
Meeting: Executive
Date: 22 April 2014
Subject: Local Flood Risk Management Strategy
Report of: Cllr Brian Spurr, Executive Member for Sustainable Communities – Services

Summary: Central Bedfordshire Council is a lead Local Flood Authority and the report proposes as required by the 2010 Flood and Water Management Act the approval of the Local Flood Risk Management Strategy for Central Bedfordshire.

Advising Officer: Jason Longhurst, Director of Regeneration & Business Support
Contact Officer: Iain Finnigan, Senior Engineer Policy and Flood Risk
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

CORPORATE IMPLICATIONS

Council Priorities:

The Local Flood Risk Management Strategy [LFRMS] will contribute to the Council's priority of "Enhancing Central Bedfordshire". Specifically it will aid the Council to identify and manage flood risk across Central Bedfordshire.

Financial:

1. The LFRMS Action Plan will result in the need for local studies, the cost of which will be met from current and future DEFRA grant income. Any schemes that require engineered improvement works would require a capital funding package, the existing capital programme for this work is £60K; some schemes may receive contributions or match funding depending on their scale. Other items identified in the action plan will also be financed initially through DEFRA grant income which has been earmarked for this purpose. For example, initial set up costs of the SuDS Approval Body will be met from DEFRA grant and subsequent on going costs will be met from application fees received.

Legal:

2. As the lead local flood authority this Council is responsible for the coordination of flood risk management in its area. It is expected to establish effective partnerships with the other risk management authorities e.g. other Councils, internal drainage boards and water companies to manage flood risks. To support its role as lead local flood authority, the Council has enhanced powers under the Flood and Water Management Act 2010 (e.g. designation of third party assets, such as structures and features that can significantly affect flood risks; and powers to do works to manage flood risk from surface water run-off and ground water). In addition, the Council will continue to use its usual statutory powers as necessary e.g. planning, highways, to control development. In considering the scope and use of these powers to implement the Flood Management Strategy, consideration will also be given to whether there is any need for local byelaws for example to control development adjacent to watercourses where access needs to be maintained for maintenance purposes.

Risk Management:

3. The Local Flood Risk Management Strategy specifically seeks to address the following key risks:
 - failure to deliver the Council's priorities
 - failure to discharge statutory responsibilities
 - failure to identify and address the flood risks across Central Bedfordshire, and protect local communities and the environment
 - failure of partnership and community working
 - failure to secure funding.

Staffing (including Trades Unions):

4. Not applicable.

Equalities/Human Rights:

5. This Strategy includes actions to liaise with the Council's Emergency Planning team with regards to local flood risk analysis and understand linkages with community risk register and to continue to work with local communities to improve awareness of flood risks and to better understand where help and information can be obtained when flooding occurs or looks likely to occur.

Public Health:

6. Effective flood management reduces the risk of the public health impact of flooding. These include the effects of water contamination and damp homes on physical health and mental health and wellbeing.

Community Safety:

7. The Council has a statutory duty under Section 17 of the Crime and Disorder Act to do all that is reasonable to prevent crime and disorder in its area. Floods have a significant impact on communities and, in particular the elderly and vulnerable, who are often the most at risk of experiencing crime and disorder. Temporary homelessness through flood damage may aggravate situations of domestic abuse and properties becoming more vulnerable and open to activities that may be criminal. In the clean up phase, rogue traders may be attracted to flood areas preying on the vulnerable. Reducing the risk of flood mitigates the increased community safety risks to communities.

Sustainability:

8. Managing flood risk is a key part of ensuring that Central Bedfordshire's economy, environment and population is able to thrive in a sustainable manner. The Council's Climate Change risk assessment highlights an increased risk from flooding events in future years, with flood events that in the past would have been considered infrequent, becoming a more regular occurrence. The Council's Climate Change Strategy acknowledges the risks of climate change to Central Bedfordshire and sets out the strategic goals and targets for increasing preparedness which will need to be carried through into the Climate Change Adaptation Plan. With particular reference to flood risk we will follow Environment Agency guidance as described in the document 'Adapting to climate change: Advice for Flood and Coastal Erosion Risk Management Authorities'.

Procurement:

9. The need for Local Surface Water Management Plan studies required by the Action Plan having been identified, have been included on the Authority procurement pipeline plan for the 2014 to ensure they can be delivered in the most cost effective manner.

Overview and Scrutiny:

10. This matter is being considered by the Sustainable Communities Overview and Scrutiny Committee on 10 April and their comments will be circulated following this meeting.

RECOMMENDATIONS:

The Executive is asked to:

1. **approve the Local Flood Risk Management Strategy as Central Bedfordshire Council's working strategy to manage local flood risk in Central Bedfordshire as required by the Flood and Water Management Act 2010.**

Reason for Recommendations: To allow actions to be progressed to enable Central Bedfordshire Council to meet its duties required under the Floods and Water Management Act 2010.

Executive Summary

Subject to approval, The Local Flood Risk Management Strategy sets out the objectives and actions required to ensure that Central Bedfordshire Council meets its obligations set out under the Floods and Water Management Act 2010.

Background

11. Following flooding in 2007, the government commissioned a review (The Pitt Review, 2008), which recommended urgent changes in the way the country is adapting to the increased risk of flooding. A principal change was to establish greater clarity in the roles and responsibilities of the LLFA and an increased focus on addressing surface water flood risk through the enactment of the Flood and Water Management Act (2010). Under the Act, Central Bedfordshire Council became a Lead Local Flood Authority (LLFA), which means it has responsibility for the following areas of flood risk management using the Act and other legislation:
 - (a) Developing, maintaining, applying and monitoring a Local Flood Risk Management Strategy (LFRMS).
 - (b) Co-operating with other flood Risk Management Authorities (RMAs).
 - (c) Maintaining a register of structures and features that significantly affect flood risk.
 - (d) Designation of features that significantly affect flood risk.
 - (e) Approving sustainable drainage schemes, in line with incoming responsibilities to become a SuDS Approval Body (SAB).
 - (f) Central Bedfordshire Council is the land drainage operating authority, as defined by the Land Drainage Act 1991 for those watercourses outside the district of the Internal Drainage Board. The Council has powers to manage flood risk on ordinary watercourses which includes enforcement and consenting.
 - (g) Central Bedfordshire Council is responsible for the maintenance of 8.7km of Award Drains under the Historic Inclosure Acts.
 - (h) Powers to manage flood risk from ordinary watercourses, surface water and groundwater.
 - (i) Preparing reports on flood events which need to be made available to the public and the relevant risk management authorities.
 - (j) Under the Flood Risk Regulations 2009, all Lead Local Flood Authorities were required to prepare a Preliminary Flood Risk Assessment (PFRA) report. This was a high level screening exercise to identify areas of significant risk where more than 30,000 properties were at risk.

12. To fulfil this role, all Lead Local Flood Authorities (LLFA) now have new responsibilities, duties and powers to enable them to manage flood risk from localised sources (ordinary watercourses, groundwater, reservoirs and surface water flooding), along with a duty to develop, maintain, apply and monitor a Strategy for local flood risk management that encompasses most sources of flooding.
13. As part of the development of Local Flood Risk Management Strategy, officers have worked closely with the Environment Agency, Anglian Water and the Bedford Group of Internal Drainage Boards. Officers have also consulted with local communities as set out in the consultation section below.

Objectives

14. The objectives set out in the Local Flood Risk Management Strategy for managing local flood risk will contribute and support delivery of our priorities. The Strategy has been written to be consistent with the objectives and guiding principles within the Environment Agency National Flood and Coastal Erosion Risk Management Strategy and recognises the aspirations of other Risk Management Authorities who have a clear interest in helping to properly manage flood risk across Bedfordshire. The key objectives of the Strategy are as follows:
 - (a) **Objective 1: Partnership Working**
Establish and maintain effective partnerships within our own organisation, with other Risk Management Authorities, with our neighbouring Lead Local Flood Authorities and with our local communities.
 - (b) **Objective 2: Flood Risk and Development**
Ensure that development looks to reduce the causes and impacts of flooding and that all development uses SuDS as normal practice, and where appropriate to safeguard land which is needed for current and future flood management.
 - (c) **Objective 3: Local Flood Risk**
Develop a greater understanding of local flood risk by identifying where assets; (assets are structures or features channels, raised banks, walls, culverts) may influence the impact of local flood risk , how local flood risk may change in the future and improve local knowledge and recording of flooding incidents.
 - (d) **Objective 4: Delivery**
Establish processes to enable identification of priorities, sources of funding and schemes so that we meet our objectives.
 - (e) **Objective 5: Resource**
To take a collaborative approach to reducing flood risk and where appropriate seeking opportunities for packaging work to deliver multiple outcomes. We will aim to use all available resources and funds in an integrated way to support our priority of achieving efficiency savings.

- (f) **Objective 6: Local Communities**
Limit the effect of flooding on people's normal way of life by taking action with our partners to minimise the impact of local flood risk on our communities and environment, engaging with and empowering affected communities and ensuring that we provide clear and useful information to enhance our local communities' preparedness and resilience to local flood risk.

Consultation

15. The following consultation has been undertaken to help inform the development of the Local Flood Risk Management (LFRM) Strategy.
- (a) At the outset of work to develop the LFRM Strategy, officers issued a flooding questionnaire to the public and Town and Parish Councils. Its objective was to gather local flooding knowledge from as many different sources as possible, and to understand views and experiences of flooding at all levels so this could inform the Strategy.
- Consultation on the questionnaire took place over an 8 week period, between 19 November 2012 and 11 January 2013.
- (b) **Strategic Environmental Assessment Screening Exercise**
- Consultation with Statutory Consultees (Natural England, English Heritage and the Environment Agency) took place during February 2013.
- (c) **Main Draft LFRM strategy document**
- 12 week public consultation period took place between 31 July 2013 and closing 23 October 2013.
- (d) **Strategic Environmental Assessment Scoping Report**
- Public consultation and consultation with Statutory Consultees (Natural England, English Heritage and the Environment Agency) took place for a 5 week period between 1 August 2013 and 6 September 2013.
- (e) **Strategic Environmental Assessment Environmental Report**
- Public consultation and consultation with Statutory Consultees (Natural England, English Heritage and the Environment Agency) took place for a 4 week period between 19 December 2013 and 17 January 2014.
16. Throughout the development of the Strategy, the Council has been proactive in liaising with risk management authorities and local communities to seek their views and gather information to help inform the final Strategy.
17. The flooding questionnaire received over 40 responses containing 118 comments all of which were considered and were used where appropriate to inform the Strategy and help develop objectives and action plan.

18. The Action plan is included as Appendix A to this report and identifies key actions required to enable the Authority to meet the objectives set out by the strategy.

Next Steps

19. Once adopted, the Action Plan which identifies tasks that need to be done to address the objectives of the LFRM Strategy will be taken forward under the responsibility of the Head of Building Control and Albion Archaeology, in association with the Executive Member for Sustainable Communities - Services.

Appendices:

Appendix A – Local Flood Risk Management Strategy Action Plan

Appendix B – This will be provided following the Sustainable Communities Overview and Scrutiny Committee to be held on 10 April 2014.

Background Papers: (open to public inspection)

Draft Local Flood Risk Management Strategy Document – provided

Floods and Water Management Act 2010 –

<http://www.legislation.gov.uk/ukpga/2010/29/contents>