

**TITLE OF REPORT:** Flood & Water Management Act 2010 – Annual Progress Report

**REPORT OF:** Paul Dowling, Strategic Director, Communities & Environment

---

## **SUMMARY**

To report progress in the implementation of the duties and responsibilities of Gateshead Council as lead local flood authority.

---

## **Background**

1. In February 2011, November 2012, March 2014 and March 2015 this Committee received reports outlining:
  - the Council's statutory responsibilities and duties in relation to local flood risk management (FRM), following the introduction of the Flood & Water Management Act 2010 (F&WMA);
  - the duties for local authority scrutiny committees to review work by public sector bodies and essential service providers in order to manage flood risk and to prepare an annual report on local actions to manage flood risk and to implement the Pitt Review.
2. Under the F&WMA each unitary authority or county council is identified as the lead local flood authority (LLFA) for their district and they are expected to provide leadership and accountability for local FRM regarding surface water, groundwater and ordinary watercourses.
3. The Service Director of Development & Public Protection is the Council's lead officer: the Highway & Flood Risk Management team (in Transport Strategy) is managing the function.

## **Lead local flood authority duties**

4. The key implications of the legislation for local authorities are:
  - preparing, maintaining and publishing a local FRM strategy to link to the Environment Agency's (EA) national and local strategies;
  - preparing, maintaining and publishing a register of third party FRM infrastructure assets;

- investigating reported flooding incidents and publishing a register of investigations;
- statutory consultee to the local planning authority (LPA) for sustainable drainage systems (SuDS);
- consenting of ordinary watercourse works (diverting, culverting, restricting flow etc.);
- cooperation with and oversight of other FRM bodies.

### **Local flood risk management strategy**

5. Preparation of the flood risk management strategy has been ongoing for some time. The draft document has been through consultation with FRM partners and will be submitted to Cabinet in April for approval. The strategy has been delayed because of the changes to the SuDS planning regulations.

### **Register of third party FRM infrastructure**

6. The register must include location, size, condition and ownership details of drainage infrastructure (river embankments, walls, revetments, culverts etc.) that prevent or limit flooding on ordinary watercourses. The register has been established and work is ongoing to identify critical culverts.

### **Investigation of flood incidents**

7. A register of reported flooding incidents has been established. The rainfall in the summer and autumn of 2012 was exceptional and well beyond the design capacity of typical piped drainage systems. The storms led to an unprecedented number of enquiries (over 300) which were investigated by the FRM engineer in the Transport Strategy service. The storms of December 2015 and January 2016 were also significant but not of the same magnitude as 2012.
8. Over fifty minor infrastructure improvements to highway / land drainage to reduce the risk of future flooding have been carried out since 2012. Several other minor improvement schemes have been identified since the January 2016 storms and have been added to the list of future works.
9. Following the storms of 2012 twelve flooding locations required detailed investigations to determine the precise mechanism of the flooding and possible improvements to drainage systems. The majority require joint working with the Environment Agency (EA) or Northumbrian Water (NW). The limited resources available mean that it will be several years before full investigations and improvement schemes are completed. Appendix A lists the locations where joint working with partners is ongoing.

## **Sustainable drainage systems statutory consultee**

10. SuDS are natural or manmade green infrastructure features designed to store water or discharge water to the ground to limit flows to downstream drainage systems: examples include soakaways, ponds, swales etc. SuDs also have the benefit of improving water quality.
11. The Government (through Defra) introduced regulations in April 2015 requiring major developments to incorporate SuDS as part of the site surface water management systems. The regulations established the LPA as the body responsible for approving SuDS and the LLFA became statutory consultee for the SuDS approval process. The Highway & Flood Risk Management team has added a dedicated SuDS engineer to respond to the consultations.

## **Consenting of ordinary watercourse works**

12. Consenting procedures have been developed in conjunction with the EA: to date six applications for works have been received for the culverting or diversion of small lengths of watercourses.

## **Scrutiny and oversight of other FRM bodies**

13. Quarterly liaison meetings have been established by officers from the Transport Strategy FRM team with colleagues from the EA and NW. Regional groups of LLFA officers have been established to share best practise, experience and local knowledge: one of the groups has been considering local planning guidance for SuDS. The groups include officers with expertise in FRM, development management, and environmental management.

## **Recommendations**

14. It is recommended that the Committee:
  - notes the statutory responsibilities of Gateshead Council for local FRM and the measures taken to comply with those duties;
  - agrees to review local FRM outcomes of all local agencies and to receive an annual progress report in March 2017.

**CONTACT:** Jimmy Young

**EXTENSION:** 3073