

CHESHIRE EAST COUNCIL

REPORT TO: SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE

Date of Meeting:	2 September 2010
Report of:	Lead Emergency Planning Officer for Cheshire East Council
Subject/Title:	Flood and Water Management Act 2010; the European Union Flood Directive 2009 and Associated Regulations / Issues
Portfolio Holder:	Councillor Rachel Bailey

1.0 Report Summary

- 1.1 The purpose of the report is to update the Committee on the response of Cheshire East Council to the requirements of the Flood and Water Management Act 2010; the European Union Flood Directive 2009 together with associated Regulations and the recommendations contained in the Pitt Review.

2.0 Decisions Requested

- 2.1 The Committee is asked to receive the report and note the current position of Cheshire East Council in relation to the requirements / expectations outlined in paragraph 1.1 of the report

3.0 Reasons for Recommendation

- 3.1 Under the Flood and Water Management Act 2010 and its associated Regulations; the European Union Flood Directive 2009 together with associated Regulations; Cheshire East Council is statutorily required as the lead local flood authority to meet certain requirements in relation to Flood and Water Management. Moreover, following the Pitt Review the Council is expected to meet certain expectations. Under the Regulations and the expectations of the Pitt Review it is intended that the Council's scrutiny procedure should review work by public sector bodies and essential service providers in order to manage flood risk. Also, that there should be an annual summary of actions taken locally to manage flood risk in order to meet the regulations and to implement the appropriate recommendations of the Pitt Review. The report will need to be made public and reviewed by Government Offices and the Environment Agency.

4.0 Wards Affected

- 4.1 Potentially all Wards may be affected.

5.0 Local Ward Members

5.1 All Ward Members

6.0 Policy Implications including - Climate change - Health

- 6.1 Climate change could well potentially lead to greater flooding problems in the future. Climate change projection work will play an important part in helping us to understand the likelihood of future flooding, particularly in relation to development plans. Work in relation to Flood and Water Management should mitigate and lessen this risk and also reduce any associated potential health problems to the community at risk.

7.0 Financial Implications (Authorised by the Borough Treasurer)

- 7.1 Please see paragraph 10.14 below.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 The requirements of the Flood and Water Management Act 2010 and its associated Regulations, the European Flood Directive 2009 together with its associated Regulations and the recommendations of the Pitt Review; are all outlined in the body of the report.

9.0 Risk Management

- 9.1 Flooding and its associated issues is one of the major risks to the Cheshire East community. Work in relation to Flood and Water Management will mitigate and lessen this risk.

10.0 Background and Options

- 10.1 Sir Michael Pitt's review of the flooding in 2007 stated that "the role of local authorities should be enhanced so that they take on responsibility for leading the co-ordination of flood risk management in their areas". The Flood and Water Management Act 2010 provides for this through the new role of the lead local flood authority. As set out in the Government's response to Sir Michael's Review, the Act defines the lead local flood authority for an area as the unitary authority or the county council. This avoids any delay or confusion about who is responsible, but in no way prevents partnership arrangements to make full use of all capabilities and experience locally. The Act enables lead local authorities to delegate flood or coastal erosion functions to another risk management authority by agreement. The Act itself deals with national domestic regulations. However, the European Union Flood Directive deals with European Union Regulations. Both the Act

and the Directive mirror one another by making unitary and county councils responsible for managing local flood risk, but the timing of each is different with the Act probably not coming into force in its entirety until 1 April 2010, whilst the European Union regulations are now in force and set a challenging timetable for delivery. However, the work required by these latter regulations will form the building blocks of the local flood risk management strategies required under the Act

10.2 Local Partnerships

Sir Michael Pitt's Review recommended that the lead local flood authority should bring together all relevant bodies to help manage local flood risk. The important roles played by district councils, internal drainage boards, highways authorities and water companies are also recognised in the Act and these bodies, together with the Environment Agency, are identified as risk management authorities. The Act enables effective partnerships to be formed between the lead local flood authority and the other relevant authorities who retain their existing powers (with some enhancement), but it does not say what any local arrangements should look like. It requires the relevant authorities to co-operate with each other in exercising functions under the Act and they can delegate to each other. It also empowers a lead local flood authority or the Environment Agency to require information from others needed for their flood and coastal erosion risk management functions.

10.3 Flood risk management strategies

The Environment Agency will be required to develop a national strategy for the management of coastal erosion and all sources of flood risk for England. This will need to be consulted on publicly before being approved by the Secretary of State and laid before Parliament. The Act also requires a lead local flood authority to develop, maintain, apply and monitor a strategy for local flood risk management in its area. The lead local flood authority will be responsible for ensuring the strategy is put in place but the local partners can agree how to develop it in the way that suits them best. The Act sets out the minimum that a local strategy must contain, and the lead local flood authority is required to consult on the strategy with risk management authorities and the public. Local flood risk includes surface runoff, groundwater, and ordinary watercourses (including lakes and ponds). Guidance may, amongst other things, set out in more detail how the national strategy and local strategies should interact and how local strategies will need to take account of plans to manage other sources of risk. Local authorities will need to consider the full range of measures consistent with a risk management approach in developing their local flood risk strategy. Resilience and other approaches which minimise the impact of flooding are expected to be a key aspect of the proposed measures.

10.4 Duty to act consistently with local and national strategies

The Act will require local flood risk management strategies to be consistent with the national strategy. The local strategies will build on information such as national risk assessments and will use consistent risk based approaches across different local authority areas and catchments. The local strategy will not be secondary to the national strategy; rather it will have distinct objectives to manage local flood risks important to local communities.

10.5 Duty to investigate and to maintain a register

To ensure greater co-ordination of information and avoid situations where bodies do not accept responsibility, the lead local flood authority will:

- investigate flooding incidents in its area (where appropriate or necessary) to identify which authorities have relevant flood risk management functions and what they have done or intend to do. The lead local flood authority will then be required to publish the results of any investigation, and notify any relevant authorities.
- maintain a register of structures or features which they consider have a significant effect on flood risk in their area, at a minimum recording ownership and state of repair. The register must be available for inspection and the Secretary of State will be able to make regulations about the content of the register and records.

10.6 Ensuring progress

To avoid administrative burdens, the Act does not require routine reporting on performance, but allows information to be requested where necessary. Local authorities can bring matters to the Government's attention and if a risk management authority fails to exercise a flood or coastal erosion risk management function, the Secretary of State can direct another authority to carry out that function. In addition, the Act will enable overview and scrutiny committees in lead local flood authorities to hold all the risk management authorities to account. In this way, the public can be actively involved in ensuring authorities perform.

10.7 Works powers

The Act provides the lead local flood authority with powers to do works to manage flood risk from surface runoff and groundwater. Powers to do works on ordinary watercourses remain with either district or unitary authorities, or internal drainage boards. All works must be consistent with the local flood risk management strategy for the area.

10.8 Designation of third party assets

The Act provides lead local flood authorities, district councils, internal drainage boards and the Environment Agency with powers to designate structures and features that affect flooding or coastal erosion. The powers are intended to overcome the risk of a person damaging or removing a structure or feature that is on private land and which is relied upon for flood or coastal erosion risk management. Once a feature is designated, the owner must seek consent from the authority to alter, remove, or replace it. If someone does make a change to a designated feature, then the authority may issue an “enforcement notice” which will set out any steps that must be taken to restore a feature. An individual may appeal against a designation notice, refusal of consent, conditions placed on a consent or an enforcement notice.

10.9 Sustainable drainage systems (SuDS)

The Act establishes a SuDS Approving Body (the “SAB”) at county or unitary local authority levels. The SAB would have responsibility for the approval of proposed drainage systems in new developments and redevelopments, subject to exemptions and thresholds. Approval must be given before the developer can commence construction. In order to be approved, the proposed drainage system would have to meet new national standards for sustainable drainage. Where planning permission is required applications for drainage approval and planning permission can be lodged jointly with the planning authority but the Approving Body will determine the drainage application. Regulations will set a timeframe for the decision so as not to hold up the planning process. The SAB would also be responsible for adopting and maintaining SuDS which serve more than one property, where they have been approved. Highways Authorities will be responsible for maintain SuDS in public roads, to National Standards. Sustainable drainage systems on private property, whether they are private or adopted, must be designated by the SAB under Schedule 1 to the Act as features that affect flooding risk. The SAB will also be required to place all approved sustainable drainage systems on the register of structures and features (as a separate category). The National Standards will set out the criteria by which the form of drainage appropriate to any particular site or development can be determined, as well as requirements for the design, construction, operation and maintenance of SuDS. Local authorities are represented on the Project Advisory Board for the development of these National Standards. The Act, in response to Sir Michael Pitt’s Review, also makes the right to connect surface water drainage from new development to the public sewerage system conditional on the surface water drainage system being approved by the Approving Body.

10.10 Other powers

Local authorities will be able to use all their normal powers (in planning, regeneration, local investment, highways and to provide information and

guidance) to support their new roles under the Act. They will take over the Environment Agency's role in deciding whether to allow works by third parties that may affect water flows to take place. They will also continue to be members of Regional Flood and Coastal Committees. These Committees will decide on the local levy raised and how this is spent and will be consulted on all relevant Environment Agency proposals.

10.11 Sustainable development duty and environmental works

The Act includes a duty for local authorities, highways authorities, and internal drainage boards to contribute to sustainable development in discharging their flood and coastal erosion risk management (FCERM) functions. This is similar, to the existing duty that the Environment Agency already has. The Act also provides environmental powers for works that a) have a net beneficial impact, b) are consistent with the national FCERM Strategy and, c) are deemed by the relevant authority to be desirable for the natural environment, the historic environment, landscape, or have amenity or leisure benefits.

10.12 Levies

The Act will enable the Environment Agency to issue levies to the lead local flood authority for an area in accordance with section 74 of the Local Government Finance Act in the same way that they could previously raise levies under Section 133 of the Water Resources Act 1991, which will be repealed.

10.13 Reservoir Safety

The Act introduces new arrangements for reservoir safety based on risk rather than the size of the reservoir. For the first time, reservoirs with a capacity between 10,000 and 25,000 cubic metres will be brought within the scope of the Reservoir Act 1975. However, where a reservoir does not represent a risk to public safety, routine supervision and inspection requirements under that Act will not apply regulatory and other burdens will be proportionate to the risk. The Act will require all reservoirs which are 10,000 cubic metres or more to register, but there will be no charge for registration and the information required will be kept to a minimum.

Ministers will have the power to amend the proposed 10,000 cubic metres threshold figure upwards or downwards in light of the evidence which will be collected by Defra and the Environment Agency as the first stage in the implementation of the Act as it affects reservoirs. A reservoir which presents no risk to the public (even if very large) would be subject to lighter regulation than a smaller reservoir which does represent such a risk. While some reservoirs will be regulated for the first time, others will benefit from a lighter form of regulation than they are currently subject to. The regulatory impact of the Act's provisions as they affect reservoirs will be reviewed within one year of the main

necessary secondary legislation coming into force. Defra will ensure that controls are proportionate to the risks and justifiable. In doing this it can specify what control regime each reservoir needs according to the risk assessment; and can vary the minimum threshold up or down according to the acquisition of knowledge; and it can make exemptions. DEFRA aim to begin implementation from 2011, starting with the reservoirs already within the 1975 Act. Extending it to those between 10-25,000 cubic metres will be later, so those who are worried about being brought within the Act have plenty of time to see what is proposed before making decisions about the future of their reservoirs. Outside the scope of the Act, the Environment Agency has produced inundation maps for larger reservoirs, which will feed into flood risk assessments and emergency planning Revised spatial planning guidance, which is currently being discussed will also take account of the mapping capability and the need for inundation maps for the smaller reservoirs that are covered.

The writing of Site Specific Off-Site Plans for Category A+ reservoirs at Lamaload and Trentabank by the Joint Cheshire Emergency Planning Team will begin in 2010-11. This is a new statutory requirement under the Act, and the authority is due to receive approximately £15K of DEFRA funding for planning and public awareness raising work for the Trentabank and Ridlegate reservoirs at Langley.

10.14 Funding

Defra maintains it is committed to funding all net new burdens on local authorities resulting from the new Act, and will monitor the situation as implementation proceeds. The Government is currently undertaking a full Spending Review and it is not possible to pre-empt the outcome of it. However, Defra recognises that the Act will place significant extra responsibilities and burdens on lead local flood authorities and says it is committed to funding local authorities for their flood and coastal erosion risk management . Net new burdens have been assessed and agreed with the Department for Communities and Local Government, and estimates and assumptions will be kept under review as implementation takes place. As part of this a joint Defra /LGA review Panel has been meeting since March to advise Defra; Ministers and LGA Members on resource, capacity, skills and training issues relating to the uptake and implementation of the new powers and duties by local authorities as set out in the new Act and Flood Risk Regulations.

10.14.1 *Authorities are set to receive an extra £36 million a year to fund the leadership role*

Following comments on the draft Bill, Defra commissioned additional evidence gathering to estimate the costs of the lead local flood authority. Overall, Defra believes that the evidence suggests there needs to be between £30m and £42m spent by authorities a year, in preparing local strategies and surface water management plans, on capital improvement works, designating third party assets, and

resourcing in house teams, etc. The spending review will determine the total amount of funding available to local authorities for flood and coastal erosion risk management, including the new burdens under the new Act and the Flood Risk Regulations. If the act is phased it is likely the money will also be phased and distributed as Area Based Grant.

10.14.2 Defra is already funding early action amongst at least half of all lead local flood authorities.

As evidence of Defra's commitment to the new role and to provide the necessary resources, it says it will spend a total of £16m before commencement to allow at least half of all county and unitary authorities to take early action. An additional £1m is being provided to support local authority flood risk management apprenticeships. In addition, the need for local authorities to spend more on flooding and coastal erosion was anticipated at the last Comprehensive Spending Review in 2007. As a result the local authority formula grant settlement for the current period to March 2011 included additional funds to spend on flood and coastal erosion risk management, including levy payments to the Environment Agency and internal drainage boards. As formula grant is not ring fenced, it is for local authorities to decide how much to spend on each of their priorities. Defra maintains that so far local authorities are not spending as much on flood and coastal erosion risk management as expected. Defra will monitor the situation to see if this continues, before and following commencement of the new legislation.

10.14.3 Other new burdens will also be funded in full, such as SuDS adoption

As well as funding the lead flood authority role, Defra will also make sure that the ongoing costs of maintaining Sustainable Drainage Systems (SuDS), adopted as a result of the new duty, will be funded in full. It says these costs will be near zero in the first year following commencement but will rise as more and more SuDS are built by developers and adopted by authorities. As a result of concerns raised by local authorities, Ministers have committed to publish a clear way forward on long-term funding for SuDS maintenance prior to implementation of the Act. This will take account of circumstances faced by local authorities and developers, Whichever option is adopted, Defra believes that local authorities will be able to promote SuDS implementation in full certainty that there will be no shortfall in funding. The Act will also extend the role of the Regional Flood Defence Committees, to become Regional Flood and Coastal Committees, and as a result allow them to raise funds through the existing 'local levy' for locally important works to manage coastal erosion. Assuming this means the levy will increase by 10%, to reflect the national split between flooding and erosion work, county and unitary authorities will be provided with an extra £2.7m a year in their settlement. Local authorities may vote as members of the committees to spend more or less than this.

10.14.4 *Roles will be paid for by reducing local authority involvement in private sewerage*

Private sewerage has been a problematic issue for many years, with individual home and property owners usually unaware of their responsibilities unless something goes wrong and they face a potentially large bill to put things right. Issues can drag on, and if they affect more than one home it can be even more difficult to resolve. Local authorities, as well as owning property themselves, have historically stepped in to sort out many such issues on behalf of householders. In some cases they have charged householders and recovered their costs, but in many others it has not been possible or appropriate to do that, or councils have seen this as part of a service they provide on behalf of the community. As a result, local authorities have been amongst those calling for the Government to do something about private sewerage, citing it as a significant call on their time and resources. After a long period of consultation, Government announced in December 2008 that it would transfer responsibility for private sewers to the water and sewerage companies. To inform the earlier consultation stages and the final decision, the Government compiled evidence on the potential costs and benefits of the transfer. Included in this was a survey that assessed local authority involvement in private sewerage, and captured cost data. A third of local authorities responded to the survey and 41 provided cost information. It is likely that some local authorities found it hard to provide numeric data as the costs of dealing with private sewerage are not routinely recorded, and are typically spread across a number of authority budgets such as drainage, highways, housing, etc. The data that was provided suggested local authority costs could be as high as £125 million a year. For the final estimate, costs recovered from property owners and the proportion of sewerage within ownership of housing associations were removed from the analysis. As a result, the Department's best conservative estimate of local authority savings from the transfer is £50 million a year. The highest cost estimates were also removed from the analysis to suggest, if anything, this may be an underestimate. As the potential transfer has been known for many years, Defra believes local authorities may already be making savings by reducing their involvement and postponing work they would historically have undertaken. Separately, Ofwat estimates that water companies could need to spend an extra £130 million a year once transfer takes place, as well as invest over £1 billion in the early years to tackle existing problems with sewerage they will inherit. The Government says it has a duty to reflect the estimated savings in future local authority budgets as otherwise taxpayers would be paying for an activity no longer performed. Based on recent outturn data, accounting for the transfer is expected by Defra to affect the relevant local authority funding provision by less than 1%.

10.14.5 Other benefits of additional local authority action

Defra maintains that local authorities are likely to save money as a result of their additional risk management work, and investment by central government and agencies, in that there should be fewer and less severe floods occurring than otherwise. Expenditure on preventing floods is highly beneficial, given that responding and reinstating buildings, roads and repairing other damages can be extremely expensive. Such savings could be significant in the long-term given projections of climate change. However, the savings are not needed to offset authorities' extra costs until at least 2014/15. Defra maintains that if the ongoing maintenance of SuDS becomes funded by other means, as intended the savings will not strictly be needed at all. Defra is of the view that it is important to recognise the savings available to local authorities resulting from the additional investment at both national and local levels. This it believes is to prevent activity being paid for twice by the taxpayer and to encourage an "investment to save" culture amongst authorities. Risk management activity should only be funded if the costs are outweighed by the expected benefits. For the Environment Agency's national investment programme, the benefits of improved defences outweigh the costs on average by 8 to 1 over the long-term. Local authorities are asked to take a benefit/cost approach to everything they do to make sure the costs of plans and investments are well justified. Ultimately, on top of the risk management activity paid for taxpayers in general it feels that local authorities can decide for themselves - as part of local strategies - whether extra up-front money should be raised and spent locally to further reduce future flood costs and damages in their area. This would be to avoid costs authorities themselves will otherwise bear, but more importantly, to help mitigate the costly and traumatic impact of flooding on local residents and businesses.

10.14.6 Co-ordination of Flood Risk Management: Match funding of post

In the North West in each of the areas of Cumbria; Lancashire; Merseyside; Cheshire and Greater Manchester the Environment Agency is keen to promote an offer of up £30k match funding for an officer in each County who would co-ordinate Flood Risk Management across the area and would also be a tactical leader. In order to assist in meeting the Council's duties and obligations under the new Act and the associated Regulations, the Head of Safer and Stronger Communities has agreed to meet a £6,000 allocation in the 2011/12 financial year to be made available for the joint funding of a strategic flood risk management position with Cheshire West and Chester; Halton; Warrington and St Helen's Councils'. In this instance it is probable that the type of work that has to be undertaken would be better suited by St Helens working in partnership with the Cheshire authorities rather than Merseyside although discussions are still taking place on this issue. Each of the other Councils' also intend to contribute £6,000 apiece in order to obtain match funding of £30,000 from the Environment Agency. It is similarly envisaged that an allocation in the 2012/13

financial year will be made for the same purpose and under the same arrangements.

10.14.7 Preliminary Flood Risk Assessments

It is also understood that Defra has made a commitment to make £2m available to lead local flood authority's in this financial year to help them prepare Preliminary Flood Risk Assessments under the Flood Risk Regulations (please see paragraph below). No allocations have been given but it is likely each authority will receive between £10 – 30K.

10.15 The EU Floods Directive

Alongside the new Act, the Flood Risk Regulations 2009 have been made to implement the Floods Directive in England and Wales. These regulations outline the roles and responsibilities of the various authorities consistent with the Flood and Water Management Act and provide for the delivery of the outputs required by the Directive: In essence the regulations require the Environment Agency to prepare flood risk assessments, maps and plans for sea, main river and reservoir flood risk and will require lead local flood authorities to do the same for all other forms of flood risk (except sewer flooding that is not caused by rainfall). The Environment Agency's aims to help integrate roles and responsibilities for managing flood risk via:

- Preliminary Flood Risk Assessments which will allow the identification of areas of potential significant risk must be prepared by the Council before 22 December 2011
- Maps showing the impact and extent of possible future significant flood events must then be prepared for these significant areas by 22 December 2013
- Flood risk management plans, identifying how significant flood risks are to be mitigated must be prepared by 22 December 2015.

Lead local flood authorities will be asked to submit their work to the Environment Agency six months in advance to allow collation and reporting to the Commission for Local Government. Where possible lead local flood authorities should make use of existing work, such as Strategic Flood Risk Assessments and Surface Water Management Plans in fulfilling these requirements. Strategic Flood Risk Assessments were previously carried out by the constituent Borough Councils prior to the formation of Cheshire East Council for the Congleton, Macclesfield and Crewe and Nantwich areas. They were all carried out by the same consultants using similar methodologies. In addition, the former Cheshire County Council also produced a Strategic Flood Risk Assessment for its Minerals Development Framework in 2007. Much work has already been undertaken in the past in relation to flood risk. Current policy requires local authorities to demonstrate that due regard has been given to the issue of flood risk as part of the planning process. It also requires that flood risk is managed in an effective and sustainable manner and where new

development is exceptionally necessary in flood risk areas, the policy aim is to make it safe without increasing flood risk elsewhere. Where possible flood risks should be reduced overall. To this end, the key objectives of the Strategic Flood Risk Assessments (SFRA's) to be carried out in Cheshire East are:

- To investigate and identify the extent and severity of flood risk to the area. This assessment will enable the Council to steer development away from those areas that are at highest risk, ensuring that areas allocated for development can be developed in a safe, cost effective and sustainable manner
- To supplement current policy guidelines and to provide a straightforward risk-based approach to development control in the local area. This is aimed at both Councils and developers
- Provide strategic flood risk guidance and advice to planners and developers to help them better understand flood risk and planning related issues, both generally and for specific locations across the study area
- To contribute to the Council's Strategic Environmental Assessment which will be used to inform the Council's Sustainability Appraisal, which will aid the selection of suitable land allocations.

A Surface Water Management Plan (SWMP) basically is a framework through which key local partners with responsibility for surface water and drainage in their area work together to understand the causes of surface water flooding and agree the most cost effective way of managing surface water flood risk. In this context surface water flooding describes flooding from sewers, drains, small water courses and ditches that occurs during heavy rainfall in urban areas. A SWMP can be used to co-ordinate and strategically plan the drainage provision in new large developments where piecemeal actions are inefficient and do not support consistent ownership and maintenance regimes for sustainable drainage systems (SuDS). Good drainage practice for new developments protects properties within the development and downstream. Furthermore, through new development, there are opportunities to reduce existing surface water flood risk downstream or to create capacity in the drainage system through betterment of existing runoff. The new Act transposes the EU Floods Directive in England and Wales by placing new duties on the local authority by being responsible for managing flood risk. SWMP's are one of the ways that a local authority can fulfil its requirements under the Directive for flood risk management in significant areas of risk. Some common criteria which may identify / trigger the need for a SWMP are:

- Identification of critical drainage
- Future urbanisation / development
- Evidence of surface water flooding history
- Known degree of drainage system interaction
- A condition of Growth Point status

In relation to SWMP's there was DEFRA funding available - £50m for the Country to be divided up on a hierarchical basis for such plans. London Boroughs were prioritised at the top of the list but locally only Warrington was fairly high up the table. SWMP's feed into Catchment Flood Management Plans (CFMP's). Adoption of CFMPs and SWMPs should inform Regional Spatial Strategies and other plans. CFMP documents were launched in 2009 and give an overview of the flood risk across each river catchment and estuary. They recommend ways of managing those risks now and over the next 50 -100 years. CFMPs consider all types of inland flooding, from rivers, ground water, surface water and tidal flooding, but not flooding directly from the sea, (coastal flooding), which is covered in Shoreline Management Plans. They also take into account the likely impacts of climate change, the effects of how we use and manage the land, and how areas could be developed to meet our present day needs without compromising the ability of future generations to meet their own needs. CFMPs are used by local authorities, the EA and other partners to agree the most effective way to manage flood risk in the future. The actions for the local authority are principally in terms of development / drainage and resilience of properties in flood areas. Catchment Flood Management Plans are led by the EA and aim to encourage an integrated, sustainable and strategic approach to the management of flood risk in river catchments. CFMPs are subject to public consultation and take account of wider social, environmental and economic objectives. National Indicator 189 is part of a process of recording the progress of local authorities in delivering agreed actions to implement long term flood management. Measurement will be made by recording the percentage of agreed actions to implement long term flood risk management plans that are being undertaken satisfactorily. Agreed actions are those activities identified in the CFMP Action Plan signed off by the Environment Agency's Regional Director that are attributed to the relevant local authority. The Environment Agency will record progress against all actions within CFMPs— these are then attributed to relevant local authorities and a report produced on an annual basis identifying the proportion of actions attributed to a particular local authority that are being undertaken satisfactorily. Baselines are set at the local authority level on a case by case basis. No national baseline is envisaged. A plan has been put in place for Cheshire East Council for delivering its actions and was submitted to the Environment Agency by its 31 March 2010 (Appendix A attached). The CFMP actions that apply to Cheshire East were compiled from the Weaver-Gowy Catchment Flood Management Plan and the Upper Mersey CFMP. The aim of National Indicator 189 is to record the progress of local authorities in delivering these agreed actions to implement long term flood and Coastal Erosion Risk Management Plans; including Catchment Flood Management Plans and Shoreline Management Plans where appropriate.

In order to move all these issues forward the Council set up, at the beginning of the year, a cross service group of appropriate officer representatives known as the Flood and Water Management Task Group. Representatives of the Environment Agency and United Utilities also sit on this group and it is currently mapping on GIS all Cheshire East flooding hotspots in relation fluvial, surface water, drainage and potential reservoir inundation issues. It is envisaged that initially the local and national strategies (which will take on board work to date in putting together catchment flood management plans, shoreline management plans, and surface water management plans amongst other things) will help to shape the work to be done on the Floods Directive outputs. Over time the maps and plans under the Directive will in turn shape the national strategy and the local strategies.

11.0 Overview of Year One and Term One Issues

- 11.1 The template referred to in the above paragraph as Appendix A and utilised in accordance with National Indicator 189, records the progress of the Council in delivering agreed actions to implement long term flood management measures.
- 11.2 In relation to Multi - Agency Flood Response Plans for Cheshire East these should be fully in place by the end of year. The Council was successful in obtaining DEFRA grant monies in the sum of £100,000 for drainage improvements in Vicarage Lane, Sandbach and £28,500 for household flood mitigation measures in Wildboarclough. The Council will endeavour to seek further grant monies wherever possible.
- 11.3 In relation to the appropriate Pitt Review Recommendations Appendix B shows progress to date.

12.0 Access to Information

- 12.1 The background papers relating to this report can be inspected by contacting the report writer:

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