
REPORT FOR: CABINET

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| Date of Meeting: | 15 September 2016 |
| Subject: | Local Flood Risk Management Strategy |
| Key Decision: | Yes |
| Responsible Officer: | Venetia Red-Baptiste, Divisional Director of Commissioning Services |
| Portfolio Holder: | Councillor Graham Henson, Portfolio Holder for Environment, Crime and Community Safety |
| Exempt: | No |
| Decision subject to Call-in: | No |
| Wards affected: | All |
| Enclosures: | Local Flood Risk Assessment |

Section 1 – Summary and Recommendations

As a Lead Local Flood Authority we have a legal duty under the Flood and Water Management Act 2010 to develop and apply a Local Flood Risk Management Strategy (LFRMS) that is consistent with the National FRMS.

We are required to manage flood risks from surface water, groundwater, watercourses and ditches

The publication of the LFRMS provides the opportunity to consolidate existing flooding evidence and how flood risk will be managed into a single document, clearly setting out how the risk will be managed across Harrow in the future by

different Risk Management Authorities and Stakeholders. It will provide clear advice to residents, businesses and developers on how that will be achieved.

Recommendations:

Cabinet is requested to:

1. Support the Local Flood Risk Assessment and approve it as a Policy
2. Authorise the Portfolio Holder for Environment, Crime and Community Safety to sign the approved document.

Reason: To comply with the Council's legal duties set out by Central Government in the Flood & Water Management Act 2010.

Section 2 – Report

Introductory paragraph

The Flood and Water Management Act (FWMA) 2010) takes forward some of the proposals in three previous strategy documents published by Government. Local flood risk is defined by the FWMA as flooding from surface water, groundwater and watercourses.

As a LLFA Harrow is responsible for ensuring a Local Flood Risk Management Strategy (LFRMS) is published which is consistent with the National FRMS that has been completed by the Environment Agency.

The LFRMS once approved by Cabinet, will be a statutory document, which will impact on the activities of all flood risk management authorities active in the Borough. These bodies will all have a 'duty to act consistently with the local strategy' when undertaking their flood and coastal erosion risk management functions and have a 'duty to have regard for the strategy' when discharging other duties that may affect flood and coastal risk (for example spatial planning and development).

The Council will have in place a LFRMS to deal with all sources of flooding that will build in flood resistance, resilience and adaptation to climate change that will increase protection levels for residents, commercial activity and business continuity that will meet the Council corporate priorities.

Options considered

No other options were considered as this LFRMS is in direct response to requirements set out in the FMWA which will provide better, more comprehensive management of flood risk for people, homes and businesses.

Current situation

The Infrastructure Team asset manages 65 flood defence structures, 15 flood storage areas that include reservoirs, lakes and 82kms of river networks. Other managed assets include 19,500 road drainage gullies, highway drain and kerb drainage systems.

We have published a Surface Water Management Plan (2010) and worked in consultation with the Planning Department to produce a Level 1 & 2 Strategic Flood Risk Assessment (2009 & 2011)) and Development Management Policies that provide Planners with the evidence base to manage flood risk.

The LFRMS is the final document that brings the Council up to date with all of the duties and requirements for flood risk management. The Infrastructure Team are continuing to work with other Risk Management Authorities and stakeholders to mitigate the impact and maximise resistance and resilience to flooding and climate change.

Why a change is needed

To meet the Statutory Requirements of the Flood & Water Management Act legislation that has been transposed into UK Law from the EU Floods Directive.

Implications of the Recommendation

Considerations

Resources, costs

This workload is currently delivered by the Infrastructure Team working with other Risk Management Authorities, LLFA's, Catchment Partnerships and Internal Sections involved in flood risk, and other charitable and local volunteer organisations to deliver our duties set out in the FWMA. Costs to do this are through Harrow Capital, Revenue and external Grant funding from Defra, Thames Regional Flood & Coastal Committee (TRFCC) and other single project funding opportunities such as GLA and Heritage Lottery Funding.

Staffing/workforce No additional staffing resource required

Performance Issues

There is no performance indicator for the LFRMS although non-compliance may affect the Council reputation and put at risk future partnership working with Defra, Environment Agency and the TRFCC who allocate funding through the 6 year Flood Defence Grant in Aid.

Environmental Implications

The Flood and Water Management Act 2010 aims to improve flood risk management and the way we manage our water resources. Flood Risk Management Plans fall under the scope of the Strategic Environmental Assessment (SEA) Directive 2001/42/EC implemented in the UK by the Environmental Assessment Plans and Regulations 2004.

This builds on earlier government reports, EA Foresight Future Flooding 2004; Defra Making Space for Water and EU Water Framework Directive that deals with water supply, pollution from waste water, river basin management including ecological and environmental protection.

Many of the soft engineering techniques used for flood resistance and resilience are now based on adapting existing river corridors to provide space for water at peak times and include opportunities to improve these areas for amenity use, improved biodiversity, habitat, and wildlife and water quality.

We will continue to work with other Risk Management Authorities, communities and developers to adapt climate change allowance in flood risk assessments to minimise vulnerability and provide resilience to flooding change in the future. Climate change allowances are predictions of anticipated peak river flows by river basin district and peak rainfall intensity which are based on climate change predictions and different scenarios of CO2 emissions to the atmosphere.

Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

The scheme is not included on the Directorate risk register and there is no separate risk register in place for the LFRMS.

There are no unplanned risks associated with the LFRMS for increased demands for services against reduced budgets. Rather the opposite that the intention is to continue sourcing external funding for both revenue and capital to mitigate reduced budgets whilst including other corporate and departmental objectives within flood defence projects to make the borough more resilient and resistant to flooding and climate change.

There are no foreseeable health and safety issues for staff, residents, communities and business. Mitigation for risks from resulting projects will be included during the design phase.

Legal Implications

This LFRMS has been out to public consultation having been advertised on the Council consultation web page, and consulted with other Risk Management Authorities that are defined under clause 9 part 1, (9) of the Flood & Water Management Act. Feedback from the consultation has been included within this LFRMS.

The EU Floods Directive 2007/60/EC on the assessment and management of flood risks entered into force on 26th November 2007. This was transposed into UK Law through the Floods & Water Management Act in 8th April 2010. All Upper Tier and Unitary Authorities were designated as Lead Local Flood Authorities with Risk Management Authority powers.

One of the statutory duties is to develop, maintain, apply and monitor LFRMS for surface water runoff, groundwater, rivers, lakes and ponds.

Not adopting this LFRMS would breach our statutory obligations, put at risk funding and cooperation with other risk management authorities, risk of becoming open to claims for flood damage and loss of reputation.

Financial Implications

The delivery of the Local Flood Risk Management measures is reliant on the availability of both internal and external funding.

Since 2011 the Government has provided funding to Lead Local Flood Authorities (LLFAs) to carry out their duties under the Flood and Water Management Act 2010, through a number of different grants. From 2016/17 onwards, a change in the funding mechanism is implemented whereby LLFAs receive all their funding through a single mechanism with the full value of the grant being rolled into the main DCLG settlement. Harrow is allocated £159k for 16/17 and this will continue through to 2019/20. In addition, there is around £10k per year during this period to support the Council's role as statutory consultee on surface water for major development (SuDS). Both funding is being used to support the revenue budget allocated to the drainage team.

In the Council's capital programme, there is an annual allocation of £200k for highway drainage and £300k for flood defence respectively to deliver improvement works.

Currently there is an allocation (c4m) on the TRFCC program which extends beyond 2021. Other external sources of capital funding have been and are continuing to be applied for from GLA and HLF which combine the delivering the Actions within the LFRMS with other Corporate and Departmental objectives including financial alignment.

Asset management databases are in place that will enable a more target based approach to maintenance and in addition partnerships are evolving with communities, 3rd sector charitable organisations and other risk management authorities.

Equalities implications / Public Sector Equality Duty

The LFRMS has no foreseeable equality impact as it will benefit all residents, businesses and communities. There are no equality implications as a result of actions identified in the Local Flood Risk Management Plan (FRMP) that were included in the National FRMP however; any equalities implications will be considered on the merits of each individual project at the inception and appraisal stage that will be produced prior to design and construction.

Council Priorities

The Council's vision:

Working Together to Make a Difference for Harrow

Please identify how the report incorporates the administration's priorities.

- **Making a difference for the vulnerable**
With the support of Govt. schemes such as FloodRE which ensures flood insurance is available for all and working with other Risk Management Authorities we will protect the vulnerable through this LFRMS.

- Making a difference for communities**
 The LFRMS sets out actions that will enable communities to work with us to develop community flood action plans that combine using and improving open spaces and parks for flood storage, wetland creation, habitat, wildlife and amenity whilst working with 3rd sector charity and volunteer groups to strengthen existing community relations.
- Making a difference for local businesses**
 Our LFRMS will provide us with a holistic approach to flood resistance, resilience and climate change. We will continue to raise flood protection levels through investment and partnership infrastructure projects that will maintain business continuity and economic development.
- Making a difference for families**
 The actions within the LFRMS will help the Council to maintain existing flood protection whilst continuing to build on the on-going catchment based and partnership approach that will protect homes and families from increased flood risk and climate change.

Section 3 - Statutory Officer Clearance

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| Name: Jessie Man | <input checked="" type="checkbox"/> | on behalf of the Chief Financial Officer |
| Date: 12 August 2016 | | |
| Name: Catherine Knight | <input checked="" type="checkbox"/> | on behalf of the Monitoring Officer |
| Date: 12 August 2016 | | |

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| Ward Councillors notified: | YES |
| EqIA carried out: | NO |
| EqIA cleared by: | N/A |

Section 4 - Contact Details and Background Papers

Contact:

Michael Bradshaw, Deputy Team Leader Infrastructure Team 020 8424 1586 michael.bradshaw@harrow.gov.uk

Background Papers: None

**Call-In Waived by the
Chair of Overview and
Scrutiny Committee**

NOT APPLICABLE

[Call-in applies]