

Sustainability Committee

SC(3)-12-09 (p1, annex B): 24 June 2009

Consultation Document Subject Area	Bill Part	Clauses	Scope of draft Bill provisions	Policy Position in Wales (Annex A)
<p style="text-align: center;">New Approaches</p> <p><i>A definition of flood and coastal risk management, adaptation and resilience</i></p>	Part 1	2-14	<p>Implements new policy in relation to England only. Maintains the status quo in relation to Wales pending Welsh Ministers' policy decision following <i>Draft Flood and Water Management Bill</i> consultation. Powers to be conferred on Welsh Ministers for final Bill.</p>	Paragraphs 1-18
<p style="text-align: center;">Future Roles and Responsibilities</p> <p><i>Environment Agency, Flood Risk Management Wales, Welsh Assembly Government, local authorities etc</i></p>	Part 1	15-49	<p>Implements new policy in relation to England only. Maintains the status quo in relation to Wales pending Welsh Ministers' policy decision following <i>Draft Flood and Water Management Bill</i> consultation. Powers to be conferred on Welsh Ministers for final Bill.</p>	Paragraphs 19-30
<p style="text-align: center;">Main River Mapping</p> <p><i>Ownership, production, storage and amendments</i></p>	Part 1	64-65	<p>Implements new policy in relation to England only. Maintains the status quo in relation to Wales. Welsh Ministers concur with proposed approach. Powers to be conferred on Welsh Ministers for final Bill.</p>	Paragraphs 87-88

<p>Local Flood Risk Management</p> <p><i>A role for local authorities and Internal Drainage Boards</i></p>	Part 1	19-22 42-49	Implements new policy in relation to England only. Maintains the status quo in relation to Wales pending Welsh Ministers' policy decision following <i>Draft Flood and Water Management Bill</i> consultation. Powers to be conferred on Welsh Ministers for final Bill.	Paragraphs 23-26
<p>Duty to Co-operate and Share Information</p> <p><i>Relates to all operating authorities</i></p>	Part 1	24-30	Implements new policy in relation to England only. Maintains the status quo in relation to Wales pending Welsh Ministers' policy decision following <i>Draft Flood and Water Management Bill</i> consultation. Powers to be conferred on Welsh Ministers for final Bill.	
<p>Sustainable Urban Drainage Systems</p> <p><i>Use in new developments according to National Standards</i></p>	Part 5	217-233	England and Wales. Welsh Ministers concur with approach (but yet to establish where the responsibility for the adoption of SUDS should rest). Powers to be conferred on Welsh Ministers for final Bill.	Paragraphs 84-85
<p>Regional Flood Defence Committees</p> <p><i>Relates to Flood Risk Management Wales</i></p>	Part 1	66-73	Implements new policy in relation to England only. Maintains the status quo in relation to Wales pending Welsh Ministers' policy decision following <i>Draft Flood and Water Management Bill</i> consultation. Powers to be conferred on Welsh Ministers for final Bill.	Paragraphs 31-45
EU Floods Directive	Part 1	50-63	Implements new policy in relation to England only. Maintains the status quo in relation to	Paragraphs 46-75

<i>Transposition into statute and production of Preliminary Flood Risk Assessments, Flood Hazard / Flood Risk Maps and Flood Risk Management Plans</i>			Wales pending Welsh Ministers' policy decision following <i>Draft Flood and Water Management Bill</i> consultation. Powers to be conferred on Welsh Ministers for final Bill.	
Water Framework Directive <i>Deterioration not to occur to the quality of a water body – where possible – due to modifications</i>	Part 1	15	Implements new policy in relation to England only. Maintains the status quo in relation to Welsh Ministers concur with proposed approach. Powers to be conferred on Welsh Ministers for final Bill.	Paragraphs 71-72
Third Party Assets <i>Prevention of removal, damage or alteration without consent</i>	Part 2	75-97	England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill.	Paragraph 86
Consenting and Enforcing <i>Relates to Environment Agency and local authorities</i>	Part 1	46-48	Implements new policy in relation to England only. Maintains the status quo in relation to Wales pending Welsh Ministers' policy decision following <i>Draft Flood and Water Management Bill</i> consultation. Powers to be conferred on Welsh Ministers for final Bill.	Paragraphs 89-91
Reservoir Safety <i>A risk-based approach</i>	Part 3	98-192	England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill.	Paragraph 92
Reform to Role and Governance of Internal Drainage Boards <i>Size, shape and structure</i>			Not presently included in draft Bill provisions - possibility of inclusion in final Bill. Approach to be informed via draft <i>Flood and Water Management Bill</i> consultation.	Paragraph 93

<p>Current Funding Structure</p> <p><i>Link to roles and responsibilities</i></p>			<p>Not presently included in draft Bill provisions - possibility of inclusion in final Bill. Approach to be informed via draft <i>Flood and Water Management Bill</i> consultation.</p>	<p>Paragraphs 76-83</p>
<p>Reducing Owners' and Occupiers' Impact</p> <p><i>Relates to riparian owners</i></p>			<p>Not presently included in draft Bill provisions - possibility of inclusion in final Bill. Approach to be informed via draft <i>Flood and Water Management Bill</i> consultation.</p>	<p>Paragraph 94</p>
<p>Single Unifying Act</p> <p><i>Harmonise the legislative framework</i></p>			<p>Not presently included in draft Bill provisions - possibility of inclusion in final Bill. Approach to be informed via draft <i>Flood and Water Management Bill</i> consultation.</p>	<p>Paragraph 95</p>
<p>Hosepipe Bans</p> <p><i>Restrict discretionary water uses upon drought</i></p>	<p>Part 7</p>	<p>254</p>	<p>England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill.</p>	<p>Paragraphs 107-108</p>
<p>Environmental Permitting Programme</p> <p><i>Link abstraction and impoundment to environmental concerns</i></p>	<p>Part 6</p>	<p>238</p>	<p>England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill.</p>	<p>Paragraphs 109-110</p>
<p>Powers of Entry</p> <p><i>Installation of monitoring equipment</i></p>	<p>Part 7</p>	<p>257</p>	<p>England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill.</p>	<p>Paragraphs 111-112</p>
<p>Amendments to the Water Resources Act 1991 and the</p>	<p>Part 7</p>	<p>255, 256, 258</p>	<p>England and Wales. Welsh Ministers concur with approach. Powers to be conferred on</p>	<p>Paragraphs 113-114</p>

Water Industry Act 1991 <i>Irrigation charging, abstraction license trading etc</i>			Welsh Ministers for final Bill.	
Water Administration Regime <i>Financial assistance or transfer of ownership for failing companies</i>	Part 4	193-216	England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill in relation to water and sewerage undertakers wholly or mainly in Wales.	Paragraphs 115-116
Drinking Water Inspectorate Recovery of Charges <i>Funding of regulatory functions by water companies</i>	Part 6	237	England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill in relation to water undertakers wholly or mainly in Wales and licensed suppliers using their supply systems.	Paragraphs 117-118
Mandatory Build Standard for New Sewers <i>Standardised application</i>	Part 6	252	England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill in relation to sewerage companies wholly or mainly in Wales.	Paragraphs 119-120
Misconnections <i>Improved access for water companies and a streamlined response</i>	Part 6	253	England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill.	Paragraph 121
Project-Based Large Infrastructure Projects <i>Oftwat duty to supervise</i>	Part 6	239-246	England and Wales. Welsh Ministers concur with approach. Powers to be conferred on Welsh Ministers for final Bill.	Paragraph 122-124
Complaint Handling Powers	Part 6	247-251	England and Wales. Welsh Ministers concur with approach. Powers to be conferred on	Paragraphs 125-126

<i>Relates to Ofwat and CCWater</i>			Welsh Ministers for final Bill.	
<p>Securing Compliance</p> <p><i>An enhancement of Ofwat's enforcement powers</i></p>	Part 6	234-236	England and Wales. Provisions will apply equally in England and Wales, with powers conferred on Welsh Ministers for final Bill in relation to water undertakers wholly or mainly in Wales and licensed suppliers using their supply systems.	Paragraphs 127-128
<p>Time-Limiting of Abstraction Licenses</p> <p><i>Periodic amendment to ensure environmental protection</i></p>			Possibility of inclusion in final Bill. Separate Welsh Assembly Government consultation to end on 3rd August 2009.	Paragraphs 129-130
<p>Water Efficiency</p> <p><i>Possibility of efficiency targets for the water industry</i></p>			Possibility of inclusion in final Bill. Approach dependent on outcome of Walker Review.	Paragraph 131
<p>Hydromorphology Powers</p> <p><i>Environment Agency to carry out works to improve ecological quality of water bodies</i></p>			Not presently included in draft Bill provisions - possibility of inclusion in final Bill. Approach to be informed via draft <i>Flood and Water Management Bill</i> consultation.	Paragraphs 132-133
<p>Cave Review: Competition and Innovation</p> <p><i>To deliver benefits to customers and ensure sustainability of water use</i></p>			Possibility of inclusion in final Bill. Welsh Assembly Government response to be formulated. Possibility of a separate consultation.	Paragraphs 134-136
<p>Walker Review: Charging and Metering</p>			Possibility of inclusion in final Bill. Welsh Assembly Government response to be	Paragraphs 137-138

Fairness and effectiveness of charging methods

formulated. Possibility of a separate consultation.

