

## LOCAL FLOOD RISK MANAGEMENT STRATEGY

<b>Cabinet Date</b>	5 February 2014
<b>Highways and Flood</b>	Cllr. Vernon Smith
<b>Key Decision</b>	Yes
<b>Background Documents</b>	Local Flood Risk Management Strategy
<b>Location/Contact for inspection of Background Documents</b>	The Local Flood Risk Management Strategy consultation document can be viewed through the GCC website's consultation page.  <a href="http://www.gloucestershire.gov.uk/consultations">http://www.gloucestershire.gov.uk/consultations</a>
<b>Main Consultees</b>	County, District, Town and Parish Councillors  County Council Officers  District Councils  Statutory Consultees  Public
<b>Planned Dates</b>	The Local Flood Risk Management Strategy is proposed to be adopted by Cabinet on 5 <sup>th</sup> February 2014.
<b>Divisional Councillor</b>	All divisions
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<b>Purpose of Report</b>	To seek Cabinet approval to adopt the Local Flood Risk Management Strategy – a summary is provided in Appendix A.
<b>Recommendations</b>	That Cabinet approves the adoption of the Local Flood Risk Management Strategy.

<b>Reasons for recommendations</b>	Under the provisions of the Flood & Water Management Act 2010, GCC is the Lead Local Flood Authority (LLFA) for the county. The Act states that the LLFA must develop, maintain, apply and monitor a strategy for local flood risk management in its area. GCC has produced a 'local strategy' in partnership with the county's risk management authorities, i.e. the district/borough councils, water companies, Environment Agency and Internal drainage Board. The local strategy has been subject to public consultation and amendments made following feedback. An additional annual implementation plan will be produced highlighting prioritised and any scheduled flood alleviation work.
<b>Resource Implications</b>	The LLFA will help enable officers to use resources in a prudent and cost effective way and ensure that they are directed toward the delivery of the most appropriate flood mitigation measures, i.e. flood alleviation and protection schemes for locations that have been identified as having the highest priority, provide the best opportunity to reduce the risk of flooding and maximise the potential benefits for local communities.

## **MAIN REPORT CONTENTS**

### **Background**

1. Historically, in a flood event the County Council as the Highway Authority had responsibility only for ensuring that the highway was clear of flood water. Following the 2007 floods and the subsequent Pitt Report, the Flood & Water Management Act 2010 (the Act) was enacted and all County/Unitary authorities became Lead Local Flood Authorities (LLFAs) with a range of new roles and responsibilities.
2. GCC as a LLFA now has a responsibility to reduce the flood risk from 3 sources, i.e. ordinary watercourses (non main rivers), ground water and surface runoff. Main rivers and coastal erosion remains the responsibility of the Environment Agency. Pure sewer flooding is excluded from the definition of flooding.
3. Section 9 of the Act states that all LLFAs must develop a local flood strategy, the 'local' in this context being in reference to the above 3 sources of flooding. This responsibility is the only one of the new responsibilities which cannot be delegated to another risk management authority and must be statutorily produced by the LLFAs.
4. The LLFA must consult other risk management authorities affected by the strategy and the public and then publish a summary of the document.
5. The county's risk management authorities comprise, in addition to GCC, the district/borough councils, Environment Agency, Internal Drainage Board and the Water Companies. All of the risk management authorities were consulted throughout the drafting process of the local strategy. A public consultation process took place between 17<sup>th</sup> June 2013 and 25<sup>th</sup> October 2013.

### **Options**

6. As the LLFA, GCC has a statutory responsibility to produce a local strategy under Section 9 of the Act.
7. There is no option to delegate this function in the Act to another risk management authority.
8. A decision not to adopt and publish the local strategy may result in intervention by the Minister (see risks below).

### **Risk Assessment**

9. The Minister (Secretary of State for risk management authorities) has the authority to transfer or reassign responsibilities or a function of any LLFA to another risk management authority.
10. If GCC fails to publish a local strategy the Minister may direct another risk management authority to carry out the function and may order costs against GCC.

11. Failure to adopt and publish a local strategy may affect GCC's ability to attract any future flood funding from central government and will reduce its effectiveness in coordinating and commissioning future flood alleviation work across the county.

### **Officer Advice**

12. Officer advice is that that GCC's Local Flood Risk Management Strategy is recommended to Cabinet to be adopted and published. A summary of this strategy is set out in Appendix A.

### **Equalities considerations**

13. The Local Strategy is seeking to reduce the probability and consequence of flooding to people and property across Gloucestershire. Flooding can affect all protected groups, but age and disability does affect the impact of flooding and the potential to recover.
14. The risk assessment and applications for funding for any subsequent flood alleviation work take these impacts into account. Some groups are more vulnerable to the risk of loss of life through flooding. These include the young, the elderly and disabled and this risk is taken into account in determining which flooding incidents are investigated under Section 19 of the Act.
15. Government funding allocated to flood alleviation work is dependent on external contributions. Deprived communities score higher in their cost/benefit calculations and may even be fully funded centrally.
16. Cabinet Members should read and consider the related Due Regard Statement in order to satisfy themselves as decision makers that due regard has been given.

### **Consultation feedback**

17. All of the county's risk management authorities were consulted throughout the draft local strategy process and their feedback incorporated into the document.
18. Environment Overview and Scrutiny Committee has been consulted on the draft local strategy document.
19. Public consultation comprised the full version of the draft document being available on GCC's consultation website. Hard copies of the summary document were placed in all libraries. The public consultation process ran from 17<sup>th</sup> June to 25<sup>th</sup> October 2013 and amendments made as a result of the consultation feedback.
20. The changes resulting from feedback focus on greater clarity in the strategy on the various roles the county's risk management authorities perform, the identification of 'at risk' parishes and wards and the associated prioritisation process for flood alleviation work. Greater acknowledgement of those areas at risk from main river flooding will be included in the Annual Implementation Plan which, whilst identifying those areas at risk from this source of flooding, will continue to prioritise those properties affected by the flood sources that GCC is responsible for reducing.

Wherever possible GCC will continue to contribute to work led by the Environment Agency in reducing main river flooding.

**Performance Management/Follow-up**

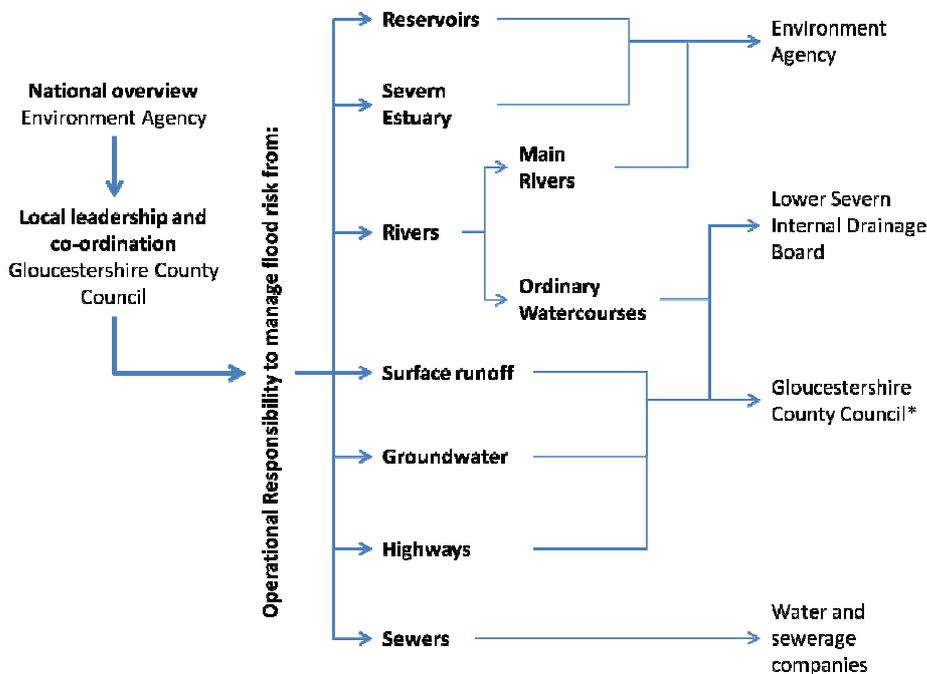
21. This will be undertaken through Cabinet and Member briefings as necessary.

## Local Flood Risk Strategy (Summary Document)

### Introduction

We are all aware of the devastating effects of flooding on people and communities following the unprecedented flooding in Gloucestershire in 2007, and the more recent, but less severe, flooding in November and December 2012. Flooding causes damage to property and infrastructure, and results in significant stress and disruption to people.

Under legislation from 2010<sup>1</sup> Gloucestershire County Council (GCC) has new responsibilities as a Lead Local Flood Authority. This means we have a leadership and coordinating role for flood risk management across the county. In addition we have an operational role for managing flooding from surface runoff, ordinary watercourses and groundwater, in addition to the responsibilities we have for managing flooding and drainage from our highway network, and planning for emergencies.



NB: in partnership with the 6 lower tier authorities in Gloucestershire who have powers to undertake works on ordinary watercourses, and have some delegated responsibility under the Flood and Water Management Act. In addition the lower tier authorities are category 1 responders for emergencies and are the planning authority.

**Figure 1 Responsibilities for flood risk management**

In our leadership and co-ordinating role we will take ownership of flood risk management across Gloucestershire. This does not mean that GCC will act as the lead organisation on all types of flooding. Rather, we will work within the legislative framework to identify the appropriate organisation to take a lead in any given location, working in partnership with other organisations as necessary. This will increase accountability to the public.

<sup>1</sup> Flood and Water Management Act 2010, <http://www.legislation.gov.uk/ukpga/2010/29/contents>

In our operational role we will take responsibility for working with communities and implementing measures on the ground to reduce flood risk from surface water, ordinary watercourses and groundwater. This will be done in partnership with organisations who have a responsibility for managing flooding and local communities. We will undertake this on a prioritised basis, with areas at greatest flood risk from surface water, ordinary watercourses and groundwater remaining our highest priority.

### ***What is a Local Flood Risk Management Strategy?***

We have prepared this Local Flood Risk Management Strategy to set out how we intend to fulfil our leadership and co-coordinating role, as well as our operational role. The Strategy is therefore an important new tool to help individuals, communities, businesses and authorities understand and manage flood risk within the county. The Strategy will be used by GCC and our partners to help plan and co-ordinate investment in flooding. In addition, members of the public can use the Strategy to better understand how flood risk will be managed over the next 10 years.

Its **primary focus** is flooding from surface runoff, groundwater or ordinary watercourses such as streams and ditches, which we are now directly responsible for managing. However, it does consider all sources of flood risk in line with our leadership and coordinating responsibility.

### ***What does the Strategy cover?***

The Strategy identifies:

- our objectives for managing flood risk;
- how we will work with other key authorities for managing flood risk known as Risk Management Authorities<sup>2</sup>, as well as other stakeholders and local communities;
- our understanding of flooding from all sources;
- how we will prioritise investment to reduce flood risk in specific locations;
- how we will seek to fund and resource works to reduce flood risk;
- over-arching actions we will take to improve flood risk management, and;
- how we will monitor and review the progress of the Strategy.

Name of Document	Purpose of document and summary of contents
Main Document	This is the main strategy document which details the objectives of the Local Strategy and our approach to working in partnership. It also sets out our understanding of flood risk and how we'll prioritise investment in specific locations. It considers broad actions we will take with our partners across the county to manage flood risk. This is supported by a series of Annexes which deal with some of the key issues in detail
Summary Document	This provides an overview of the Local Strategy, including the background, key roles and responsibilities, and actions to manage flood risk
Annual progress and implementation plan	

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<sup>2</sup> Risk Management Authorities are defined in the Flood and Water Management Act as the LLFA (lead local flood authority), the Environment Agency, water and sewerage companies, district councils, the highways authority and internal drainage boards.

Strategic Environmental Assessment (SEA) Environmental Report	The SEA is a process for considering the potential environmental impacts of addressing flood risk.
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**Table 1 Documents generated as part of Strategy**

***Our objectives to manage flood risk***

The aim of this Strategy is to work in partnership with local communities, and organisations responsible for managing flood risk, in order to better understand and reduce local flood risk in Gloucestershire where it is economically, technically, socially, and environmentally feasible to do so. To achieve this aim there are a number of key strategic objectives. The six key strategic objectives for the Local Strategy are:

- improve our understanding of local flood risk;
- put in place plans to manage these risks;
- avoid inappropriate development and ensure new development does not increase flooding elsewhere
- increase public awareness of flooding and encourage local communities to take action;
- ensure close partnership working and co-ordination with other risk management authorities in Gloucestershire, and;
- support response to, and recovery from, flooding incidents.

***Our approach to working with others***

We have formed a Partnership Group comprising of the key organisations with responsibility for flooding. The Group includes representatives from GCC (including Gloucestershire Highways and the Civil protection Team), the six districts/boroughs, the Environment Agency, the four water companies, and the Lower Severn Internal Drainage Board. The group worked together to develop the Strategy, and are continuing to work closely to implement measures on the ground to reduce flood risk to communities across Gloucestershire.

In addition, there are a range of other relevant organisations that have a key role to play in managing flood risk in the county. (e.g. Network Rail, Natural England). These organisations will be involved as required to support flood alleviation projects, or to provide information, support and input on a project-by-project basis.

We are seeking to work more closely with local communities through the implementation of the Strategy. Our vision is that the public and local community groups are aware of the flood risks they face, take action to reduce their vulnerability to flooding, and are actively involved in flood risk management. We will actively engage with town and parish councils to raise awareness of flood risks and to encourage local communities to take action. During development of flood alleviation projects we will ensure that local communities are fully engaged to ensure local acceptability of proposed works.

***Actions to reduce flood risk***

We will be taking actions to reduce flood risk in partnership with others. There are actions we will take across Gloucestershire and there are location-specific actions which will be prioritised by the level of risk.

A summary of the measures we will take across Gloucestershire are provided in Table 2 below. Further information is provided in Section 9 of the Main Document.

Strategic Objectives	What we will do in partnership with others
Strategic objective 1: Improve our understanding of flood risk	We will undertake further studies where required to improve our understanding of local flood risk. Where resources permit we will undertake studies in response to flooding incidents during the year.
	We will ensure that Investigations are undertaken where the 'significance' criteria is met.
	We will review consent applications to ensure works on ordinary watercourses do not increase flood risks and we will undertake enforcement actions where required.
	We will develop a consistent approach to the recording and designation of structures.
	We will seek to collate further historic flood incident data from parish/town councils.
Strategic objective 2: Put in place plans to manage these risks	
	We will work with parish councils to identify the location and ownership of drainage ditches and ordinary watercourses. We will support parish councils to work with local landowners to clear drainage ditches/ordinary watercourses and will use our land drainage enforcement role where necessary.
	We will investigate the opportunity to undertake a pilot study to assess the effectiveness of green infrastructure in urban areas to manage surface water runoff in a more sustainable manner.
Strategic objective 3: Avoid inappropriate development and ensure that new development does not increase flooding elsewhere	
Strategic objective 4: Increase public awareness of flooding and encourage communities to take action	

**Table 2 Documents generated as part of Strategy**

Location-specific actions will be prioritised in the 20 parishes and wards identified as being most vulnerable to flooding from all sources, using the methodology outlined in Appendix F of the main document. Where an area is identified as being at risk and GCC does not have legislative responsibility (e.g. Main Rivers or sewerage flooding) we will ensure that the appropriate RMA is taking a leadership role and where necessary GCC will pursue a co-coordinating function. Where we have direct operational responsibility we will lead on the development of mitigation measures, in partnership with others.

For publication of the Local Strategy in 2014 the top 20 parishes and wards at risk of flooding from all sources are outlined in Appendix G. The top 20 list will remain 'live' and will be updated regularly in the event of future flooding and as mitigation measures are implemented. We recognise there are many parishes and wards outside of the top 20 which are at risk of flooding and we will continue to implement mitigation measures in these locations as funding and resource permit.

Details of proposed mitigation measures in parishes and wards will be provided as part of the annual progress and implementation plan. It will focus actions on the top 20 parishes and wards at risk of flooding from all sources, but will also include proposed mitigation in locations outside the top 20, subject to funding and resource.

The annual progress and implementation plan will set out:

- a summary of progress since the previous annual progress and implementation plan was published;
- an up to date prioritisation list based on most vulnerable locations<sup>3</sup> for the forthcoming year, and;
- planned capital or maintenance works for the forthcoming year, including likely costs and benefits of any works.

### ***Reviewing and implementing the Local Strategy***

We will review the Strategy on an annual basis when producing the annual progress and implementation plan. This strategy and the supporting action plan will remain a live document over the Strategy period. The strategy is valid until 2023, at which point an update will be produced. However, the Strategy may need to be updated within this period if:

- there are significant flood events that challenge the conclusions of the prioritisation process;
- there are important changes to any of the datasets that underpin the prioritisation methodology;
- there are relevant policy changes that amend the roles and responsibilities of the Risk Management Authorities, and;
- the annual monitoring identifies that the Strategy is not achieving its objectives.

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<sup>3</sup> This could be based on new information being available due to better modelling and mapping, or a flood incident within a parish or ward.