

<b>Report to:</b>	Cabinet Council	<b>Date of Meeting:</b>	3 February 2022 3 March 2022
<b>Subject:</b>	Adoption of the Flood and Coastal Erosion Risk Management Strategy and Business Plan		
<b>Report of:</b>	Head of Operational In-House Services	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Health and Wellbeing		
<b>Is this a Key Decision:</b>	Y	<b>Included in Forward Plan:</b>	Yes
<b>Exempt / Confidential Report:</b>	N		

### Summary:

The Flood and Water Management Act (FWMA) 2010 established Sefton Council as a Lead Local Flood Authority (LLFA) making it responsible for the management of local flood risk. Under Section 9 of the FWMA, a LLFA has a duty to develop, maintain, apply and monitor a Local Flood Risk Management Strategy. The previous strategy expired at the end of 2021 and the new strategy, once approved, will be in place from 2022 to 2030. The strategy is also supported by a Business Plan which sets out the actions the Council will do as LLFA over the next 12 months and will be reviewed and updated on an annual basis, whilst also forming the basis for the FCERM team's annual report to Overview and Scrutiny.

### Recommendation for Cabinet:

(1) Cabinet to recommend approval by Council of the Local Flood and Coastal Erosion Risk Management Strategy and supporting Business Plan.

### Recommendation for Council:

(1) Council approve the Local Flood and Coastal Erosion Risk Management Strategy and supporting Business Plan.

### Reasons for the Recommendation(s):

The Council needs to have an adopted Strategy as a requirement as a LLFA under the Flood and Water Management Act 2010.

**Alternative Options Considered and Rejected:** (including any Risk Implications)

If the Council does not have an up to date Local Flood and Coastal Erosion Risk Management Strategy in place it will fail in its duties as a LLFA under the Flood and Water Management Act 2010.

**What will it cost and how will it be financed?**

**(A) Revenue Costs**

There are no additional direct costs associated with this report.

Staff time and any associated costs to implement the strategy and Business Plan in its role as LLFA, and also as a Riparian Owner to undertake works to watercourses and assets that the Council own, are all funded from existing revenue budgets.

**(B) Capital Costs**

There are no additional direct capital costs associated with this report.

Any future capital projects linked the strategy will be subject to separate approval.

**Implications of the Proposals:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>	
Staff time, IT and software licences, Maintenance of Council owned assets	
<b>Legal Implications:</b>	
Requirement under the FWMA 2010 to have a strategy in place	
<b>Equality Implications:</b>	
There are no equality implications.	
<b>Climate Emergency Implications:</b>	
The recommendations within this report will	
Have a positive impact	Y
The Author has undertaken the Climate Emergency training for report authors	Y
The Strategy and Business Plan have been aligned to the principles of sustainability, the Environment Agency's National FCERM strategy, Regional FCERM business plans and Flood Risk Management Plans, Sefton 2030 Vision and Sefton's Climate Emergency Action Plan. The strategy aims to deliver positive impacts to the climate	

emergency and the environment. A separate Strategic Environmental Assessment Screening report has been undertaken to ensure the Strategy and Business Plan have no detrimental effects to the environment. This screening report concluded that there would be no negative impacts of the Strategy or Business Plan to the Environment.

### **Contribution to the Council's Core Purpose:**

The Strategy and Business Plan are heavily aligned to Sefton 2030 Vision and it clearly states the actions the Council will undertake to achieve this.

Protect the most vulnerable:
Facilitate confident and resilient communities:
Commission, broker and provide core services:
Place – leadership and influencer: Sets the strategic direction for flood risk management in the borough
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener: Seeks to deliver sustainable actions aligned with Sefton 2030 and the climate emergency action plan

### **What consultations have taken place on the proposals and when?**

#### **(A) Internal Consultations**

The Executive Director of Corporate Resources and Customer Services (FD.6661/22.) and the Chief Legal and Democratic Officer (LD.4861/22) have been consulted and any comments have been incorporated into the report.

#### **(B) External Consultations**

External consultations with other Risk Management Authorities in the borough (Environment Agency and United Utilities) have been undertaken and their comments have been incorporated into the documents. Statutory consultees, Natural England, Environment Agency and Historic England have also been consulted with amendments being made to the documents. Finally, the public have been consulted through the Your Sefton Your Say platform with questionnaire. Easy read documents were also included in this consultation to broaden the opportunities for people to give their feedback. Following public consultation further amendments were made to the documents.

## Implementation Date for the Decision

Immediately following the Council meeting.

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## Appendices:

The following appendices are attached to this report:

Enc 1. Final Draft Sefton's Local Flood and Coastal Erosion Risk Management Strategy 2022-2030

Enc 2. Final Draft Sefton's Local Flood and Coastal Erosion Risk Management Business Plan 2022

## Background Papers:

There are no background papers available for inspection.

### 1. Introduction/Background

1.1 The Flood and Water Management Act (FWMA) 2010 established Sefton Council as a Lead Local Flood Authority (LLFA) making it responsible for the management of local flood risk. Under Section 9 of the FWMA, a LLFA has a duty to develop, maintain, apply and monitor a Local Flood Risk Management Strategy.

1.1.2 The FWMA also requires the strategy to be consulted upon and a Strategic Environmental Assessment (SEA) to be undertaken.

1.1.3 The consultation with internal departments, external partners and the public has been completed and relevant changes to the documents have been made. A SEA screening report was undertaken by a consultant to determine if a full SEA was needed. Statutory consultees agreed with the consultants recommendations that a full SEA was unnecessary due to the high level nature of the documents and that each scheme/project or proposal would be undertaking its own relevant environmental assessments, to ensure each project does not have a detrimental effect on the environment.

1.1.4 The LRFS considers all the relevant legislative and policy documents applying to flood and coastal erosion risk to set the context for its management in Sefton.

It sets out the risk from flooding and coastal erosion that our communities face and provides information on who the risk management authorities are in Sefton, their relevant functions and how our approach to flood risk management is coordinated.

1.1.5 The challenges for managing flood and coastal erosion risk are identified and the approach to overcoming these detailed. The LFRS also offers information on how wider environmental objectives will be achieved in Sefton and the monitoring and review process. The potential funding mechanisms are also identified in the document.

1.1.6 The LFRS will cover the period from 2022 to 2030 and will be reviewed bi-annually if there are changes to legislation or policy, or a significant change to the evidence base and will be updated. The supporting Business Plan will be updated annually, and progress reported to Overview and Scrutiny.