

**REPORT TO:** Environment and Urban Renewal Policy  
and Performance Board

**DATE:** 4<sup>th</sup> January 2012

**REPORTING OFFICER:** Strategic Director Policy and Resources

**PORTFOLIO:** Transportation

**SUBJECT:** Flood Risk Management Governance and  
Progress Report

**WARDS:** Boroughwide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To inform members of the role of the North West Regional Flood and Coastal Committee (NW RFCC) and the opportunities to engage through Member representation and involvement in new regional sub-group arrangements.
- 1.2 To provide Members with an update on the introduction of new duties under the Flood and Water Management Act (2010).
- 1.3 To inform Members of the progress made on the production of Halton's Surface Water Management Plan (SWMP) and current activity in flood risk management.

## **2.0 RECOMMENDATION: That**

- (1) the Board notes the proposed arrangements for local member representation on the NW RFCC; and**
- (2) the Board welcomes the progress made in the development of Halton's SWMP and the work currently underway to address flood risk across the Borough.**

## **3.0 SUPPORTING INFORMATION**

### The Regional Flood and Coastal Committee.

- 3.1 The North West Regional Flood and Coastal Committee has been established by the Environment Agency under the Flood and Water management Act (2010) (F&WMA). It replaces the former Regional Flood Defence Committee and brings together elected Members appointed by the North West Lead Local Flood Authorities (LLFAs) and independent members with relevant experience for three purposes:

- To ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines;
  - To promote efficient, targeted and risk based investment in flood and coastal erosion risk management that optimises value for money and benefits for local communities – this includes raising an annual levy worth approximately £3.6m and consenting the Environment Agency’s regional programme worth in excess of £20m. Halton’s levy contribution in 2011/12 is £60,300.
  - To provide a link between the Environment Agency, the LLFAs, other risk management Authorities and other relevant bodies to engender mutual understanding of flood and coastal erosion risks in its area.
- 3.2 There are 10 seats allocated to LLFA members on the NW RFCC, and to improve local representation, it is proposed that they are drawn from the 5 new flood-risk partnership sub-groups that are evolving across the region. These comprise Lancashire, Cumbria, Manchester, Merseyside and the Cheshire & Mid Mersey sub group, of which Halton is a partner, together with St Helens, Warrington, Cheshire East and Cheshire West & Chester. This partnership has been allocated 2 seats on the NW RFCC.
- 3.3 The period of appointments is nominally for 4 years and the process of members’ appointment has been left up to each partnership to determine. This is important, as appointees will be responsible for representing a number of Authorities.
- 3.4 To further improve local representation in regional flood risk management (FRM) decisions, it is proposed that lead Members from each LLFA meet twice yearly with their sub-group partners, to discuss local issues, review progress and ensure that the two Members appointed to the RFCC on behalf of the partnership are supported and fully briefed. As portfolio holder with responsibility for flood risk management, Councillor John Stockton will attend these meetings, which will be planned to coincide with the planned quarterly meetings of Senior Officers (Director level), together with their technical / operational FRM leads. An illustration of how the arrangements will operate is shown in Appendix 1.
- 3.5 At the time of writing, the inaugural meeting of this strategic group is being arranged to take place in December 2011. It is anticipated that the partners will discuss RFCC representation and make appointments for the first four year period, and a verbal update will be provided to Members at the Board meeting.

Update on Flood and Water Management Act

- 3.6 The Flood and Water Management Act became law in April 2010 and is being implemented using a phased approach. To date there have

been five Commencement Orders, each introducing specific provisions of the Act. The key provisions as they affect Halton as a lead Local Flood Authority (LLFA) are summarised in the table below, together with the expected timetable for the introduction of the remaining Sections of the Act.

<b>F&amp;WMA Implementation of New Duties</b>	
Phase 1 & 2 October 2010	<ul style="list-style-type: none"> <li>• Key concepts of the Act introduced;</li> <li>• Requirement for EA to develop National Strategy and LLFAs to develop a Local Strategy for Flood Risk and Coastal Erosion;</li> <li>• Duty for risk management authorities to Co-operate with each other in the exercise of their duties;</li> <li>• Provisions for capital &amp; revenue funding for LLFAs via the EA;</li> <li>• Creation of Regional Flood &amp; Coastal Committees funded through levy from LAs;</li> </ul>
Phase 3 April 2011	<ul style="list-style-type: none"> <li>• Duty of LLFA to investigate responses to flooding in its area;</li> <li>• Duty of LLFA to establish and maintain a register of structures &amp; features which have a flood risk function;</li> <li>• Addition to Local Government Act 2000 – power of scrutiny of risk management authorities.</li> </ul>
Phase 4 July 2011	<ul style="list-style-type: none"> <li>• Duty for risk management authorities to perform consistent with local strategies (which must be consistent with the national strategy);</li> <li>• Performance monitoring of Flood &amp; Coastal Erosion Risk Management (FCERM) by EA;</li> <li>• Amendments to the Land Drainage Act providing wider &amp; additional powers to LLFAs in respect of ordinary watercourses and the making of by-laws.</li> </ul>
Phase 5 October 2011	<ul style="list-style-type: none"> <li>• Provision requiring contribution to Sustainable Development provisions in exercising FRM functions;</li> <li>• Powers for Secretary of State to amend Reservoirs Act;</li> <li>• Powers to water &amp; sewerage authorities to reduce charges to certain groups (social tariffs)</li> </ul>

<b>Expected Commencement of Future Provisions</b>	
April 2012	<p>New duties for LLFAs in respect of consenting works affecting ordinary watercourses. Mainly, workload will comprise consideration of applications and consent / conditioning / rejection of works to install culverts, weirs or other potential obstructions to flow within watercourses. LLFAs may charge fees for applications.</p> <p>LLFAs will also have an enforcement role that will involve serving notice &amp; follow-up of non-approved structures / obstructions etc. It is likely that a new set of local by-laws will be required (mirroring existing EA by-laws)</p>
October 2012	Introduction of Sustainable Drainage System (SuDS) duties and responsibilities. Halton will become a 'SuDS Approval Body' (SAB). It is expected that Defra will consult on detailed arrangements early next year. SABs will be responsible for approving and adopting SuDS and maintaining them in the future.
October 2012	Designation of 3 <sup>rd</sup> Party Assets. This provides LLFAs with increased regulatory control over features which provide a significant contribution to flood risk management in their area.
October 2102	Changes to the Reservoirs Act. This will reduce the capacity at which a reservoir will be regulated to 10,000m <sup>3</sup> and impose a risk-based management regime for registration, inspection, planning and reporting to the EA.

### Halton's Surface Water Management Plan

- 3.7 A progress report on the production of Halton's Surface Water Management Plan (SWMP) was presented to Members at the 16<sup>th</sup> March 2011 meeting of the Board. The development of the SWMP followed Defra's framework which is represented diagrammatically in Appendix 2. Utilising the grant funding awarded for the project, work on the study has progressed through to the 'Options' stage. A comprehensive report, detailing the flood risk assessments, results and findings and the conclusions drawn from the study has been produced.
- 3.8 A short presentation describing the process employed during the study together with its outputs and conclusions will be provided to Members at the meeting.

- 3.9 The presentation will outline the series of maps which have been produced, using fresh hydraulic modelling of surface water for the whole Borough, and illustrating flood depth, flood velocity and flood hazard. This data has been used to prepare a flood impact and risk analysis process, which has in turn enabled the production of an updated 'Borough of Halton Surface Water Flood Map'.
- 3.10 These maps comprise flood impact maps both for property and separately for essential transport infrastructure, at a range of rainfall return periods (1 in 30 year, 1 in 100 year and 1 in 200 year rainfall events). Flood Risk maps were produced for property only and these were then used to determine 'cluster' areas where the risk of surface water flooding is deemed to be higher, and where further investigatory work can be targeted.
- 3.11 The report concludes that surface water flooding in the Borough of Halton is characterised by a large number of discrete, small areas of flooding, spread across the Borough. There is no single large area of potential flooding. Some of the flood areas are coincident with or adjacent to property and this will have impacts upon the community in those areas. Sections of essential transport infrastructure (main railway lines and principal roads where located in cuttings) have also been identified as vulnerable to surface water flooding.
- 3.12 A methodology has been developed to identify the impact of flooding on property and infrastructure in order to highlight hotspots where surface water flooding can be expected to have the most significant impacts. The plan identifies a prioritised list of possible measures for each hotspot. This is now being used to progress the plan to the option assessment and agreement stage and to formulate funding bids to Defra / EA for schemes that will address flood risk in these areas of the Borough.

#### Report on Current Activities

- 3.13 A total of £207,750 has been awarded this year for Property Level Flood Protection covering areas of Widnes that are vulnerable to surface water flooding as detailed below. These areas were identified through our recently completed surface water management study and the funding is provided for property surveys and works that will provide additional protection and resilience against flooding such as flood gates, flood doors, air brick covers and non-return valves for services. In accordance with the new partnership arrangements for funding flood risk management and protection schemes, a contribution towards the cost of these projects is being made from Halton's Capital Programme budget allocation for 2011/12.

Scheme	No. of Properties	Funding Allocation £
Peelhouse Lane	2	1,500
Cowan Way	3	2,250
Mottershead Road	10	32,000
Quinn Street	22	72,000
Fairhaven Road	18	68,000
St Annes Road	8	32,000

In additional, improvements to surface water drainage are being implemented at Morley Road, Prescott Road and Foxcote to resolve localised flooding problems

- 3.14 EA has also awarded £21,000 of funding for survey work and production of a feasibility report into the repair of the existing shoreline protection armouring at Pickerings Pasture, Widnes. The revetment was constructed around 30 years ago and sections of it are beginning to fail. The study will provide an understanding of the risks associated with the revetment in its current condition and propose a number of suitable options to be considered that address these risks.
- 3.15 Environment Agency flood defence works at Keckwick Brook (which is designated as Main River), to reduce flood risk to properties in Sandymoor were completed in November. The scheme cost in excess of £1m and was funded through the Environment Agency Regional Flood & Coastal Committee local levy programme. During the planning of this project, Halton worked closely with the EA to co-ordinate an HBC flood defence scheme, which was awarded £35,000 of funding by Defra through the national programme. This scheme comprised works to strengthen Wharford Farm reservoir embankment which is now also complete. Additional repair works to the embankment and retaining structure of the reservoir are continuing.
- 3.16 A study into the location, extent and capacity of existing culverts within the Borough is currently underway. The study will analyse the extent and depth of flooding and its likely impact on property and infrastructure when the capacity of each culvert is exceeded. This will enable us to plan and prioritise maintenance and improvement works using a managed, risk based approach.

#### **4.0 POLICY IMPLICATIONS**

There are no specific policy implications in relation to this report or within the SWMP. Together with the recently approved Preliminary Flood Risk Assessment (PFRA) the SWMP will inform the Local Flood Risk Management Strategy for Halton. Work on the preparation of the Strategy is now underway and the Board will be further appraised of progress in relation to flood risk management activities and the implementation of the Council's duties and functions as these develop.

## **5.0 OTHER IMPLICATIONS**

### **5.1 Legal Implications**

Halton as a LLFA has new statutory duties under the Flood and Water Management Act 2010. As described in paragraph 3.6 of this report, the Act is being commenced in phases and the Board will be informed of these new Duties and their implications as they are established.

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **6.1 Children and Young People in Halton**

There are no implications associated with this report.

### **6.2 Employment, Learning and Skills in Halton**

There are no implications associated with this report.

### **6.3 A Healthy Halton**

There are no implications associated with this report.

### **6.4 A Safer Halton**

There are no implications associated with this report.

### **6.5 Halton's Urban Renewal**

The SWMP will be of considerable value to the spatial planning and development process. The analyses undertaken and outputs from the assessment will help to promote sustainable development and support a more strategic approach to implementing sustainable surface water drainage solutions.

## **7.0 RISK ANALYSIS**

There are no specific risks in relation to this report.

## **8.0 EQUALITY AND DIVERSITY ISSUES**

There are no Equality and Diversity issues in relation to this report.

# Cheshire Mid Mersey Flood Risk Partnership

Proposed partnership arrangements to strengthen capacity and decision making

2 RFCC members from the Cheshire Mid Mersey Partnership

**Match Funded Post**  
Local Authority flood risk coordinator

**Regional Flood & Coastal Committee (RFCC)**  
Regional governance and funding decisions

**Cheshire Mid Mersey Strategic Partnership**

1. Senior officers meeting twice yearly with 2x RFCC members
2. Senior officers meeting quarterly with technical leads

**Cheshire Mid Mersey Management Group**

Technical and operational leads/managers meeting bi monthly to coordinate delivery, share skills and establish priorities for joint working

Current strategic gap linking delivery to decision making and funding

St Helens

Halton

Warrington

CWAC

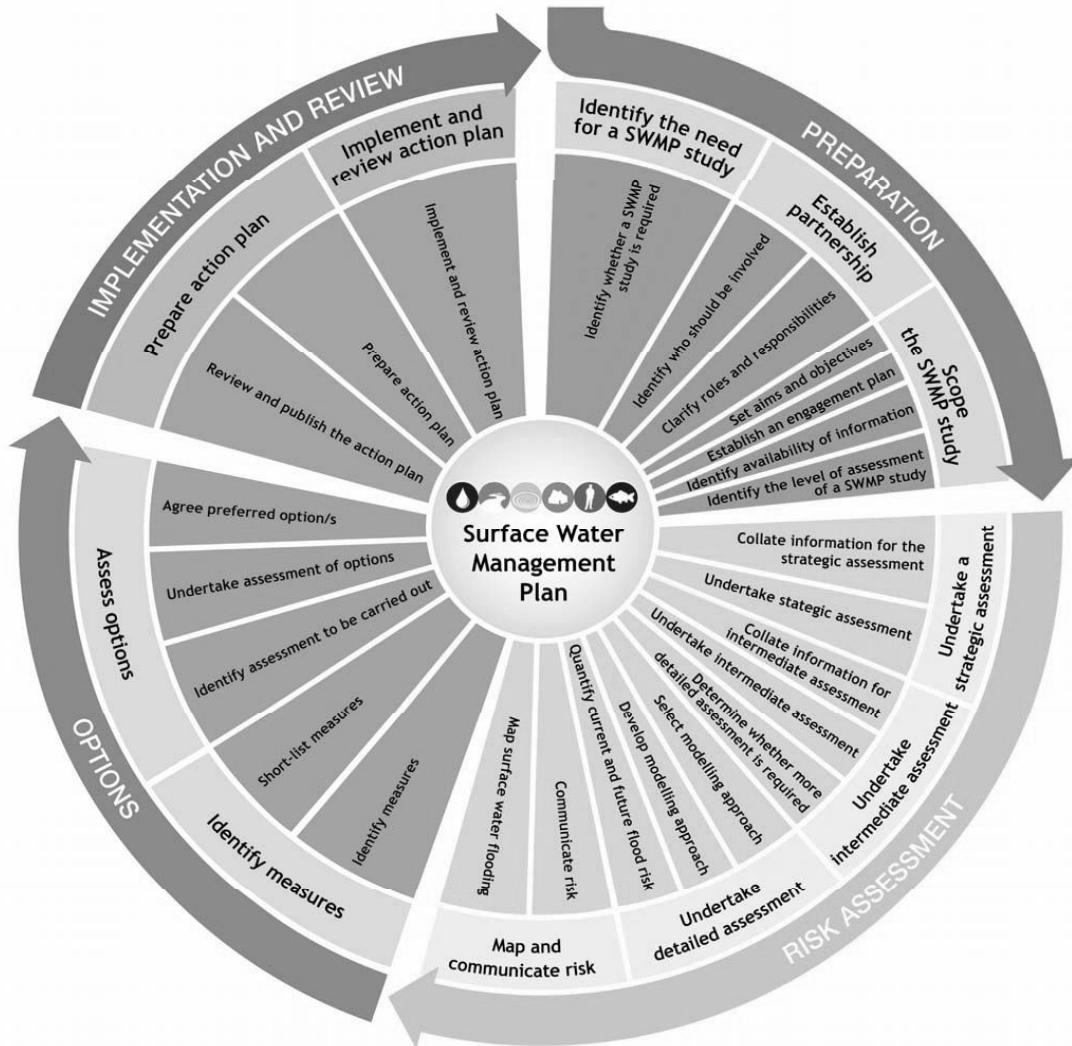
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# Flood Risk Management - Progress Report

## Appendix 2

The Surface Water Management Plan Process Wheel Diagram



**9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE  
LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Environment Agency North West Regional Flood and Coastal Committee (RFCC) – Role of Members	Highways Office Rutland House, Halton Lea, Runcorn	Dave Cunliffe
Flood and Water Management Act 2010 - Implementation of New Duties	Highways Office Rutland House, Halton Lea, Runcorn	Dave Cunliffe
Halton Borough Council Surface Water Management Plan – Project Report	Highways Office Rutland House, Halton Lea, Runcorn	Dave Cunliffe
Flood and Coastal Erosion Risk Management Additional In-year Grant In Aid Allocation	Highways Office Rutland House, Halton Lea, Runcorn	Dave Cunliffe