

Title of report: Local Flood Risk Management Strategy Action Plan

Meeting: General scrutiny committee

Meeting date: Monday 22 March 2021

Report by: Cabinet member Infrastructure and transport

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

Under the Flood & Water Management Act 2010, Herefordshire Council as the Lead Local Flood Authority is required to have a Local Flood Risk Management Strategy. The General Scrutiny Committee is allocated statutory flood risk management scrutiny powers. General Scrutiny Committee last reviewed the Strategy in July 2017. This report presents the 2016-2022 action plan which identifies a programme of work for reducing local flood risk within Herefordshire.

Recommendation(s)

That:

- a) That the Committee review the updated action plan prior to publication and provide comments to help inform its further development.**

Alternative options

1. There are no alternatives to the recommendations; General Scrutiny Committee is allocated statutory flood risk management scrutiny powers.

Key considerations

2. Following major flooding in 2007, Government set up the Pitt Review to look into the way flood risk management agencies dealt with such major events. This review came up with 93 recommendations, which Government accepted.
3. A number of these recommendations needed legislation to give local authorities and agencies the necessary flood response powers or duties and hence the introduction of the Flood & Water Management Act 2010. One of these duties was for all Lead Local Flood Authorities (Herefordshire Council for this area) to prepare a [Local Flood Risk Management Strategy](#) (LFRMS).
4. The LFRMS gives consideration to the management of flood risk from all sources of flooding. However, greater focus is given to those sources of flooding for which the council, as appointed Lead Local Flood Authority, are responsible, namely 'local' sources of flooding that comprise:
 - a. Surface water;
 - b. Groundwater; and
 - c. Ordinary watercourses.
5. There are many other authorities also responsible for the management of flood risk within the county. These include:
 - a. The Environment Agency which has a strategic overview of all sources of flooding and is the authority responsible for managing flood risk from rivers designated as 'main rivers', reservoirs and the sea;
 - b. Welsh Water which is the authority responsible for managing flood risk from the public sewerage network in the majority of Herefordshire;
 - c. Severn Trent Water which is the authority responsible for managing flood risk from the public sewerage network in the north and east of Herefordshire;
 - d. The River Lugg Internal Drainage Board who are responsible for water level management with its operational areas, which encompass the low-lying land within the catchments of the Rivers Lugg, Arrow, Frome and Monnow (in England).
 - e. Lower Severn Internal Drainage Board who are responsible for the maintenance of the land drainage assets within the low-lying land within the catchment of the River Leadon; and
 - f. Highways England and Network Rail who are responsible for managing flood risks within their trunk road, motorway and railway networks respectively.
6. The LFRMS was reviewed by the Committee in July 2017 and adopted by Cabinet in September 2017.

7. It outlines the approach the council and other agencies will take with regard to flood risk management.
8. The LFRMS contains:
 - a. An overview of what it aims to achieve, why it needs to be prepared, the relevant legislation and the roles and responsibilities of key flood risk management authorities;
 - b. A brief summary of flood risk throughout Herefordshire to provide the context from which the proposed actions and measures have been developed;
 - c. The objectives that the council has selected to improve the management of flood risk;
 - d. A summary of the key sources of funding that may be available to the council, other relevant authorities and the general public to help with the delivery of schemes and reduction of flood risk within Herefordshire; and
 - e. An Action Plan that sets out how the council will deliver the LFRMS.
9. The LFRMS's five key objectives for flood risk management are:
 - Objective 1: Understand flood risks throughout Herefordshire.
 - Objective 2: Manage the likelihood and impacts of flooding.
 - Objective 3: Help the community help themselves.
 - Objective 4: Manage flood warning, response and recovery.
 - Objective 5: Promote sustainable and appropriate development.
10. The specific measures are contained in Appendix A-1 of the LFRMS, which has been reviewed annually. It was most recently reviewed in February 2021.
11. Updated progress against priority measures is included in the Appendix to this report.
12. A key piece of work currently underway relates to our duty to investigate incidents of flooding and this is set out in Section 19 of the Flood & Water Management Act 2010 and the investigations are therefore typically termed 'S19 Reports.' Analysis has been carried out of the October 2019 and February 2020 flood events, identifying the impact of the flooding for each geographical area affected and whether this is attributable to main river (therefore to be investigated by the Environment Agency) or local sources of flooding, i.e. ordinary watercourses, surface water and groundwater (therefore to be investigated and reported within a S19). Using this data, initial budget and programme estimates were produced and a desktop study is currently being conducted in order to further refine this dataset. Some 30 locations across the county have been identified as requiring further investigation by the council. Note that we ordinarily plan for one S19 report to be completed per year. Whilst the desktop study will clearly help in prioritising and defining a programme of S19 reports, completing all of these investigations will clearly take some time.

13. Also in progress is how we promote the role of Community Resilience Groups. In the aftermath of the flood events, we are seeking to further engage with the various flood groups that are forming. As resources allow, our approach is to create mutually beneficial relationships with local flood groups, providing advice as to what measures the flood groups/parishes can carry out themselves, and sharing asset information with them.
14. Another current key activity for the rest of 2021 is ensuring that we continue to promote the Property Flood Resilience Recovery Support Scheme 2020 to eligible property owners. We are continuing to liaise with Defra and colleagues as to how we can maximise uptake

Community impact

15. The LFRMS supports the strategic objectives which are described in our County Plan (2020-24). 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, it contributes towards the 'Protect and enhance our environment and keep Herefordshire a great place to live' ambition.
16. The council appreciates the distress that the flooding has had and continues to have within communities.

Environmental Impact

17. Herefordshire is already vulnerable to flooding and given that climate change is projected to increase the frequency and intensity of weather events, further impacts from heavy rainfall and river levels are likely. The Strategy contributes towards the 'Environment' ambition of our County Plan (2020 – 2024) and increasing flood resilience

Equality duty

18. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:-
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Resource implications

19. There are no specific resource 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 annual plan 2021/22 for the public realm services contract with Balfour Beatty Living Places. Costs of delivering flood projects are typically funded through Regional Flood and Coastal Committee Levy funds, Flood Defence Grant in Aid or the council's capital programmes.

Legal implications

20. Under section 9 of the Flood and Water Management Act 2010 the Council as the LLFA for the county must develop, maintain, apply and monitor a strategy for local flood risk management in its area (a "local flood risk management strategy"). The strategy must specify:
 - a) the risk management authorities in the authority's area,
 - b) the flood and coastal erosion risk management functions that may be exercised by those authorities in relation to the area,
 - c) the objectives for managing local flood risk (including any objectives included in the authority's flood risk management plan prepared in accordance with the Flood Risk Regulations 2009),
 - d) the measures proposed to achieve those objectives,
 - e) how and when the measures are expected to be implemented,
 - f) the costs and benefits of those measures, and how they are to be paid for,
 - g) the assessment of local flood risk for the purpose of the strategy,
 - h) how and when the strategy is to be reviewed, and
 - i) how the strategy contributes to the achievement of wider environmental objectives. The strategy must be consistent with the national flood and coastal erosion risk management strategy for England under section 7.

Section 9 also includes consultation and publication obligations for the LLFA.

Risk management

21. 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

22. The council as LLFA continues to co-operate extensively with other risk management authorities (RMAs).

Appendices

Updated Progress against priority measures

Background papers

None identified