

REPORT FOR DECISION

Agenda Item	
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DECISION MAKER:	Cabinet
DATE:	28th August 2013
SUBJECT:	Local Flood Risk Management Strategy
REPORT FROM:	Cllr T Isherwood, Cabinet Member for Environment
CONTACT OFFICER:	Paul Allen – Head of Planning Policy & Projects
TYPE OF DECISION:	(KEY DECISION)
FREEDOM OF INFORMATION/STATUS:	FOR PUBLICATION - This paper is within the public domain
SUMMARY:	<p>This report seeks approval for Bury’s first Local Flood Risk Management Strategy as a draft for consultation purposes.</p> <p>As a Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010 (the Act), Bury Council has a new statutory duty to “develop, maintain, apply and monitor” a Local Flood Risk Management Strategy for the Borough. The Strategy creates a framework for managing flood risk and is the means by which the Council, as LLFA, will discharge its duty to co-ordinate flood risk management on a day to day basis.</p> <p>The draft Strategy has been produced in consultation with local partners and the designated “Risk Management Authorities” under the Act within the Borough. Its focus is on flooding from surface water runoff, groundwater and smaller ‘ordinary’ watercourses.</p> <p>It is proposed that the final Flood Risk Management Strategy will be completed by the end of December 2013 when it will provide a framework to deliver a prioritised programme of works and initiatives to manage flood risk in the area.</p> <p>The draft Local Flood Risk Management Strategy and Sustainability Appraisal Scoping Report are attached as Appendices to this report.</p>
OPTIONS & RECOMMENDED OPTION	<p>Option 1 (Recommended option)</p> <p>That Members approve the Draft Local Flood Risk Management Strategy (LFRMS), as included with this report, and authorise the proposed measures for it to be subject to a period of public consultation.</p>

	<p>Option 2</p> <p>That Members seek revisions to the proposed contents of the Draft LFRMS prior to public consultation. Members to specify the nature of any revisions to be sought.</p> <p>Reasons</p> <p>To enable the Council, as a Lead Local Flood Authority, to comply with its statutory duties and responsibilities required under the Flood and Water Management Act 2010.</p>
IMPLICATIONS:	
Corporate Aims/Policy Framework:	<p>Do the proposals accord with the Policy Framework? Yes</p> <p>Preparation and production of a Local Flood Risk Management Strategy is a new responsibility for the Bury Council as a Lead Local Flood Authority under the Flood and Water Management Act 2010.</p>
<p>Statement by the S151 Officer:</p> <p>Financial Implications and Risk Considerations:</p>	<p>Capacity to meet the new requirements of the Flood and Water Management Act will need to be found within existing staff resources.</p> <p>The draft Local Flood Risk Management Strategy has been developed using existing revenue budgets supported by ongoing grant funding for lead local flood authorities. Future responsibilities and maintenance of the required records will be undertaken using existing staff resources in planning and engineering, working with other partners as appropriate.</p> <p>Funding for any works required as a result of the strategy will need to be found within the current capital and revenue budgets available for other work programmes.</p>
Statement by Executive Director of Resources:	<p>Consultation on and publication of the Local Flood Risk Management Strategy will ensure that the Council meets its duty under the Flood and Water Management Act 2010. Implementation of the strategy may potentially require re-prioritisation of existing resources in order to address essential flood risk measures.</p>
Equality/Diversity implications:	<p>No (see paragraph below)</p> <p>An initial screening has been undertaken and, as there were no negative impacts identified for affected groups, there is no requirement</p>

	to proceed to a Full Impact Assessment.
Considered by Monitoring Officer:	Yes JH The Council as the lead local flood authority for the Borough must develop, maintain, apply and monitor a strategy for local flood risk management by law.
Wards Affected:	All
Scrutiny Interest:	Overview and Scrutiny

TRACKING/PROCESS

DIRECTOR: K G Atkinson - DCN

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
	29/07/13		
Scrutiny Committee	Committee	Council	
	28/08/13		

1.0 BACKGROUND

- 1.1 The Flood and Water Management Act 2010 aimed to address the main concerns of Sir Michael Pitt's review of the 2007 floods. The review identified an important role for unitary local authorities in co-ordinating the management of 'local flood risk', as well as other roles such as maintaining an Asset Register of structures affecting flood risk (e.g. culverts, bridges, etc) and the promotion of SuDS (Sustainable Drainage Systems), together with the establishment of a SuDS Approval Body (SAB) to make decisions on SuDS proposals.
- 1.2 The act established unitary authorities as Lead Local Flood Authorities (LLFAs). LLFAs are responsible for 'local flood risk' i.e. flooding from surface runoff, groundwater and ordinary watercourses¹. Interactions between different types of flooding are also considered in conjunction with the Environment Agency, which has an overview role and is primarily responsible for flood risk from main rivers, reservoirs and the sea.
- 1.3 In addition to the requirement to prepare a Local Flood Risk Management Strategy (LFRMS), the Act prescribes the contents of the LFRMS and requires it to be consistent with the national strategy for flood risk management, which took effect in 2011. The LFRMS focuses on the management of ongoing flood risk rather than responses to flood incidents.
- 1.4 A level of subjectivity has been used in assessing relative flood risk and the results will be used to prioritise future, more robust investigations and assessments which will, hopefully, lead to reliable measures of risk. Consequently, it is not appropriate to apply the information and recommendations in this report at a local property level.

¹ Ordinary watercourse includes every river, stream, ditch, drain, cut, dyke, sluice, sewer (other than a public sewer) which the Environment Agency has not identified as a Main River.

2.0 ISSUES

- 2.1 The Flood Risk Regulations 2009 and the Flood and Water Management Act 2010 set out a range of new duties and responsibilities for local authorities in planning for, and delivering local flood risk management.
- 2.2 Section 9 (4) of the Act sets out what a LFRMS should contain. Bury's Draft LFRMS is attached at **Appendix 1** to this report. The Strategy's principle aim is to set the objectives for local flood risk management in the Borough and demonstrate how these are to be delivered. Whilst the focus of the draft Strategy should be local flood risk (as its name suggests), the Flood Risk Management Team decided that the Strategy should aim to integrate all flood risk within the Borough (local and main river) to give a more comprehensive picture of flood risk across the Borough as a whole. However, the Strategy makes it clear that plans and strategies governing main rivers are the responsibility of the Environment Agency.
- 2.3 The LFRMS should be based on the most up to date information available to the LLFA. A series of technical studies (strategic flood risk assessment and surface water management plan), assessment of historic flood incidents and inspection records of flood management assets have all been used in the production of Bury's LFRMS.
- 2.4 Through the Strategy work, stronger links, understanding and cross-agency working has been established with key partners such as the Environment Agency, United Utilities, neighbouring authorities and local communities whose actions could impact on Bury's flooding risk. As well as external stakeholders, stronger cross-working links within the Council have been enhanced with roles and responsibilities clearly defined. These range from Planning, Highways & Engineering and Emergency Planning through to ensuring our housing stock and social care providers are well informed to ensure the impacts of flooding on residents are reduced as far as possible for future generations.
- 2.5 To date, very little formal consultation work has been undertaken on flooding within the Borough. Although some local community engagement in targeted areas has been undertaken by the Environment Agency, the wider views of Bury residents have yet to be captured. Through the Strategy, further work will be undertaken to help establish what the residents and key stakeholders of the Borough understand to be the flooding risks, along with their view and expectations of the Council's role, and will also explore local communities' appetite for self-help and local solutions.
- 2.6 If approved, the draft Strategy will be subject to a six week period of public consultation (2nd September – 11th October 2013). A press release will advise residents of the public consultation period and copies of the Strategy will be made available to view at the Planning Reception in Knowsley Place and the Town Hall. The Strategy and a summary newsletter will be available to view and download from the Council's website. An article will be placed in the Planzine e-newsletter and social media will be utilised. In addition, presentations will be made to the Township Forums in September and direct emails will be sent to:
 - Residents Associations and Tennant Associations;
 - Key Land Owners;
 - Business Groups;
 - Key Stakeholders;

- Risk Management Authorities; and
 - AGMA and adjoining districts
- 2.7 Although the LLFRA role is funded by a Department for Environment, Food and Rural Affairs (DEFRA) grant, this will not cover all that we would want to do. Consequently, the Strategy promotes partnership working as a means to identify issues, develop solutions and fund implementation.
- 2.8 Central government funding is allocated strictly on a risk based priority to deliver long term investment plans. The development of a local holistic flooding strategy for Bury that links with neighbouring flood authorities may help strengthen any future bids that may be required.
- 2.9 The draft Strategy has been subject to scoping for a Strategic Environmental Assessment which is attached at Appendix 2 to this report and has determined that there are no significant adverse environmental effects arising from it.

3.0 CONCLUSION

- 3.1 The Lead Local Flood Authority role is still a new responsibility for the Council and we have started from a position of a limited skill base and possessing little data. The draft Strategy aims to set a programme for the Council's Flood Risk Management team and its external partners over the coming years.
- 3.2 It looks towards better integration of the various flood risk responsibilities and aims to develop capacity, build partnerships and promote a heightened awareness of risk and the responsibilities of all involved in risk management within the wider community. It also places a priority on delivery of local flood alleviation schemes, undertaking local detailed assessment and drawing in the other Risk Management Authorities to assist in delivery.
- 3.3 The document sets out significant challenges for the Borough in managing flood risk and it is recommended that this draft version is published for public consultation.

List of Background Papers:-

Draft Local Flood Risk Management Strategy (July 2013) – see Appendix 1.
Sustainability Appraisal of Draft Local Flood Risk Management Strategy – see Appendix 2.

Contact Details:-

Paul Allen
Head of Planning Policy & Projects
3 Knowsley Place
Bury
BL9 0EJ
Tel. 0161 253 5283
Email p.n.allen@bury.gov.uk