

Regional Flood and Coastal Committees

What are the changes to the regional committees?

The Bill replaces the existing Regional Flood Defence Committees (RFDCs) with Regional Flood and Coastal Committees (RFCCs). In doing so it will reconcile the legal position with current practice and extend the remit of the committees to include coastal erosion as well as flooding. The Bill provides for transitional arrangements and the new committees will continue much of the work of the RFDCs. They will play an important role in guiding the Environment Agency's flood and coastal erosion risk management activities in their region. It is intended that they will also have a wider role in assisting the scrutiny of local authority risk assessments, maps and plans required by the Floods Directive.

The Environment Agency will be required to obtain the consent of the RFCC for the regional programme. This will provide for continued local input to decisions and ensure that the committees will have the final say on implementation of the programme of works which the Environment Agency has determined and brought forward for that region.

Importantly, the committees will retain responsibility for raising the local levy, which enables additional schemes to be funded at a regional level. They will decide how these, and other funds raised locally (such as general and special drainage charges and contributions from internal drainage boards) will be spent.

Why the change of name?

The new name of these committees reflects an extension of their powers to cover coastal erosion, mirroring the extension of the Environment Agency's remit.

What are the provisions on raising the local levy – who will be able to vote on this?

The Bill will mean that the consent of the RFCCs continues to be needed for the Environment Agency to raise funds through the local levy, and for spending this and other money raised locally. The Bill provides for regulations (secondary legislation) to be made on the membership and functioning of the committees. It is intended to continue to require a majority of local authority representatives for decisions to raise the local levy. However, there will be potential for making changes in these arrangements if the role of the RFCCs evolves, without the need for primary legislation.

How will RFCC boundaries be determined?

The Bill provides for the Environment Agency to establish committees for England and Wales and decide on their boundaries. This means that different boundaries can be set from those that we have at present and that these can be changed in the future. Ministers in England and Wales will have the power to set out in regulations the procedures which must be followed by the Environment Agency in setting these boundaries. It is intended that Ministers will use these powers to ensure, amongst other things, that there is adequate consultation.

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How will RFCC Chairs and members be appointed?

The Bill does not set out the numbers of RFCC members or how they will be appointed. Instead it gives regulation making powers to the Minister to lay down requirements relating to eligibility for membership, and appointment and selection procedures. This leaves open a wide range of possibilities, including both appointment (by the Minister or some other body) as well as the election of RFCC members by the public or a group of people such as councillors.

The regulations will set out who will make the appointments of Chairs and members and how they will be made. No firm decisions have yet been taken but Ministers will take into account the views of the RFCCs and other stakeholders and consult further if necessary. Because the appointment procedures will be made by regulations, there is flexibility to change them. Alterations might be required, for example, to reflect changing needs in representation on these committees as well as to revise boundaries. Any proposed changes would be subject to consultation.