

REPORT TO: Environment and Urban Renewal Policy
and Performance Board

DATE: 20 November 2013

REPORTING OFFICER: Strategic Director Policy and Resources

SUBJECT: Local Flood Risk Management Strategy –
Progress Report

PORTFOLIO: Transport

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

The purpose of this report is to present Halton's Local Flood Risk Management Strategy as a draft for formal consultation with partner organisations and stakeholders.

2.0 RECOMMENDATION: That the Board notes the content of the strategy and the fact that it will be used as the basis of consultation with stakeholders in accordance with the legislation.

3.0 SUPPORTING INFORMATION

- 3.1 At its meeting of 12 June, the Board noted the progress being made in relation to the preparation of a Local Flood Risk Management Strategy for Halton. Local strategies must be produced by all Lead Local Flood Authorities (LLFAs) as a statutory requirement under the Flood and Water Management Act 2010 (FWMA).
- 3.2 As described in the earlier report, the LLFA partners within the Cheshire & Mid Mersey (CMM) sub-region had agreed to work to a common template in developing their draft strategies. Over the last few months, local flood risk management information and evidence has been collated from a variety of sources and brought together to compile a range of measures describing how Halton proposes to manage the risk of local flooding, i.e. from surface water, groundwater and from ordinary watercourses. The draft Strategy is attached at Appendix A.
- 3.3 An advance copy of the draft has been shared with CMM partnership officers at the Environment Agency, who retain a strategic overview of all forms of flood risk. They will undertake a review of the Local Strategy and provide comments before formal consultation with other risk management authorities and stakeholders takes place.
- 3.4 It should be noted that the draft document is still in a preliminary formatting stage, pending alterations and amendment during partner

consultation. It is intended that final document design and finishing, using the Council's in-house service, will follow this process.

3.5 The draft Local Strategy contains the following subject / topic sections:

- A foreword by the Portfolio Holder for Transportation (who is the service lead for surface water and flood risk management) and an Executive Summary;
- The context, aims and objectives of the Local Strategy;
- A summary of other risk management authorities' (RMA) roles and responsibilities and a description of the organisation and governance arrangements in respect of flood risk management
- An assessment of flood risk in the Borough including details of the catchment, summaries of past flooding and future flood risk by type;
- A description of how Halton proposes to manage future flood risk through a range of Borough-wide actions (such as planning and development control, asset management and communication) and site specific measures (such as implementing programmes of works for maintenance and improvement or protection measures, application of regulatory powers of enforcement & consenting etc.)
- Details of funding sources available for flood risk management duties and summary of current allocations.
- Comprehensive appendices including local mapping, programmes and glossary.

3.6 Whereas a significant part of the document contains factual and background information in relation to local flood risk in Halton, section 5 of the draft Local strategy comprises the Borough-wide strategic actions and site specific actions that will be taken to manage risk.

3.7 Planning Policy and development control are at the forefront of ensuring new development and re-development minimises flood risk and this is undertaken chiefly through the requirement for site specific flood risk assessments, and by reference to the Strategic Flood Risk Assessment, the application of the 'sequential test'. It is expected that from April 2014 the sustainable drainage (SuDS) legislation part of the FWMA will be enacted. This will require developments over a certain size to submit details of surface water drainage systems for approval by the LLFA in parallel with the planning application process. Halton will be a SuDS approval body (SAB) and this new role will encompass design approval, inspection, adoption and future maintenance of SuDS systems. This is a substantial additional duty for the Council with significant policy and resource implications. It is proposed that a specific report on the implications will be brought to the Board when the details of how the legislation will operate have been clarified by Defra.

3.8 Halton's asset management function comprises several strands, including statutory duties to maintain a register and records of FRM structures and features and the investigation of floods as well as preparing programmes of asset maintenance and proposing & planning

works to address the risk of flooding. Each year, Halton submits bids for flood defence grant-in-aid (FDGiA) funding to EA / Defra for schemes that have been identified as reducing the risk to properties. Whilst the risk of flooding in Halton is relatively low in terms of the number of properties at risk, several 'pockets' of potential flooding were identified through the Preliminary Flood Risk Assessment (PFRA) and Surface Water Management Plan (SWMP) study. These have been reported to the Board previously and form the basis of improvement work programmes. These are detailed in Appendix 7 of the draft Local Strategy.

3.9 Defra's 'partnership' approach to funding local FRM schemes through FDGiA means that the smaller, local, lower priority schemes now have a chance of progressing within their Medium Term Programme. However, in order for schemes to 'score' sufficiently highly in the assessment, a local, partner contribution toward the cost of the scheme is required. This has a potential resource implication for Halton if our local schemes are to be successful in being granted FDGiA funds, or Local Levy funding from the Regional Flood and Coastal Committee (RFCC) allocation. There is currently no allocation within Halton's capital programme to support flood defence schemes, which means only minor works can be implemented with support from the existing Land Drainage revenue budget.

3.10 Following the EA's review of the draft strategy, it is proposed to continue with formal consultation with partners and key stakeholders. These comprise:

- Neighbouring LLFAs – partner members of the CMM sub regional group plus Knowsley Borough Council;
- United Utilities as the water company for the area;
- Other risk management authorities, the police, fire and rescue service
- Canal Authorities – the Canal and Rivers Trust and Peel Holdings

3.11 Local Flood Risk Strategies should also contribute to the achievement of wider environmental objectives. As Halton is predominantly urban in nature, it is considered that this will chiefly be achieved through the development of SuDS proposals in connection with new developments and regeneration. It is proposed to add to the draft strategy when more information about the impending SuDS legislation is released. A Strategic Environmental Assessment, which considers the likely impacts on the wider environment is likely to be required, which will be prepared in parallel to the continuing development of the Local Strategy.

4.0 POLICY IMPLICATIONS

4.1 There are no policy implications arising from this report, however, once the Local Strategy has been adopted, it can inform specific policies, for example in relation to use of enforcement powers or the provision of flood protection measures etc.

5.0 OTHER IMPLICATIONS

5.1 Resource Implications.

The Local Strategy is being developed 'in-house' by officers in the Policy, Planning and Transportation Department. Other Council Departments and Divisions have provided input into the process during the consultation stage and will be required to contribute to the further development of the Strategy and SEA. There are potential financial implications for the Council in supporting future FRM schemes through the partnership funding approach required for FDGiA process.

5.2 Sustainability

The sustainability themes of economy, community and the environment are all key factors in developing a successful local strategy for flood risk management and they are considered in the relevant sections of the draft document. The SEA and environmental report will inform the Strategy and the extent and implications of sustainable development will be an important part of any measures put in place to achieve the objectives.

5.3 Legal Implications

There are no legal implications arising from this report. The preparation of the Local Strategy by LLFAs is a requirement under the F&WMA and its development it must take account of a framework of related legislation which is outlined within the LGA Guidance.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

There are no specific implications for children and young people in relation to this report.

6.2 Employment, Learning and Skills in Halton

There are no specific implications for employment, learning and skills in relation to this report.

6.3 A Healthy Halton

The development of the Local Strategy will help to manage flood risk through the adoption of prevention and protection measures and help mitigate the impacts of flooding when it does occur, which should contribute to the health and well-being of communities that may be affected.

6.4 A Safer Halton

The development of the Local Strategy will help to manage flood risk through the adoption of prevention and protection measures and help mitigate the impacts of flooding when it does occur, which should contribute to the safety of the community and potential users of affected land areas.

6.5 Halton's Urban Renewal

The development of the Local Strategy will help to manage flood risk through the adoption of prevention and protection measures. The Strategy deals with land use considerations and the environmental aspects of sustainable development contained within the Strategy will help contribute to the creation of attractive, safe places and amenities and enhance Halton's physical and natural environment.

7.0 RISK ANALYSIS

The Council, as LLFA regularly reports to the Environment Agency on the progress being made to deliver the range of functions and legislative requirements under the F&WMA. Progress on the preparation of the Local Strategy is one of the areas covered in the report and whilst no date has been set within the legislation for the adoption of a Local Strategy, there is a reputational risk to the Council if this is delayed unduly.

8.0 EQUALITY AND DIVERSITY ISSUES

There are no equality and diversity issues in relation to this report.

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

Document	Place of Inspection	Contact Officer
Halton Preliminary Flood Risk Assessment (PFRA) 2011	All documents at Municipal Building	Dave Cunliffe for all documents
Halton Surface Water management Plan (SWMP) June 2011		
Halton Strategic Flood Risk Assessment (SFRA) 2011		
Flood Defence Grant in Aid Bid 2013/13		
Defra Policy - Flood and coastal resilience partnership funding 23 May 2011		