

Citizen Participation and Public Petitions Committee
Wednesday 24 September 2025
14th Meeting, 2025 (Session 6)

PE2118: Review and restructure Scotland's flood risk management approach and operations

Introduction

Petitioner Tobias Christie on behalf of Speymouth Environmental Partnership

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to review the Flood Risk Management (Scotland) Act 2009, and improve flood alleviation and management processes by appointing an independent panel of engineers, economists, and geomorphologists to support the design of flood risk management plans.

Webpage <https://petitions.parliament.scot/petitions/PE2118>

1. [The Committee last considered this petition at its meeting on 27 November 2024.](#) At that meeting, the Committee agreed to write to SEPA and the Scottish Government.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from the Scottish Government, SEPA and the petitioner, which are set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage.](#)
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 28 October 2024.](#)
7. Every petition collects signatures while it remains under consideration. At the time of writing, 166 signatures have been received on this petition.

Action

8. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
September 2025

Annexe A: Summary of petition

PE2118: Review and restructure Scotland's flood risk management approach and operations

Petitioner

Tobias Christie on behalf of Speymouth Environmental Partnership

Date Lodged

24 September 2024

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to review the Flood Risk Management (Scotland) Act 2009, and improve flood alleviation and management processes by appointing an independent panel of engineers, economists, and geomorphologists to support the design of flood risk management plans.

Background information

Climate change is real. Rainfall is rising. Flooding causes loss of homes, income, utilities and infrastructure. There is also irreparable damage to the environment, hidden costs to public services and infrastructure. People are affected by stress, health related issues.

The Flood Risk Management (Scotland) Act, 2009 and all manuals, guidelines, theories and structures associated with it are archaic and no longer relevant against current and predicted flood threats.

The system of flood risk management and flood alleviation is to approach flooding as a theoretical rather than a live and current threat. Those designing the systems appear distant and unaffected. The system is designed around flood warnings, not flood prevention, management, or alleviation. Communities are excluded from discussions and plans for flood schemes. A complaint is that bureaucrats obfuscate when submitting reports.

Our view is the current system needs a total review and revamp including inclusion of communities.

Annexe B: Extract from Official Report of last consideration of PE2118 on 27 November 2024

The Convener: The last of our new petitions, PE2118, lodged by Tobias Christie on behalf of the Speymouth Environmental Partnership, calls on the Scottish Parliament to urge the Scottish Government to review the Flood Risk Management (Scotland) Act 2009 and improve flood alleviation and management processes by appointing an independent panel of engineers, economists and geomorphologists to support the design of flood risk management plans.

Douglas Ross MSP had hoped to be able to join us for our consideration of the petition, but he is unfortunately detained in another committee.

In the background to the petition, concerns are raised that those responsible for designing the flood risk management systems are often distant from and unaffected by the risks and that the system is designed around flood warnings rather than flood prevention, management or alleviation. Responding to the petition, the Scottish Government tells us that it has implemented a comprehensive framework under the Flood Risk Management (Scotland) Act 2009, which places flood risk management at the core of its environmental policies.

The response also refers to a joint Scottish Government and Convention of Scottish Local Authorities flood risk management working group, which is considering funding and governance arrangements for flood protection schemes. The Scottish Government is also developing the country's first flood risk strategy, which it says is focused on enhancing community flood resilience by integrating people, places and processes. It also notes that it is the responsibility of local authorities to develop specific actions to address flood risk and improve resilience.

We have also received a submission from the petitioners, which highlights the point that local communities are not aware of the public consultations on flooding and that, when SEPA has issued questionnaires, the questions appear to have been designed to reinforce its perspective—that brings us back to the arguments that we had on consultations at the beginning of the meeting. The petitioners also raised concerns about the processes that SEPA uses to model future flooding and the challenges that communities face in trying to share views and ideas for flood management with SEPA and relevant local authorities.

Do members have any suggestions on how we might proceed?

Maurice Golden: I have a few. First, given the Scottish Government's policy of compliance with current European Union legislation, I would like to clarify whether its policy is compliant with the EU floods directive and water framework directive.

I find the response from the Scottish Government incredibly disappointing. It just about strategies and working groups. I do not know Speyside well but, in Angus, 60 homes are being demolished as a result of inadequate flood defences. Planning was consented for homes, which led to flooding last year and, a year on, there has been no action whatsoever. As we heard from the Scottish Government, no one is responsible for providing leadership over riparian basin management, so I would appreciate hearing the Scottish Government's views on a single body being appointed to be responsible in that regard.

In Scotland, local authorities are taking one view in respect of planning. SEPA is notionally in charge of flood management plans but is not able to implement them if there is disagreement with other interested parties. There is a lack of foresight over flood basin management with landowners and food producers and there are consultations with people who feel that their voices are not heard.

Leadership is necessary. It does not matter whether it is SEPA or another body, but the people of Scotland deserve to know who and which organisation is responsible. If it is the Scottish Government, that is great. If it is SEPA, that is fine, but we need to know who manages our flood risk management approach and, as the petitioner seeks to do, consider whether that approach is correct. However, we do not know who is responsible at the moment. There may be some other points, convener.

Fergus Ewing: I was struck by the arguments that are contained in the petitioners' written submission of 10 November, submitted by Mr Jim Mackie, who points out:

"Communities are not aware of any public consultations on flooding".

Communities and community councils seem to be excluded from the process.

In its response, the Scottish Government said:

"We are committed to further strengthening these efforts, with a focus on community engagement".

What does that mean? Does it mean consulting community councils, for example, which take an active role?

Over the years, the problems in my constituency have been serious. They have perhaps not been quite as serious as those of people in Angus but, nonetheless, they have been very serious. There seems to be complete control by SEPA. Mr Mackie points out that the

"Cost of flood damage in Potentially Vulnerable Areas ... is calculated centrally using the Multicoloured Manual, a book first published in 2003",

which

"contains flood statistics from three river basins in England. The figures produced are fictional. No research is done at a community level"—

none. What is that about? That sounds extraordinary.

Secondly, he says that, as Mr Golden pointed out,

"Councils have no legal responsibility".

Who has responsibility? That buck is constantly being passed around.

He also says—this is the meat of it:

“Rivers and streams carry sediments, trees, and bushes downstream. More so in floods. These catch in the riverbed and/or banks. Sediments build up and raise riverbeds and banks. ... Riverbank erosion is seen as a ‘natural process’”

NatureScot and SEPA prevent practical solutions by landowners and community councils that know what the problem is. You cannot take soil or gravel from one area and put it into another area because of rules that SEPA and NatureScot apply. Therefore, obstructions build up, thus exacerbating or causing flooding problems. I have encountered that many times in my constituency. Every occasion ends up with SEPA saying no. Often, SEPA’s officials do not bother to come to visit anybody anyway. That is part of their modus operandi. It is not to get out of their office but to issue edicts from the warmth of their office, wherever it may be.

I feel strongly that Mr Mackie and Mr Christie, through their efforts and very detailed knowledge—they have really impressed me—have brought to us a set of serious issues. In due course, we might wish to obtain evidence from them so that the Parliament can hear directly from them about those concerns.

The Convener: Are you suggesting, Mr Ewing, that we contact the Scottish Government to highlight the petitioner’s concerns about the lack of a consultation process and to get some sort of reaction to that?

Fergus Ewing: Absolutely. Preferably not the general, vague answers that we are familiar with, but specific answers to the points that the petitioners have made. After all, that is our job. If we do not get specific answers, they can be sure that the committee will do its job.

The Convener: We have suggestions from Mr Golden and that suggestion. Perhaps we should write to SEPA asking for the make-up of the local information advisory groups. We might want to hear a bit more about that. We might also want to hear what action SEPA is taking to ensure that the knowledge of local communities is properly included, given the issues that have been raised in other petitions as well. Are members content that we proceed on that basis?

Members *indicated agreement.*

The Convener: We will keep the petition open and seek that information.

Annexe C: Written submissions

Scottish Government written submission, 20 December 2024

PE2118/C: Review and restructure Scotland's flood risk management approach and operations

Thank you for your email of 3rd December 2024 regarding the above petition, and for sharing the correspondence from the Citizen Participation and Public Petitions Committee.

We have interpreted your interest as the management of watercourses and their catchments in the broadest sense and have responded on this basis. Please find our response to Committee's further questions below;

Compliance with the EU Floods Directive and EU Water Framework Directive

There are two linked coordination processes in our catchments which have been derived from EU Directives; **Flood Risk Management Planning** and **River Basin Management Planning**.

We confirm that the approach to **Flood Risk Management Planning (FRMP)** complies with the EU Floods Directive and the approach to **River Basin Management Planning** complies with the EU Water Framework Directive.

The Scottish Government remains committed to the principles and objectives of the EU Floods Directive and the EU Water Framework Directive. While Scotland is no longer legally bound by EU legislation post-Brexit, our domestic framework, including the **Flood Risk Management (Scotland) Act 2009**, upholds equivalent standards. The Act mandates a risk-based, sustainable, and integrated approach to flood risk management, aligning with the key goals of these directives.

Our approach focuses on:

- The comprehensive assessment and mapping of flood risks and hazards.
- The development of evidence-based flood risk management plans (FRMPs).
- Sustainable solutions that safeguard communities, economic assets, and the environment.

By maintaining these standards, Scotland ensures that our flood risk management practices remain robust and internationally aligned.

View on a Singular Body for River Basin Management

You also asked for the Scottish Government's view on a singular body being responsible and appointed to provide leadership on river basin management across Scotland.

Scotland's river basin management plan (RBMP) sets out a framework for protecting and improving the water environment across Scotland. River Basin Management

Planning is primarily focused on improvements to the water environment, but these improvements will lead to wider benefits particularly for the communities. This includes access to green space and reduction of flood risk.

SEPA is the body responsible for the preparation of river basin management plans on behalf of Scottish Ministers. The legal requirements on SEPA with regards to river basin management planning are set out in the Water Environment and Water Services (Scotland) Act 2003. This includes requirements to engage with stakeholders on the development of the plan.

This engagement is vital to the delivery of the River Basin Management Plan. The third and current RBMP cycle sets out over 600 actions to protect and improve the water environment and requires action from a range of stakeholders including local authorities and Scottish Water.

Response to Petitioner's Concerns on Community Engagement

The Scottish Government acknowledges the vital role of community involvement in developing flood risk management plans (FRMPs) and that their views are reflected in decision-making.

As set out in our previous response, SEPA and local authorities are already legally required to consult extensively with local communities during the development and implementation of Flood Risk Management Plans and Local Flood Risk Management Plans. SEPA have full responsibility for consulting on FRMPs and Local Authorities on Local Flood Risk Management Plans (LFRMPs).

The consultation process under the Flood Risk Management (Scotland) Act 2009 ensures that:

- SEPA consults on high-level plans (FRMPs), and local authorities consult on actionable plans (LFRMPs).
- Responsible authorities, stakeholders, and the public have opportunities to provide input.
- Final plans reflect the feedback received, demonstrating a collaborative and transparent approach to flood risk management.

Continuous Improvement

We published Scotland's first Flood Resilience Strategy on 18 December 2024.

This Strategy, part of *The Scottish National Adaptation Plan 2024-2029, Actions today, for a climate resilient future (SNAP3)*, is in direct response to the climate emergency and the imperative to address the increasing challenges that we face.

Focusing on building community flood resilience and resilient placemaking, it puts people at the heart of the process and supports an increase in the range and rate of delivery of actions both to manage our flood exposure, and to reduce the impacts of flooding when it does occur.

The Strategy supports a flood resilient places approach, recognising that reducing the impacts of flooding is as much about the design of our places as it is about the design of specific flood actions.

The Strategy is structured around the themes of People, Places and Processes and sets out our Outcomes, the Guiding Principles we will work to and our Priority Actions. The People outcome 'Creating flood resilient places involves our people and communities,' recognises the desire of communities to contribute to their own flood resilience by being involved in flood resilience decision making.

Conclusion

The Scottish Government remains committed to maintaining internationally aligned flood risk management standards through compliance with the principles of the EU Floods and Water Framework Directives. Our integrated, risk-based approach ensures robust strategic planning through the Flood Risk Management (Scotland) Act 2009.

The relevant legislation places obligations on SEPA and local authorities in engaging communities and stakeholders during the development of Flood Risk Management Plans and Local Flood Risk Management Plans respectively.

Ministers are satisfied with the current strategic framework set out by the Flood Risk Management (Scotland) Act 2009. The Scottish Government acknowledges the challenges of climate change and increasing flood risks and have published a Flood Resilience Strategy to ensure that the scale of the transformation required to deliver flood resilience across Scotland is clear. It complements the Act and reinforces the need for sustainable, collaborative, and proactive approaches, integrating natural solutions and community engagement.

The Scottish Government thanks the Citizen Participation and Public Petitions Committee for raising these important points.

I hope this information is helpful to the Committee.

Yours sincerely

Flood Risk Management Team

SEPA written submission, 10 January 2025

PE2118/D: Review and restructure Scotland's flood risk management approach and operations

Thank you for your correspondence dated 3rd December 2024 regarding Petition PE2118. We appreciate the opportunity to provide information on the makeup of Local Advisory Groups. These are groups that contribute to the development of our Flood Risk Management Plans (referred to as Flood Risk Management Strategies from 2015 – 2021), as well as the actions SEPA is taking to ensure local community input is reflected in these plans.

1. Composition of Local Advisory Groups

The development of Flood Risk Management Plans under the Flood Risk Management (Scotland) Act 2009 involves collaboration with Local Advisory Groups (LAGs). These groups include representatives from a wide range of disciplines and organisations to gain key advice on the regional priorities and local characteristics that influence flood risk management efforts.

The membership of these groups varies across the country to reflect the different land uses across our catchments and coast. A list of the active organisations is provided in the table below.

Table 1 – Active LAG organisations

Organisation or organisation type	Additional information
Local Authorities (Planning, Flooding, Marine & Coastal and Roads departments)	Attendees from: land use planning, emergency planning, flooding, marine and coastal, harbours and roads departments
Scottish Water	
Airports	Edinburgh Airport, Highland and Islands Airports Limited (HIAL) airports, Prestwick Airport
River and fisheries trusts/boards	Rivers trusts, fisheries trusts and boards across the country
Forestry	Forestry and Land Scotland, Scottish Forestry
National parks	Loch Lomond and Trossachs National Park Authority, Cairngorm National Park
Port authorities	Forth ports, Peel ports
Scottish Canals	
National Farmers Union, Scotland	
NatureScot	
Scottish Government	Rural payments inspectorate and Agriculture departments
SEPA	Attendees from: flooding, River Basin Management Planning, local regulatory teams, land use planning
RSPB Scotland	
SNIFFER	

Harbour management organisations	
Green Networks	
Scottish Crofting Federation	
James Hutton Institute	
Utilities	Scottish Power, SSE
Regional partnership groups	Forth Estuary Forum, Tweed Forum, Galloway Glens Landscape Partnership Scheme, Solway Firth Partnership, Clyde Marine forum, Galloway and Southern Ayrshire UNESCO Biosphere
Specialist groups	Gallant Project, Drax

While the LAGs themselves do not routinely include engineers, economists, or geomorphologists as standalone members, member organisations will contribute a variety of skills and knowledge in these areas. SEPA also consults with a broad range of technical experts throughout the flood risk management planning process. For instance:

- **Engineers:** We work closely with local authorities and consultant engineering specialists during the feasibility, appraisal and design phases of flood risk management actions contained in the plans.
- **Economists:** Cost-benefit analyses are a standard part of the identification and implementation of flood management actions. Input from economists is sought to ensure that proposed actions are economically viable and deliver maximum benefit. The national approach to determining the potential economic impacts of flooding has been peer reviewed by economists at the Flood Hazard Research Centre.
- **Geomorphologists:** Geomorphologists are involved throughout the process. Geomorphological assessments are included in determining the appropriate actions for an area, particularly in areas where natural flood management techniques are considered. SEPA geomorphologists are involved in the CAR licensing of schemes (and other informal flood management actions), both at the application stage but also extensively at pre-application where requested, and where there is a proposal put forward to base advice upon. Additional specialist advice is also commissioned from external experts or academic partners.

The inclusion of independent expertise is critical to ensuring that plans are evidence-based, robust, and effective. We recognise the value of broadening the formal involvement of such experts in the early stages of the advisory process.

Engagement with local communities

SEPA is committed to embedding local knowledge and perspectives into flood risk management plans. To achieve this, we use:

- **Public consultations:** We conduct formal public consultations during the identification of Potentially Vulnerable Areas and preparation of Flood Risk Management Plans. These consultations are widely promoted, and feedback is reviewed to identify community priorities and concerns. Over 75% of 410 responses to the 2024 consultation on Potentially Vulnerable Areas came from members of the public, with additional input from community councils and other stakeholders. A two-stage consultation is planned for the next Flood Risk Management Plans to give communities greater chance to feed in their local knowledge.
- **Support Local Authorities:** Local Authorities are integral partners in developing Flood Risk Management Plans, acting as a conduit for community concerns and ensuring alignment with local priorities. SEPA frequently support Local Authorities at elected member or Scottish Flood Forum organised events or meetings.
- **Flood warning events:** We organise events in communities that have a flood warning service to raise awareness of the service and understand how the service can be improved. Specific community engagement also takes place where significant flooding has happened or where new flood warning services have been planned, to hear from users about their experience of flooding, and of using our services.
- **Community resilience events:** We work with community flood and resilience groups, where requested, to understand their concerns and what could be done to improve community resilience.
- **Awareness raising campaigns:** We run several campaigns to improve awareness of climate risks, including school visits.

While not all of these events are specifically established to feed into the development of the Flood Risk Management Plans, we gain important information from each event that enhances our understanding of local needs and desires.

We continuously strive to improve the inclusivity and effectiveness of our engagement processes. Following each flood risk management planning cycle, we review its consultation and community engagement practices to identify lessons learned and areas for improvement.

We value the Committee's interest in strengthening Scotland's approach to flood risk management and remain committed to working collaboratively with all stakeholders to protect communities and enhance resilience to flooding.

I trust the above information is helpful, but should you wish to discuss the above matter further, please do not hesitate to contact us.

Petitioner written submission, 15 January 2025

PE2118/E: Review and restructure Scotland's flood risk management approach and operations

The Scottish Government's written submission dated 20 December 2024, to Petition PE2118, highlights why current flood management schemes in Scotland are a failure. Everything is based on resilience planning. SEPA is the main authority. Its role is very clear from the legislation. It gathers information on river and historic flood levels; calculates digitally the areas it perceives as being at risk of flooding. There is no community input. Calculations are done centrally using maps and past river-level records. There is no community input to these projections that are based on speculation/supposition. SEPA's response to an FOI on Local Advisory Groups, was:

"There are a very large number of communities who suffer as a result of flooding within each local advisory group area. The local advisory groups are not the best way to provide practical support to those communities and we cannot engage communities equitably across the district through that forum."

SEPA's role is to issue flood warnings when there is a threat. Flood maps produced by SEPA are very inaccurate and have no community input. Some maps show areas at risk of flooding when they have not flooded for 200 years. Under FOI's, SEPA cannot identify specific property or persons at threat from flooding now or in future! Communities have flood systems in place based on local knowledge. Neither SEPA nor other bodies involved in Flood Risk Management Local Plans engage with communities concerning building flood defences.

Flood Risk Management Local Plans are records of past events and give flood maps for Potentially Vulnerable Areas (PVAs) which are inaccurate. They give advice on what steps are needed to improve flood resilience and warning systems. They do not give instructions on flood prevention schemes. The cost of flooding for each PVA is fictitious; they are calculated centrally using data from English river basins. SEPA and Local Authorities (LA) refuse to discuss flood costs calculated by communities. SEPA and LA ignore social, economic, and environmental costs/losses including utilities. In one community, experts have warned of a threat to sewage treatment works, houses, and community assets because of the movement of a river. The estimated probable cost of damage is £10 million. A SEPA representative asked if the community had considered using sandbags to prevent the projected damage.

SEPA has no remit to design, build or assist communities in building flood defences. SEPA cannot fund any flood alleviation/management scheme. SEPA are reluctant to meet with local communities. No organisation/person has the responsibility to build flood defences. Landowners are not legally obliged to maintain riverbanks. If they do bank maintenance and it fails, they are legally exposed to claims. Neither SEPA nor LAs engage with major landowners over flood alleviation/management schemes.

Communities cannot understand why SEPA consults with organisations that have no legal responsibilities for flooding, have no expertise in flood management and/or construction of flood alleviation schemes. These organisations do not employ staff with the qualifications and expertise to construct flood alleviation schemes nor the finances to pay for such schemes. SEPA can give restricted grants to assist communities recover from flooding after the event.

LAs can draw up schemes and apply for government finance but they don't. One LA has a policy that has a presumption against flood schemes. LAs do not consult with communities about flooding or designing schemes. LAs argue it is financially unsustainable and the paperwork/preparation too expensive. In costing proposals, social, economic, and environmental costs are excluded. SEPA costings are inaccurate. In FRM Local Plans, SEPA lists the cost of flooding and other statistics as being "estimates".

SEPA and LAs ignore locally commissioned reports from experts in flooding saying that they did not commission them. These local reports are far more detailed and give flood scheme options that LAs and SEPA don't. Communities have extreme difficulty raising finances to prepare their own local plans. Some LAs are known to squabble over who is responsible for drawing up a flood scheme where one is the lead authority, but the problem is in another LA's jurisdiction.

In drawing up FRM Local Plans, no consideration is given to land use and its effects on water flow. One major problem ignored by SEPA and LAs is sediment transportation by rivers. This raises riverbeds, creates water obstructions, traps debris and forces rivers to change course causing new flood risks. Despite the FRM(S) Act, 2009, LAs do not remove such sediment and obstructions. SEPA and NatureScot are reluctant to approve the removal of these. Those wishing to carry out small flood alleviation schemes are hindered by areas designated SAC (Special Areas of Conservation) and SSSI (Sites of Special Scientific Interest). NatureScot will not allow the use of any material even from within the same river basin if it is outside the boundary of the designated area. It is classed as "foreign material".

Communities believe that only the Scottish Flood Forum provides practical advice.

We would be pleased to address the Committee if requested.