



**CABINET**

**9 NOVEMBER 2016**

**CORPORATE DIRECTOR OF PLACE COMMISSIONING: TONY CIABARRO**

**CABINET MEMBER WITH RESPONSIBILITY FOR ENVIRONMENT:  
COUNCILLOR IAN MORRIS**

<b>Subject:</b>	Northamptonshire Local Flood Risk Management Strategy
<b>Recommendations:</b>	<ol style="list-style-type: none"> <li>1. To note the outcomes of the consultation on the draft Local Flood Risk Management Strategy and associated action plan, and the changes made in response to comments received, including those described at the end of this report; and,</li> <li>2. To formally approve the revised Northamptonshire Local Flood Risk Management Strategy and associated documents as County Council policy.</li> </ol>

**1. Purpose of Report**

- 1.1 The Flood and Water Management Act (the Act) 2010 requires Northamptonshire County Council as a Lead Local Flood Authority (LLFA) to produce a Local Flood Risk Management Strategy (LFRMS) to provide the framework for managing local flood risk within the county.
- 1.2 The formal public consultation on the updated LFRMS and associated documents ran for a six week period from 16<sup>th</sup> June to 28<sup>th</sup> July 2016. All comments received have now been reviewed and analysed and the Strategy and action plan have been updated accordingly.
- 1.3 The draft LFRMS was examined by the Place Commissioning Scrutiny Committee on the 9<sup>th</sup> March 2016. The Committee endorsed the progress made towards the programme of implementation relating to the requirements of the Act.

**2. How this decision contributes to the Council Plan**

The Council’s vision is to make Northamptonshire a great place to live and work. This is achieved through increasing the wellbeing of your county’s communities and/or safeguarding the county’s communities. .

<p>This initiative specifically delivers increased wellbeing and safeguarding by ensuring that:</p> <ul style="list-style-type: none"> <li>• People of all ages are safe, protected from harm and able to live happy, healthy and independent lives in our communities.</li> <li>• Communities thrive in a pleasant and resilient environment, with robust transport and communications infrastructure.</li> </ul>
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- Resources are utilised effectively and efficiently, in coordination with partners and providers.

### 3. Background to the Local Flood Risk Management Strategy and action plan

- 3.1 The LFRMS and action plan were first approved by Cabinet on the 8<sup>th</sup> October 2013. In line with monitoring and review requirements, the action plan has been updated annually and approved by Cabinet on 7<sup>th</sup> October 2014 and 6<sup>th</sup> October 2015. The LFRMS is a living document but must be formally reviewed every three years. It is this three year formal review of the LFRMS and annual review of the action plan that is being presented to Cabinet for approval.
- 3.2 To ensure compliance with the requirements of the Act, the LFRMS must cover local sources of flood risk (surface water flooding, ground water flooding and non-main river watercourse flooding). It must also identify flood risk objectives and give details of plans for implementation. There are seven key objectives within the LFRMS as follows:
1. **Collaborative Approach** – Adopt a collaborative approach to managing local flood risk by working with local partners and stakeholders to identify, secure and optimise resources, expertise and opportunities for reducing flood risk and increasing resilience to flooding;
  2. **Understanding of Local Flood Risk** – Develop a greater understanding of local flood risk by improving the scope of local knowledge and understanding of current and future local flood risks;
  3. **Enhance the Natural and Historic Environment** – Adopt a sustainable approach to reducing local flood risk, seeking to lessen the risk of localised flooding using mechanisms that are economically viable, deliver wider environmental benefits, conserve and enhance heritage assets and their settings, and promote the wellbeing of local people;
  4. **Preparedness and Resilience** – Reduce the harmful consequences of local flooding to communities and human health through proactive actions, activities and education programmes that enhance preparedness and resilience to local flood risk, and contribute to minimising community disruption;
  5. **Flood Risk and Development** – Minimise the increase in local flood risk that may arise from new development by producing guidance, setting standards, promoting the sustainable use of water and supporting the development of local policies and guidance, discouraging wherever possible surface water runoff in new and future developments and where possible influencing or supporting developments that seek to reduce existing flood risk;
  6. **Economically Sustainable Approach** – Ensure the financial viability of flood related schemes through the development of appropriate policies and assessment tools to ensure that flood risk management measures provide value for money whilst minimising the long-term revenue costs. Seeking to use natural processes where possible or source the costs of any maintenance from the financial beneficiaries of the development;
  7. **Riparian Responsibilities** – Encourage flood management activities by private owners of ordinary watercourses and flood defence structures as well as limit the development of constrictions on ordinary watercourses.

- 3.3 The annual action plan includes key activities, which will ensure these objectives are met. The actions include physical on-the-ground improvements, collaborative working arrangements, investigations and studies to obtain information that is more detailed and collective actions to ensure that all legislative requirements are met.
- 3.4 The LFRMS and action plan is the means through which the LLFA discharges its role to provide leadership and to co-ordinate flood risk management on a day-to-day basis. It acts as the focal point for integrating all flood risk management functions in the county. It also has regard to all relevant strategies produced by other Flood Risk Management Authorities (RMAs) working across Northamptonshire.
- 3.5 To ensure that the LFRMS and action plan complies with European legislation, a Strategic Environmental Assessment (SEA) was produced alongside the Strategy. As part of the preparation of the SEA, the County Council was required to consult with the statutory consultees, namely Natural England, Historic England and the Environment Agency.
- 3.6 The County Council was also required to undertake a Habitat Regulations Assessment of the LFRMS. This is used to assess the potential impact of the LFRMS on protected natural areas that are of European significance. As part of the preparation of the HRA, the County Council was required to consult with Natural England.
- 3.7 The Act requires the LLFA to publish a summary of its LFRMS and this is provided in Appendix 2 of this report.

#### **4. Main changes made to the Strategy and associated documents**

- 4.1 Since the development and approval of the original LFRMS in October 2013, there have been a number of changes to flood and water related legislation, which have led to new ways of working. These have been reflected through inclusion in the new LFRMS and associated documents.
- 4.2 One of the key changes in the updated LFRMS has been a significant reduction in its length, nearly halving from 191 pages to 101 pages. This has been achieved through the creation of separate associated documents (such as the prioritisation report) and by providing much of the required advice and guidance on the newly developed Flood Toolkit website – [www.floodtoolkit.com](http://www.floodtoolkit.com). Overall this allows easier access to information for users and makes updating the information far more efficient.
- 4.3 The methodology utilised for prioritising areas that are at greatest risk of flooding has changed. This reason for the change is due to the production of new and better quality mapping datasets, which has increased clarity and precision allowing for more detailed queries and modelling to be run. The result has meant an order change to which geographic wards are at greatest risk of flooding within the county, providing a clearer and more precise picture of flood risk.
- 4.4 The Northamptonshire County Council (NCC) Flood Toolkit website ([www.floodtoolkit.com/](http://www.floodtoolkit.com/)) was officially launched on 19<sup>th</sup> March 2015, as the legacy to the Defra Community Resilience Pathfinder project. The focus is very much on helping communities and members of the public ‘to help themselves’ and has been structured to answer the FAQs that organisations such as the Environment Agency, Highways

England, County Council, Borough and District Councils and, Highways Authorities and water companies were receiving. The site allows users to: -

1. Find out if they are at risk of flooding using the interactive Flood Risk Map.
2. Discover who is responsible for flooding outside their home or on the roads and how to contact them.
3. Learn how to protect their property from flood water through engaging images.
4. Locate funding sources for flood related projects using the Funding Mechanism Tool.
5. See how much rain has fallen in their local area through the Rain Gauge Widget.
6. Educate children through the Flood Aware Schools Pack.

4.5 Since the launch the Flood Toolkit has won two awards (a national Environment Agency and a regional Royal Town Planning Institute award) as part of the wider Pathfinder project. It has attracted 22,138 users to the site (one third of whom are returning visitors) and has achieved over 50,000 pageviews. The site has also played a crucial support role during the severe flooding on 9<sup>th</sup> March 2016; on this day the site attracted over 1,400 users allowing customers instant access to useful guidance on what to do during a flood and who to contact.

4.6 Extensive flood and water training has been undertaken with the NCC Customer Contact Centre, in order to improve customer response to flooding enquiries and reduce customer journey time. This training involved several sessions with staff to help them better understand the responsibilities of each Risk Management Authority and specifically the LLFA, as well as how best to utilise the Flood Toolkit and the key pages to direct customers to. Due to the success of this, the training has been extended to all seven district and borough customer contact centres.

4.7 A number of projects within the annual action plan are being progressed on time or have been completed. These include finalising Surface Water Management Plans for the four remaining districts and boroughs; completion of a county-wide Groundwater study; production of eight flood alleviation community reports as part of a Small Schemes Pathfinder - including securing £110k from Local Levy funding to support a number of these schemes. The most recent project to commence is the Defra Community Resilience Pathfinder 2 project, which seeks to take forward the findings of the original project to a further 30 communities, to help each understand their flood risk and enable them to generate community resilience.

## **5. Consultation and Scrutiny**

5.1 The LFRMS and action plan was subject to a full public consultation, and ran for six weeks, ending on 28<sup>th</sup> July 2016.

5.2 The LFRMS and action plan have now been updated in line with the comments received and in partnership with and agreement from all RMAs, including: the Environment Agency, the seven borough and district councils, two Joint Planning Units, the Internal Drainage Board, the Highways Authority, Highways England and the Water and Sewerage Companies.

5.3 Many respondents agreed that the draft LFRMS was clear, comprehensive with a guiding principle and objectives, which could be supported. As a result, the majority of revisions to the LFRMS were limited to clarifying and updating text rather than any particular fundamental changes.

5.4 The draft LFRMS was examined by the Place Commissioning Scrutiny Committee on the 9<sup>th</sup> March 2016. The Committee endorsed the progress made towards the programme of implementation relating to the requirements of the Act.

## **6. Equality Screening**

6.1 An Equality Impact Assessment (EqIA) has been undertaken as part of the LFRMS and action plan review.

6.2 No negative equality implications were identified in the EqIA. One positive implication was identified as a result of the implementation of the action plan, this would help better protect those individuals at greatest risk of flooding in the county through a prioritisation methodology.

6.3 The EqIA can be viewed online at <http://www.floodtoolkit.com/pdf-library/>.

## **7. Alternative Options Considered**

7.1 The development of the LFRMS, action plan and other activities covered by this report are a statutory requirement.

## **8. Financial Implications**

8.1 The County Council as LLFA has been awarded Grant funding by Government to undertake part of the requirements under the Flood and Water Management Act 2010 and the Flood Risk Regulation 2009. The funding allocation to date has been £149,900 for 2011/12, £290,000 for 2012/13, £290,000 for 2013/14, £290,000 for 2014/15, £240,000 for 2015/16 and £244,879 for 2016/17. These allocations are not ring-fenced.

## **9. Risk and Business Continuity Management**

9.1 In order to fulfil the LLFA role and to implement the requirements of the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009, a management framework has been put in place, including amendments to the Council's Constitution. The required work is being resourced as appropriate to meet statutory requirements.

a) Risk(s) associated with the proposal

<b>Risk</b>	<b>Mitigation</b>	<b>Residual Risk</b>
Loss of key staff	Expertise being developed across Northamptonshire Highways and the Environment and Planning Team.	Amber
Changes to Environment Agency staff directly involved in	Environment Agency still retains the strategic responsibility for all flood	Green

the flood and water management work in Northamptonshire	risk management and the statutory consultee to the planning process.	
Obtaining approval/agreement from all partners authorities	The County Council to use its role as LLFA to ensure co-operation of all partners.	Amber

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Failure to comply with the requirements of the Flood and Water Management Act (2010) and Flood Risk Regulations 2009 could result in infraction proceedings and large fines levied against the UK government which can be passed onto Local Authorities.	Low

## 10. List of Appendices

- **Appendix 1.** Northamptonshire Local Flood Risk Management Strategy (November 2016)
- **Appendix 2.** Northamptonshire Local Flood Risk Management Strategy Action Plan (November 2016)

Note: The Northamptonshire Local Flood Risk Management Strategy Public Summary Strategic Environmental Assessment, Habitats Regulations Assessment, Equalities Impact Assessment, Frequently Asked Questions, GIS Prioritisation Report and the Communication, Engagement and Consultation Strategy can be viewed here:

<http://www.floodtoolkit.com/lfrms-consultation/>

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Background Papers:	Cabinet Paper: 13 <sup>th</sup> November 2012
Does the report propose a key decision is taken?	Yes
If yes, is the decision in the Forward Plan?	No
Will further decisions be required? If so, please outline the timetable here	Yes, the LFRMS is updated every three years.
Is this report proposing an amendment to the budget and/or policy framework?	No
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications been cleared by the Operational Management Team (OMT)	Yes Name of SFM: Rosemary Pallot
Has the report been cleared by the relevant Corporate Director?	Yes Name of Director: Tony Ciaburro
Has the relevant Cabinet Member been consulted?	Yes Cabinet Member: Cllr Ian Morris
Has the relevant scrutiny committee been consulted?	Yes Scrutiny Committee: Environment, Development & Transport Scrutiny Committee
Has the report been cleared by Legal Services?	Yes Name of solicitor: Debbie Carter-Hughes
Have any communications issues been cleared by Communications and Marketing?	Yes Name of officer: Liam Beasley
Have any property issues been cleared by Property and Asset Management?	N/A
Has an Equalities Impact Assessment been carried out in relation to this report?	An Equalities Impact Assessment has been undertaken for the LFRMS and can be found here: <a href="http://www.floodtoolkit.com/lfrms-consultation/">http://www.floodtoolkit.com/lfrms-consultation/</a>
Are there any community safety implications?	These are addressed throughout the LFRMS.
Are there any environmental implications:	These are addressed throughout the LFRMS and as part of the associated SEA and HRA process and can be found here: <a href="http://www.floodtoolkit.com/lfrms-consultation/">http://www.floodtoolkit.com/lfrms-consultation/</a>
Are there any Health & Safety Implications:	No
Are there any Human Resources Implications:	No
Are there any human rights implications:	No
Constituency Interest:	All constituencies

