

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, March 2015 & March 2016 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. The flood risk management strategy has been completed and approved by full Council in January 2017. An annual report providing updates on how the Council is delivering its duties as the LLFA.

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. The storms of December 2015 and January 2016 were also significant but not of the same magnitude as 2012, the events led to a grant from the Environment Agency for the repair of three culverts damaged during this period.
8. There was only reported internal flooding at one location as a result of these storms, additional improvement schemes have been undertaken on highway drainage and land drainage following the investigation of other incidents.
9. Investigations have led to the submission of three additional bids for Flood Defence Grant in Aid from the Environment Agency, these schemes are programmed for 2021 onwards.

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. A dedicated SuDS engineer is employed to respond to the consultations, additional staff resources have been identified and will be joining to support in the near future.

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.
13. No formal consents have been received since the last update.

Scrutiny and oversight of other FRM bodies

14. Quarterly liaison meetings have been established by officers from the Transport Strategy FRM team with colleagues from the EA and NW.
15. 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

16. 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;
 - receive an annual progress report in March 2018.

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EXTENSION: 3069