

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Revised Suffolk Flood Risk Management Strategy (SFRMS)	
Report No:	CAB/SE/16/021	
Report to and date:	Cabinet	24 May 2016
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Purpose of report:	To bring to the attention of Members and to seek the adoption of the content of the recently reviewed Suffolk Flood Risk Management Strategy (SFRMS). This report focusses on the implications of the revised content for the West Suffolk Authorities in particular.	
Recommendation:	It is <u>RECOMMENDED</u> that the recently revised Suffolk Flood Risk Management Strategy (SFRMS), as contained in Appendix 1 to Report No: CAB/SE/16/021, be adopted.	
Key Decision: (Check the appropriate box and delete all those that do not apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
The decisions made as a result of this report will usually be published within 48 hours and cannot be actioned until five clear working days of the publication of the decision have elapsed. This item is included on the Decisions Plan.		

Consultation:		Suffolk County Council as Lead Local Flood Authority (LLFA) has sought the views and opinion of the other flood risk management authorities, (that include the West Suffolk Authorities), in the formulation of this revised Strategy document. In respect of the first version of the Strategy (adopted February 2013) there was a period of formal public consultation, hosted by Suffolk County Council and carried out in the period July to September 2012.	
Alternative option(s):		None - It is a statutory requirement for the County Council as Lead Local Flood Authority to produce the SFRMS document, in partnership with other flood risk management authorities (that include the West Suffolk Authorities). Should the revised Strategy not be adopted, the existing strategy would be retained by default.	
Implications:			
Are there any financial implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The complex nature of funding action to reduce flood risk is explained in Section 6 of the Local Flood Risk Management Strategy.	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> It is a statutory requirement for the County Council as Lead Local Flood Authority to produce the SFRMS document, in partnership with other flood risk management authorities (that include the West Suffolk Authorities).	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Flood risk to property and facilities	Medium	Risk variable dependant on type of flooding (e.g. river, highway, sewer) geography and type of development.	Medium

Resources allocated to the wrong properties/businesses	Medium	Strategy for allocating resources in response to flood risk is based on SFRMS	Low
Flood risk increases through inappropriate development	Medium	Adoption of appropriate SuDS principles, guidance & protocols as contained within the SFRMS.	Low
Ward(s) affected:		All wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Appendix 1 - Revised Suffolk Flood Risk Management Strategy (SFRMS)	

1. Key issues and reasons for recommendation

1.1 Background to the revised Suffolk Flood Risk Management Strategy

- 1.1.1 All Suffolk local authorities adopted (endorsed) the content of the first Suffolk Flood Risk Management Strategy (SFRMS) prior to its publication in February 2013. In the case of Forest Heath, Elected Members adopted the Strategy at their meeting of Cabinet on 5 February 2013. In the case of St Edmundsbury, elected Members resolved to adopt the Strategy at their Council meeting held on 26 February 2013.
- 1.1.2 It is a statutory requirement for the County Council as Lead Local Flood Authority (LLFA) to produce the SFRMS document, in partnership with other flood risk management authorities (that includes Forest Heath District Council and St Edmundsbury Borough Council). The Flood and Water Management Act 2010 requires the LLFA to develop, maintain, apply and monitor a strategy for local flood risk management in its area. This local strategy must be consistent with the principles in the National Flood and Coastal Erosion Risk Management Strategy produced by the Environment Agency in 2011.
- 1.1.3 Changes in legislation, data and locally developed policies mean that the 2013 version needed to be updated. The key changes relate to planning and sustainable drainage legislation; updated data on surface water flood risk and more detailed guidance and policy on matters such as planning, consenting of activities on watercourses and flood investigations.
- 1.1.4 The document and associated appendices have already been endorsed by the Suffolk Flood Risk Management Partnership (officer group) and are now being considered for adoption by the other flood risk management authorities (local authorities, Environment Agency, highways authorities and Internal Drainage Boards). Suffolk County Council's Cabinet adopted the content of the revised Strategy at its meeting on 22 March 2016.

1.2 What impact does the Strategy have on Local Authority responsibilities

- 1.2.1 The Suffolk Flood Risk Management Strategy is a statutory document, which will impact on the activities of all flood risk management authorities (local authorities, the Environment Agency, highways authorities and Internal Drainage Boards).
- 1.2.2 All flood risk management authorities have a duty to 'act consistently with the local strategy' when undertaking their flood and coastal erosion risk management functions and other bodies (such as planning authorities and water companies) have a 'duty to have regard for the strategy' when discharging other duties that may affect flood and coastal risk – including planning for new developments.

1.3 What's in the Strategy and what's changed?

- 1.3.1 The primary aim of the strategy is to reduce the risk of flooding and the misery and economic damage that flooding causes where practical and within the resources available from central government, public authorities, communities and private individuals. (The complex nature of funding a reduction in flood

risk is comprehensively explained in Section 6 of the Suffolk Flood Risk Management Strategy).

1.3.2 The Flood and Water Management Act 2010 defines the content of the strategy which must cover the following:-

- a) the flood risk management authorities in the county;
- b) the flood and coastal erosion risk management functions that maybe exercised by those authorities within the county;
- c) an assessment of local flood risk;
- d) the objectives for managing local flood risk;
- e) the measures proposed to achieve those objectives;
- f) how and when these measures are expected to be implemented;
- g) the costs and benefits of measures and how they are to be paid for;
- h) how and when the strategy will be reviewed; and
- i) how the strategy contributes to the achievement of wider environmental objectives.

1.3.3 The revised Strategy does not contain any changes to the basic objectives for flood risk management in Suffolk (see Chapter 5). These can be summarised as:-

- a) improve understanding of flood and coastal risks and the roles and responsibilities associated with managing them
- b) work together to reduce flood and coastal risks
- c) prevent increase in flood risk as a result of new development
- d) take a sustainable and holistic approach to the management of flood risk, water resources and water quality – delivering Water Framework Directive improvements wherever possible
- e) share good practice

1.3.4 Chapter 2, which outlines the various functions and responsibilities of the flood risk management authorities, other organisations, communities, landowners and individuals, has been reordered to provide additional clarity. It is now divided into activities rather than listed by organisations. The basic information in the chapter has not changed except where legislation has amended responsibilities.

1.3.5 The major change in the updated Strategy relates to new legislation relating to surface water and sustainable drainage (SuDS) – see paragraphs 1.4.1 – 1.4.3 below.

1.3.6 In addition there is expanded guidance on consenting structures on watercourses and procedures for flood investigations, developed by the Suffolk Flood Risk Management Partnership to provide greater clarity about how these duties will be discharged.

1.3.7 There is also updated data on surface water flood risk (Chapter 4) and reference to recent flood events. Whilst the numbers at risk have been reduced as a result of better understanding of the risks and further modelling, it has not altered the priority of at risk areas in the county.

1.3.8 The revised document also contains a brief table outlining key achievements of the Suffolk Flood Risk Management Partnership in the last two years since the first strategy was published (see page 74).

1.3.9 The updated strategy has an associated outline Action Plan which illustrates the way in which the strategy will be translated into actions and also includes four appendices detailing guidance and policy –

- [Appendix A](#): Suffolk Surface Water Drainage (SuDS) Guidance, Standards and Information
- [Appendix B](#): Consenting Works on Ordinary Watercourses and Culvert Policy
- [Appendix C](#): Protocol for advising Local Planning Authorities on surface water drainage aspects of planning and development control.
- [Appendix D](#): Flood Investigation procedure – S19 Flood & Water Management Act 2010

1.4 **Changes to responsibilities for drainage and SuDS in new developments**

1.4.1 Since the 2013 version of the Strategy was produced, government guidance and policy with respect to surface water drainage management in new developments has been amended.

1.4.2 Part 3 (Sustainable Drainage) of the Flood and Water Management Act has not been implemented and instead changes to National Planning Policy Framework have been enacted, giving the decision making responsibility to **Local Planning Authorities** to ensure sustainable drainage in new developments and that there are mechanisms in place for the ongoing maintenance of new SuDS.

1.4.3 In addition the County Council (as Lead Local Flood Authority) has become a Statutory Consultee on surface water drainage matters in major developments. Appendix C describes how this process is expected to work in Suffolk, with guidance to developers provided by the National SuDS standards and Appendix A: Suffolk SuDS guide. The approach to be taken is to support housing growth but equally to ensure no increase in flood risk to the new or existing housing.

1.5 **What are the timescales associated with this?**

1.5.1 There are no statutory deadlines for updating existing Flood Risk Management Strategies. However, once adopted this strategy will become a statutory document impacting on the activities of all flood risk management authorities in the county and will strengthen the guidance in relation to flood and drainage management on new major developments.

1.5.2 The earliest possible adoption of the strategy will ensure that all parties are working to a common flood risk management approach across Suffolk.

1.5.3 Sources of further information

- a) Suffolk Flood Risk Management Strategy 2016 and appendices
- b) The Flood and Water Management Act 2012:
<http://www.legislation.gov.uk/ukpga/2010/29/contents>
- c) National Planning Policy Framework:
<http://planningguidance.communities.gov.uk/blog/policy/>
- d) Suffolk Flood Risk Management Strategy Feb 2013