

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

21 APRIL 2016

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET DECISION

Environment – Lead Cabinet Member – Councillor Mike Smith

FLOOD AND WATER MANAGEMENT – LOCAL FLOOD RISK MANAGEMENT STRATEGY

1. Summary

The purpose of this report is to update Members on the Local Flood Risk Management Strategy. The Flood and Water Management Act 2010 requires that every Lead Local Flood Authority (LLFA) must develop, maintain, apply and monitor a Local Flood Risk Management Strategy for its area.

Stockton's strategy sets out how the Authority is meeting the requirements of the Act and other legislation. The strategy details the history of flooding in the Borough and how the Authority is working in partnership to achieve its objectives for future management of flood risk with other risk management authorities.

The Authority has a number of statutory duties and responsibilities relating to flood risk management which are also detailed in the strategy, along with objectives to manage flood risk in the Borough and potential funding streams.

2. Recommendations

It is recommended:

1. Members approve the Local Flood Risk Management Strategy and its objectives for the future management of flood risk within the Borough.

3. Reasons for the Recommendations/Decision(s)

1. The Lead local Flood Authority (LLFA) has a statutory duty under the Flood and Water Management Act 2010 to develop, maintain, apply and monitor a Local Flood Risk Management Strategy for its area.
2. To ensure flood risk is managed throughout the Borough to reduce the risk to residents and business.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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SUMMARY

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RECOMMENDATIONS

It is recommended:

1. Members approve the Local Flood Risk Management Strategy and its objectives for the future management of flood risk within the Borough.

BACKGROUND

1. The Flood and Water Management Act 2010 requires Lead Local Flood Authorities (LLFA's) to undertake a number of new statutory duties and other related functions to manage flood risk in their areas, including the production of a local Flood Risk Management Strategy.
2. The vision: To work with our partners in the Borough of Stockton-on-Tees to reduce the risk of flooding to residents and business and ensure that flood risk is managed in the most effective and sustainable way.
3. Stockton has suffered from significant flooding in recent years, over 200 residents and businesses have suffered from damage amounting to millions of pounds, and disruption from severe weather events in September 2012, May 2013, September 2013 and December 2013.
4. Following the severe flooding events, the Borough has been fortunate to receive funding for two major schemes at Port Clarence and Lustrum Beck, to reduce the risk from river

flooding but other areas of risk still remain and flooding from surface water will become increasingly common, as we see more intense rainfall events.

5. This strategy sets out the history and details the risk of flooding from various sources in the Borough. It also sets out the functions of each risk management authority and the partnership working between them, along with details of national policy to which it is aligned.
6. The strategy sets out five key objectives for managing flood risk in the Borough;
 - a. Reducing flood risk to communities severely affected by recent flooding.
 - b. Reducing the incidence of surface water flooding.
 - c. Ensuring flood risk is managed in new development.
 - d. Keeping our highways safe and passable.
 - e. Delivering wider benefits.
7. Each of these objectives has a number of tasks attached to it, which will all contribute to achieving that objective along with other duties and powers under the Flood and Water Management Act 2010 and Land Drainage Act 1991.
8. The strategy considers opportunities for the use of green infrastructure and natural flood risk management for reducing run off. Phase 2 of the Lustrum Beck scheme will use these techniques in a pioneering approach to flood risk reduction.
9. The new statutory consultee to planning role and the use of sustainable drainage systems are key drivers in management of surface water on and around new development.
10. The Tees Valley authorities have produced a technical design guide for developers considering using sustainable drainage systems to allow consistency between the Boroughs.
11. The approach to future maintenance of sustainable drainage systems is detailed both in the strategy and is subject to a separate cabinet report.
12. The strategy is to be reviewed on a five yearly cycle, continually monitored and any new legislation or response to flooding considered.
13. Stockton hosts the Tees Valley Strategic Flood Risk Partnership, which is attended by Officers from all the Tees Valley Authorities, TVU, Emergency Planning, the Environment Agency and Northumbrian Water.

FINANCIAL IMPLICATIONS

14. The Local Flood Risk Management Strategy contains details of various funding mechanisms, depending on the objective. For example schemes may be funded from Flood Defence Grant in Aid, Local Levy or partnership funding and some activities may be revenue grant funded such as statutory planning advice.

LEGAL IMPLICATIONS

15. The production of a Local Flood Risk Management Strategy is a statutory duty under the Flood and Water Management Act 2010, section 9. "A lead local flood authority for an area in England must develop, maintain, apply and monitor a strategy for local flood risk management in its area (a "local flood risk management strategy")".

RISK ASSESSMENT

16. The local Flood Risk Management Strategy is low risk and controlled by the mechanisms contained within it, which govern flood risk policy ensuring that the Authority continues to do everything within its power to manage flood risk in the Borough.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

17. Contributes to the adaptation element of the climate change objectives within the strategy.

Economic Regeneration and Transport

18. Contributes to the reduction in risk of flooding which can impact upon the economic stability of the area, it will also safeguard the transport infrastructure.

Safer Communities

19. Reduces the risk of flooding thereby creating a safer environment in which to live and work.

Children and Young People

20. Reducing flood risk can safeguard access to, and risk of damage to our education facilities.

Health and Wellbeing

21. Flooding from surface water has potentially significant health risks as it is usually contaminated water from the sewerage system that is involved. Therefore to reduce the risk of flooding is to reduce the health impacts as well.

Environment and Housing

22. Contributes to the adaptation element of the climate change objectives within the strategy.

EQUALITIES IMPACT ASSESSMENT

23. The proposals in this report will not result in any changes to the impact on equality issues.

CONSULTATION INCLUDING WARD/COUNCILLORS

24. Flood Risk Management is to be the subject of regular briefings with the Cabinet Member for the Environment.
25. A six week web based consultation has been carried out, which was open to members of the public.
26. The Environment Agency, Northumbrian Water, the Tees Valley Local Authorities were consulted directly and submitted comments via the web and email.
27. Internal consultation has taken place within other Council departments such as Planning and Green Infrastructure.

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Education related? No

Background Papers

Flood and Water Management Act 2010

Ward(s) and Ward Councillors:

All Wards are affected by this proposal.

Property

Not affected