

TITLE OF REPORT: Gateshead Flood Risk Management Strategy**REPORT OF:** Paul Dowling, Strategic Director, Communities & Environment

Purpose of the Report

1. Cabinet approved the draft Gateshead Flood Risk Management Strategy for consultation on 12th July 2016. This report outlines the consultation process and recommends the strategy is now referred to full Council for final approval.

Background

2. The Flood & Water Management Act 2010 (FWMA) requires the Council, in its role as Lead Local Flood Authority (LLFA) to “develop, maintain, apply and monitor a strategy for local flood risk management in its area”. The draft strategy for Gateshead was approved for consultation in July 2016.
3. The draft strategy was placed on the Council website for comment over the period 28th October to 12th December 2016. There has been minimal public response to this and it is now proposed to refer the strategy to full Council for formal approval.

Proposal

4. A summary of the draft strategy is attached as Appendix 2.
5. Following completion of the public consultation process, and the very limited response to this, it is now proposed to refer the strategy to full Council for formal approval.

Recommendations

6. It is recommended that Cabinet refers the Gateshead Flood Risk Management Strategy to full Council for formal approval.
7. For the following reasons:
 - (i) to ensure the Council is compliant with its duties as the LLFA as outlined in the FWMA; and
 - (ii) to ensure the Council takes a proactive and sustainable approach to managing flood risk.

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Policy Context

1. The proposals are in line with Vision 2030, and in particular support the creation of sustainable and thriving communities, and prosperous communities with a focus on the environment.
2. The proposals also support Planning for the Future (Core Strategy and Urban Core Plan), and the aims and objectives of the strategic flood risk assessment and surface water management plan.
3. The proposals are in line with the Council Plan 2015-2020 and support the delivery of all policy objectives within the plan.
4. Preparation of the strategy is a duty under the Flood & Water Management Act 2010 (FWMA). It is also required to secure future funding from the Department for Environment, Food and Rural Affairs (DEFRA) for flood risk reduction schemes through the Flood Defence Grant in Aid (FDGiA) and Local Levy funds.

Background

5. The Flood & Water Management Act 2010 (FWMA) requires the Council, in its role as Lead Local Flood Authority (LLFA) to “develop, maintain, apply and monitor a strategy for local flood risk management in its area”. The draft strategy for Gateshead was approved for consultation in July 2016.

Consultation

6. The draft strategy was placed on the Council website for comment over the period 28th October to 12th December 2016. A more extensive public consultation exercise was not considered appropriate because:
 - there had been extensive consultation internally and with key interests such as the Environment Agency and Northumbrian Water as part of the drafting process. This included a Policy Advisory Group in March 2016; and
 - the document is strategic in nature, its purpose mainly being in establishing an appropriate approach towards the overall management and co-ordination of flood risk activity. It has only limited spatial information and is likely to be of limited interest to the general public.
7. There has been minimal public response to the consultation, with only one comment received. This was a detailed matter rather than relating to the strategy itself, and is being dealt with through the appropriate channels. Accordingly no changes to the draft are proposed.

Implications of Strategy

8. Resources

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that there is no direct financial implication from the report but the strategy is a requirement in securing capital funding to support FDGiA flood risk reduction schemes.
- b) **Human Resources Implications** – Nil.
- c) **Property Implications** – The strategy encourages the implementation of flood mitigation schemes and there is a likelihood that such schemes delivered either by the LLFA or other risk management authorities may install measures on Council property or infrastructure.

9. Risk Management Implications

The strategy outlines a number of responsibilities and permissive powers as the LLFA in addition to interventions to be carried out by other risk management authorities. The actions are needs based and there may be some flood risk related interventions (schemes or small works) that cannot be justified or supported.

The strategy outlines flood risk related responsibilities that are not directly delivered by the Council within its role as the LLFA, this includes:

- as a category 1 responder (resilience)
- as the highway authority
- as the local planning authority
- as a land owner.

The successful delivery of the strategy is dependent on partnership working with other risk management authorities and residents / landowners and a partnership approach will be undertaken where appropriate.

10. Equality and Diversity Implications – None.

11. Crime and Disorder Implications – The strategy will assist in improving safety and security of the public during a major flooding incident and aims to reduce the scale and impact of flooding events.

12. Health Implications – Effective management of flood risk is important in protecting people from the adverse health impacts of flooding, including immediate threats to health and safety.

13. Sustainability Implications – The strategy has a significant role to play with regard to sustainability as it outlines the Council's approach to sustainable drainage systems on new developments. Such systems enable development to reduce flood risk in areas with known flood risk and provide environmental and social benefits in the development and adjacent areas.

14. **Human Rights Implications** – There are no implications. Consultation on specific proposals will be held with residents, ward members and relevant stakeholders.
15. **Area & Ward Implications** – All wards will be affected.
16. **Background Information** – None.

Gateshead Flood Risk Management Strategy Summary

Introduction

Since the introduction of the Flood & Water Management Act 2010 (FWMA) Gateshead Council as the lead local flood authority (LLFA) has a responsibility for managing flood risk within the borough.

The flood risk management strategy (FRMS) outlines the Council's responsibilities as the LLFA and how these are to be delivered through a number of policies. The document also outlines the responsibilities of other risk management parties including Northumbrian Water, the Environment Agency, the highway authority and land owners.

Policies and Legislation

The FRMS takes into consideration national legislation such as the FWMA and the Land Drainage Act 1990 in addition to regional and local policies including the Council's Vision 2030 and Core Strategy documents.

While national framework outlines legal responsibilities and duties of LLFAs and others, local policies must also be considered to ensure flood risk does not have a detrimental effect on the borough.

Responsibilities of the LLFA

As the LLFA there are six main duties the Council must perform. These are to give a strategic overview of flood risk management and ensure any incidents, or works to reduce the risk of flooding are planned and coordinated between responsible parties:

- a duty to produce a flood risk management strategy;
- a duty to cooperate with other risk management authorities (RMAs);
- a duty to maintain a register of flood risk assets;
- a duty to promote sustainable drainage;
- a duty to investigate flooding incidents;
- a power to consent works in ordinary watercourses.

In addition to these duties the LLFA is also a statutory consultee of the Local Planning Authority.

Other Council Responsibilities

In addition to the responsibilities the Council has as the LLFA, there are a number of other responsibilities related to flood risk as the highway authority, planning authority and also responsibilities related to emergency planning. These are outlined in the

full document and have been taken into consideration when developing the policies within the document.

Other Responsible Parties

In addition to the Council there are others bodies with responsibilities related to flood risk management. Other risk management authorities such as the Environment Agency and Northumbrian Water have similar responsibilities as the LLFA, while individual land owners also have rights and responsibilities.

Northumbrian Water

Northumbrian Water is the regional water company responsible for the supply of water and management of the public sewer network within the region and has a responsibility to manage flood risk relating to these.

Highway Authority

The highway authority has the responsibility to drain surface water from the adopted highway. While the majority of adopted highway is the responsibility of Gateshead Council, trunk roads such as the A1 and A194(m) are the responsibility of Highways England.

Environment Agency

The Environment Agency is the main body for improving and protecting the environment nationally, including the management of flood risk and the strategic overview of all forms of flooding. They are responsible for the management of flood risk from main rivers and some coastal flooding.

Land Owners

Land owners are responsible for managing watercourses, surface water and groundwater on their land. They have a duty to accept natural flows and must not deliberately discharge water through channeling or hard standing areas.

Objectives of the Strategy

To meet the responsibilities of the LLFA and Council policies, eight main objectives have been identified giving clear direction for the delivery of the strategy and what is required from the Council.

- Work with local communities, stakeholders and developers to deliver sustainable, good value solutions through a variety of funding sources to reduce the risk of flooding;
- Take a proactive approach to investigating flooding incidents, raise awareness of the risks and responsibilities associated with flooding;

- Develop and maintain a knowledge base on flood risk and sustainable drainage to provide a point of expert advice for local residents, businesses, stakeholders and developers;
- Obtain and share information on existing drainage and flood risk assets by developing and maintaining a register of such, ensuring existing infrastructure is correctly maintained and functional;
- Work with key partners involved in flood risk in the borough and neighbouring authorities to develop sustainable and practical medium term plans;
- Ensure flood risk poses minimal impact to critical infrastructure or potential economic growth opportunities;
- Ensure flood risk poses minimal negative impact on the local and natural environment, encouraging enhancement wherever possible;
- Ensure new developments do not have a detrimental effect on the drainage network, encourage sustainable drainage systems and further mitigation measures where required.

Priority Actions

To deliver these objectives there are a total of twenty four priority actions within the strategy: these fall into four main sub categories and summarised below.

Informing and Investigating

These actions outline how the Council will raise awareness of flood risk and investigate reported flooding incidents. They have strong involvement with the local community and set a standard for the investigation process.

- Develop Council website and explore the use of social media to give good management information, advice and support;
- Develop a flooding investigation protocol with a clear and defined reporting system;
- Undertake work with local communities to raise awareness of flood risk and mitigation methods;
- Promote proactive flood mitigation approaches and offer informal advice through local media, events and Council buildings;
- Work with partners to ensure infrastructure and properties are protected against flooding;
- Raise awareness of flood warning systems, met office warning systems and other toolkits available to those potentially at risk from flooding;
- Ensure Council officers, members and other Council services are aware of the responsibilities of the LLFA and processes;
- Develop internal knowledge on flood risk management, mitigation methods and other relevant training to deliver a high level of service.

Managing Risk, Infrastructure and Assets

The following actions develop a proactive approach to infrastructure related to flooding and critical risk areas. They involve working with other risk management authorities and help to identify areas most at risk from flooding.

- Identify funding opportunities for householders and businesses to prepare their properties against the risk of flooding ;
- Share information with other RMAs on flooding incidents to develop and maintain a flood incident register;
- Develop a medium term plan for surface water management and flood mitigation schemes where there is a flooding history;
- Work with other RMAS to identify potential joint working opportunities to reduce flood risk;
- Ensure external funding opportunities are known and applied for where possible;
- Work with neighbouring local authorities to take a regional and consistent approach to flood risk.

Planning and Environmental Opportunities

These actions support the LLFA's role in the planning process and outline how a proactive approach to reducing flood risk and improving the natural environment will be taken for all sizes of development.

- Integrate sustainable drainage into the new development process to a level which exceeds current standards.
- Work with developers and the Council's planning service to ensure that drainage and flood risk are considered throughout the development process.
- Develop a process to manage and reduce private hard standing areas having a negative impact on drainage systems.
- Investigate opportunities to open culverts and restore natural banks when changing watercourses, providing flood defenses or as part of new development.

Joint Working and Medium Term Mitigation

The following actions look at future opportunities for areas with a flooding history or known flood risk, working with others can give opportunities to fund major flood risk schemes and other initiatives.

- Identify funding opportunities for householders and businesses to prepare their properties against the risk of flooding .
- Share information with other RMAs on flooding incidents to develop and maintain a flood incident register.
- Develop a medium term plan for surface water management and flood mitigation schemes where there is a flooding history.
- Work with other RMAs to identify potential joint working opportunities to reduce flood risk.

- Ensure external funding opportunities are known and applied for where possible.
- Work with neighboring local authorities to take a regional and consistent approach to flood risk.

Delivering the Strategy

Following the implementation of the strategy annual overviews will be published on the Council website. These will provide information on flooding incidents in the borough, completed or proposed mitigation works and how the Council is delivering the duties as the LLFA. The annual review will be reported to the Council's Communities & Place Overview & Scrutiny Committee.

In addition to this a number of documents will also be produced to support the strategy, these at present include:

- sustainable drainage supplementary planning document;
- flooding investigation protocol;
- flood asset protocol;
- customer information on flood risk management.