

## **Further changes to statutory consultee arrangements for the planning application process**

**January 2015**

1. This response is submitted by the Local Government Association (LGA).
2. The Local Government Association (LGA) is here to support, promote and improve local government. We will fight local government's corner and support councils through challenging times by making the case for greater devolution, helping councils tackle their challenges and assisting them to deliver better value for money services.
3. The LGA is an organisation that is run by its members. We are a political organisation because it is our elected representatives from all different political parties that direct the organisation through our boards and panels. However, we always strive to agree a common cross-party position on issues and to speak with one voice on behalf of local government.

### **LGA response**

We support the proposals to make Lead Local Flood Authorities (LLFAs) a statutory consultee on planning applications with surface water drainage implications. This will ensure that relevant technical advice is available to local planning authorities and respects the LLFAs' holistic role of local and surface water flood risk management as well as for sustainable drainage systems (SuDS).

However, these new responsibilities will need to be fully funded - either through new burdens funding or through a cost-recovery fee-charging schedule as part of the planning application. LLFAs should also be able to recover the cost of pre-application consultation. This will ensure that adequate resources can be made available to enable early discussions between developers and LLFAs. This will be of particular benefit in cases where a prospective development raises complex surface water drainage issues.

The consultation proposes that Lead Local Flood Authorities will be a statutory consultee for major planning applications only. Whilst this is consistent with the future requirement for SuDS on major sites only, it is important to recognise that the statutory consultee role will be about providing technical advice on surface water flood risk to, as well as from, the development.

The cumulative effect of a large number of minor developments in a locality could have significant implications for surface water drainage locally, particularly in areas of high surface water flood risk. Therefore, there should be flexibility and funding available for Lead Local Flood Authorities to provide advice on minor development as required.

Finally, where the Lead Local Flood Authority has roles and responsibilities as a statutory consultee on surface water drainage, there should be no additional requirement for the Environment Agency to also be consulted.