

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET RECOMMENDATIONS**

**PROFORMA**

Cabinet Meeting .....6th October 2011

1. Title of Item/Report

Flood & Water Management Act 2010 - Update

2. Record of the Decision

Cabinet considered a report that provided an update to previous Flood Risk Management reports on the Preliminary Flood Risk Assessment and the Pitt Review.

Members were reminded that Local Authorities became Lead Local Flood Authorities (LLFAs) and subject to new duties and responsibilities.

It was explained that the first phase of implementation of the Act began in autumn 2010 with the commencement of sections including definitions, statutory instrument making powers and provisions requiring LLFAs to develop strategies for local flood risk management. A second phase of implementation was carried out in April 2011, this included commencing most of the new responsibilities for LLFAs including powers to request information, duties to investigate flooding incidents and to maintain a register of flood risk management structures or features.

On 19th July 2011 the new national strategy for Flood and Coastal Erosion Risk Management in England took effect with more important LLFA responsibilities under the Flood and Water Management Act being introduced as a direct result of the strategy.

There were further sections of the Act which would have a significant effect on the Authority, still to take effect and updates on the timescales for this were awaited from Defra. The sections included sustainable development, designation of features which had a purpose in flood risk management, sustainable drainage including approval and adoption by the Authority and provision of consents and enforcement for works in ordinary watercourses. National guidance is awaited and is expected over the next 12 months.

A summary table of the status of commencement of the Act was provided to members.

It was explained that Technical Services would carry out the duties and responsibilities of the Flood and Water Management Act for the Authority on a day to day basis, to ensure compliance with legislation.

The legislation was still emerging and there were still sections of the Act that had not yet commenced and would have an impact on the Council and day to day operations. The Council would be monitoring developments and would provide further updates when appropriate.

The Preliminary Flood Risk Assessment was complete and would serve as a useful tool in taking forward production of a local flood risk strategy. The local strategy would be produced in line with the national strategy and there was no set deadline under the Act but it was expected that work would be complete within 2 years.

It was noted that there was large amount of historic data has been analysed and there are some areas emerging with flood risk issues.

RESOLVED that

1. the new duties and responsibilities on Stockton Borough Council under the Flood and Water Management Act 2010 be noted.

2. the new duties and powers of the Council, as Lead Local Flood Authority, under the Flood and Water Management Act 2010 be delegated to the Head of Technical Services, to carry out all duties, functions and powers as deemed appropriate

3. Reasons for the Decision

1. Stockton Borough Council was required to discharge the statutory duties under the Flood and Water Management Act 2010.

2. the Head of Technical Services was responsible for ensuring that the statutory duties were discharged on a day to day basis.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not applicable.

7. Date and Time by which Call In must be executed

Midnight on Friday 14 October 2011

Proper Officer  
10 October 2011