

Report to:	TOURISM, ECONOMY AND COMMUNITIES SCRUTINY COMMITTEE
Relevant Officer:	Clare Nolan- Barnes, Head of Coastal and Environmental Partnership Investments
Date of Meeting	5 February 2020

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 the draft Blackburn with Darwen, Blackpool and Lancashire Flood Risk management Strategy (Local Strategy) and will also highlight our areas of challenge and concern generally and in respect of each of the duties.

2.0 Recommendation(s):

- 2.1 To scrutinise the delivery of the Council’s Statutory Duties in relation to flood risk management, note the draft Blackburn with Darwen, Blackpool and Lancashire Flood Risk Management Strategy (Local Strategy) and also to consider challenges 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 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 agreed 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 (LSP) the LSP is made up of Member and officer representatives from Blackburn with Darwen Council, Blackpool Council and Lancashire County Council, the Environment Agency and United Utilities. The LSP provides reports on progress of the duties on a quarterly basis to the Environment Agency’s Regional Flood and Coastal Committee. A copy of the Flood risk structure is attached in Appendix 5(a).
- 5.4 Funding for the delivery of statutory duties is received from the Department for Communities and Local Government (DCLG).
- 5.5 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 Challenges and Concerns Generally

- 6.1 The draft National Flood and Coastal Erosion Risk Management Strategy for England recognises that as a result of climate change England will experience wetter winters and drier summers with and an increased likelihood of wetter weather and flooding.
- 6.2 Blackpool has the added challenge of being a coastal town and so one of the biggest challenges is that of ensuring that the town is resilient to future flood events.
- 6.3 In addition to carrying out our statutory duties and the physical resilience measures such as sea defence, the challenge will be to ensure that we engage with Communities and that they can recognise their own challenges and become resilient.
- 6.4 Two Community Forum Events are planned in February 2020 in Anchorsholme and

Norbreck Wards and Bispham and Greenland Wards.

- 6.5 The Council is carrying out its statutory duties but the main concern is that of not having the resource to ensure that statutory duties continue to be delivered and grow our resilience. During 2020 more staff will be upskilled to provide a flexible and knowledgeable work force to deal with the flood risk. The challenge will be to allocate the required dedicated staff time to provide training. Blackpool will also work with its Partners in Blackburn and Lancashire Councils in providing the relevant training.

7.0 Consenting and Enforcing on Ordinary Watercourses.

- 7.1 The Council has a duty to consent to applications for works which impact on ordinary watercourses. To date, since the implementation of the duty, six applications have been formally 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 four occasions since the implementation of the duty in 2012, one case is ongoing.

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 stating the criteria that 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 four have reached the formal investigation criteria. The concern with investigations are that they are very intensive and require a significant amount of staff time. Blackpool are working with their partner organisations to share information and resources where possible and work together on investigations.
- 8.2 The policy for investigation has been developed in line with Lancashire County Council to ensure a consistent approach throughout the County and the Lancashire Strategic Partnership. The policy will be reviewed in 2020.

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 continues and further training and upskilling of staff is required in 2020 to make sure the Council has a flexible

workforce to keep its records up to date.

10.0 Blackburn with Darwen, Blackpool and Lancashire Local Flood Risk Management Strategy (Local Strategy)

10.1 The current Local 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 were to be carried out by Lancashire County Council. The strategy was based on the six guiding principles of the National Strategy.

10.2 The Local Strategy provided 19 objectives and associated actions, the actions were described as those required in the short, medium and long term details of the action plan and the position statement are appended to this report. A copy of the objective and actions and completion of those actions are attached in Appendix 5(b)

10.3 The local flood risk management strategy was due to be refreshed in 2018/19, however this was put on hold due to the changes in associated legislation such as the National planning legislations the introduction of Defra's 25 year plan and its implications and the imminent release of the revised National Strategy.

10.4 A copy of the refreshed Local Strategy is attached (in draft) in Appendix 5(c). It is anticipated that once the National Strategy is published the new Local Strategy can be published in May 2020 following consultation.

10.5 This refreshed strategy is accompanied by a business plan which will be used to deliver and measure our actions over the life time of the Local strategy. This is attached at Appendix 5(d)

11.0 Regional Flood and 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.

11.2 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.

11.3 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.

12.0 Does the information submitted include any exempt information? No

13.0 List of Appendices:

Appendix 5(a) – Flood Risk structure

Appendix 5(b) – Action Plan from the current Local strategy – 19 objectives

Appendix 5(c) – Refreshed Draft Local Strategy

Appendix 5(d) – Draft LSP Business Plan 2020 onwards

14.0 Legal considerations:

14.1 None.

15.0 Human Resources considerations:

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

15.2 In order to remain resilient, extend the expertise and ensure that Council has a flexible workforce, during 2020 more officers will be trained to carry out statutory duties in respect of flood risk management.

16.0 Equalities considerations:

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

17.0 Financial considerations:

17.1 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.

18.0 Risk management considerations:

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

19.0 Ethical considerations:

19.1 None.

20.0 Internal/ External Consultation undertaken:

20.1 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.

21.0 Background papers:

21.1 None.