

| | |
|-------------------------|---|
| Meeting: | General scrutiny committee |
| Meeting date: | 11 July 2017 |
| Title of report: | Herefordshire Local Flood Risk Management Strategy |
| Report by: | Directorate Services Team Leader |

Classification

Open

Key decision

This is not an executive decision.

Wards affected

Countywide

Purpose

To review the draft high level strategic document and determine any recommendations to improve its effectiveness.

Recommendation(s)

That: the committee determines any recommendations it wishes to make to cabinet as to how implementation of the local flood risk management strategy could be enhanced.

Alternative options

- 1 There are no alternative options to the recommendation; it is for the committee to decide what recommendations, if any, it wishes to make to cabinet.

Reasons for recommendations

- 2 Council has determined that the general scrutiny committee remit should encompass statutory flood risk management scrutiny functions.

Key considerations

Herefordshire Council's role in leading and co-ordinating the management of local flood risk

- 3 The nature of flood risk within Herefordshire is varied and widespread. The county has an extensive network of rivers and watercourses, combined with a large number of villages, towns and extremely rural surroundings. Local flood risk management and land drainage forms part of the public realm services contract. As such, these

services are carried out by Balfour Beatty Living Places (BBLP).

- 4 The most notable flood event of recent times was during July 2007 when over 300 residential properties were affected. Since then, there have been a number of incidents of 'flash flooding'. As well as the direct impact of flooding, other issues relate to issues of isolation as a result of minor roads, lanes and driveways becoming impassable, as well as problems with loss of water and sewerage amenities. Such extreme rainfall also causes significant damage to the highway network. In 2014, we were required to respond to the immediate emergency and also deliver a significant increase in maintenance work to repair the damage making maximum use of additional Government funding through the Bellwin and Severe Weather funding streams.
- 5 The Flood and Water Management Act 2010 ("the Act") places a number of statutory duties on Herefordshire Council in its role as a lead local flood authority for leading and co-ordinating the management of local flood risk derived from surface runoff, groundwater and ordinary watercourses. One of these duties is to produce a Local Flood Risk Management Strategy ('the strategy').
- 6 Section 9(4) of the Act stipulates what the Strategy must specify and this includes the risk management authorities in the authority's area and their functions, objectives for managing local flood risk, measures proposed, costs and benefits, assessment, the review periods for the strategy and how it contributes in the wider context with environmental objectives.
- 7 The attached high level strategic document contains a comprehensive overview of the council's approach to local flood risk management and is the county's overarching document on flood risk. The draft outlines the responsibilities of the risk management authorities in Herefordshire and how they are working in partnership to coordinate local flood risk management. It sets out what the council intends to do, working with organisations, businesses and communities, to manage the risk of flooding in Herefordshire. As well of being of interest to organisations that have specific responsibilities for managing flood risk within Herefordshire, it is also relevant to members of the public, residents, workers, business owners and landowners within the county. It outlines Herefordshire Council's priorities for local flood risk management and is supported by an action plan to manage the risk.
- 8 This draft has not been developed solely by Herefordshire Council but has been produced in collaboration with other partner authorities and key stakeholders in Herefordshire – the EA, River Lugg Internal Drainage Board, Lower Severn Internal Drainage Board, Welsh Water and Severn Trent Water.
- 9 It sets out five key objectives for the management of local flood risk in Herefordshire:
 - Understand flood risks throughout Herefordshire;
 - Manage the likelihood and impacts of flooding;
 - Help the community help themselves;
 - Manage flood warning, response and recovery; and
 - Promote sustainable and appropriate development.
- 10 These objectives also contribute towards the achievement of the priority 'Support the growth of our economy' within the Herefordshire Council Corporate Plan (2016-20). The council must take a lead in Herefordshire on local flood risk management and this document, which has been produced in line with the requirements of the Flood and Water Management Act 2010 and the guiding principles of the EA's National Flood and Coastal Erosion Risk Management Strategy, identifies how this will be

done.

- 11 Once the Strategy has been adopted, it will need to be updated frequently to reflect the progress being made within Herefordshire, along with information from any flooding events and the latest technical guidance. As such it will have the status of a 'living document' but formal consultation and approval by Herefordshire Council as to future revisions will be made every six years.

Next steps

- 12 The high level strategic document will be presented to Cabinet on 14 September 2017 for adoption, along with a non-technical summary (easy reference guide summary document). In addition, an action plan that identifies a programme of work for reducing local flood risk within Herefordshire will be produced.

Community impact

- 13 Herefordshire Council's strategic objectives are described in our Corporate Plan (2016-20). This sets out how we will ensure we make the best use of resources and deliver services that make a difference to people in Herefordshire. Specifically, this work contributes towards the 'Support the growth of our economy' priority which includes: ensuring that infrastructure is in place to prevent and improve community resilience to flooding.
- 14 The council appreciates the distress that flooding and the risk of flooding can cause within communities. Once the Strategy has been adopted, further work will be undertaken to increase public awareness of the risk that remains and to engage with people at risk to encourage them to take action to manage the risks that they face and to make their property more resilient.

Equality duty

- 15 The Equality Duty 2010 has three aims (general duty)
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not
 - Foster good relations between people who share a protected characteristic and those that who do not.
- 16 The Public Sector Equality Duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying "due regard" in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to Equality legislation.

Financial implications

- 17 There are no specific financial implications contained within this report and implementation of the action plan will be delivered from within existing budgets. Local flood risk management and land drainage forms part of the Herefordshire Council and BBLP annual plan.

- 18 BBLP's work programme for 2017/18 includes undertaking studies to enable funding grants to be accessed for flood alleviation. However, government grants will not fully fund all schemes and so local contributions will have to be found for many schemes to proceed. Our risk-based approach targets resources and funding at those parts of the county that are most susceptible to flooding.

Legal implications

- 19 Local authorities can only act where specifically permitted by legislation or to facilitate the discharge of statutory obligations under Section 111 Local Government Act 1972.
- 20 Under Section 9 of the Act, Herefordshire Council, as Lead Local Flood Authority for the county has a statutory duty to develop, maintain, apply and monitor a Strategy for local flood risk management in its area. Section 9 (6) (b) more specifically requires us to consult 'the public' on this.
- 21 Under Part 3 Section 4 of the Constitution the General Scrutiny Committee has the power to review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.

Risk management

- 22 Consultation on and publication of the Strategy will ensure that the council meets its duty under the Act. The council does acknowledge the risk of flooding and this is reflected in a service level risk. The action plan identifies a programme of work for reducing local flood risk within Herefordshire.

Consultees

- 23 Through our public consultation, we sought feedback on:
- Our proposed objectives for the management of local flood risk across Herefordshire;
 - The actions we have proposed to deliver our objectives; and
 - Any other comments in relation to the Local Flood Risk Management Strategy or local flooding in general.
- 24 The consultation resulted in 18 responses by the deadline of 30 January 2017. This included comments from the EA, NFU and Woodland Trust, as well responses from Parish and Town Councils and members of the public.
- 25 Following this consultation, the responses were reviewed and addressed as appropriate and were taken into account in the preparation of the finalised Strategy document.

Appendices

Appendix 1 – Draft Local Flood Risk Management Strategy

Background papers

- None identified.