

THE ARCHAEOLOGY FORUM

a grouping of independent bodies concerned with archaeology

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Flood and Water Management Bill Team
Department for Environment, Food and Rural Affairs
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FloodsandWaterBill@defra.gsi.gov.uk

23 July 2009

Dear Sirs,

Draft Flood and Water Management Bill

The Archaeology Forum is a grouping of the key, non-governmental organisations concerned with archaeology in the UK. Its members include the Association of Local Government Archaeological Officers UK, the Council for British Archaeology, the Institute of Conservation, the Institute for Archaeologists, the National Trust, the National Trust for Scotland, Rescue, the Society of Antiquaries of London, the Society of Antiquaries of Scotland, the Federation of Archaeological Managers and Employers, and the Society of Museum Archaeologists UK.

The Archaeology Forum is pleased to have the opportunity to contribute to this consultation on the Draft Flood and Water Management Bill. The comments below relate to matters in England and in Wales and are based on a consultation of the views of the Forum's member organisations, several of which have also responded in their own right.

The condition of the historic environment and risk to individual heritage assets is affected profoundly by the processes of climate change, of flooding and the action necessary to manage water resources. The Forum therefore welcomes the recognition of the vulnerability of cultural heritage, and the need to assess potentially harmful effects, which is explicitly included in the Draft Bill in relation to

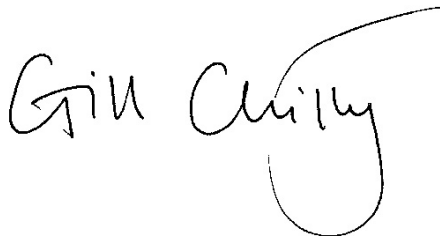
- Flood risk and coastal erosion risk (6(3)(d))
- Environmental work (41(3)(b))
- Flood risk maps (58)

We recognise that there will be an inevitable loss for some communities of historic environment assets that form part of their heritage, as the result of schemes to manage flood and coastal erosion effects. It will be important that appropriate provision of resources is made to allow for mitigation of these losses. This may be through the relocation of significant structures to new sites or through archaeological investigation and its resulting discoveries and new knowledge, which are often of great public interest. These aspects will need to be integrated in the flood and water management schemes that will arise from the enactment of the Bill

The Forum has a specific concern about Part 2 of the Draft Bill which covers the designation of features or structures for purposes of risk management. Some historic structures – bridges and coastal defence constructions, for example – may be considered to be a factor in flood or coastal erosion risk (clause 80). It is unclear whether the existing statutory designation of heritage assets – listed and scheduled structures – would take precedence over the new ‘risk designations’ (suggested as analogous to listing in the explanatory notes) made by designating authorities. Consent for alteration, removal or replacement of historic structures designated for risk management would be a particularly sensitive issue and should be informed by advice from the relevant heritage body. We recommend that the procedure here is clarified and include appropriate consultation with English Heritage and Cadw and local historic environment services in England and Wales.

Thank you for this opportunity for the Archaeology Forum to contribute its views to this consultation.

Yours faithfully,



Council for British Archaeology
on behalf of the Archaeology Forum

The Archaeology Forum’s members are:

The Association of Local Government Archaeological Officers UK
The Council for British Archaeology
The Institute of Conservation
The Institute for Archaeologists
The National Trust
The National Trust for Scotland

Rescue: the British Archaeological Trust
The Society of Antiquaries of London
The Society of Antiquaries of Scotland
The Federation of Archaeological Managers and Employers
The Society of Museum Archaeologists UK