

# Cheshire East Council

## Cabinet

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<b>Date of Meeting:</b>	7 <sup>th</sup> November 2017
<b>Report of:</b>	Frank Jordan, Executive Director of Place
<b>Subject/Title:</b>	Local Flood Risk Management Strategy 2017
<b>Portfolio Holder:</b>	Cllr Don Stockton, Environment

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### 1. Report Summary

- 1.1. In accordance with its statutory duties under the Flood and Water Management Act 2010 (the Act), as a lead local flood authority Cheshire East Council must develop, maintain, apply and monitor a strategy for local flood risk management across its administrative area.
- 1.2. This document forms Cheshire East Council's Flood Risk Management Strategy. It comprises two parts; part A details the background and context to the strategy and part B the strategies objectives.
- 1.3. The strategy formalises and develops our partnerships in respect of flood risk, taking into account the high level screening which was introduced in the Preliminary Flood Risk Assessment, as required under the Flood Risk Regulations 2009.
- 1.4. This document sets out the links between Cheshire East Council and the other risk management authorities who also have responsibilities for dealing with flooding. It shows how Cheshire East Council has responsibility to manage flood risk in its local area and how it is developing a strategy to do this.
- 1.5. As required by the Act, the Council must consult about the Local Flood Risk Management Strategy with other risk management authorities and the public that may be affected by the strategy.

### 2. Recommendation

- 2.1. It is recommended that the Local Flood Risk Management Strategy 2017 is approved and adopted in accordance with Section 9 of the Act.

### **3. Reasons for Recommendation**

- 3.1. The Local Flood Risk Management Strategy 2017 is a requirement of the Act.
- 3.2. The Strategy has been prepared in accordance with informal guidance published by the Local Government Association, and using a common template that has been developed and agreed in conjunction with the Cheshire Mid-Mersey Regional Sub Group. This will ensure a consistent approach to flood risk management across the sub-regional catchment areas. The document has been reviewed internally and subject to a full public consultation, a statutory requirement, which closed on 27th September 2017.
- 3.3. The aim of Cheshire East Council's Strategy is to provide a coherent plan to demonstrate how it will work with partners and others to manage flood risk in a holistic and sustainable way. It brings together information from:
  - Strategic Flood Risk Assessments;
  - Preliminary Flood Risk Assessment; and
  - Procedures and policies for managing flood risk in Cheshire East.

Set out under five themed objectives, and supported by relevant graphical information, funding and work programmes are contained within appendices to the Strategy document.

- 3.4. Following the public consultation a document was produced listing all comments received and the Council's response to each comment.
- 3.5. Comments were received from the following 5 consultees; Canal & River Trust, Historic England, Natural England, Poynton Town Council and Alsager Town Council.
- 3.6. Amendments to the document were limited to simple re-wording and formatting changes in line with requests from Historic England and the Canal & River Trust.
- 3.7. The document is now updated to reflect the results of both internal (Council) and external (public consultation) results.

### **4. Other Options Considered**

- 4.1. No other options explored. This is a strategic document required by Department for Environment, Food & Rural Affairs (DEFRA) under the Act.

## **5. Background**

5.1. Section 9 of the Act states that:

*“Local flood risk management strategies: England*

*(1) 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”).”*

5.2. The Act is prescriptive about the details that should be included and what is covered by this document.

## **6. Wards Affected and Local Ward Members**

6.1. All wards will be affected by the Local Flood Risk Management Strategy.

6.2. All Councillors, and Town & Parish Clerks have been consulted on this Strategy document during the public consultation.

6.3. Comments received from Poynton Town Council and Alsager Town Council.

## **7. Implications of Recommendation**

### **7.1. Policy Implications**

7.1.1. No specific policy implications but does support delivery of fully compliant current design standards and legislation.

### **7.2. Legal Implications**

7.2.1. There are no legal implications arising from this report. The preparation and adoption of the Local Strategy is a statutory requirement under the Act and its development must take account of a framework of related legislation which is outlined within the Local Government Association guidance.

### **7.3. Financial Implications**

7.3.1. DEFRA currently provides funding to lead local flood authorities to prepare for their flood risk management duties. Section B4.5 of the Local Strategy describes the revenue funds which have typically been allocated to flood risk management and land drainage in Cheshire East Council's budget.

7.3.2. Cheshire East Council has the ability to bid for capital funding from DEFRA to assist with managing and improving flood risk across the Borough, including for schemes and interventions identified within the plan and works programmes appendix of the Strategy. The success of

any bid is dependent upon evidence of past flooding, and the potential reduction in risk of flooding. The Strategy will help to demonstrate Cheshire East Council's ability to prioritise and manage flood risk and thereby assist in future bids for capital funding.

7.3.3. Securing capital funds is also dependent upon the availability of locally found contributions to enable the delivery of schemes collaboratively in accordance with DEFRA's 'Partnership Approach', as outlined in section B3.2 of the Strategy. Relatively modest sums have been used in the past to secure funding for works and investigations through DEFRA's flood and coastal erosion risk management grant in aid budget and from Local Levy. It is vital that financial resources continue to be made available if delivery of programmed and prospective flood risk management schemes is to be maintained.

#### **7.4. Equality Implications**

7.4.1. None. Any implications and recommendations from this document are based on Flood Risk and apply equally to all communities across the Borough.

#### **7.5. Rural Community Implications**

7.5.1. None. Any implications and recommendations from this document are based on Flood Risk and apply equally to all communities, both urban and rural, across the borough.

#### **7.6. Human Resources Implications**

7.6.1. In Cheshire East, the ability to recruit and retain appropriately skilled staff will be essential to continued delivery of our flood risk management strategy.

#### **7.7. Health and Wellbeing Implications**

7.7.1. Flooding can have a devastating impact on people's lives. It can have a high economic impact on the Borough in damaging properties and business. It brings the risk of drowning and injury and if water is contaminated it can increase the risk of infection.

7.7.2. More commonly it causes significant disruption and distress to people's lives as they deal with the aftermath of flooding in their home or business. Relocating, clearing up, and dealing with the consequences of flooding can cause anxiety and stress over many months and may exacerbate existing mental health conditions. Decreasing the risk of flooding and building resilience meets both these responsibilities.

## **7.8. Implications for Children and Young People**

7.8.1. There are no direct implications. Flooding has the potential to impact all residents regardless of age.

## **7.9. Overview and Scrutiny Committee Implications**

7.9.1. The document was presented to the Environment Overview and scrutiny on:

- 05/03/2015; No comments were received
- 24/03/2016; No comments were received
- 21/03/2017; No comments were received

## **7.10. Other Implications (Please Specify)**

7.10.1. None.

## **8. Risk Management**

- 8.1. The Council, regularly reports to the Environment Agency on the progress being made to deliver the range of functions and legislative requirements under the Act. Progress on the preparation and adoption of the Local Strategy is one of the areas covered in these reports and whilst no date was set within the legislation for the adoption of a Local Strategy, Government's expectation was that local strategies would be adopted within a reasonable period of time following the introduction of the Act.
- 8.2. Initially Dan Rogerson, the Under Secretary of State at DEFRA, and more recently Dr Therese Coffey MP wrote to the councils who had yet to publish their Local Strategy, stressing the importance of having this in place to target future investment and to demonstrate to other risk management authorities and the public that flood risk management is being taken seriously. There is a clear reputational risk to the Council if adoption of the Strategy is delayed unduly.
- 8.3. Elements of Cheshire East Council's Strategy is referenced in the Environment Agency's Flood Risk Management Plan (2015-2021) covering the whole of the North West river basin area and, therefore, it is essential that the Strategy is approved and adopted in time for the publication of the next Plan in readiness for 2021.

## **9. Access to Information**

- 9.1. The report is titled: Local Flood Risk Management Strategy 2017.
- 9.2. The consultation summary: CEC LFRMS2017 Consultation Summary.

## 10. Contact Information

Contact details for this report are as follows:

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