

Report to:	TOURISM, ECONOMY AND RESOURCES SCRUTINY COMMITTEE
Relevant Officer:	Clare Nolan-Barnes, Head of Coastal and Environmental Partnership Investments
Date of Meeting	21 June 2017

FLOOD RISK MANAGEMENT

1.0 Purpose of the report:

- 1.1 To consider the delivery of the Council's statutory duties in respect of flood risk management. The report will provide a brief outline of the various statutory duties under the Flood and Water Management Act 2010 including statistics and performance indicators and highlight areas of concerns.

2.0 Recommendation(s):

- 2.1 To scrutinise the delivery of the Council's Statutory Duties, note the performance and highlight any areas for further scrutiny.

3.0 Reasons for recommendation(s):

- 3.1 To ensure constructive and robust scrutiny of the report and provide confirmation that the Council is delivering its statutory duties in respect of flood risk management.
- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes
- 3.3 Other alternative options to be considered:
- None

4.0 Council Priority:

- 4.1 The relevant Council Priority is: "The economy: Maximising growth and opportunity across Blackpool".

5.0 Background Information

- 5.1 The Council has statutory duties as set out in the Flood Risk Regulations 2009, the Flood and Water Management Act 2010 (FWMA) and the Flood Risk Management Overview and Scrutiny (England) Regulations 2011.
- 5.2 Following the completion of a Flood Risk Management Scrutiny Review in 2013, the Tourism, Economy and Resources Scrutiny Committee is to receive a report on an annual basis, relating to progress on flood risk management.
- 5.3 The Flood and Water Management Act has been enacted at various times through secondary legislation since receiving royal assent in 2010. Part of the Act is a duty to cooperate with others at risk management authorities and to share information. As part of this, Blackpool is part of the Lancashire Strategic Flood Risk Partnership which reports on progress of the duties on a quarterly basis to the Environment Agency's Regional Flood and Coastal Committee. The most recent quarterly update accompanies this report.
- 5.4 It is worth noting that Schedule 3 of the Act is not going to be enacted. This schedule was for the formation of Sustainable Drainage Approval Bodies. It would have included national standards for sustainable drainage and Blackpool Council would have been the Sustainable Drainage Approval Bodies, which would have to approve drainage on new development and adopt any sustainable drainage elements after completion. As it stands, Lead Local Flood Authorities are instead a statutory consultee on major planning applications.
- 5.5 Funding for the delivery of statutory duties is received from the Department for Communities and Local Government (DCLG).
- 5.6 The Council works proactively with its partner organisations, in particular the Environment Agency and United Utilities to ensure that any available funding to allow studies or contributions is explored.

6.0 What is going well/ What is not

Flood Risk Management Strategy Delivery of Flood Risk Management Strategy

- 6.1 The Flood Risk Management Strategy as required by the Flood and Water Management Act was approved by the Council in May 2014 ahead of many other lead local flood authorities. This is a joint strategy with Lancashire County Council and therefore some of the actions will be carried out by Lancashire County Council. However funding has been allocated by the Environment Agency for the review of the Strategy and officers are currently preparing the business case to enable an application to be made to the Environment Agency for the necessary funding.

- 6.2 This strategy provides details of actions required in the short, medium and long term details of the action plan and the position statement are scheduled below. The position statement by Red, Amber, Green performance in respect of the measure.

6.3 **Short Term Action Plan- Position**

Measure	Comments	Dates
A Memorandum of Understanding to agree responsibilities, internal consultation between Risk Management Authorities. It is important to define which Risk Management Authorities' will lead on flood risk management in the identified zones of flood source interaction.	Action complete between Lancashire County Council and the Environment Agency.	
Define scrutiny process	Scrutiny Meetings attended.	March 2016
Define processes for Ordinary Watercourse consenting and enforcement of drainage responsibilities.	Complete- Review periodically.	Annual Review March 2016.
Determine feasibility of a single flood reporting contact.	Ongoing, not all incidents are being reported to the investigating team. Looking at the potential to use Geographical Resource Platform across the Council.	December 2015- Ongoing.
Develop a timeline of flood risk management activities which includes the cycle of various funding streams.	Ongoing, Environment Agency Flood Defence Grant in Aid process changed to six year determination.	
Further develop the Action Plan.	Ongoing	
Define a decision making framework for undertaking works; Define a decision making framework which balances the desire for a no regrets culture.	Work to principles of Environment Agency Flood Defence Grant in Aid guidance as main funding stream.	June 2015-March 2016

Develop a policy and process for Risk Management authority's to undertake flood related works; develop a policy to define how and when powers under Section 14a of the Land Drainage Act 1991 can be used by each Risk Management Authority.	Not relevant to Blackpool as single tier Authority. Lancashire County Council to progress.	
Share information held by flood managers with emergency planning managers: Environment Agency flood forecasting; historic flooding; flowchart for emergency response and Social media.	Ongoing with partners	January 2015- Ongoing
Develop flood incident reporting database, linked to asset register.	Geographical Resource Platform	January 2015-January 2016
Record drainage engineer experience.	Ongoing, officers sharing knowledge- Investigate putting information onto GRP system.	Ongoing
Maintain awareness of latest risk mapping tools.	Information sharing between partners and other networking groups.	Ongoing
Create a Local Flood Risk Management Plan.	Complete- Review 2017	January 2017-June 2017
Undertake pilot ordinary watercourse study.	Pilot being undertaken by Lancashire County Council.	Lancashire County Council
Map zones of flood source interaction.	Some modelling undertaken as part of Surface Water Management Plan- look at developing a layer in Geographical Resource Platform for interaction.	September 2015-March 2016

Share information about planned Flood Risk Management works and schemes.	Ongoing	Quarterly Review
Agree criteria for undertaking flood investigations.	Complete- Review periodically.	Annual Review- June 2016
Embed climate change into local flood risk management.	Climate Change allowances included in Surface Water Management Plan and strategies and scheme designs- Ongoing.	
Ensure flood risk is incorporated into planning and development proposals.	Objective in Local Plan. LLFA Statutory Consultee on Major planning applications.	
Define resource requirements over the next five years.	Ongoing	Complete with strategy review
Develop funding strategy.	Depends on central government changes.	Complete with strategy review
Raise awareness of flood risk.	Ongoing	Blackpool Council is a member of the Lancashire Flood Risk Resilience Forum the benefits to Blackpool are that regular information is provided on flood risk and resilience measure.
Include funding in communication and engagement plan- potential beneficiaries.	Undertaken for individual projects.	
Map Risk Management Authority expectations.	Lancashire Strategic and Regional Flood and Coastal Committee direction and local discretion required.	Ongoing
Review membership of groups.	Complete	
Agree data sharing protocols.	Data shared with United Utilities and other partners, looking to use Geographical Resource Platform system.	Review periodically

Develop communication and engagement plan.	Undertaken for individual projects- Increase overall communication and engagement.	
Public consultation on draft strategy.	Complete	February 2014
Keep abreast of latest flood risk management information.	Ongoing- attending conferences etc.	
Raise awareness of climate change, adaptation and sustainability guidance.	Ongoing internally	
Ensure involvement of appropriate officers or other experts to integrate economic, social and environmental information.		.
Promote good surface water management principles for development.	Ongoing- exemplar site Rigby Road.	
Establish planning policy for the council's consultation on planning; identify when flood officers should be consulted on developments.	Statutory Consultees on Major developments.	
Incorporated Local Flood Zones into planning policy; aims to trigger Local Flood Risk assessments or drainage impact assessments in areas at high risk of flooding.	Strategic Flood Risk Assessment undertaken.	
Build capacity; invest in Lead Local Flood Authority and district flood risk management officers.	Ongoing	Working in Partnership with Lancashire County Council and Blackburn with Darwen.

Obtain information on flood risk assets.	Obtained on ad hoc basis.	
Develop and populate a record and register of assets.	Geographical Resource Platform.	
Develop enforcement policy and procedure for drainage assets.	Complete- Review periodically.	

6.4 Medium Term Action Plan

Measure	Comments	Dates
Develop a programme to review relevant council procedures.	Review policies annually- January review procedures biennially alongside.	Policies will be reviewed as part of Strategy Review.
Review roles and responsibilities.	Review along with procedures.	Review as part of Strategy Review.
Raise awareness of no regrets actions.	Ongoing	
Design process flow charts.	Complete- review after use.	Ongoing
Review flood works policy and process.	Biennially	Review as part of strategy review.
Develop a map of flood emergency response times.	Limited relevance to Blackpool, liaise with Neil Williams.	Complete by January 2017.
Identify gaps in Environment Agency flood warning coverage.	Some gaps identified following 2013 winter storms and additional properties added.	
Undertake detailed Surface Water Management Plans.	Surface Water Management Plan complete.	
Promote adaptive practices.	Ongoing especially following investigation.	
Maintain funding on the Lancashire Strategic Partnership Group agenda.	Ongoing	
Build strong partnerships.	Ongoing- build partnership in case of officer changes.	

Develop stronger links with organisations that can assist with prediction and warning of surface water and groundwater flooding.	Ongoing- initial contacts are commercial and require funding.	
Develop a flood awareness programme.	Develop alongside communication and engagement strategy.	
Communicate flood risk management information.	Information on website and project specific consultations.	
Scope approaches in small communities.	Limited relevance to Blackpool.	
Scope flood incident reporting tool.	Ongoing- develop Geographical Resource Platform for incident reporting.	
Implement a programme of Strategic Flood Risk Assessment review.	Review underway- ensure sufficient information is shared.	
Develop a Lancashire specific Sustainable Drainage Systems Guide.	Led by Lancashire County Council.	Ongoing
Promote Sustainable Drainage Systems.	Ongoing- Rigby Road exemplar site.	
Seek pilot study opportunities.	Funding	Ongoing
Set the framework for a no regrets culture of sensible works.	Ongoing- set in policies.	
Develop an asset management plan; linked to encouraging private owners to maintain their assets.	Linked to asset register.	
Develop asset designation policy and procedure.	Designate on an ad hoc basis when identified.	Ongoing
Raise awareness of asset owner responsibilities; instigate a priorities programme of contact with landowners.	Develop alongside communication and engagement strategy.	

6.5 Long Term Action Plan

Separate foul and surface water sewers.	Looking at implementing in Blackpool south and Rigby Road site redevelopment.	
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6.6 Surface Water Management Plan

Measure	Comments	Dates
Retrofit Sustainable Drainage Systems into Green Areas.	Scope further.	Review in Strategy Review.
Planning Conditions to less than Greenfield Run off.	Discuss with Planners.	Requirement has not been put in Local Plan.
Grants to retrofit Sustainable Drainage Systems at Property Level.	Unlikely to get support currently.	Working within planning remit in Strategy
Grants/Application for wider property level protection.	Uptake after 2013/14 Storms has been low.	
Strategic Road Closures to direct water.	Needs further scoping.	Review in Strategy.
Research and Further Studies.	Start with most positive cost benefit ratio High Risk Areas.	
Further investigate Pumped Option at High Risk Area 16.	Pleasure Beach- Private, have discussions.	

7.0 Consenting and Enforcing on Ordinary Watercourses.

- 7.1 The Council has a duty to consent applications for works which impact on ordinary watercourses. To date, since the implementation of the duty no applications have been received. In addition, the Council has a duty to enforce action where works have been undertaken without appropriate consent. This is undertaken on a reactive basis upon becoming aware of a problem. In the last year there was one consent granted. A number of informal contacts were made regarding enforcement but the situation was rectified without formal notice.

8.0 Duty to investigate flood incidents

- 8.1 On becoming aware of a flood incident within Blackpool, the Council has a duty to investigate flooding incidents to the extent that it considers 'appropriate and necessary'. A policy has been implemented on the criteria which would trigger a formal investigation. Other incidents of flooding are investigated when appropriate but results are not published. There have been a number of site visits with an event in August 2016 meeting the threshold for a full Section 19 report. The report is awaiting comments from United Utilities prior to publishing.
- 8.2 The policy for investigation has been developed in line with Lancashire County Council to ensure a consistent approach throughout the County. The policy will be reviewed as part of the strategy review.

9.0 Maintenance of asset register

- 9.1 Blackpool Council is currently developing an asset register within the Geographical Resource Platform. The Geographical Resource Platform is currently being updated and the revised version will include the asset register, which can be made publically available. The asset records to accompany the register will contain sensitive information. Population of the asset register and records will be done on a reactive basis as information becomes available.

10.0 Regional Flood Coast Committee

- 10.1 Blackpool Council is represented at the Environment Agency's North West Regional Flood and Coastal committee which is attended by Cllr Fred Jackson. This forum forms part of the formal governance for managing flood risk in the regions and Blackpool Council pay an annual levy towards the alleviation of flood in the North west region.
- 10.2 The levy can be used for the Partnership funding of projects in the region including Blackpool; a most recent example of this is a contribution to the replacement of pumps at Marton Mere.
- 10.3 Blackpool Council report to Regional Flood and Coastal Committee on flood and coastal erosion risk management as part of the wider Lancashire Strategic Partnership.
- 10.4 Preliminary Flood Risk Assessment
- 10.5 The Preliminary Flood Risk Assessment which was undertaken in 2011 as a requirement of the Flood Risk Regulations needs to be updated prior to June 2017. The criteria to determine 'significant' flood risk is set by Defra.

Does the information submitted include any exempt information?

No

List of Appendices:

None

11.0 Legal considerations:

11.1 None

12.0 Human Resources considerations:

12.1 Blackpool Council needs to retain the expertise and resource to deliver the statutory duties in the Flood and Water Management Act.

13.0 Equalities considerations:

13.1 Flooding has the potential to impact on vulnerable residents to a greater extent and will need to be managed accordingly.

14.0 Financial considerations:

14.1 The Department for Environment Flood and Rural Affairs along with the Department for Communities and Local Government provide some funding to undertake flood risk projects and studies. Funding of £90,000 has been allocated in the Environment Agencies six year plan to review the Lancashire and Blackpool Flood Risk Management Strategy.

15.0 Risk management considerations:

15.1 Failure to implement the statutory duties could lead to unquantified and unmanaged flood risk to Blackpool.

16.0 Ethical considerations:

16.1 None

17.0 Internal/ External Consultation undertaken:

17.1 Blackpool Council is part of the Lancashire Flood Risk Partnership and also chairs the Fylde Peninsula Water Management Partnership which review flood risk in the wider area.

18.0 Background papers:

18.1 None