

Report to:	TOURISM, ECONOMY AND RESOURCES SCRUTINY COMMITTEE
Relevant Officer:	Clare Nolan- Barnes, Head of Coastal and Environmental Partnership Investments
Date of Meeting	25 April 2018

FLOOD RISK MANAGEMENT

1.0 Purpose of the report:

- 1.1 To provide a basis for the Committee 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 including statistics and performance indicators and highlight areas of concerns.

The report also provides a summary of findings and proposals in respect of the investigation into the flooding event in Blackpool on the 22 November 2017.

2.0 Recommendation(s):

- 2.1 To scrutinise the delivery of the Council's statutory duties, note the performance and to scrutinise the findings of the investigation in respect of the flood event of the 22 November 2017 on the 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 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 other risk management authorities and to share information. The flood event of the 22nd November 2017 required Blackpool and other risk management authorities such as United Utilities, Environment Agency and Lancashire County Council to work together in cooperation to understand the effects the rainfall on that day had on the town and work together to provide future resilience. Blackpool is part of the Lancashire Strategic Flood Risk Partnership which reports on progress of the duties.

5.4 It is worth noting that Schedule 3 of the Act was not 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. Blackpool Council Officers hold monthly planning meetings to discuss the impact of new development on flood risk management.

5.5 In light of the amount of development now taking place in the town, Blackpool Council and United Utilities are working together to ensure that a co-ordinated approach is taken to the impact of development on flood risk.

5.6 Funding for the delivery of statutory duties is received from the Department for Communities and Local Government (DCLG) and the allocation for 2018/19 is £144,599.

5.7 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 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.
- 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. However the strategy is being reviewed, consultations on the refreshed strategy will take place in June with final publication by late summer 2018.

6.3 Short-Term Action Plan - Position

Measure	Comments	Dates Complete
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. Blackpool Council to agree responsibilities with United Utilities	2016 and ongoing for Blackpool
Define scrutiny process.	Annual Scrutiny Meeting reports and attendance.	March 2016. Ongoing updates in strategy refresh
Define processes for Ordinary Watercourse consenting and enforcement of drainage responsibilities.	Complete- Review periodically.	March 16. This policy will be reviewed in 2018

Determine feasibility of a	Ongoing, not all incidents	December	2015-
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<p>single flood reporting contact.</p>	<p>are being reported to the investigating team. Looking at the potential to use Geographical Resource Platform across the Council.</p>	<p>Following the flooding in November 2017 in Blackpool and across Lancashire the flood risk management teams in Blackpool and Lancashire are developing new protocols to ensure any flooding is reported immediately and captured on the GRP system.</p>
<p>Develop a timeline of flood risk management activities which includes the cycle of various funding streams.</p>	<p>Following Environment Agency Grant in aid process and request for local levy to fund studies</p>	<p>2015 Annual review Environment Area refresh in line with Environment agency programme/funding Projects discussed at making space for water and tactical group meetings</p>
<p>Further develop the Action Plan.</p>	<p>Ongoing.</p>	<p>Ongoing but also development through 2018 Lancashire and Blackpool Flood Risk Management Strategy</p>
<p>Define a decision making framework for undertaking works; Define a decision making framework which balances the desire for a no regrets culture.</p>	<p>Work to principles of Environment Agency Flood Defence Grant in Aid guidance as main funding stream.</p>	<p>June 2015-March 16.</p>
<p>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</p>	<p>Not really relevant to Blackpool as single tier Authority. Lancashire County Council to progress.</p>	

used by each Risk Management Authority.		
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. Attendance at Lancashire Flood Risk Forum	January 2015- Need for sharing of information highlighted by the flooding events particularly November 2017
Develop flood incident reporting database, linked to asset register.	Geographical Resource Platform.	January 2015-January 2016.
Record drainage engineer experience.		N/A
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. Update with new information following investigation
Share information about planned Flood Risk Management works and schemes.	Ongoing.	Quarterly Review. Shared via Lancashire Strategic Partnership Governance
Agree criteria for undertaking flood investigations.	Complete- Review periodically.	Annual Review- June 2017
Embed climate change into local flood risk	Climate Change allowances included in	Project submissions for funding require applicants

management.	Surface Water Management Plan and strategies and scheme designs- Ongoing.	to include for climate change
Ensure flood risk is incorporated into planning and development proposals.	Objective in Local Plan.	2017/2018 Regular meeting with Blackpool Flood Risk Officer and Planning. Regular meetings on applications and planning process with United Utilities
Define resource requirements over the next five years.	Changing in relation to Sustainable Drainage Systems- Ongoing.	Complete by April 2016. Ongoing
Develop funding strategy.	Depends on central government changes.	01/07/2016. Ongoing
Raise awareness of flood risk.	Ongoing.	Engagement with EA advisor on Community forums
Include funding in communication and engagement plan- potential beneficiaries.	Undertaken for individual projects.	Ongoing
Map Risk Management Authority expectations.	Lancashire Strategic and Regional Flood and Coastal Committee direction and local discretion required.	Ongoing.
Review membership of groups.	Complete.	2017
Agree data sharing protocols.	Data shared with UU and other partners, looking to use Geographical Resource Platform system.	August 2015.
Develop communication and engagement plan.	Undertaken for individual projects- Increase overall communication and engagement.	July 2015-October 2015.
Public consultation on draft strategy.	Complete. Refresh strategy consultations to be June	February 2014.

	2018	
Keep abreast of latest flood risk management information.	Ongoing- attending conferences etc.	
Raise awareness of climate change, adaptation and sustainability guidance.	Ongoing internally. Consideration in all projects and developments	Ongoing
Ensure involvement of appropriate officers or other experts to integrate economic, social and environmental information.	Corporate Water Management Group established.	March 2015.
Promote good surface water management principles for development.	Ongoing- exemplar site Rigby Road.	Ongoing
Establish planning policy for the council's consultation on planning; identify when flood officers should be consulted on developments.	Statutory Consultees. Regular meetings arranged between Planning and Flood Risk Manager, United Utilities and other consultees	Ongoing Regular meetings arranged with Planning officers and other risk management authorities
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.	Continue to update as necessary following flood events
Agree how the Sustainable Drainage Approval Body function will operate.	Obsolete- Statutory consultee role needs to be defined.	May 2015-August 2015. CLOSED
Build capacity; invest in Lead Local Flood Authority and district flood risk management officers.	Ongoing. Joint working particularly between Blackpool Council and Lancashire County Council	

Obtain information on flood risk assets.	Obtained on ad hoc basis.	
Develop and populate a record and register of assets.	Geographical Resource Platform.	2017 ongoing
Develop enforcement policy and procedure for drainage assets.	Complete- Review periodically.	2015

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.	January 2016. Carried forward in strategy refresh
Review roles and responsibilities.	Review along with procedures.	January 2016.
Raise awareness of no regrets actions.		
Design process flow charts.	Complete- review after use.	Ongoing.
Review flood works policy and process.	Biennially.	January 2016.
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.	Mapping updated
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.	Complete by January 2017.
Communicate flood risk management information.	Information on website and project specific consultations.	
Scope approaches in small communities.	Engage with residents to form flood risk community groups	
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. Resources required	Ongoing.
Promote Sustainable Drainage Systems.	Ongoing- Rigby Road exemplar site.	
Seek pilot study opportunities.	Funding. Seek opportunity following flood events	Ongoing seek
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.	
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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.	
Planning Conditions to less than Greenfield Run off.	Discuss with Planners.	Difficult to implement as there is no legislation
Grants to retrofit Sustainable Drainage Systems at Property Level.	Unlikely to get support currently.	
Grants/Application for wider property level protection.	Uptake after 2013/14 Storms has been low.	
Strategic Road Closures to direct water.	Needs further scoping and resourcing	
Research and Further Studies.	Start with most positive cost benefit ration High Risk Areas.	September 2016.
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. This has occurred on five occasions since the implementation of the duty in 2012. A further case is ongoing in the Staining area.

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. Since implementation in 2012, there have been 30 reports which have been investigated, although only three have reached the formal investigation criteria.

8.2 The policy for investigation has been developed in line with Lancashire County Council to ensure a consistent approach throughout the County. However, Lancashire County Council has recently updated its policy and Blackpool Council's policy should be updated in line with this.

9.0 Investigation into the event of the 22 November 2017

9.1 A draft Section 19 report being prepared which highlights the findings to date of the flood event on the 22 November 2017 and provides recommendations, in particular the formation of a flood forum for residents to better understand the reasons for flooding in particular areas and the resilience measures they can take in the event of a flooding incident.

9.2 A separate document is appended to this report to provide a summary of the investigation and the actions required as a result of this incident and the lessons learnt.

10.0 Maintenance of asset register

10.1 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.

11.0 **Regional Flood Coast Committee**

11.1 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.

The levy can be used for the Partnership funding of projects in the region.

11.2 Blackpool Council report to Regional Flood and Coastal Committee on flood and coastal erosion risk management actions through the Partnership Officer a shared resource currently based at Lancashire County Council.

11.3 Further posts have been created by the Environment Agency to assist Local Authorities in their applications for grant funding.

Does the information submitted include any exempt information? No

List of Appendices:

Appendix 6 (a) - Draft Section 19 Report – Investigation into flooding on 22 November 2017

12.0 **Legal considerations:**

12.1 None.

13.0 **Human Resources considerations:**

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

14.0 **Equalities considerations:**

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

15.0 **Financial considerations:**

15.1 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.

16.0 Risk management considerations:

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

17.0 Ethical considerations:

17.1 None.

18.0 Internal/ External Consultation undertaken:

18.1 Blackpool Council is part of the Lancashire Flood Risk Partnership and also chair the Fylde Peninsula Water Management Partnership, which review flood risk but also considers all aspects of water management in Blackpool

19.0 Background papers:

19.1 Summary report in respect of the flood event on the 22 November 2017.