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| <b>Notice of:</b>               | <b>EXECUTIVE</b>   |
| <b>Decision Number:</b>         | EX48/2021  |
| <b>Relevant Officer:</b>        | John Blackledge Director of Community and Environmental Services |
| <b>Relevant Cabinet Member:</b> | Councillor Jane Hugo, Cabinet Member for Climate Change          |
| <b>Date of Meeting</b>          | 11 October 2021  |

## **LANCASHIRE FLOOD RISK MANAGEMENT STRATEGY AND BUSINESS PLAN 2021 – 2027**

### **1.0 Purpose of the report:**

- 1.1 To provide the background information to enable the Executive to approve the recommendation to publish the Lancashire Flood Risk Management Strategy 2021-2027 which is a Statutory duty under the Flood and Water Management Act 2010 and to approve and publish the associated business plan.

### **2.0 Recommendation(s):**

- 2.1 To approve the Lancashire Flood Risk Management Strategy 2021 – 2027 attached at Appendix 5a, to the Executive report, with effect until 31 December 2027.
- 2.2 To approve the business plan associated with the Lancashire Flood Risk Management Strategy 2021 – 2027 included within Appendix 5a, to the Executive report, with effect until 31 December 2027.
- 2.3 To commence implementation of the actions contained within the Business Plan associated with the Lancashire Flood Risk Management Strategy 2021 – 2027.

### **3.0 Reasons for recommendation(s):**

- 3.1 Blackpool and Blackburn with Darwen Unitary Authorities and Lancashire County Council are lead Local flood authorities (LLFA's) and have a Statutory duty to produce a "Local" Flood Risk Management Strategy.

Currently Lancashire County Council and Blackpool have a joint Local Strategy and Blackburn with Darwen has its own strategy.

The three Councils recognised that the current strategies are out of date and are subject to changes in legislation, there is a requirement to align the Local strategy with the new National Flood, and Coastal Erosion Risk Management Strategy (NFCERM) published in Autumn 2020.

Lancashire County Council, Blackburn with Darwen and Blackpool Council form the Lancashire Strategic Partnership and it was considered beneficial by the Partnership to have one strategy for all three Council's, Blackpool council has lead on the delivery of a revised Local strategy for all three Authorities.

A business plan has been prepared to deliver the objectives identified in the strategy.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? No

#### **4.0 Other alternative options to be considered:**

4.1 None, it is a Statutory Requirement to produce a Local strategy.

#### **5.0 Council priority:**

5.1 The relevant Council priority is both:

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

#### **6.0 Background information**

6.1 Blackpool Council recognises the importance to residents, businesses and visitors of ensuring that they are as safe and protected as much as possible from the impact of flooding. This report provides the legislative requirement used in the preparation of the strategy. The key drivers for delivering a revised strategy now, the consultation process that has been followed and its findings. The report informs how the strategy aligns with the National Flood and Coastal Erosion Risk Management Strategy through 6 themes, how the three authorities propose to deliver the objectives via the business plan and finally purpose of the associated Habitats Regulations Assessments (HRA) and Strategic Environmental Assessments that accompany the Local strategy.

The Development of the strategy has followed a robust consultation process and in particular been the subject of a Tourism, Economy and Communities (TEC) Scrutiny Review in January 2021, with the draft strategy presented for consultation in June 2021.

The Committee were very supportive and their feedback/concerns have been addressed within the strategy.

## 6.2 **Legislative Requirement**

The Local Strategy sets out its legislative requirements.

The Flood and Water management Act 2010 requires all Lead Local Flood Authorities to produce a Flood Risk management strategy.

Section 9 (4) states that the strategy must specify :-

- the risk management authorities in the authorities area
- the flood and coastal erosion risk management functions that may be exercised by those authorities in relation to the area
- the objectives for managing local flood risk ( including any objectives included in the authorities flood risk management plan prepared in accordance with the Flood Risk Regulation 2009
- The measures proposed to achieve those objectives
- How and when the measures are expected to be implemented
- The costs and benefits of those measures and how they will be paid for
- The assessment of local risk for the purpose of the strategy
- How and when the strategy is to be reviewed
- And how the strategy contributes to the achievement of wider environmental objectives

## 6.3 **The Key Drivers**

The key drivers for the new strategy are:-

- the current strategy has delivered the outcomes that it set out to in 2014 and is now out of date.
- the National Flood and Coastal Erosion Management Strategy (NFCERM)for England was revised and published in 2021 and Section 9 (5) states The Local Strategy must be consistent (align) with the NFCERM under section 7 of the Flood and Water management Act (2010).
- legislation and guidance relating to the delivery of outcomes in the current strategy has been amended and the revised strategy takes account of those changes.

## 6.4 Consultation

Consultation on the Lancashire Flood Risk Management Strategy 2021 -2027 (Local Strategy) took place between 10 February 2021 and 19 March 2021.

A report has been prepared in respect of the responses to the consultation and is appended to this report at Appendix 5b to the Executive report.

In summary the Consultation has identified five areas of concern which are:-

1. Planning, development and Sustainable Urban Drainage Systems (SuDS) concerns, in particular
  - educational need.
  - challenge perception.
  - Local Planning Authorities being seen to be doing more to ensure Sustainable Drainage implementation and flood risk management issues are addressed in the planning process and this needs to be more visible.
  - Lack of clarity that the Strategy doesn't include 'coast' and why this is the case.
2. Lack of clarity and explanation why the strategy does not include coast.
3. The need for greater clarity of roles and responsibilities of Risk Management Authorities and other organisations e.g. Canal and Rivers Trust etc. and greater ownership of the flood risk by those responsible.
4. Agriculture and flood risk needs to feature more prominently – linking with Environmental Land Management Schemes (ELMS), Natural Flood Management, water/climate resilient farming etc.
5. Clarity around timeline of Strategy – why to 2027 and not to 2100 like National FCERM Strategy.

Officers from Blackburn with Darwen and Blackpool Council and Lancashire County Council, have responded to the comments raised in by consultation and where appropriate have amended the Local Strategy. It is not considered necessary to carry out a second consultation.

## 6.5 Local Strategy Alignment with National strategy via our Vision and Six Themes

There is a requirement for the Local Strategy to align with the National Strategy.

The Local strategy describes how this would be achieved through the following 6 themes for which there are a total of 53 objectives with related actions highlighted in the business plan which will be monitored at the Lancashire Strategic Partnership and the Tactical Group Meeting with all the district Councils.

- Theme 1 Delivering effective flood risk management, it important to ensure that we review and update policy and procedure through the life of the strategy
- Theme 2 Understanding our local risks and challenges

The strategy sets the current local risk and challenges within Lancashire and how we intend to mitigate risk these risks and challenges will change over the life of the strategy and it is essential that the changes are recorded and where possible mitigated.

- Theme 3 Supporting sustainable flood resilient development, the strategy sets out ambition to work with Planning Authorities and developers across Lancashire to take account of the impact on development.
- Theme 4 Improving engagement with our flood family. It is important to ensure that Residents, businesses and visitors across Lancashire receive regular communication in respect of the management of flood risk and how we intend to mitigate risks.

Communication with our flood family is key to achieving this and will be carried out via the Flood forums, flood hub and monthly updates from the Lancashire strategic partnership.

- Theme 5 Maximising investment opportunities for our business and communities

An allocation is included in the Environment Agencies funding allocation for 2021-2027 for Lancashire. The allocation for Blackpool is in excess of £50m.

- Theme 6 Contributing towards a climate resilient Lancashire  
Theme 6 provides our objectives and actions in respect of sustainability climate change and environment.

## 6.6 Strategic Environmental Assessment (SEA)

A Strategic Environmental Assessment has been provided with the Local Strategy and is appended to this report at Appendix 5d to the Executive report. The Strategic Environmental Assessment is a process that where consideration is given to the environment during development of certain plans and programmes. It is used to guide the development of the Local Strategy, and avoid and reduce implementation of negative environmental consequences. The Strategic Environmental Assessment also ensures the Local Strategy provides opportunities for environmental benefits.

## 6.7 Habitats Regulations Assessment (HRA)

A Habitats Regulations Assessment has been provided with the Local Strategy and is appended to this report. The purpose of the Habitats Regulations Assessment is to identify if any of the objectives within the Lancashire Flood Risk Management Strategy (Local Strategy) are likely to have a significant effect on a European Site (either alone or in combination with other plans or projects).

6.8 Does the information submitted include any exempt information? No

## 7.0 List of Appendices:

- 7.1 Appendix 5a: Lancashire Flood Risk Management Strategy including business plan 2021-2027
- Appendix 5b: Consultation Summary Document
- Appendix 5c: Equality impact Analysis
- Appendix 5d Strategic Environmental Assessment
- Appendix 5e: Habitat Regulations assessment

## 8.0 Financial considerations:

8.1 Local Authorities receive funding to carry out their duties in respect of the Flood and Water Management Act.

## 9.0 Legal considerations:

9.1 None.

## 10.0 Risk management considerations:

10.1 None.

**11.0 Equalities considerations:**

11.1 An equality impact report has been prepared by Blackburn with Darwen, Blackpool Council and Lancashire County Council and is attached at Appendix 5c to the Executive report.

**12.0 Sustainability, climate change and environmental considerations:**

12.1 The Local Strategy has considered the impact on sustainability, climate change and environmental consideration. In particular the Strategic Environmental Assessment at Appendix 5d to the Executive report and Habitat Regulations Assessment at Appendix 5e to the Executive report have been prepared in line with these considerations.

12.2 The delivery of the objectives contained in the Local Strategy will consider all elements of sustainability, climate change and environmental matters.

**13.0 Internal/external consultation undertaken:**

13.1 Formal External Consultation has taken place between 10 February 2021 and 19 March 2021.

**14.0 Background papers:**

14.1 None.

**15.0 Key decision information:**

15.1 Is this a key decision? Yes

15.2 If so, Forward Plan reference number: 11/2018

15.3 If a key decision, is the decision required in less than five days? No

15.4 If **yes**, please describe the reason for urgency:

**16.0 Call-in information:**

16.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

16.2 If **yes**, please give reason:



**TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE**

**17.0 Scrutiny Committee Chairman (where appropriate):**

Date informed: 1 October 2021      Date approved:

**18.0 Declarations of interest (if applicable):**

18.1 None.

**19.0 Executive decision:**

19.1 The Executive agreed the recommendations as outlined above namely:

1. To approve the Lancashire Flood Risk Management Strategy 2021 – 2027 attached at Appendix 5a, to the Executive report, with effect until 31 December 2027.
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3. To commence implementation of the actions contained within the Business Plan associated with the Lancashire Flood Risk Management Strategy 2021 – 2027.

**20.0 Date of Decision:**

20.1 11 October 2021

**21.0 Reason(s) for decision:**

21.1 Blackpool and Blackburn with Darwen Unitary Authorities and Lancashire County Council are lead Local flood authorities (LLFA's) and have a Statutory duty to produce a "Local" Flood Risk Management Strategy.

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**22.0 Date Decision published:**

22.1 12 October 2021

**23.0 Executive Members in attendance:**

23.1 Councillor L Williams

Councillor Benson, Brookes, Farrell, Hobson, Smith and I Taylor

**24.0 Call-in:**

24.1

**25.0 Notes:**

25.1 The following non-Executive member was in attendance: Councillor Hunter.