i.e. the beginning of the 2021-27 investment programme; see section 4.1 below), with transitional arrangements for 2020/21.<sup>143</sup>

Subsequent to these changes, in February 2021 the Government launched a [call for evidence](#) seeking views on ways to better account for local circumstances in the flood and coastal defence investment programme. This invited stakeholder views on issues including:

- whether communities have been frequently flooded need to be given greater weight;
- whether economically vulnerable and small communities need to be better protected;
- whether to expand the circumstances in which the investment programme can pay for “resistance” measures for properties;
- how flood and coastal defence projects can be developed in a more timely manner, and how to encourage increased private sector contributions; and
- what additional data need to be collected to ensure the Government measures progress toward its goals.

The call for evidence (which also asked how to accelerate the uptake of property flood resilience measures) ran from 1 February to 29 March 2021.<sup>144</sup> In July 2021, the Government published a summary of responses. This stated that the responses on frequently flooded communities had “helped inform options for a consultation” to be published at a later date.<sup>145</sup>

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<sup>143</sup> GOV.UK, [Building flood defences fit for the future](#), 17 April 2020

<sup>144</sup> Defra, [Local factors in managing flood and coastal erosion risk and Property Flood Resilience - call for evidence](#), 1 February 2021

<sup>145</sup> Defra, [Local factors in managing flood and coastal erosion risk and property flood resilience: summary of responses](#).pdf], 29 July 2021, p. 35

## 4 How much is the Government spending on flood risk management?

### 4.1 Long term capital funding

#### The 2015-21 programme

Prior to 2013, the Environment Agency allocated money to schemes on an annual basis, with only indicative plans for future years. In June 2013, Defra committed to investing £2.3 billion in capital funding for flood defences covering the period 2015/16 to 2020/21. Defra subsequently published a detailed investment plan in December 2014.<sup>146</sup>

The Government announced that the £2.3bn funding would protect a further 300,000 properties, reduce flood risk by 5 per cent and would save the economy £2.7 billion by 2021.<sup>147</sup> At the beginning of the programme, the Government stated that it would need to make efficiency savings of at least 10% and attract external contributions (i.e. partnership funding) of £600 million or more.<sup>148</sup>

By the end of the 2017-19 Parliament, the Government stated that its capital investment programme over the six-year period totalled £2.6 billion.<sup>149</sup> The increase (on the £2.3bn originally announced) was at least partly due to additional funding allocations made during the course of the 2015-21 programme; Appendix B provides an overview of these announcements.

Defra published an [assessment of the benefits of the 2015-21 investment programme](#) in April 2022.<sup>150</sup>

#### Assessments of future funding requirements

The [National Infrastructure Assessment](#) [pdf] (July 2018) recommended that the Government should put in place, by the end of 2019, a rolling 6-year

<sup>146</sup> Defra, [Reducing the risks of flooding and coastal erosion: an investment plan](#) [pdf], December 2014 [accessed 4 February 2016]

<sup>147</sup> Defra press release, [£2.3 billion to be spent on new flood defences](#), 2 December 2014 [accessed 4 February 2016]

<sup>148</sup> Defra, [Reducing the risks of flooding and coastal erosion: an investment plan](#) [pdf], December 2014, pp10-11 [accessed 4 February 2016]

<sup>149</sup> For example, see Defra Press Office, [Financial Times report on flood risk and climate change](#), 29 October 2019

<sup>150</sup> Defra, [Flood and coastal erosion risk management: assessment of benefit of the 2015 to 2021 capital investment programme](#), 11 April 2022

funding programme to “enable efficient planning and delivery of projects and address the risks from all sources of flooding”.<sup>151</sup>

In May 2019, the Environment Agency (EA) published its revised [long-term investment scenarios \(LTIS\) for flood and coastal erosion risk management](#). These set out the economic optimum level of investment in the face of climate change, a growing population and the deterioration of flood assets. The EA defines the economic optimum level of investment as “the total national level of investment if we invest in all the places where the benefits are greater than the costs”.

In the 2019 LTIS, the EA’s “best estimate” of the overall economic optimum level of investment was a long-term annual average of “over £1 billion” (in 2015 prices) over 50 years. This compared to £860 million for the 2014 LTIS baseline. The LTIS do not specify where the money should come from – the investment level includes funding from central and local government, alongside partnership funding contributions.<sup>152</sup>

## The 2021-27 programme

The Conservative Party manifesto for the December 2019 general election committed “£4 billion in new funding over the coming years” for “new flood defences”, as part of a £100 billion investment in infrastructure.<sup>153</sup> The commitment to invest £4 billion in “flood defences” was reiterated in the background briefing to the Queen’s Speech in December 2019.<sup>154</sup>

The Budget in March 2020 announced that the six-year period from 2021 would see investment in flood and coastal defences double to £5.2 billion (up from £2.6 billion in the period 2015-21). The Government said that this would better protect a further 336,000 homes and non-residential properties, and cited Environment Agency modelling that the investment would “reduce national flood risk by up to 11% by 2027”.<sup>155</sup>

The Budget also announced £200 million for a “place-based resilience programme” (later referred to as the [Flood and Coastal Resilience Innovation Fund](#)), to support selected local areas to “take forward wider innovative actions that improve their resilience”, as well as £120 million for the Environment Agency to repair assets damaged in the recent storms.<sup>156</sup> The Government also announced in July 2020 that “up to £170 million” would be spent to “accelerate work on shovel-ready flood defence schemes” that would begin construction in 2020 or 2021.<sup>157</sup> In June 2021, Defra Minister

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<sup>151</sup> National Infrastructure Commission, [National Infrastructure Assessment](#) [pdf], July 2018, p. 92

<sup>152</sup> GOV.UK, [Long-term investment scenarios \(LTIS\) 2019](#), 8 May 2019

<sup>153</sup> Conservative Party, [Get Brexit Done, Unleash Britain’s Potential: The Conservative and Unionist Party Manifesto 2019](#) [pdf], pp 27, 55

<sup>154</sup> GOV.UK, [Queen’s Speech December 2019: background briefing notes](#), 19 December 2019, p. 116

<sup>155</sup> HM Treasury, [Budget 2020](#), 11 March 2020, paras 1.138-1.139

<sup>156</sup> As above; GOV.UK, [Flood and coastal resilience innovation fund](#), updated 26 May 2022

<sup>157</sup> GOV.UK, [Multi-billion pound investment as government unveils new long-term plan to tackle flooding](#), 14 July 2020

Rebecca Pow said that this money would be spent on 22 schemes due to begin construction “before the end of 2021/22”.<sup>158</sup>

Defra subsequently published, in July 2021, [Flood and coastal erosion risk management: An investment plan for 2021 to 2027](#) [pdf], setting out how it intends to manage the £5.2 billion investment programme and track progress. This explains what it is expected to be achieved from the six-year programme, including:

- Around 2,000 flood and coastal defence projects planned to be invested in.
- Better protect 336,000 properties including homes and non-residential properties.
- Better protect 550 kilometres of road and rail infrastructure, create or improve 5,440 hectares of natural habitat and enhance 830 kilometres of rivers.
- National flood risk forecast to be reduced by up to 11% by 2027, helping to avoid £32 billion of wider economic damages.<sup>159</sup>

Details of the schemes included in the 2021-27 investment programme are available on the Environment Agency’s [programme of flood and coastal erosion risk management schemes](#).

## 4.2

## Maintenance spending

Throughout the last decade there has been substantial debate and scrutiny on the levels of funding for maintenance of flood assets. Maintenance is funded from both the capital and resource budgets: refurbishment and repair of existing assets is generally capital expenditure, whereas routine maintenance is resource expenditure.<sup>160</sup>

The following chart looks at revenue maintenance spending up to 2017/18 in real terms. This information is not routinely published and the 2017/18 figure is the latest available series. The Government has said that Environment Agency investment in flood asset management will be £178 million in 2021/22, an increase on the previous year.<sup>161</sup>

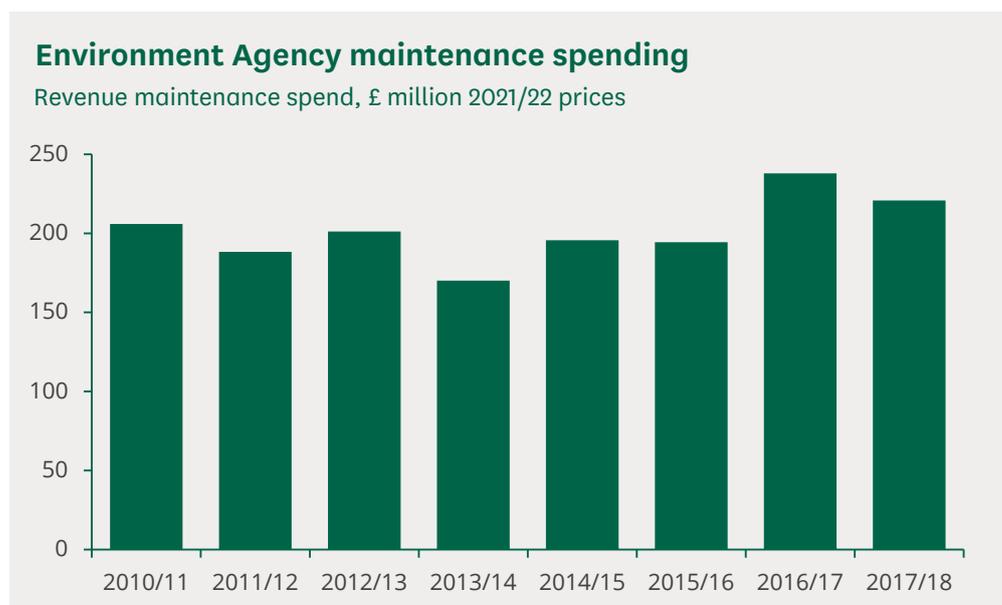
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<sup>158</sup> [PQ 10198](#) [on Flood Control: Standards], 14 June 2021

<sup>159</sup> Defra, [Flood and coastal erosion risk management: an investment plan for 2021 to 2027](#), 29 July 2021

<sup>160</sup> Environment, Food and Rural Affairs Committee, Winter floods inquiry, [Environment Agency written evidence](#) [pdf], para 5 [accessed 19 February 2016]

<sup>161</sup> [PQ 901414](#) [On Flood control: Finance] 17 June 2021



Sources: PQs 19606 (4 Feb 2016) & 234780 (25 March 2019)

## Resource budgets

The allocation of resource funding (also known as revenue) is generally for a one-year period. The NAO stated in 2014 that this approach “makes it more challenging to plan long term and to make efficiency savings, because of contracting uncertainties and availability of funding”.<sup>162</sup> In March 2014, the Public Accounts Committee recommended that the Government should work on lengthening budget settlements for revenue funding:

The Department should work with HM Treasury on lengthening the budget settlements for revenue funding, so that the Agency and others can plan for the longer term. The Agency’s new long term investment strategy should be used as a basis to negotiate future settlements.<sup>163</sup>

Defra’s December 2015 publication on central Government funding for FCERM confirmed that “resource funding for 2016/17 to 2019/20 will be confirmed in the next annual update [...] in summer 2016”, i.e. for a three-year period.<sup>164</sup> The resource budgets published in the updated document (September 2016) were included up to 2019/20 but for 2017/18 onwards they reflect agreed flood defence maintenance funding only. The remainder of the resource budgets would continue to be confirmed annually.<sup>165</sup>

<sup>162</sup> National Audit Office, [Strategic flood risk management](#), 5 November 2014, p7 [accessed 9 February 2016]

<sup>163</sup> Public Accounts Committee, [Strategic Flood Risk Management](#) [pdf], HC 737, 25 March 2014 [accessed 15 February 2016]

<sup>164</sup> Defra, Central Government Funding for Flood and Coastal Erosion Risk management in England, 1 December 2015, p. 4 [now archived, accessed 4 February 2016]

<sup>165</sup> Defra, Central Government Funding for Flood and Coastal Erosion Risk management in England, 1 September 2016, p. 4 [now archived, accessed 11 October 2016]

For 2021/22, the EA's resource budget for flood and coastal erosion risk management was £269.6 million. This was the last year included in the latest version of Defra's FCERM funding document (April 2022).<sup>166</sup>

## Is enough spent on maintenance?

In the [Autumn Statement 2015](#) the Chancellor of the Exchequer confirmed that flood defence maintenance spending "will be protected". The then Secretary of State for Environment, Food and Rural Affairs later confirmed that this meant that flood defence maintenance spending "will be protected in real terms for the duration of this Parliament" (then expected to be 2015-20, rather than 2015-17 as transpired).<sup>167</sup> In early 2016, the Chief Executive of the Environment Agency (Sir James Bevan) said that, alongside the work carried out by IDBs and landowners, the maintenance budget was sufficient to allow the Environment Agency to maintain the assets in the condition they want.<sup>168</sup>

In its 2016 report on [Flooding: Cooperation across Government](#) [pdf], the Environmental Audit Committee called for maintenance expenditure to increase further in light of the new flood defences being built:

We note the Government's commitment to sustain maintenance spending over this Parliament. However, it is worth noting that, since there are more new flood defence assets being built, maintenance spend needs to increase simply in order to stand still.<sup>169</sup>

In its 2021 report on flooding, the Environment, Food and Rural Affairs (EFRA) Committee stated that a "step change" was needed on maintenance funding, arguing that existing shortcomings in asset maintenance would "only be exacerbated by the twin pressures of climate change and increased capital funding if the Government does not act". The Committee recommended that the Government put in place a long term resource budget settlement for flood and coastal erosion risk management, aligned with the increased multi-year capital investment programme.<sup>170</sup> The Government responded in April 2021:

Between 2015 and 2020 the Government significantly increased funding over this period for the maintenance of such assets and wider maintenance e.g. river conveyance. In addition, the March 2020 Budget provided the Environment Agency with an additional £120 million of funding for 2020-21 to repair assets damaged during the 2019-20 winter floods. The Government continues to invest in the maintenance of existing assets. This includes an increase in maintenance funding in 2021-22 compared to the previous year. The Government will be working with the Environment Agency to maximise the benefits of this funding, including reducing properties at risk and addressing

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<sup>166</sup> Defra, [Central Government Funding for Flood and Coastal Erosion Risk Management in England](#), April 2022, p. 4

<sup>167</sup> HC Deb 7 December 2015: [Col 713](#). Note that at that time, the reference to "duration of this Parliament" was to a 2015-2020 Parliament term.

<sup>168</sup> Public Accounts Committee Oral evidence: Strategic Flood Risk Management: progress review [HC 759](#) [pdf], 25 January 2016, Q20

<sup>169</sup> Environmental Audit Committee, [Flooding: Cooperation across Government](#) [pdf], HC 183, 9 June 2016, para 41

<sup>170</sup> Environment, Food and Rural Affairs Committee, [Flooding](#), HC 170, 8 February 2021, para 29

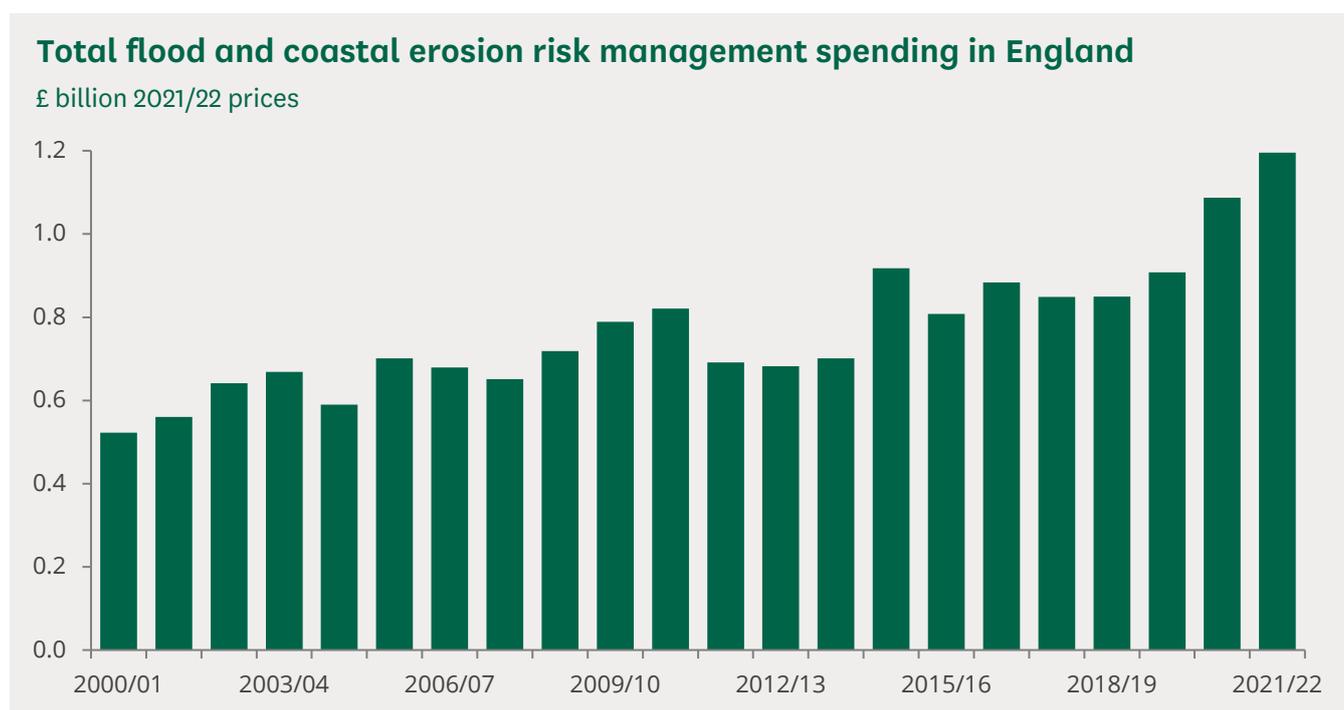
risk of further degradation. Future spending will be determined by the 2021 Spending Review.<sup>171</sup>

## 4.3 Central Government funding trends

### Total FCERM expenditure

Flood spending fluctuates year on year with recent peaks in total expenditure occurring in 2010/11 (£821 million in 2021/22 prices), 2014/15 (£918 million in 2021/22 prices), 2020/21 (£1,063 million in 2021/22 prices) and the 2021/22 budget (£1,196 million in 2021/22 prices). However, comparisons of spending in individual years should be made with caution as FCERM expenditure is driven by both planned expenditure and responses to particular extreme weather events. The general trend has been upwards over the past two decades. Real levels of spending in 2020/21 and 2021/22 were both new record levels.

Total central Government funding for flood and coastal erosion risk management since 2000/01 is shown in the chart below.<sup>172</sup> This does not include the other sources of non-Government funding referred to in section 3.1 above.

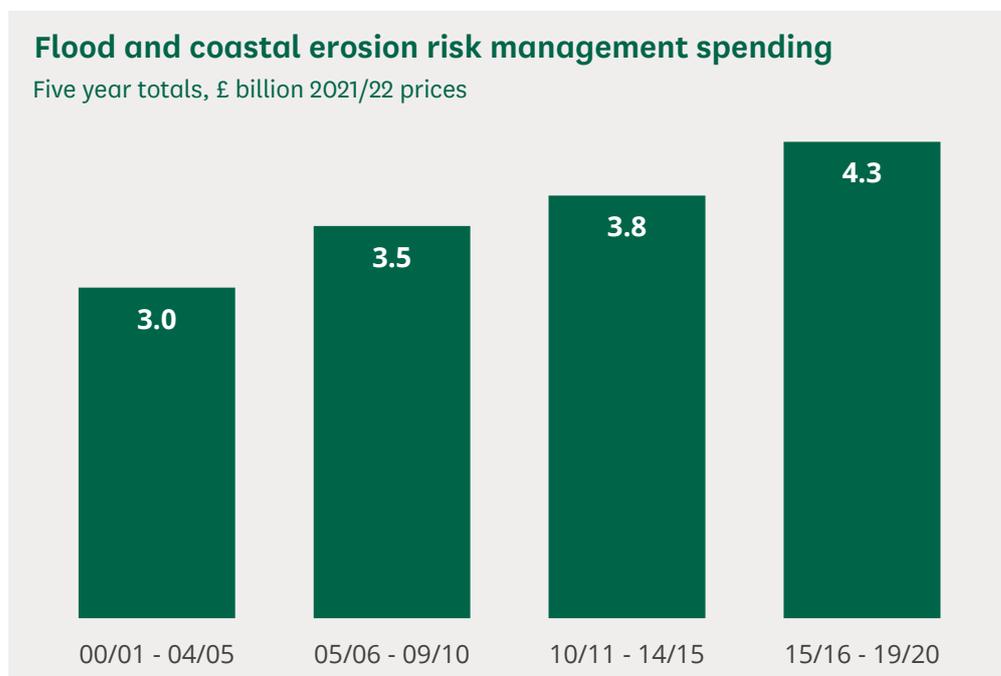


Sources: See table in Appendix A

<sup>171</sup> Environment, Food and Rural Affairs Committee, [Flooding: Government Response to the Committee's Fourth Report of Session 2019–21](#), HC 1385, 30 April 2021

<sup>172</sup> See Appendix A for underlying figures and sources.

The next chart shows total expenditure on FCERM in five-year periods since 2000/01.<sup>173</sup> This shows that FCERM expenditure has increased in real terms in each five-year period since 2000/01. Spending in the most recent period at £4.3 billion (2021/22 prices) is 45% above the 2000/01-2004/05 period in real terms. Funding levels for 2020/21 and 2021/22 and the overall size of the 2021-27 programme suggest that spending in the next five year period will be larger still.

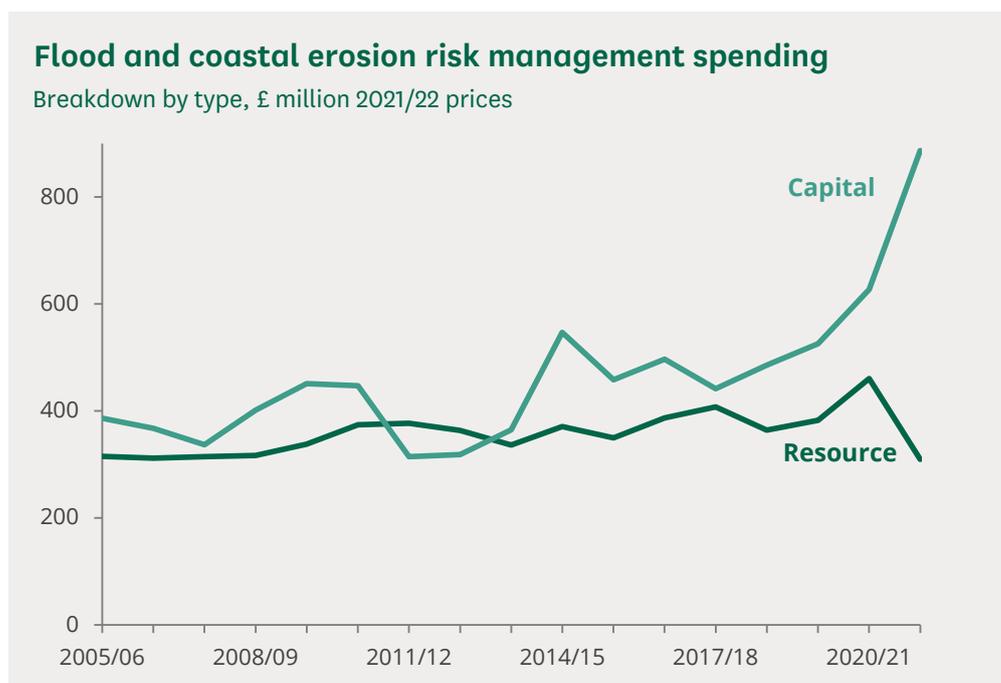


## Capital and resource breakdown

The following chart shows a breakdown between resource and capital expenditure from 2005/06 to 2020/21 and the budget for 2021/22.<sup>174</sup>

<sup>173</sup> See Appendix for underlying figures and sources.

<sup>174</sup> See Appendix for underlying figures and sources.



This shows that resource expenditure has varied little year-on-year in real terms up to 2019/20. Capital spending is more variable. Between 2015/16 and 2019/20 capital spending was in the £440-520 million range (2021/22 prices). The increase in 2021/22 was the largest in the period and takes capital spending to £887 million, more than double the 2017/18 level.

### FCERM capital spend

£ million 2021/22 prices

2015/16	458
2016/17	497
2017/18	441
2018/19	486
2019/20	526
2020/21	627
2021/22	887

The table opposite shows a breakdown of the capital expenditure in real terms to 2020/21 and the budget for 2021/22.<sup>175</sup>

### Previous consideration of a Totex approach

In its Report on [Winter Floods 2013-14](#) [pdf], the EFRA Committee concluded that the distinction between capital and revenue funding can create perverse incentives for maintenance work to be deferred so that it can be funded from the capital budget and recommended that “that the Government assess the possibility of a transition to a total expenditure classification for flood and coastal risk management funding to allow funding to be targeted according to local priorities”.<sup>176</sup>

In October 2014, in reply to the Committee’s suggestion of a transition to total expenditure classification, the Government responded that money can be reallocated from resource to capital spending, but not vice versa, and noted that its practices adhered to required accounting standards.<sup>177</sup> In early 2016, in relation to exploring a total expenditure (TotEx) approach, the Treasury

<sup>175</sup> See Appendix for underlying figures and sources.

<sup>176</sup> Environment, Food and Rural Affairs Committee, [Winter Floods 2013-14](#), [pdf], HC 240, 17 June 2014, para 48 [accessed 19 February 2016]

<sup>177</sup> Environment, Food and Rural Affairs Committee, [Winter floods 2013-14: Government response to the Committee’s First Report of Session 2014-15](#) [pdf], HC 701, 17 October 2014 [accessed 19 February 2016]

confirmed that they were happy to explore the principle but there would need to be “a really good case for it”.<sup>178</sup>

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<sup>178</sup> Public Accounts Committee Oral evidence: Strategic Flood Risk Management: progress review [HC 759](#) [pdf], 25 January 2016, Q26 [accessed 19 February 2016]

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## 5 Select committee scrutiny of flood risk management

### 5.1 2015-17 Parliament

The Environmental Audit Committee (EAC) published its Report on [Flooding: Cooperation across Government](#) [pdf] in June 2016 and the corresponding [Government Response](#) [pdf] in September 2016. The inquiry had a particular focus on whether the Government's approach was 'joined-up' and the extent to which cooperation across Government on this matter was successful.<sup>179</sup>

The Environment, Food and Rural Affairs (EFRA) Committee published its report on [Future flood prevention](#) [pdf] in November 2016<sup>180</sup> and the corresponding [Government Response](#) [pdf] on 24 January 2017.<sup>181</sup> The inquiry broadly looked at the effectiveness of Environment Agency models; adequacy of flood defences and current funding arrangements; effectiveness of current policy approaches; and the effectiveness of planning policies in preventing building in high flood risk areas. In publishing [the Government response](#) [pdf] in January 2017, the Committee criticised the "cursory response" as failing to address its calls for improvement and highlighted recommendations that the Government had not taken on. The Government [subsequently responded again](#) [pdf], in February 2017.<sup>182</sup>

The EFRA Committee also undertook [post-legislative scrutiny of the Flood and Water Management Act 2010](#), specifically focusing on how effectively the Government has implemented the legislation. It published its [Report](#) [pdf] on 26 April 2017, which included a number of recommendations on sustainable

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<sup>179</sup> Environmental Audit Committee, Second Special Report of Session 2016-17, [Flooding: Cooperation across Government: Government Response to the Committee's Second Report of Session 2016-17](#) [pdf], HC 645, 9 September 2016

<sup>180</sup> Environment, Food and Rural Affairs Committee, Second Report of Session 2016-17, [Future Flood prevention](#) [pdf], HC 115, 2 November 2016

<sup>181</sup> Environment, Food and Rural Affairs Committee, Fourth Report of Session 2016-17, Future flood prevention: Government's response to the Committee's Second Report of Session 2016-17, [HC 926](#) [pdf], 24 January 2017

<sup>182</sup> As above; Environment, Food and Rural Affairs Committee, Future flood prevention: Government's Response to the Committee's Second Report of Session 2016-17: Government Response to the Committee's Fourth Report, [HC 1032](#), 23 February 2017

drainage, reservoir safety, and water customer debt.<sup>183</sup> The Government's response was received in the subsequent Parliament, in September 2017.<sup>184</sup>

## 5.2 2017-19 Parliament

The EFRA Committee took oral evidence on the work of the Environment Agency in November 2017, which included questions on flooding. Documentation related to this session is available on the [Committee's inquiry page](#). There was further correspondence with the then Defra Secretary of State Michael Gove in relation to the previous Committee's recommendations on reservoir safety in [December 2018](#) [pdf] and [July 2019](#) [pdf].

The EFRA Committee started an inquiry into [coastal flooding and adaptation to climate change](#) in March 2019. It published an interim report ahead of the dissolution of Parliament in November 2019. The Committee concluded that a change of approach will be needed, away from "holding the line" and toward supporting people and communities to adapt to change, while ensuring that "the costs, both economic and social" to coastal communities are not "forgotten in the national debate".<sup>185</sup> The Government response was published after the 2019 general election, in April 2020.<sup>186</sup>

## 5.3 2019-21 Parliament

The EFRA Committee launched an [inquiry into flooding](#) in March 2020, following the floods of the autumn and winter of 2019-20 and building on the predecessor Committee's report on coastal flooding and erosion. The Committee [published its report](#) in February 2021, concluding that the Government should "provide greater certainty about its long-term objective for flood resilience" and re-examine the case for expressing this as a "national standard" as recommended by the National Infrastructure Commission (see section 2.1 above).

The Committee's other recommendations included a long-term resource budget settlement for FCERM, aligned with the increased capital budget, and an action plan for the "long-term physical, economic, and psychological

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<sup>183</sup> Environment, Food and Rural Affairs Committee, Sixth Report of Session 2016-17, Post-legislative scrutiny: Flood and Water Management Act 2010, [HC 990](#) [pdf], 26 April 2017

<sup>184</sup> Environment, Food and Rural Affairs Committee, Fourth Special Report of Session 2017-19, Post-legislative scrutiny: Flood and Water Management Act 2010: Government Response to the Committee's Sixth Report of Session 2016-17, [HC 447](#), 17 October 2017

<sup>185</sup> Environment, Food and Rural Affairs Committee, [Coastal flooding and erosion, and adaptation to climate change: Interim Report](#) [pdf], HC 56, 1 November 2019

<sup>186</sup> Environment, Food and Rural Affairs Committee, [Coastal flooding and erosion, and adaptation to climate change: Interim Report: Government Response to the Committee's First Report of Session 2019](#), HC 272, 1 April 2020

recovery of communities impacted by flooding”.<sup>187</sup> The [Government response to the report](#) was published in April 2021.<sup>188</sup>

The Public Accounts Committee (PAC) also published a report on [Managing flood risk](#) in February 2021, following a [National Audit Office report of the same title](#) in November 2020.<sup>189</sup> PAC’s recommendations included strengthened scrutiny of the Environment Agency by Defra, identifying local areas likely to see a shortfall in flood risk management resources, steps to overcome obstacles to uptake of flood insurance and property-level resilience, and mandatory reporting on planning decisions approved in flood risk areas.<sup>190</sup>

The Government [responded in May 2021](#). It disagreed with PAC’s recommendations that the EA should have a duty to maintain flood defence assets, that planning policy guidance should be strengthened to avoid new builds in areas prone to flooding where possible, and that Sustainable Drainage Systems (SuDS) should be made mandatory in new builds.<sup>191</sup>

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<sup>187</sup> Environment, Food and Rural Affairs Committee, [Flooding](#), HC 170, 8 February 2021

<sup>188</sup> Environment, Food and Rural Affairs Committee, [Flooding: Government Response to the Committee’s Fourth Report of Session 2019–21](#), HC 1385, 30 April 2021

<sup>189</sup> National Audit Office, [Managing flood risk](#), HC 962, 27 November 2020

<sup>190</sup> Public Accounts Committee, [Managing flood risk](#), HC 931, 26 February 2021

<sup>191</sup> HM Treasury, [Government responses to the Committee of Public Accounts on the Forty-Fifth to the Fifty-First reports from Session 2019-21](#), CP 434, May 2021

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## 6 Devolved Administrations

Flooding is a devolved matter and each nation has different systems and policies in place.

For an example of the devolved administrations' responses to a particular flood event, please refer to the [Library briefing paper on the Winter floods 2015-16](#).

### 6.1 Scotland

The [Flood Risk Management \(Scotland\) Act 2009](#) creates a general duty for Scottish Ministers, the Scottish Environment Protection Agency (SEPA) and responsible authorities to exercise their flood risk functions with a view to reducing overall flood risk. Responsible authorities include local authorities, Scottish Water and other public bodies designated by Scottish Ministers.

In Scotland, around 284,000 homes, businesses and services are at risk of flooding from rivers, surface water and the sea.<sup>192</sup> The Scottish Government [web page on flooding](#) provides an overview of risk management responsibilities, and relevant policies, strategies and guidance documents.

SEPA produces the [National Flood Risk Assessment](#) (current version dated 2018). SEPA and local authorities also consulted, in two phases between December 2020 and October 2021, on flood risk management plans for each of Scotland's 14 local plan districts. Flood risk management plans in Scotland were initially produced in 2015 and referred to as flood risk management strategies.<sup>193</sup>

Scotland's dedicated [Floodline](#) is operated by SEPA and can be called on 0345 988 1188. SEPA's [website](#) also provides live flooding information and information on local strategies and plans.

### 6.2 Wales

In Wales, over 245,000 properties are at risk of flooding from rivers, the sea and surface water, while almost 400 properties are also at risk from coastal

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<sup>192</sup> Scottish Government, [Living with flooding: action plan](#), November 2019

<sup>193</sup> SEPA, [Flood Risk Management Plans and Local Flood Risk Management Plans](#) [accessed 26 October 2021]

erosion.<sup>194</sup> The Welsh Government has overall responsibility for flooding and coastal erosion policy in Wales. It produces and publishes a National Strategy and manages the FCERM programmes, including allocating budget to risk management authorities, appraising local authority schemes, and developing a programme of investment.<sup>195</sup>

As in England, the [Flood and Water Management Act 2010](#) [pdf] requires the production of a national FCERM strategy in Wales. The current strategy dates from October 2020, and is intended to have a lifetime of 10 years “unless significant policy updates are required prior to that time”.<sup>196</sup> The [Environment \(Wales\) Act 2016](#) also provided Welsh Ministers with the power to establish a Flood and Coastal Erosion Committee, which came into being in July 2017 and replaced the previous Flood Risk Management Wales (FRMW) Committee. The committee provides advice on all aspects of flood and coastal risk management in Wales, and supports Welsh Ministers and all Welsh risk management authorities.<sup>197</sup> More information can be found on the Welsh Government web page on the [Flood and Coastal Erosion Committee](#).

Between 2012/13 and 2020/21, £600 million was invested (capital and revenue) across Wales, including funding from the European Regional Development Fund (which ended in June 2015) and the Coastal Risk Management Programme.<sup>198</sup> In March 2021, the Welsh Government announced that a total investment of £65.4 million (including £36 million in capital and £29.4 million in revenue funding) would be made in 2021/22.<sup>199</sup> In March 2022, the Welsh Government announced what it called its “largest ever flood programme, totalling over £71 million next year and £214 million over the next 3 years”.<sup>200</sup>

Further information is available in the Senedd Research briefing [Flooding and coastal erosion in Wales](#) (originally published October 2020). The Welsh Government has produced [guidance documents](#) on various aspects of flooding and coastal erosion.

Natural Resources Wales (NRW) is the flood forecasting body for Wales. Flood warnings and information can be found on their [website](#) or via the dedicated Floodline on 0345 988 1188.

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<sup>194</sup> Welsh Government, [The National Strategy for Flood and Coastal Erosion Risk Management in Wales](#) [pdf], October 2020, p. 4

<sup>195</sup> As above, p. 18

<sup>196</sup> As above, p. 4

<sup>197</sup> Welsh Government, [Flood and Coastal Erosion Committee](#) [accessed 26 October 2021]

<sup>198</sup> Welsh Government, [The National Strategy for Flood and Coastal Erosion Risk Management in Wales](#) [pdf], October 2020, p. 46

<sup>199</sup> Welsh Government, [Record investment in flood risk management schemes will continue to protect communities across Wales](#), 19 March 2021

<sup>200</sup> Welsh Government, [Welsh Government announces largest ever investment in flood protection](#), 15 March 2022

## 6.3

## Northern Ireland

In Northern Ireland, an estimated 25,000 properties are located within natural river and coastal flood plains, which means that 1 in 33 properties are currently at risk from flooding from rivers or the sea. Another 36,000 properties are at risk of flooding from reservoirs and 24,500 at risk from surface water.<sup>201</sup>

The Department for Infrastructure (Dfi) is the statutory drainage and flood defence authority for Northern Ireland, under the [Drainage \(Northern Ireland\) Order 1973](#). Dfi sponsors the Drainage Council for Northern Ireland, which decides which designated watercourses and sea defences should be maintained at public expense to address the risk of flooding, protect existing developments, and enable future development. Dfi also maintains river and sea defences, constructs flood alleviation schemes, develops flood maps and provides flood risk information.<sup>202</sup>

Dfi has delegated powers to [Dfi Rivers](#).<sup>203</sup> Dfi Rivers chairs the multi-agency Flood Strategy Steering Group (FSSG), originally established in 2003 in response to the June 2002 flooding which affected mainly the Greater Belfast area. The FSSG's role has now evolved in considering wider strategic flooding issues.<sup>204</sup>

Dfi launched a consultation on the second cycle draft Flood Risk Management Plan 2021-2027 in December 2020. This differed from the three plans published under the first cycle in 2015, in that the second cycle FRMP covers all of Northern Ireland. The consultation ran until June 2021.<sup>205</sup> Following the consultation, the [second cycle FRMP](#) was published in December 2021. It highlights the flood hazards and risks from rivers, the sea and surface water and sets out how the relevant authorities will work together and with local communities to manage flood risk.<sup>206</sup>

More information on flood risk management in Northern Ireland is available in the NI Assembly Research and Information Service (RaISe) briefing on [Legislative and policy response to the risk of coastal erosion and flooding in the UK and Ireland](#) [pdf] and blog post on "[Managing flood risk in Northern Ireland](#)" (both September 2016). Flood risk is also discussed, among other environmental factors, in a RaISe paper on [Climate change risks to transport infrastructure](#) [pdf] in Northern Ireland (December 2021).

<sup>201</sup> Dfi, [Flood alleviation projects](#) [accessed 26 October 2021]

<sup>202</sup> Dfi, [Annual report and accounts 01/04/2020-31/03/2021](#) [pdf], July 2021, p. 9

<sup>203</sup> Dfi, [Dfi Rivers - an overview](#) [accessed 26 October 2021]

<sup>204</sup> Dfi, [Who is involved in managing the risk of flooding?](#) [accessed 26 October 2021]

<sup>205</sup> Dfi, [Consultation on draft Flood Risk Management Plan 2021-2027 second cycle](#) [accessed 26 October 2021]

<sup>206</sup> Dfi, [Second Cycle Northern Ireland Flood Risk Management Plan 2021-2027](#), December 2021, p. 5

## Appendix A: Expenditure since 2000/01

Expenditure on flood and coastal erosion risk management in England								
£ million								
	Core Defra Retained			DCLG	Environment Agency		Total	
	Resource			Resource			2021/22	
	– Paid to			– Paid to			prices	
	Resource	LLFAs	Capital	LLFAs	Resource	Capital	Cash	
2000/01	..	..	..	..	..	..	334.1	522.2
2001/02	..	..	..	..	..	..	366.1	560.5
2002/03	..	..	..	..	..	..	427.8	641.4
2003/04	..	..	..	..	..	..	457.5	668.9
2004/05	..	..	..	..	..	..	415.4	589.9
2005/06	0.1	-	63.5	-	228.3	216.8	508.7	701.6
2006/07	-	-	67.2	-	232.6	207.0	506.9	679.0
2007/08	1.1	-	39.3	-	240.2	219.2	499.8	651.2
2008/09	0.9	-	1.1	-	249.6	316.0	567.6	718.3
2009/10	11.2	-	1.8	-	260.0	360.1	633.1	788.8
2010/11	13.6	-	4.9	-	291.6	360.0	670.1	821.2
2011/12	3.4	21.0	-	-	287.8	260.7	572.9	691.6
2012/13	3.2	36.0	-	-	268.0	269.1	576.3	682.0
2013/14	4.3	15.0	-	21.0	250.6	315.3	606.2	701.3
2014/15	6.0	15.0	11.6	20.7	282.6	466.7	802.6	918.0
2015/16	2.6	10.0	12.4	20.6	274.5	390.7	710.8	807.9
2016/17	2.4	-	(0.1)	31.1	314.6	446.9	794.9	883.8
2017/18	2.5	-	0.8	32.4	338.2	403.1	777.0	849.2
2018/19	2.3	-	-	32.3	304.8	453.0	792.4	849.5
2019/20	2.5	-	0.5	33.0	329.5	501.3	866.7	907.8
2020/21	3.4	-	2.5	33.1	413.4	610.4	1,062.8	1,087.7
<b>Budgets</b>								
2021/22	4.6	-	3.0	35.4	269.6	883.5	1,196.1	1,196.1

Notes: Prior to 2005-06 flood risk management was primarily funded through local authority grants with DEFRA part-funding only capital improvement projects and some national initiatives.

Values adjusted to 2021/22 levels using March 2022 GDP deflators to 2019/20. The 2020/21 and 2021/22 deflators are derived from the OBR's forecast for 2020/21 to 2022/23, averaged across the three years to smooth the distortions caused by pandemic-related factors.

Sources: 2000/01 to 2004/05: HC Deb, 14 Sept 2011, c1160W; 2005/06 onwards: DEFRA, [Funding for Flood and Coastal Erosion Risk Management in England - April 2022](#), 2022; [March 2022 GDP deflators](#), HM Treasury

On request, the Library can provide MPs and their staff with the data used in this document and any of the images it contains (charts, maps, tables) in a different format (such as larger text, bigger scale, black & white charts).

## Appendix B: Funding announcements 2015-20

This appendix summarises announcements of FCERM funding that were made between 2015 and 2020. Some of this information was included in the main body of an earlier version of this paper.

It should be borne in mind that not every announcement of flood funding is necessarily an announcement of new money. Some will be allocations of funding that was previously announced. This section seeks to clarify the situation where possible.

Overall, about £200 million additional investment was announced to aid recovery from the winter flooding 2015-16. More detail on the breakdown of this can be found in the [Library Briefing Paper on Winter Floods 2015-16](#) and on the [Gov.uk website](#). The [March 2016 Budget](#) [pdf] included an additional £700 million for flood defence and resilience by 2020-21. This would be funded by an increase to the standard rate of insurance premium tax from 9.5% to 10%. Budget 2016 stated that:

the government will increase maintenance expenditure in England by £40 million per year, and deliver even more flood defence schemes – including investing over £150 million in Leeds, York, Calder Valley, Carlisle and wider Cumbria.<sup>207</sup>

Following the Budget announcement, Defra released further information on how some of the £700 million will be spent. This included that a total of £150 million of capital spending would be for flood defence schemes in areas affected by the December 2015 flooding. On the maintenance budget, Defra also confirmed that the £700 million included a “boost” of £160 million for the maintenance budget, taking the total maintenance budget to “more than £1bn in this Parliament”.<sup>208</sup> The September 2016 National Flood Resilience Review also announced that £12.5 million of the £700 million would be used to increase the Environment Agency’s stock of temporary flood defences and other incident response equipment.<sup>209</sup>

In the [Autumn Statement 2016](#), investment of £170 million was announced as follows:

The government will invest £170 million in flood defence and resilience measures. £20 million of this investment will be for new flood defence

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<sup>207</sup> HM Treasury, [Budget 2016](#) [pdf], Para 1.242

<sup>208</sup> Defra news story, [£700m boost for flood defences brings £150m more for Yorkshire and Cumbria](#), 17 March 2016 [accessed 31 March 2016]

<sup>209</sup> HM Government, [National Flood Resilience Review](#), September 2016 [accessed 11 October 2016]

schemes, £50 million for rail resilience projects, including Dawlish, and £100 million to improve the resilience of roads to flooding.<sup>210</sup>

Defra Secretary of State Andrea Leadsom also told the House in November 2016 that Defra had been allocated £15 million for investment in natural flood management projects.<sup>211</sup>

No further budget allocations were made at Spring Budget 2017. The [Autumn Budget 2017](#) confirmed an “additional” £76 million for flood and coastal defence schemes over the next three years:

An additional £76 million will be spent on flood and coastal defence schemes over the next three years. This funding will better protect 7,500 households and boost flood defence investment to over £2.6 billion between 2015-16 and 2020-21. Of this, £40 million will be focussed on deprived communities at high flood risk, boosting local regeneration.<sup>212</sup>

The October 2018 Budget allocated £13 million to address “risks from floods and climate change”, through pilot projects to ensure property owners have information on protecting their homes, and expanding the flood warning system to an additional 62,000 at-risk properties.<sup>213</sup> In September 2019, Defra Secretary Theresa Villiers announced £62.35 in funding for thirteen projects across Yorkshire, Cumbria, the North East and the South East of England.<sup>214</sup>

Following the flooding in the autumn and winter of 2019-20, the Budget in March 2020 announced £120 million for the Environment Agency to repair assets damaged by the recent storms. This was announced alongside the doubling of capital funding for the next six-year investment programme (see section 4.1 above).<sup>215</sup> This followed a number of announcements of funding to support those impacted by the recent flooding, which are detailed in the Library briefing paper [Autumn and winter floods 2019-20](#) (CBP 8803).

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<sup>210</sup> HM Treasury, [Autumn Statement 2016](#), 23 November 2016. The Autumn Statement itself did not specify whether this was part of the £700 million previously announced in the March Budget, but it was treated as such in the Local Government Association [briefing on the Autumn Statement](#) [pdf], 23 November 2016.

<sup>211</sup> HC Deb 24 Nov 2016, [c1004](#)

<sup>212</sup> HM Treasury, [Autumn Budget 2017](#), 22 November 2017 [accessed 22 November 2017]

<sup>213</sup> HM Treasury, [Budget 2018](#), 29 October 2018

<sup>214</sup> GOV.UK, [Government pledges £62m flood funding for communities in England](#), 10 September 2019

<sup>215</sup> HM Treasury, [Budget 2020](#), 11 March 2020, para 1.138

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