

CITY COUNCIL – 9 MARCH 2015

REPORT OF THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORTATION

NOTTINGHAM LOCAL FLOOD RISK MANAGEMENT STRATEGY

1 SUMMARY

- 1.1 The Nottingham Local Flood Risk Management Strategy outlines the future actions that the City Council proposes to deliver, subject to funding, to reduce the risk of flooding to citizens. This report summarises the reasons for developing a Strategy, the process of compiling the Strategy and the funding position. The report seeks approval from Full Council to adopt the Strategy as a formal City Council document.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council:
- 2.2 Approves the Nottingham Local Flood Risk Management Strategy as a formal City Council document.
- 2.2 Authorises the Director for Planning and Transport to maintain the Nottingham Local Flood Risk Management Strategy as an up-to-date document.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 The Local Flood Risk Management Strategy must be adopted by the City Council. The Strategy affects all Wards and has been prepared under the Flood and Water Management Act 2010, which is a non-executive function. Therefore, the Strategy must be approved by Full Council.
- 3.2 Members of the Nottingham and Nottinghamshire Strategic Flood Risk Management Board have been consulted throughout the development of the Strategy and were invited to comment on draft versions. The Executive Board has endorsed the Strategy and referred it to Full Council for approval.
- 3.3 The Council is required to develop, maintain, apply and monitor a Local Flood Risk Management Strategy. Central Government funding for flood risk management schemes is subject to change and future flood events may introduce additional priority locations that require flood risk management measures. In order to ensure that the Strategy is kept up-to-date, authority is requested to make necessary amendments to the Strategy to reflect changes in funding and the needs of communities.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 Not producing a Local Flood Risk Management Strategy is not a viable option because it is a statutory duty for the Council under the Flood and Water Management Act 2010.
- 4.2 Referring amendments that reflect changes in funding position and new priority locations to Full Council for approval was considered. This option was discounted as there is likely to be a large number of minor changes in the future due to the constant flux in central Government funding for flood risk management.

5 **BACKGROUND**

5.1 **Introduction**

The Flood and Water Management Act 2010 clarified and amended the roles and responsibilities of organisations involved in flood risk management and introduced a significant new role for Nottingham City Council as ‘Lead Local Flood Authority’ (LLFA). This paper relates to the statutory duty to develop, maintain, apply and monitor the Nottingham Local Flood Risk Management Strategy (hereafter referred to as ‘the Strategy’).

5.2 **Development of the Local Flood Risk Management Strategy**

The overarching aim of the Strategy is to reduce the impact of flooding on people, property and businesses in Nottingham. There are a number of organisations that have interests involving or affecting flood risk in the City and many of the flooding issues experienced are complex and involve assets that are managed by different organisations and individuals. The Strategy has therefore been developed in consultation with key organisations, reflecting the complicated nature of flood risk management in an urban environment.

A stakeholder workshop was held in May 2014 and brought together over 20 staff representing relevant internal teams and external organisations¹. The workshop involved gathering opinions on the objectives for flood risk management, identifying and confirming opportunities for reducing flood risk to citizens and potential funding sources. In addition, members of the public and Ward Councillors have provided feedback on specific flooding issues and priorities through regular engagement over many years, including attendance of Ward Forums and meetings. The Portfolio Holder for Planning and Transportation has been consulted throughout the development of the Strategy. The Nottingham and Nottinghamshire Strategic Flood Risk Management Board monitored progress of the Strategy and were invited to comment on draft versions. The information and feedback gathered at the workshops and through engagement with the public and Councillors was used to shape the Strategy.

Technical analysis of flood risk information was undertaken to identify the areas of the City that are at greatest risk from ‘local’ flood sources, which includes minor watercourses, surface water and groundwater. The numerous documents that consider different aspects of national and local flood risk were also reviewed, including Strategic Flood Risk Assessments, the Surface Water Management Plan and the Environment Agency’s National Flood and Coastal Erosion Risk Management Strategy. Based on the technical analysis and literature review, an Action Plan was developed to identify measures that the City Council plans to deliver, subject to funding, to reduce the risk of flooding to the communities at greatest risk. Measures listed in the Action Plan include structural measures, such as constructing flood storage areas and flood defences, as well as non-structural measures, such as watercourse and road gully maintenance, community engagement and supporting development management activities. The

¹ **External organisations represented:** Nottinghamshire County Council, Environment Agency, Severn Trent Water, Groundwork Greater Nottingham, English Heritage, Nottinghamshire Wildlife Trust

Portfolio Holder has endorsed the proposed programme of implementing capital measures in her role representing the City Council on the Trent Regional Flood and Coastal Committee.

Under the Strategic Environmental Assessment (SEA) Directive, the Strategy required a Strategic Environmental Assessment. This work was undertaken in parallel to ensure that the SEA informed the Strategy and vice versa. The purpose of the SEA was to ensure that the impacts of the Strategy would not have an adverse environmental impact and, where possible, take opportunities to achieve environmental enhancement.

5.3 Public and Statutory Consultations

Three documents have been produced as part of this Strategy and are included as appendices to this report, where necessary:

- Nottingham Local Flood Risk Management Strategy (Appendix A)
- Nottingham Local Flood Risk Management Strategy: Public Summary for Consultation (Appendix B)
- Strategic Environmental Assessment: Environment Report (available upon request)

In order to ensure that the Strategy meets the needs of our communities and to meet legislative requirements, the above documents were made available for public consultation and key stakeholder comment for eight weeks between 1 December 2014 and 30 January 2015. The consultation was communicated using a variety of media, including an article in the Nottingham Arrow, communications with community group chairs and Area Committee chairs, direct mail drops to approximately 275 citizens and businesses who have previously suffered the effects of flooding. The public consultation documents were also presented to Overview and Scrutiny Committee to seek feedback.

A total of 34 responses were received from the public consultation exercise. Whilst this number is low, the Strategy was developed based on feedback received through community engagement on flooding matters over several years. Consultation responses raised a variety of pertinent issues that the public consider important. Some citizens suggested solutions for areas where capital schemes are proposed (subject to funding) and these will be considered during the feasibility stages of schemes. Recurring themes included the importance of gully maintenance and leaf clearance, communications between different Authorities involved in flood risk management and supporting citizens who are affected by flooding. The feedback received from the public consultation has been incorporated into the final version of the Strategy.

The Strategy was presented to Overview and Scrutiny Committee on 4th February 2015. Queries were raised about partnership working and all Officers present, including those from Severn Trent Water and the Environment Agency, confirmed that this works well in the City within the bounds of each Authorities remit. Councillors raised the importance of managing surface water runoff from new development sites in a sustainable manner, which is an objective within the Strategy. It was also noted that opportunities to remove culverts from watercourses should be sought as this will help flood risk and will improve the water environment. A concern was raised about the limited response to the public consultation exercise, though it was acknowledged that numerous media had been pursued to seek public feedback. The Committee encouraged future community engagement on the subject of flooding to improve citizen's understanding of flood risk. The Committee resolved to:

- Request a further meeting in 12 months to report on updates on Strategy objectives such as community engagement and asset management;
- Recommend that feedback from the Committee is used in the submission to Executive Board and Full Council in February and March 2015;
- Recommend a list of useful contacts and responsibilities of key agencies in flood risk management be promoted;
- Recommend that all flood risk management partners should continue to meet and engage with members of the public and community groups where necessary, to give reassurance around flood risk.

The final Strategy documents were updated to reflect the feedback received through consulting the public, Councillors and key stakeholders.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

- 6.1 The delivery of the Strategy Action Plan is subject to receiving adequate funding. During the course of developing the Strategy, central Government developed their six year Medium Term Plan (MTP) for investment in flood risk management (Flood Defence Grant in Aid (FDGiA)). As part of this process, the City Council submitted several bids to Defra, all of which were accepted and indicative FDGiA funding has been allocated across the MTP.
- 6.2 FDGiA is granted on a partnership funding basis and delivery of capital schemes is dependent on attracting match funding from other sources. Delivery of smaller scale capital schemes in the Action Plan will require approximately £70,000 of partnership funding per year to release central Government funds that have been allocated. There are also two larger scale schemes that would release strategic sites for housing development (the Day Brook at Old Basford and the River Leen at Bobbers Mill), which will require partnership funding of approximately £1million per scheme to release central Government funding. Including these larger scale schemes in the MTP will enable flexibility to attract FDGiA for the future regeneration of development sites. Partnership funding sources may include Council capital funds, Area Capital, new developments (s106 contributions and New Homes Bonus) and Local Enterprise Partnership funding as well as funding from relevant partners such as Nottingham City Homes and Severn Trent Water.
- 6.3 Following the Autumn Statement there have been numerous changes to the indicative FDGiA Medium Term Plan due to an increase in the amount of funding available nationally. It is anticipated that the final partnership funding settlement will be confirmed before the General Election. Due to the changing nature of central Government's Medium Term Plan the figures within this report should only be used as an indication. It is proposed that a paper is presented to a future Executive Board meeting once the MTP has been finalised to seek approval for a funding strategy.
- 6.4 Central Government funding (FDGiA) requires 15% efficiency savings across the whole capital programme. In accepting FDGiA funding the City Council will be committing to achieve these efficiencies.
- 6.5 Ongoing maintenance activities are an important aspect of flood risk management. Highway drainage is the first line of defence for surface water flooding and the continued maintenance of these assets is imperative. The management of watercourses is also important as any blockages can result in properties flooding. Such activities are funded by budgets held by Highway Services and the Strategy outlines the

importance of maintaining the level of funding.

- 6.6 Additional revenue activities listed in the Action Plan rely on staff time and will be funded by the Defra Area Based Grant, which is allocated to the City Council to meet the statutory duties under the Flood and Water Management Act 2010.

7 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS)

- 7.1 Delivery of the Strategy Action Plan is subject to funding. The Action Plan has been carefully developed to focus on the areas of greatest need and to be realistic regarding available funding. This has been made clear in the Strategy document and expectations will be managed when engaging with communities and Councillors.

- 7.2 External funding and grants will be subject to specific terms and conditions. In accepting the funding the Council will need to satisfy itself that it is able to adhere to the terms and conditions. This will be managed on a scheme-by-scheme basis.

8 EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 Has the equality impact been assessed?
- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outside the Council)
- (b) No
- (c) Yes – Equality Impact Assessment (Appendix C)

Due regard should be given to the equality implications identified in the attached EIA.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1
- Section 9, Flood and Water Management Act 2010: 'Local flood risk management strategies: England'
 - URS (2014) Nottingham City Council Local Flood Risk Management Strategy Strategic Environmental Assessment: Environmental Report
 - Local Government Association (2014) Framework to assist the development of the Local Strategic for Flood Risk Management

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 None