

Report to:	Cabinet	Date of Meeting:	1 October 2015
Subject:	Sefton's Flood and Coastal Erosion Risk Management Strategy	Wards Affected:	All
Report of:	Head of Locality Services – Commissioned		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	Yes
Exempt/Confidential	No		

Purpose/Summary

Sefton's Flood and Coastal Erosion Risk Management Strategy sets out how we will manage flooding and coastal erosion within Sefton. The strategy is accompanied by an Investment Plan and a Service Plan. The Service Plan provides more detail of the activities we will undertake to support our outcomes and how we will monitor success and seek to continuously improve the service. The Investment Plan sets out how our activities are resourced and identifies areas where we will need to seek funding to progress activities.

Recommendation(s)

That the Cabinet adopt Sefton's Flood and Coastal Erosion Risk Management Strategy

How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	x		
2	Jobs and Prosperity		x	
3	Environmental Sustainability	x		
4	Health and Well-Being	x		
5	Children and Young People		x	
6	Creating Safe Communities	x		
7	Creating Inclusive Communities		x	
8	Improving the Quality of Council Services and Strengthening Local Democracy	x		

Reasons for the Recommendation:

This strategy is a requirement under section 9 of the Flood and Water Management Act 2010. The Act requires each Lead Local Flood Authority in England and Wales to set out how it will manage flooding and coastal erosion in its area. Sefton Council is a Lead Local Flood Authority (LLFA) and adoption of this strategy will satisfy this statutory need. It also satisfies the requirements under the Flood Risk Regulations 2009 for a Flood Risk Management Plan under Regulation 26 of the Flood Risk Regulations 2009/3042.

Alternative Options Considered and Rejected:

The Council could choose not to undertake its duties as set out in the Flood Risk Management Act 2010 and Flood Risk Regulations 2009. This would reduce the Council's ability to manage flood risk in the Borough and may result in sanctions from Government for failing to deliver statutory functions. It would also severely hinder any attempts to apply for grant aid. This option is not recommended.

What will it cost and how will it be financed?

(A) Revenue Costs

There are no direct financial implications arising from this report as all costs associated with flood and coastal erosion risk management and staffing are contained within budgets available in relevant financial years.

(B) Capital Costs

Schemes will be promoted on a scheme by scheme basis to secure funding. The primary funding source will be the Environment Agency's Grant in Aid funding but this could require additional partnership funding to improve likelihood of success. This partnership funding could come from existing revenue budgets, Sefton's Capital budgets or external partners and individuals.

The scope of future activity will be influenced by both the level of available external funding and also by the capacity of the Council to harness this funding. Initial indications, based on indicative allocations from DEFRA over the next six financial years, would suggest that there is no guarantee that planned schemes can be fully funded. It must therefore be assumed at this stage that future schemes remain, to some extent, aspirational.

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Financial No impact on revenue budgets. Delivery of elements of the strategy subject to availability of capital and external funding
Legal The Council has statutory requirements under the Flood and Water Management Act 2010 and Flood Risk Regulations 2009
Human Resources

Equality

- | | | |
|----|--|-------------------------------------|
| 1. | No Equality Implication | <input checked="" type="checkbox"/> |
| 2. | Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. | Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact of the Proposals on Service Delivery:

Service delivery will improve due to clear outcomes and measures being provided. It will also bring greater transparency on the decisions we make to manage flood risk.

What consultations have taken place on the proposals and when?

The Chief Finance Officer has been consulted it is noted from the report the recommendation to adopt Sefton's Flood and Coastal Erosion Risk Management Strategy does not present any direct financial implications for the Council. Any revenue costs arising can be met from existing budgets. Potential capital schemes will be considered on a scheme by scheme basis and take into account the Council's ability to generate external funding before any formal commitment is made (FD 3789/15)

The Head of Corporate Legal Services has been consulted and any comments have been incorporated into the report. (LD 3072/15)

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting

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Background Papers:

Sefton's Flood and Coastal Erosion Risk Management:

- Strategy
- Service Plan
- Investment Plan
- Strategic Environmental Assessment
- Habitat Regulations Assessment
- Engagement report

1. Introduction/Background

- 1.1 This strategy is a requirement under the Flood and Water Management Act 2010. The Act requires each Lead Local Flood Authority in England and Wales to set out how it will manage flooding and coastal erosion in its area. Sefton Council is a Lead Local Flood Authority (LLFA) and this strategy will satisfy this statutory need. It also satisfies the requirements under the Flood Risk Regulations 2009 for a Flood Risk Management Plan.

The 2010 Act also placed a number of new duties on the authority and these are reflected in the strategy and supporting documents.

In order to satisfy the legislative requirements in relation to content the Strategy is supported by a Service Plan and an Investment Plan, when considered together the legislative requirements are met.

Whilst the contents required for the Local Flood Risk Strategy and Flood Risk Management Plan are set out in the Act and Regulations they do not specify that they have to be separate documents or that they have to go by these titles. As such we have chosen to satisfy these obligations through the production of three documents that contain the specified contents but are in a format that is more useful to the Council and its communities. These documents are:

- **Flood and Coastal Erosion Risk Management Strategy** – this sets out the outcomes we are seeking and the activities we will undertake to support these at a strategic level with supporting information about the risk we have. This would be the main document for the public, Councillors and senior managers to read.
- **Flood and Coastal Erosion Risk Management Service Plan** – this goes into more detail on the activities we will undertake to achieve our outcomes and also sets out how we will monitor our performance in relation to these activities. This will be the main document for the team to refer to when planning and prioritising their work.
- **Flood and Coastal Erosion Risk Management Investment Plan** – this sets out how our activities are funded and includes our aspirations for future funding. This will be a key document for the team to use when discussing financial contributions with partners and grant aiding bodies so that we can co-ordinate multiple funding streams where and when available.

2 Consultation

- 2.1 A further requirement in both the Act and Regulations is that the Strategy is consulted on. When considering this in the context of Sefton Council guidance on consultation it is considered more appropriate to term it as engagement rather than consultation. The reason for this is that the contents are so heavily prescribed by the Act and Regulations and the need for it to be consistent with the Governments National Strategy and the range of activities so constrained by available funding that there is little, if any, scope for change at this strategic level. Full consultation would therefore raise expectations that the strategy could be influenced whereas the Council is constrained by statutory requirements.

However, when we seek to work with communities on specific issues or within specific areas we will be discussing the issues with them and there will be a far greater opportunity for them to inform what is done both by the Council and by them themselves.

- 2.2 Engagement with the community on the Strategy, Service Plan and Investment Plan was undertaken for eight weeks during February/March 2015 through the Council's E-portal. Professional partners were involved in the development of the strategy and were invited directly to comment on the strategy.
- 2.3 There were 8 responses from the public, which were broadly supportive of the strategy. All of the comments from the engagement have been addressed and incorporated in the documents where applicable.
- 2.4 Natural England recommended that a Habitats Regulation Assessment (HRA) be undertaken due to the designated habitats within Sefton but recognised that it is a strategic document and few direct actions are proposed. This action was undertaken and the HRA is available alongside the strategy.

3 Action Plan

- 3.1 The action plan is available in appendix 1 and the background paper - Service Delivery Plan sets out the outcome, activities, actions, outputs and measures for this service area.

4 Strategy Executive Summary

Sefton has approximately 120,000 homes of which about 15,600 are at risk of internal flooding and 72,000 may be impacted by external flooding in their gardens or adjacent roads during a 1 in a 100 year (plus allowance for climate change) event. There would also be significant impacts and disruption to businesses and infrastructure, such as transport routes and power supplies, during such an event. The areas where homes are likely to be flooded under the circumstances are shown below in figure 1.

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Ordnance Survey
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Sefton Council

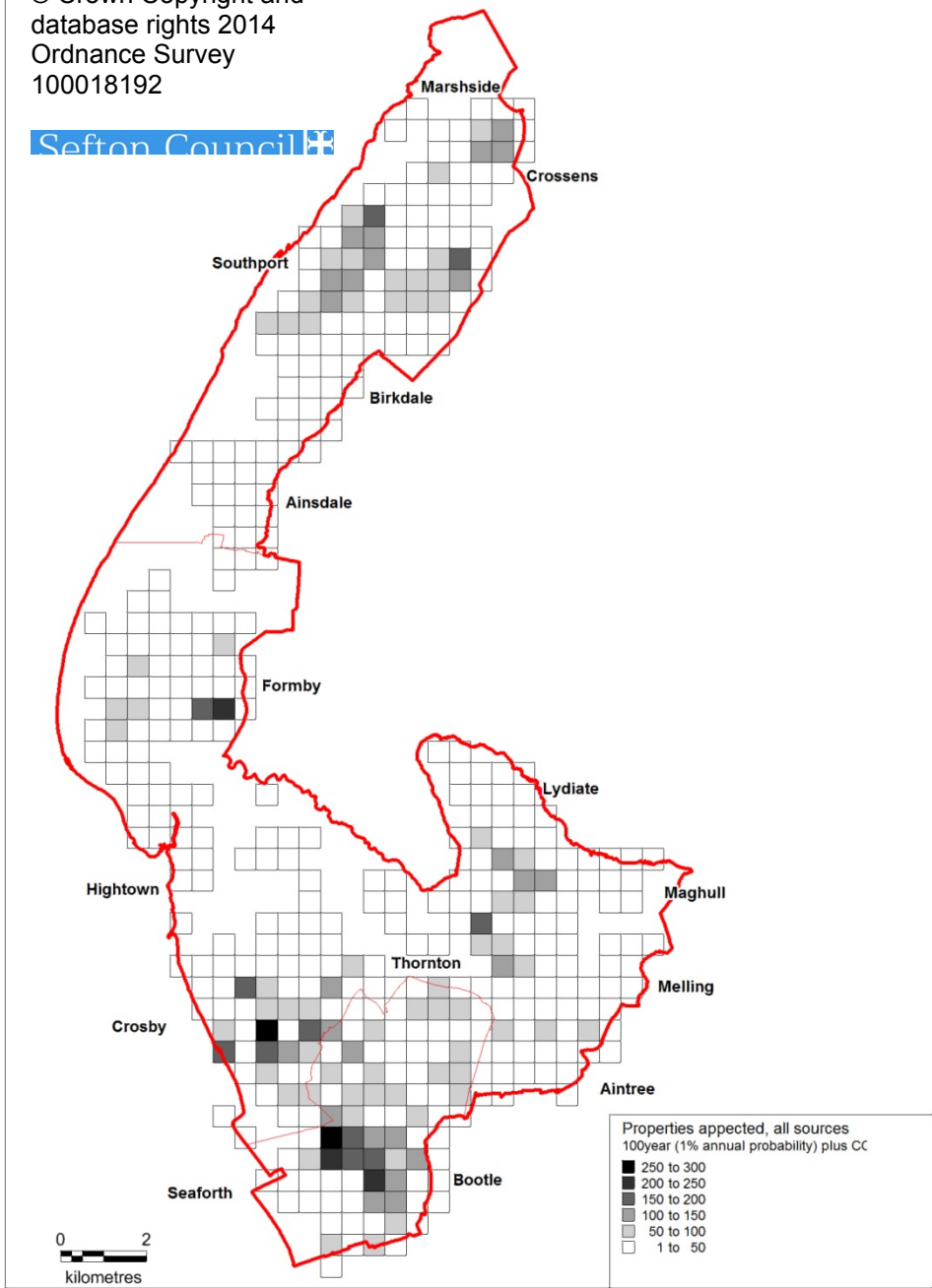


Figure 1: Flood risk from all sources in Sefton for a 1 in 100 (1%) event plus an allowance for climate change.

The Strategy considers flooding from all sources as well as coastal erosion impacts over timescales up to 100yrs in the future. This provides a clear overview of the projected risk within Sefton and shows that it is not limited by organisational or political boundaries. The need for a co-ordinated approach with partners, such as the Environment Agency, United Utilities and local communities has been identified.

The outcome we are seeking is *'To improve the health and well-being of our communities through joint management of flood and coastal erosion risk.'*
This will support the following corporate objectives:-

- *Creating a Learning Community* – through engagement with the community to increase their awareness of risk and options available to them
- *Environmental Sustainability* – through innovative and sensitive design of flood management schemes
- *Health and Well-Being* - through reduced flood risk and consequences of flooding
- *Creating Safe Communities* – through reduced flood risk
- *Improving the Quality of Council Services and Strengthening Local Democracy* – by having clear outcomes and measures and involving the community in the decision making process.

This service is strongly reliant on securing capital funding to deliver all the identified activities and delivery of some of the elements will relate to local and central capital funding availability. The revenue budget supports a team of three who deliver and/or manage the inspection and maintenance programme, reactive works, assessing planning applications for drainage and flood risk, scheme design, securing funding and project delivery. The team also discharges duties of the Lead Local Flood Authority for the Council. Figure 2 represents an overview of the action plan that shows the outcomes and activities that support their delivery whilst setting it in the framework in which they will be delivered. The full range of activities is detailed in the strategy documents. The current budget allocation for this service is defined in table 1 against the four key areas of work shown in figure 2.

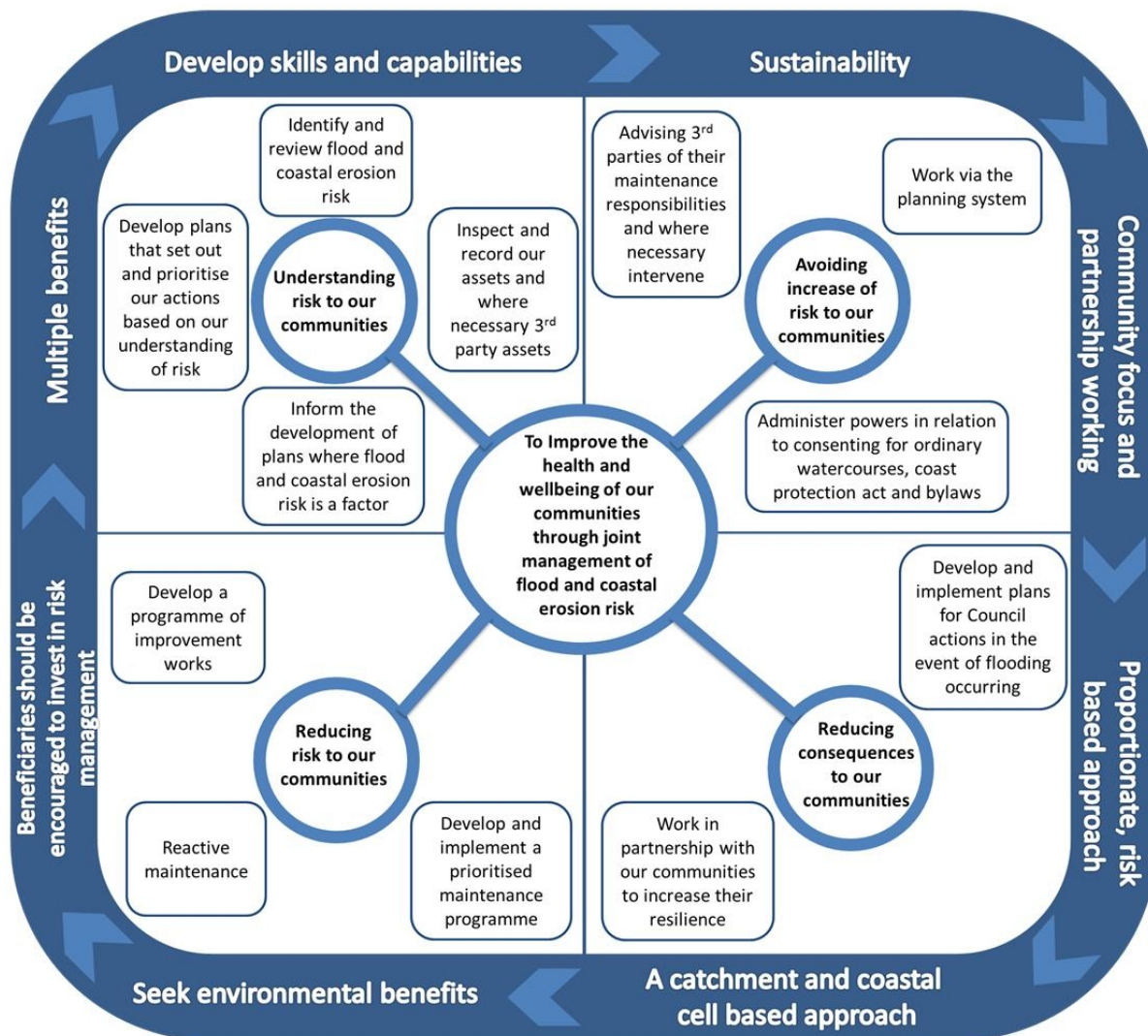


Figure 2. FCERM outcomes and activities.

Key work area	Budget 2014/2015	Budget 2015/2016	Budget 2016/2017	Budget 2017/2018
Understanding risk to our communities	£83,750	£63,055	£63,055	£63,055
Avoiding increase of risk to our communities	£50,625	£37,970	£37,970	£37,970
Reducing risk to our communities	£212,000	£169,600	£169,600	£169,600
Reducing consequences to our communities	£25,000	£18,750	£18,750	£18,750
Total	£371,375	£289,375*	£289,375**	£289,375**

Table 1. Revenue budget allocations against key work areas

*budget line has been reduced by £82,000 in 2015/2016.

**subject to future reductions being required

The Investment Plan presents an overview of the funding sources available. The primary source of funding is Flood Defence Grant in Aid (FDGiA) which is administered by the Environment Agency on behalf of DeFRA. The FDGiA operates over a 6 year rolling programme and officers are forward planning several years in advance of this to

ensure the Council's requirements are included within the programme. The FDGiA has to be bid for against other bids around the country. Bids are prioritised based on the number of homes benefiting from any scheme vs cost and are weighted in favour of areas identified as experiencing social deprivation. Most bids will require a contribution from other sources to secure some FDGiA. The Council will seek contributions where possible and where such contributions secure significant benefits, necessary capital or revenue contributions will be identified on a case by case basis.

It is not possible to prevent all flooding, and with limited resources we need to be able to prioritise our flood risk management work. A key principle of the Strategy is that investment will be prioritised in areas at greatest risk from flooding or erosion. This prioritisation will be revisited and adjusted accordingly as our understanding of local flood risk improves and as new information becomes available.

The Service Delivery Plan sets out how we will deliver this service and the performance management targets we will be measured against. There will be an annual report to Overview and Scrutiny (Regeneration and Skill) Committee and the action plan will be reviewed annually. Additional amendments will be made as and when legislation changes with any significant changes being reported to cabinet member.

Given the context set out above, it makes it increasingly important for the Council to be clear and transparent about what outcomes we are seeking, the activities we will undertake to achieve them and how we will ensure that we undertake them in an efficient, effective and customer focussed way. The Strategy, Investment Plan and Service Delivery Plan provide the structure to achieve this in line with Council objectives.

Appendix 1 Local Flood Risk Strategy Action Plan

Outcome	Activity	Actions	Outputs in Strategy period (2015-2018)	Performance Measures
Understanding risk to our communities	Identify and review flood and coastal erosion risk	<ul style="list-style-type: none"> • Monitoring of a range of conditions • Recording flood and coastal erosion events • Modelling of systems • Communicating the risk 	<ul style="list-style-type: none"> • Regular technical and non-technical reports for coastal erosion and tidal flood risk Establish / extend monitoring network for groundwater based on highest risk areas to provide evidence base • Develop Investigations policy and reporting procedure (in 2015) • Consolidation of risk information for communication 	Time taken and quality of inspections will be the performance measures with a summary of risk provided as context
	Develop plans that set out and prioritise our actions based on our understanding of risk	Develop and maintain: <ul style="list-style-type: none"> • Local Flood Risk Strategy • Preliminary Flood Risk Assessment • Flood Risk Management Plan • Shoreline Management Plan • Surface Water Management Plan 	<ul style="list-style-type: none"> • Satisfy legislative requirements for a Local Flood Risk Strategy and Flood Risk Management Plans. • Develop, maintain and review other plans as necessary and take forward actions recommended in 	Plans in place, acted on and reviewed to an agreed programme

Outcome	Activity	Actions	Outputs in Strategy period (2015-2018)	Performance Measures
		<ul style="list-style-type: none"> • Coastal Change Study • Catchment Plans (Flood Risk Management Plans) 	<p>them on a prioritised basis</p>	
	<p>Inform the development of plans where flood and coastal erosion risk is a factor</p>	<ul style="list-style-type: none"> • Local Plan • Strategic Flood Risk Assessment • Green Space • Habitat Management • Coastal Management 	<ul style="list-style-type: none"> • Input fully to plans to maximise opportunities and minimise adverse impacts in relation to flood and coastal erosion risk management 	<p>Timely and quality response including feedback from the customer team.</p>
	<p>Inspect and record our assets and where necessary 3rd party assets</p>	<ul style="list-style-type: none"> • Develop and maintain a database containing information about assets important to flood risk management • Develop and implement a risk based inspection programme for the assets • Identify and designate assets which are in third party ownership and although not 	<ul style="list-style-type: none"> • A database containing information on known assets • A prioritised inspection regime • A programme of work to complete documentation of assets 	<p>Time taken and quality of inspections will be the performance measures with a summary of condition provided as context</p>

Outcome	Activity	Actions	Outputs in Strategy period (2015-2018)	Performance Measures
		<p>their primary function are important for flood risk management</p>		
<p>Avoiding increase of risk to our communities</p>	<p>Work via the planning process</p>	<ul style="list-style-type: none"> • Develop and maintain evidence relating to flood risk to inform the Local Plan, in the format of the Strategic Flood Risk Assessment (SFRA). The most recent update of the SFRA has been completed in 2013 • Discharge duties required of a Lead Local Flood Authority such as a statutory 	<ul style="list-style-type: none"> • Assess development applications as required. • Production and application of local FRA guidance • Advise on Planning applications in accordance with legislation and guidance 	<p>These activities are all responding to requests whether they are from planning, an applicant for consenting of works or arising from a request to investigate a flooding issue. As such we need to record the volume of requests (number and scale), the quality</p>

Outcome	Activity	Actions	Outputs in Strategy period (2015-2018)	Performance Measures
		<p>consultee for assessing flood risk implications from developments, through the planning process.</p> <ul style="list-style-type: none"> • Develop and maintain local guidance for Flood Risk Assessments (FRA) which sets out what we will expect in such assessments and how we will consider them over and above what is set out in National Planning Guidance • Advise the Local Planning Authority on planning applications in relation to flood risk 		<p>and timeliness of our response and the immediate outcome we have achieved.</p> <p>Measures will be:</p> <p>Number</p> <p>Scale</p> <p>Response time achieved</p> <p>Quality of responses acceptable</p> <p>Impact</p>
	<p>Administer powers in relation to consenting for ordinary watercourses,</p>	<ul style="list-style-type: none"> • Establish consenting procedures and raise awareness of need for consents 	<ul style="list-style-type: none"> • Put in place procedures for consenting works to ordinary watercourses and 	

Outcome	Activity	Actions	Outputs in Strategy period (2015-2018)	Performance Measures
	coast protection act and bylaws	<ul style="list-style-type: none"> • Review and enact bylaws • Review procedures and enact recommendations relating to the Coast Protection Act 	<p>raise awareness of the need to seek consent for such works.</p> <ul style="list-style-type: none"> • Put in place procedures for consenting works controlled under the Coast Protection Act and raise awareness of the need to seek consent for such works (in 2015) • Review bylaws that it would be beneficial to enact and commence the process of enactment (by 2016). 	
	Advising 3rd parties of their maintenance responsibilities and where necessary intervene	<ul style="list-style-type: none"> • Communicate riparian duties • Identify issues or receive in complaints relating to lack of maintenance • Identify and enter into negotiations with riparian owners • Where negotiations fail 	<ul style="list-style-type: none"> • Clear procedures for dealing with riparian issues (in 2015) 	

Outcome	Activity	Actions	Outputs in Strategy period (2015-2018)	Performance Measures
		<p>commence enforcement proceedings</p> <ul style="list-style-type: none"> • Where necessary undertake works ourselves 		
Reducing risk to our communities	Develop and implement a prioritised maintenance programme	<ul style="list-style-type: none"> • Identify catchments and associated critical infrastructure • Develop and implement an asset management plan which will include a prioritised maintenance plan based on the number of properties at risk and the vulnerability of the resident 	<ul style="list-style-type: none"> • Review and re-tender works contracts (by 2016) • Develop and start a programme of work to identify critical infrastructure in each drainage area • Commence development of an asset management plan (in 2015) 	As planned works we will develop programmes and budgets, we will review progress against these and have a project sponsor / project manager arrangement in place to monitor quality. We need to consider how to measure performance in relation to partnership working and drawing in external funds.
	Develop a programme of improvement works	<ul style="list-style-type: none"> • Identify capital maintenance and improvement works • Develop a forward plan and bid for funding to undertake the 	<ul style="list-style-type: none"> • Development of a justified forward plan listing proposed works (in 2015) • Submission of forward plan for grant aid (indicative stage only) 	

Outcome	Activity	Actions	Outputs in Strategy period (2015-2018)	Performance Measures
		work <ul style="list-style-type: none"> • Implement works when funds become available 	<ul style="list-style-type: none"> • Implementation of works granted funding 	
	Undertake reactive maintenance	Respond to reactive maintenance needs on a prioritised basis		Time of response and quality of response will be key indicators with £ spent providing context
Reducing consequences to our communities	Work in partnership with our communities to increase their resilience	<ul style="list-style-type: none"> • Share our understanding of flood and coastal erosion risk • Discuss with communities options for increasing their resilience • Provide advice and support on what to do before during and after a flood 	<ul style="list-style-type: none"> • Development of a communications strategy (by the end of 2015) • Development of basic communication materials • Commence implementation of communication strategy 	Performance measures will be developed as part of the communications plan.

Outcome	Activity	Actions	Outputs in Strategy period (2015-2018)	Performance Measures
	Develop and implement plans for Council actions in the event of flooding occurring	<ul style="list-style-type: none"> • Emergency Plan • Resilience Plan 	<ul style="list-style-type: none"> • Review the emergency and resilience plans for flooding (annual) 	We have to have plans in place and be confident that they will work. The performance measure will be that annual training, testing and review of the plans has been undertaken to a pre-agreed programme.