



How best to align the funding processes with the various bodies involved in resolving flooding?

Unlocking collaborative opportunities between water companies and partners



Final Summary Report

April 2016





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Weston-super-Mare (Source: North Somerset Council)



Colebrook (Source: South West Water)



Background Information

Water and sewerage companies, regulators, local government and communities together face significant challenges relating to water within urban environments. These include managing flood risk, reducing pollution, enhancing the environment, creating resilient communities and infrastructure, adapting to the impacts of climate change, managing ageing assets, and supporting economic growth. There is ever-increasing pressure to keep water bills down and improve efficiencies in public spending. Working in partnership will help organisations achieve better outcomes more effectively by aligning programmes, funding, and other resources or information available to them.

Many UK Water and Sewerage Companies (WaSCs) have already made a commitment to partnership working as part of their business plans. However, it can be challenging to agree how to implement aligned funding.

This research project has been commissioned to facilitate WaSCs and their partners identify, appraise and deliver collaborative opportunities across England, Wales and Scotland. It seeks to raise awareness of existing good practice and lessons learnt via case studies and provide a common platform for WaSC and partners to collaborate through common guiding principles. The range of scenarios where a WaSC may partner with collaborate is illustrated on the next page.

Partners could include local authorities, the Environment Agency, Natural Resources Wales, Internal Drainage Boards (England only). Other types of organisations such as Network Rail, Highways England or Local Enterprise Partnerships (England only) may also be project partners.

The guiding principles developed for this project build upon the existing good practice and will support a common and systematic approach to unlock collaborative opportunities. They are not intended to be prescriptive, but rather to suggest a logical process to progress collaborative opportunities. The guiding principles have been developed to work within the current investment cycle whilst providing approaches to help partners to plan future investment collaboratively. In addition, they have been designed to integrate into existing planning processes and funding cycles, to enable partners to adopt them into their business as usual practice. The stages of the guiding principles can easily be embedded into the standard project life cycle

This document is a high level guide setting out the Guiding Principles, Example Approach and Case Studies for quick reference. More detail is provided in the accompanying technical report. Relevant links are provided back to the main technical report to assist readers in finding more detail where required.

Opportunities for collaboration

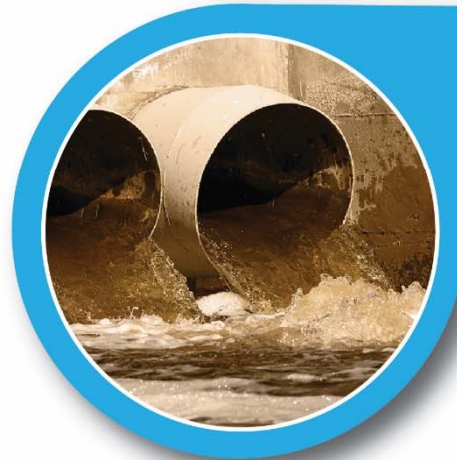
Flooding where the public sewer network is part of the source / pathway



Resilience of WaSC assets, where they are at risk of flooding or river/coastal erosion



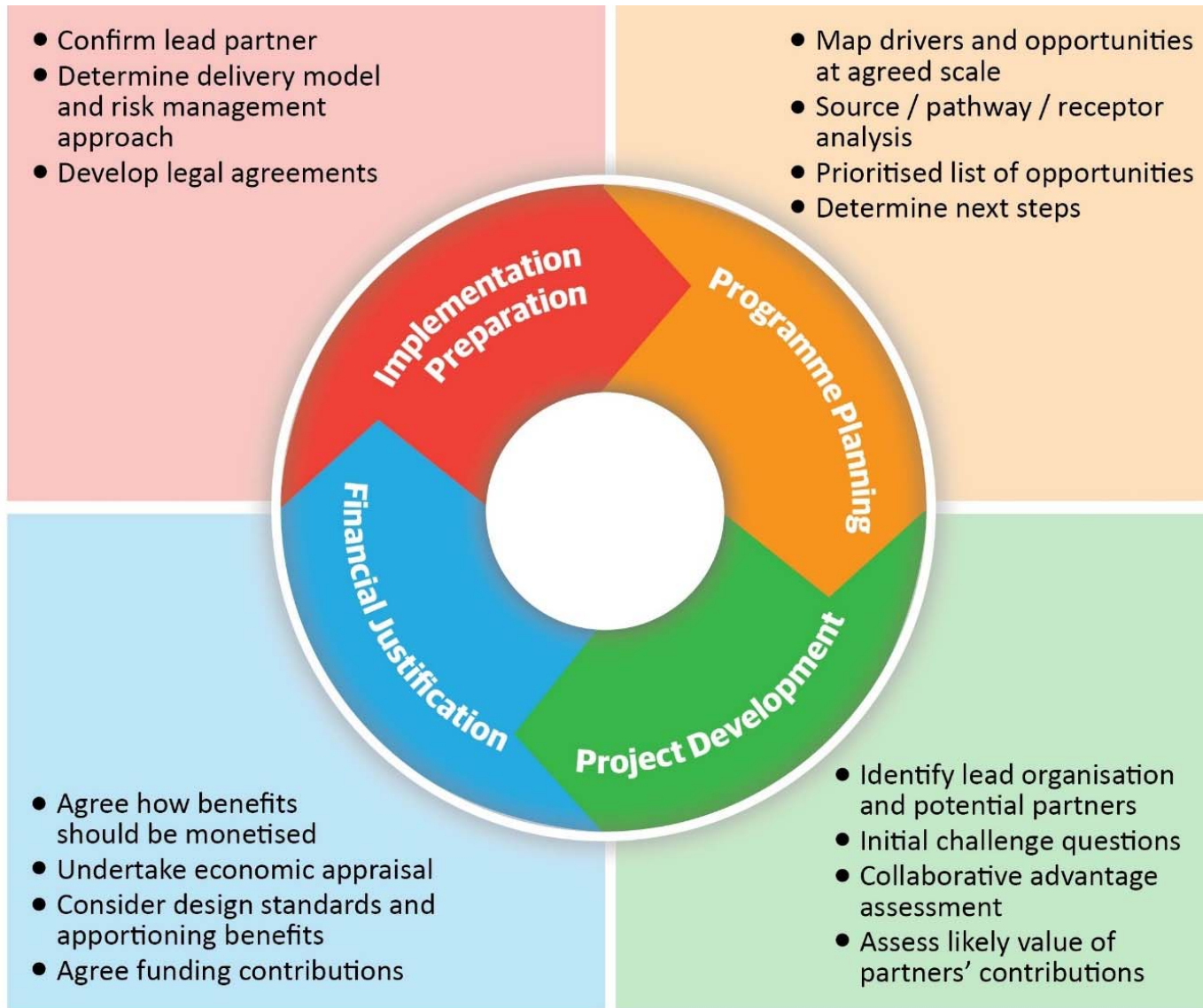
Managing pollution to the environment to meet legislative drivers (e.g. Water Framework Directive, Bathing Water Directive)



Creating capacity within wastewater networks and treatment plants to accommodate future development



Collaborative workflow



A structured collaborative workflow has been developed to help partners identify, appraise and deliver collaborative opportunities. The collaborative workflow is not intended to be prescriptive, but rather to suggest a logical process (or framework) to progress collaborative opportunities

Collaborative workflow – Structure

GUIDING PRINCIPLES

These are over-arching principles which outline the tasks, questions and considerations for each stage of a partnership project. The principles should be universally applicable across all WaSC, local authorities and other partners, and should therefore enable a consistent approach to be taken

EXAMPLE APPROACH

This presents an example methodology to implement the guiding principles described above. The purpose is to demonstrate example tools or processes organisations could adopt as they progress a partnership scheme. It is anticipated that WaSCs and partners may have developed their own approaches. Therefore the example approaches are intended to be for illustrative purposes.



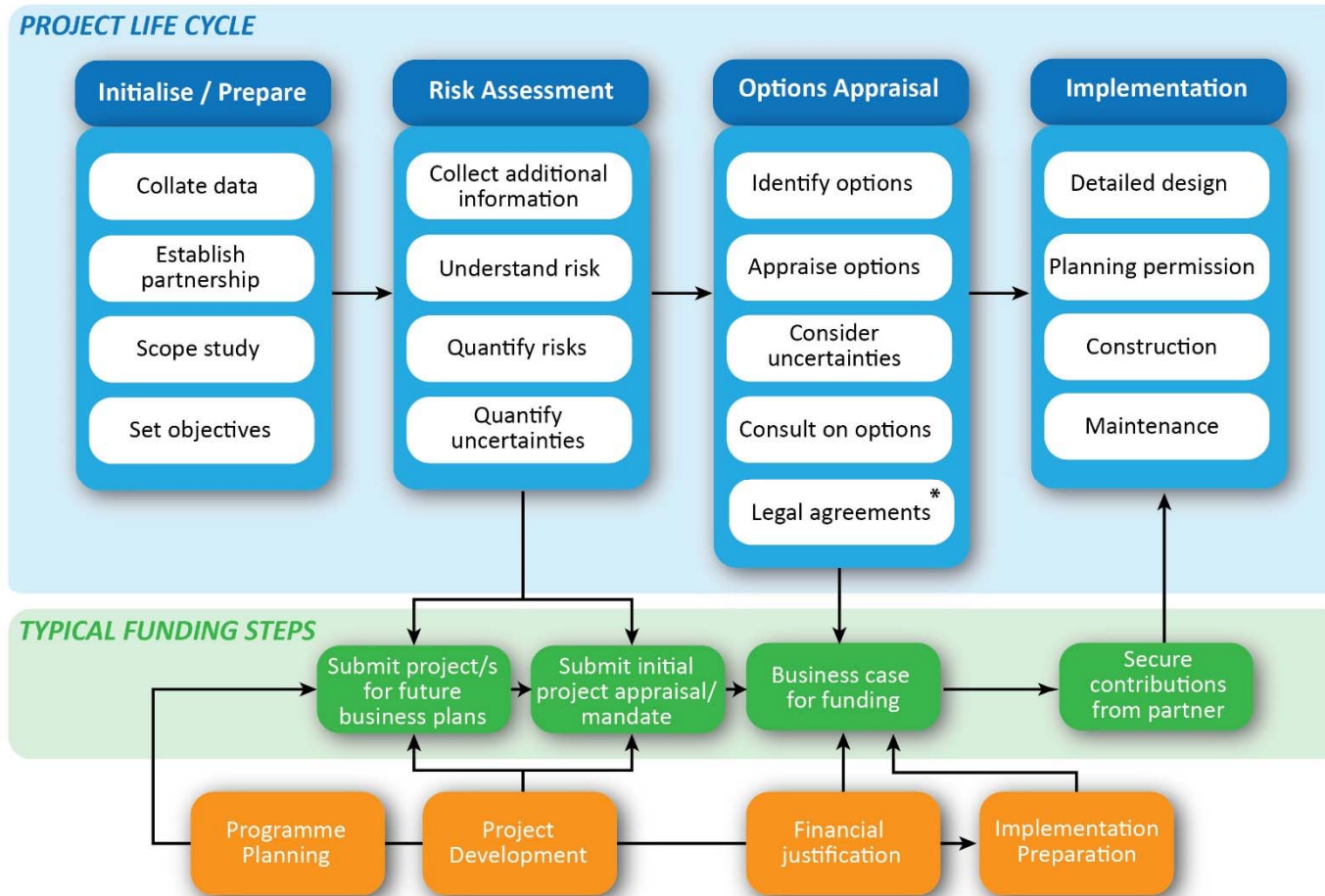
CASE STUDIES

These have been presented to identify where WaSC and partners have implemented the guiding principles. These have been included to celebrate and showcase the good practice that already exists, and to demonstrate how the guiding principles have been used in practice.



An example application has been provided which demonstrates one method to implement the guiding principles, and case studies have also been presented to identify where WaSCs and partners have implemented the guiding principles. The example applications and case studies are embedded into this draft summary report

How the collaborative workflow fits into existing planning and funding processes



The collaborative workflow has been designed to integrate into existing planning processes and funding cycles. The level of effort required to support a collaborative project should be proportionate to the level of investment required. The figure to the left shows how the collaborative workflow aligns with the typical project and funding life cycle

* Implementation cannot start until legal agreements are in place

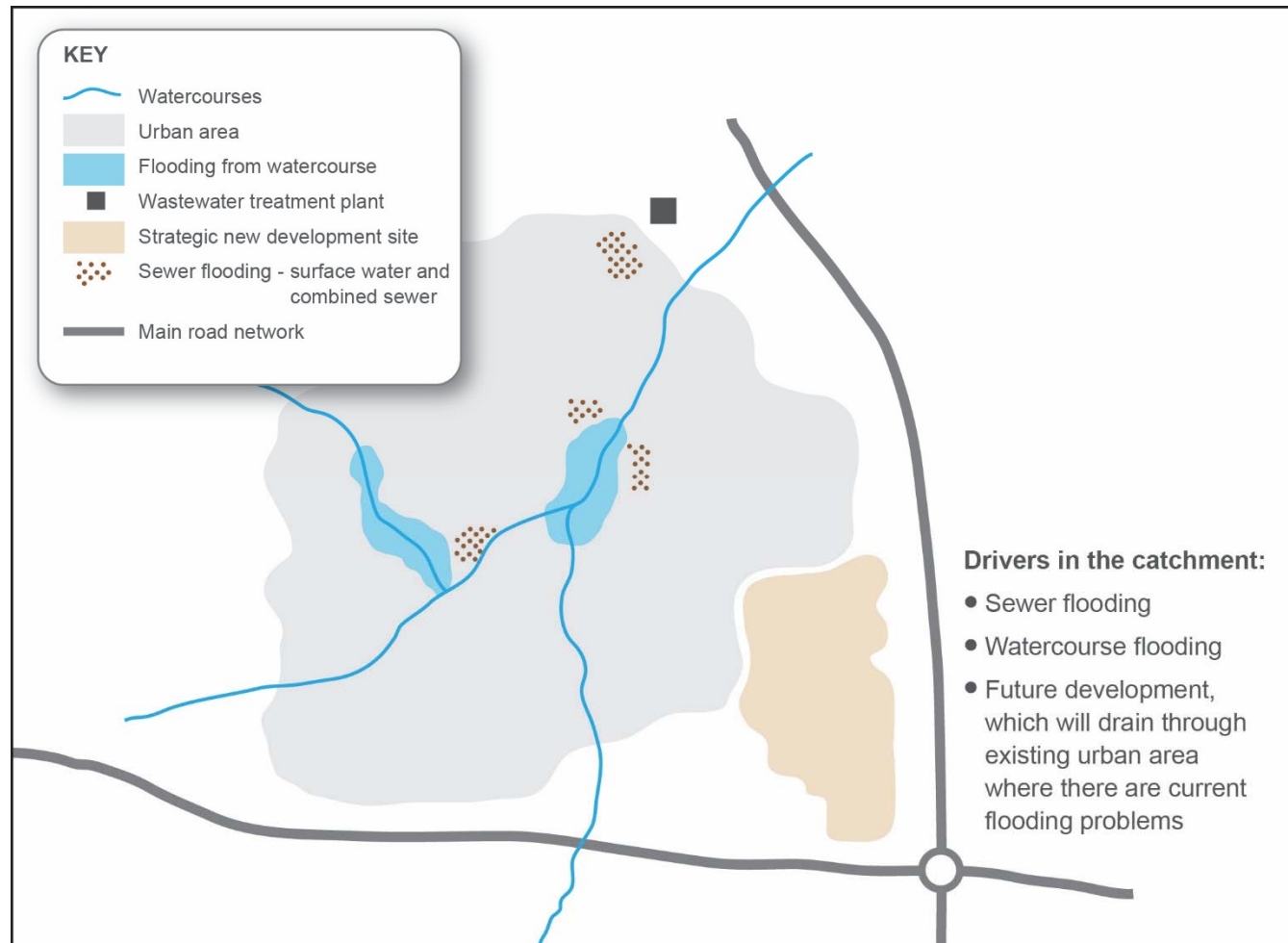
Programme Planning – Principles

- At an early stage of business planning organisations should bring together a wide range of data and knowledge to enable a shared discussion of the problems and challenges facing each partner organisation. This could include data and knowledge on flood history & risk, pollution incidents, future development, asset data (including models).
- Partners should work together to identify locations of common interests at a common scale, such as a drainage catchment. The source-pathway-receptor approach may be helpful
 - Source: Are our assets a source of floodwater or pollution?
 - Pathway: Are our assets a pathway for floodwater or pollution?
 - Receptor: Do we have customers and communities at risk? Are our assets at risk? Is the environment affected?
- Prioritise the catchments based on service impacts, economic damages, and/or legislative compliance. Establishing prioritisation approaches using defined criteria is important, but it is equally important for partners to discuss priorities.
- Determine and agree next steps:
 - Commission a joint investigation into the problem, and/or;
 - Undertake Project Development, and/or;
 - Put the future investment into your business planning



Programme Planning – Example Approach

- The example approach below shows a catchment with multiple drivers, and where partners could programme a joint investigation to consider existing flooding in the catchment, and the impacts of future development on the sewer network and wastewater treatment works. Mapping areas of existing problems and future proposals collaboratively is a good mechanism for understanding where partnership opportunities exist.

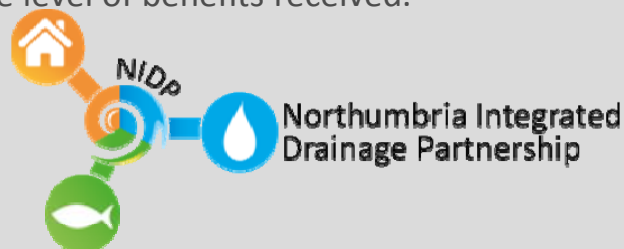


Programme Planning – Case Studies

Northumbrian Integrated Drainage Partnership

Northumbrian Water, in partnership with 13 Lead Local Flood Authorities and the Environment Agency, have developed a strategic level risk based prioritisation methodology and produced a prioritised programme for the delivery of jointly funded integrated drainage studies up to 2020.

Each study follows a three stage process, data collection, collation and analysis; options, costs and benefits; and delivery projects, and must demonstrate shared benefits before progressing to the next stage. Stages 1 and 2 are jointly funded by Northumbrian Water (50%) and the RFCC / local authorities (50%) with the outputs from the studies providing a robust evidence base in support future business planning. Individual partner contributions to stage three (project delivery) are proportionate to the level of benefits received.



Anglian Water shared RFCC resource

As part of the preparation for Periodic Review 2014 (PR14) Anglian Water jointly funded (with the 3 RFCCs) a secondee from the Environment Agency to develop the partnership funding proposals for AMP6, strengthen links with Lead Local Flood Authorities, and support submission for Grant in Aid funding.

“Really pleased that the level of partnership working on PR14 with Anglian Water has shown a lead to other RFCCs and water companies. This will deliver a more joined up programme of works between the risk management authorities to the benefit of all residents and businesses in the region.” (Feedback from the Chair of the Anglian Northern RFCC).

Project Development – Principles

- For each project under consideration identify the potential core delivery partners, and define a likely lead partner. The lead partner should be selected through consideration of some or all of the below
 - dominant driver (e.g. main source of flood risk)
 - available resource to manage the project, or;
 - experience of delivery and access to supply chain for appraisal, design and build.
- Consider other potential funding partners for the project, which could include Local Enterprise Partnerships (England only) or benefitting businesses.
- Consider an initial set of challenge questions to identify how the opportunities for collaboration. The challenge questions are intended to understand any absolute constraints that may impact the ability to deliver a collaborative project. There may be circumstances where a project has little potential for collaborative funding between WaSCs and public sector organisations, although partners will still work together to share knowledge and information even where no financial contribution could be made towards investment.
- Undertake a more detailed assessment of the collaborative advantage of the collaborative project. This should include an early consideration of the likely value of contributions from each partner, based on an initial appraisal of the benefits
- The effort invested in this analysis should be proportional to the likely value of the contribution from each organisation and the size of the project. For smaller project a more rapid process through these stages may be possible.



Project Development – Example Approach: Challenge Questions

The challenge questions outlined below are intended to support an initial assessment of potential attractiveness for a given co-funded scheme.

- Does the scheme align with one or more outcome? All organisations have outcomes they are seeking to meet, and are unlikely to justify investment unless it is linked with at least one of these outcomes.
- Are we wholly / partially responsible? This should consider legislative responsibilities, as well as considering the sources, pathways and receptors within the catchment.
- Does the timetable for delivery align to our business needs? It is important to consider early on whether the programme for the scheme aligns with the needs of each organisation, or whether the programme can be shifted to accommodate other constraints.

Challenge Question	WaSC	Local Authority	EA / NRW
Does the scheme align with one or more outcome?	Yes	No	Yes
Are we wholly / partially responsible?	Uncertain	No	Yes
Does the programme align to our business needs?	Uncertain	Uncertain	Yes
Pass or Fail Challenge Questions	Pass	Fail	Pass



Project Development – Example Approach: Collaborative Advantage

Questions	Excellent	Average	Poor
	5pts	3pts	1pt
Governance & Risks			
Do we have an existing relationship with potential partners?	Yes. Excellent relationship.	Yes. But don't thoroughly understand relationship.	Don't know and partnering/ relationships have been difficult.
Is the likely lead partner mature in terms of project management and governance?	Yes. Excellent maturity and qualifications.	Some experienced personnel and enthusiasm.	No experience or qualified personnel - no confidence in ability to deliver. Or, unknown ability.
Are there likely to be additional delivery risks associated with partnering (e.g. programme risks)?	Low/no delivery risks or flexible programme	Some delivery risks but not significant	Delivery risks very high which are unacceptable and/or cannot be mitigated
Will the scheme have a positive business impact (i.e. what is the risk of not partnering)?	Partnership working will have a significant positive business impact		Significant reputational damage if we do not partner
Are there any regulatory drivers which may constrain the ability to co-fund and co-deliver?	None		Yes, regulatory drivers are a significant constraint
Costs and Outcomes			
Will partnering enable us to resolve an issue at lower Whole Life Cost / Totex?	Up to 25% WLC or totex saving likely compared to delivering alone	5-10% WLC or totex saving compared to delivering alone	Unlikely to yield any financial cost saving
Will partnering enable us to resolve an issue we could or would not solve alone?	Yes, longstanding problem that we cannot address in isolation. Without partnering the project will not go ahead because non cost-beneficial	Cost benefit of delivering a scheme in isolation is marginal and could go ahead	No, we can resolve this in isolation
How important is this project to us as an organisation?	High priority, critical to deliver our business plan	Moderate priority	Low priority
Will partnering help to address one of more of our business outcomes?	Yes, supports multiple business outcomes	Yes, will support one business outcome	No, it does not support any business outcomes
Will partnering enable us to resolve an issue sooner than we could/would alone?	Yes, it brings forward delivery by several years	Yes, it brings forward delivery by approximately 1yr	No, it has no impact on our programme

In this example each partner would ask themselves a series of consistent questions to understand the value for their organisation of pursuing the project in partnership.

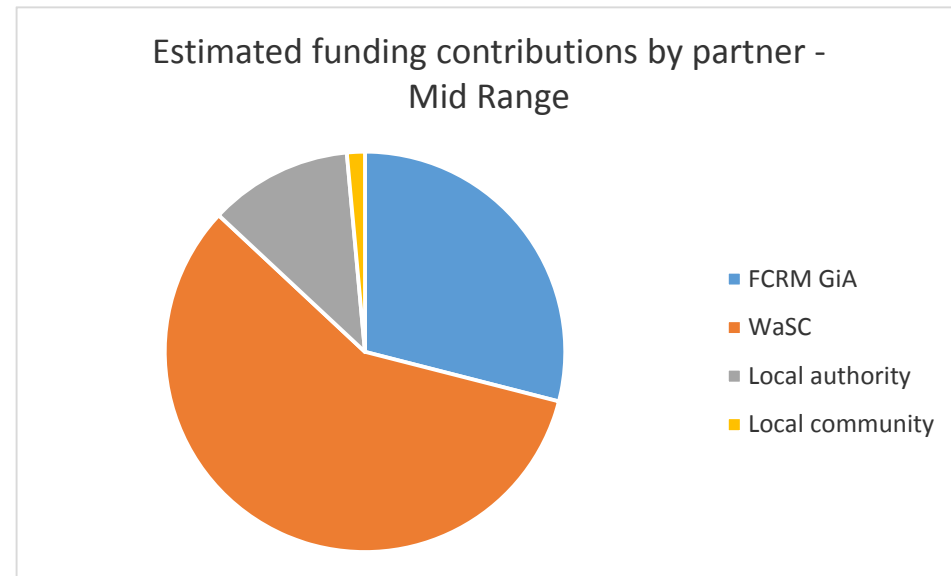
Each question is scored from 1-5 and summed to assess whether it offers best value to pursue the partnership opportunity, i.e. the Collaborative Advantage.

The scores can be converted to percentages and a score of >70% has been assumed as a "Go". Partners could weight different criteria to reflect the importance to their business.

The value to the organisations varies from question to question, and weighting could be applied depending on the importance of different criteria.

Project Development – Example Approach: Assess likely value of partners' contributions

- Within a catchment there are 10 properties that have suffered internal sewer flooding and 5 properties that have suffered external sewer flooding twice in the last 10 years. The cause of the flooding is under capacity within the sewer network, and land drainage ingress into the system.
- Further upstream there are 25 properties at risk of pluvial flooding, and have flooded twice in the last 10 years also. The local authority and WaSC have identified the opportunity to co-deliver a scheme by diverting some pluvial runoff through a nearby park and into a watercourse, and undertake some localised sewer upsizing.
- To understand the total funding available to deliver the project an initial benefits appraisal has been carried out. By populating the FCRM GiA calculator the local authority can calculate the maximum FCRM GiA that may be available based on the forecast Outcome Measures that may be delivered (e.g. Outcome Measures 1 and 2).



- At the same time the WaSC, using Willingness to Pay (WTP) data, can estimate the total value to their customers and hence how much funding could be available. The Water Company has assumed that the flooding to properties would reduce from a 1 in 5 to 1 in 20 year standard of protection at this stage, based on their understanding of the catchment and their network.
- Some of the softer or in-kind benefits of partnership working should be considered at this stage.


Project Development– Case Studies

Anglian Water pro-forma to test partnership opportunities

As part of its performance commitment to deliver £8.4m of partnership scheme in AMP6 Anglian Water has developed a partnership funding application pro-forma to enable it to determine the likely benefits to Anglian Water of a partnership scheme, and the potential funding contribution that may be required. This enables Anglian Water to identify the benefits early on, and ensure it prioritises partnership funded schemes where these will deliver the greater net benefit to Anglian Water’s customers and shareholders, and support delivery of its business plan.

South West Water Integrated Urban Drainage Modelling (IUDM) pilot studies

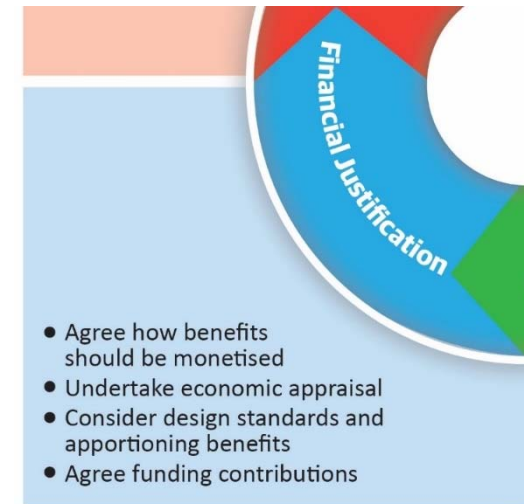
South West Water, in partnership with local authorities and the Environment Agency, have developed a number of IUDM pilot studies in catchments with complex and long standing flooding problems. These IUDM pilot studies helped to identify problems, clarify responsibilities of the agencies involved, and promote a better understanding of urban drainage flooding.

 AMP6 Partnership Funding Application for schemes in 2015-2020			
Project / scheme name			
Location			
Lead Local Flood Authority / IDB		Asset Owner / Manager	
Asset System name / number if known		Asset Reference number(s) / Asset Code	
Asset Type		National Grid-reference (10 digit)	
Does project follow on from a Strategy or previous appraisal	Yes/No	Shape file attached	Yes/No
Role	Name	Post Title	Contact details
Project Sponsor / Scheme Manager			Tel:
Form Author (if different from above)		Date	Email:

Source:
Anglian
Water

Financial justification – Principles

- Define the nature of the benefits appraisal, which should be reflective of the type of catchment problem being addressed and the evidence base needed to justify funding from different partners. This could include:
 - Economic benefits such as property damage, disruption to supply
 - Social benefits such as amenity, health and recreation
 - Environmental benefits such as biodiversity & ecology, carbon benefits
- Partners should collectively agree which types of benefits should be considered, by whom, and whether they should be expressed in monetary terms. When considering which benefits should be included within the economic appraisal it is also important for each partner to identify which benefits they can legitimately claim.
- An economic appraisal should subsequently be undertaken as part of the standard options appraisal process. It is recommended that partners identify, short-list and undertake the majority of the options assessment collaboratively, including calculating whole life costs of options.
- Each partner organisation should estimate the benefits their organisation will accrue individually through the collaborative project, in accordance with approved cost-benefit appraisal techniques. In the interests in openness and transparency information should be shared between partners. Partners should also understand the costs of delivering the infrastructure improvements in isolation to benchmark the investment for a collaborative approach
- Partnering allows organisations to think differently about the most suitable mix of mitigation measures within a catchment. This could result in a combination of above and below ground infrastructure, each offering a different level of protection, but working in an integrated way.



Financial justification – Principles (ctd.)

- With an understanding of the benefits accruing to different partners from a range of options, and an understanding of the whole life costs (or totex) of these options, the next step is to apportion funding contributions by partner. There are some key principles when considering how to apportion funding:
 - Partners will only contribute funding towards outcomes (i.e. benefits) they can legitimately claim.
 - It is recommended that partners determine their funding contribution primarily on valuing the benefits to the receptors (e.g. people, property and the environment) rather than apportioning contributions based on sources or pathways.
 - The whole life funding contribution (or totex) from each partner should result in a positive return on investment.
 - The affordability and timing of funding contributions should be considered. Whilst an investment may generate a positive return on investment the scale of proposed investment may be unaffordable either now or in the future for a partner.
 - Partners contributions should seek, as far as possible, to be equitable based on the benefits they accrue over the whole life of investment. It is recognised this is not always achievable because of funding constraints, and that organisations will use different thresholds and metric for investment.
 - Partners return on investment should be greater than delivering investment as a stand alone project. This can be measured in a range of ways including delivering more benefits for the same whole life costs (or totex); delivering the same benefits for lower whole life cost, or; unlocking investment where it was infeasible for technical or economic reasons.

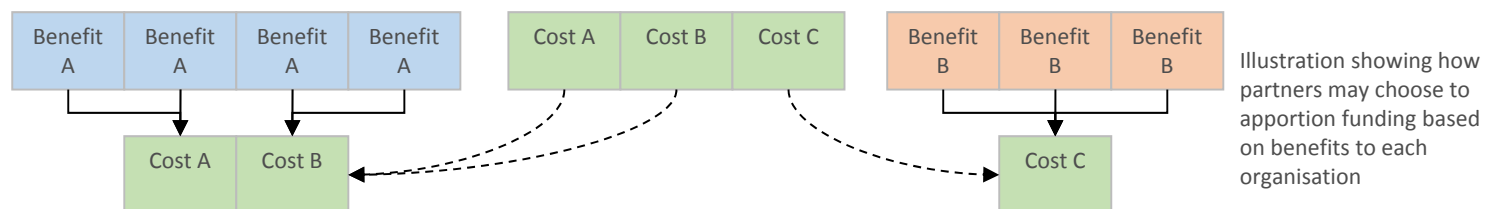
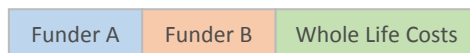


Illustration showing how partners may choose to apportion funding based on benefits to each organisation

Legend:



Financial justification – Example Approach: Agree approach and benefits to be included

- For the worked example there is a town which suffers from fluvial flooding, which affects people, property and the local road network.
- In addition, a water treatment works is vulnerable to flooding and there is an opportunity for the WaSC to develop a partnership funded project with the Environment Agency and local authority.
- In this worked example the proposed solution is to raise the local river defences and create upstream attenuation.

Category	WaSC Benefit?	LA Benefit?	FCRM GiA Benefit?	Other partners
Property damage		✓	✓	
Damage to road network		✓	✓	
Disruption to road network		✓	✓	
Damage to water treatment works	✓			
Disruption to water treatment works	✓			
Disruption to local businesses		✓		LEP
Damages to vehicles			✓	
Loss of life			✓	
Emergency services costs			✓	
Development land unlocked		✓		
Amenity		✓		e.g. community groups, local wildlife trust
Health	Depends on WaSC ODI	✓		
Recreation		✓		
Biodiversity & ecology		✓	✓	

Financial justification – Example Approach: Apportioning funding contributions

- Within a catchment there are 10 properties that have suffered internal sewer flooding and 5 properties that have suffered external sewer flooding twice in the last 10 years. The cause of the flooding is under capacity within the sewer network, and land drainage ingress into the system. Further upstream there are 25 properties at risk of pluvial flooding, and have flooded twice in the last 10 years also.
- The WaSC has appraised a scheme (scenario B) to upsize the local sewer network which has a TOTEX cost of £2 million. It has a marginal benefit-cost ratio of 1:1, and is unlikely to be progressed. Further upstream the local authority would like to divert pluvial runoff through a local park and join a nearby watercourse (scenario C). The scheme is estimated to cost £2.25 million with whole life benefits of £8 million, and would only attract funding from FCRM GiA and the local authority of £1.5 million, leaving a funding gap of £750k. Working together, through a combination of upstream management of pluvial runoff, and some localised upgrade of the sewer network the whole life cost of the scheme is estimated to be £3.5 million, of which £1.6 million is available from FCRM GiA and the local authority (scenario D). This leaves a funding gap of £1.9 million.
- The WaSC can calculate the costs and benefits of different intervention options. In this case scenario D (contribute £1.9 million to the combined) scheme generates the greatest NPV. Presenting data in this format can help partners determine the best investment choice, and how to equitably apportion costs based on the benefits accruing to different organisations.

Scenario B	Whole Life Costs (£K)	Whole Life Benefits (£K)	Benefit Cost Ratio	Net Present Value (£K)
National (FCRM GiA)	-	-	-	-
WaSC	£2,000	£2,020	1.01	-£506
Scenario C	Whole Life Costs (£K)	Whole Life Benefits (£K)	Benefit Cost Ratio	Net Present Value (£K)
FCRM GiA & LA	£1,500	£8,000	5.33	£5,730
WaSC	£750	£1,826	2.43	£1,047
Scenario D	Whole Life Costs (£K)	Whole Life Benefits (£K)	Benefit Cost Ratio	Net Present Value (£K)
National (FCRM GiA)	£1,600	£8,000	5.00	£5,730
WaSC	£1,900	£4,856	2.56	£3,044

Financial justification – Case Studies

Weston-super-Mare

To meet the Bathing Water Directive Wessex Water were required to reduce spills from a major overflow in the catchment. To meet the immediate needs Wessex Water constructed an initial solution of 21,000 m³ of storage at the treatment works. However, to ensure the bathing water quality could continue to be met under climate change and future urbanisation Wessex Water pursued surface water separation as well. Due to significant development in Weston-super-Mare North Somerset Council were constructing a 'super pond' to accept runoff from proposed development and build compensatory floodplain storage. By working closely with partners additional storage was provided to allow Wessex Water to discharge 4,000 m³ of surface water during rainfall events. Wessex Water contributed to North Somerset Council for the design, construction, use of the land, and a commuted sum for the future maintenance. Through partnership Wessex Water realised cost savings, met bathing water standards, and helped provide biodiversity and amenity.

Killingworth & Longbenton

As part of Northumbrian Water's investigation of future headroom for the East Howdon wastewater treatment works (WwTW), Killingworth and Longbenton was identified as one of a number of catchments where there was significant surface water ingress into the combined network. Northumbrian Water, in partnership with North Tyneside Council and the Environment Agency, have set out plans to remove surface water from the sewer network by diverting watercourse flows which drain into the combined sewer, to another nearby watercourse known as the Forest Hall Letch and create new wetlands.

From the WaSC perspective the benefits of the partnership funded scheme are reduction in sewer flooding, reduction in treating surface water at the WwTW, reduction in CSOs to the Ouseburn, and creating a new wetland areas. Approximately £1.5 million for the scheme is from FCRM GiA, with £400k from North Tyneside Council. Northumbrian Water are funding the remainder but are actively seeking other contributors towards the scheme.

Implementation Preparation– Guiding Principles

- These steps will need to be undertaken as part of the development of the business case
- Agree the delivery model for construction and maintenance. There are different delivery models available:
 - a WaSC makes a contribution to a partner organisation who then leads on the construction;
 - a partner organisation makes a contribution to the WaSC who then leads on the construction phase, or;
 - an integrated delivery model is used, whereby resources and skills are shared during the construction phase and where multiple organisations assume responsibility.
- Beyond the construction phase of the project partners will need to agree who will adopt and maintain the infrastructure. For WaSCs there may be complications associated with investing in assets that do not become part of the company's asset base, or future maintenance requirements.
- Agree how risks will be managed. With respect to risk management there are a number of risks which need to be considered. For example, partners need to agree how any cost over-runs during design and construction should be shared equitably between funders.
- Finally, partners should enter into legal agreements to secure contributions and manage identified risks and liabilities. The legal agreements of entering into a partnership may be significant and time consuming, and legal advice will be required for each partner organisation on a project by project basis



Implementation Preparation– Example Approach: Determine delivery model

- The example below provides an illustration of the factors which should be considered when determining which type of delivery model may be suitable for a partnership funded project. Initially, partners should consider:
 - who has access to a supply chain for the design and build of the project;
 - which organisation has the skills, resource capacity and experience to manage the project, and;
 - the primary purpose of the project.
- The responses to these questions should help determine who should be the lead partner. Subsequently, there are a series of questions partners could consider to identify whether an integrated delivery approach is required. An example approach of the type of questions partners could consider are shown below.

Question	Answer
Will there be multiple asset owners?	Yes
Are financial contributions broadly equitable?	No
Are there efficiencies or savings through integrated delivery?	Yes
Is the site complex in terms of construction, access, or stakeholders?	Yes
Recommended approach	Integrated delivery

Implementation Preparation – Case Studies

Herne Hill flood alleviation scheme

The Herne Hill and Dulwich flood alleviation scheme reduces flooding to 200 homes and businesses from surface water flooding and a further 80 properties from sewer flooding. It is a collaborative scheme between Southwark Council and Thames Water, with funding from these partners and FCRM GiA. Southwark Council acted as the lead partner, but used Thames Water's framework contractor for the construction of the project as they had undertaken the previous feasibility work. Thames Water provide resources to support the construction phase because of their significant experience in delivery infrastructure.



Source: Thames Water and Southwark Council

Fellgate flood alleviation scheme

Fellgate is an urban estate in Jarrow, South Tyneside that was at risk from sewer and surface water flooding. Northumbrian Water and South Tyneside Council have collaborated on a £4 million scheme, with funding from these organisations and RFCC local levy FCRM GiA and South Tyneside Homes

The proposed scheme involved two phases of work to address the sewer and surface water flooding. Phase 1 was the sewer flooding works, involving the construction of two new detention basins and phase 2 works included the construction of further basins, permanent ponds, swales and bunds to manage surface water at source. For efficiency reasons Northumbrian Water and South Tyneside used the same consultant and contractor for the design and build of the scheme, which significantly reduced disruption to local residents and the mobilisation and demobilisation costs.



Conclusions

- This project has celebrated existing good practice. Nonetheless, there are remaining challenges when WaSCs and partners seek to collaborate.
- The guiding principles developed for this project build upon the existing good practice and provide a common, logical and systematic way to unlock more collaborative opportunities.
- The guiding principles:
 - cover the range of scenarios where a WaSC may collaborate with other organisations to identify, appraise and deliver collaborative opportunities.
 - are not intended to be prescriptive, but rather enable partners to follow a common approach to progress collaborative opportunities
 - can be embedded within the existing project life cycle rather than create wholly new processes to enable partners to adopt them into their normal business practice
 - are developed for use within the current investment cycle whilst providing approaches to help partners to plan future investment collaboratively



Recommendations

- There are three primary recommendations arising from this research project:
 1. water and sewerage companies and partners should implement the guiding principles outlined in this document to unlock collaborative opportunities during the current business plan period, and future business plans
 2. good practice and lessons learnt should be shared between water and sewerage companies and partners, to demonstrate that collaboration can save money, unlock investment, and deliver multiple benefits;
 3. continued engagement with UK Government is required to clarify areas that remain difficult to resolve, such as definitions and responsibilities about flooding from sewers.