

CABINET	AGENDA ITEM No. 5
20 JULY 2015	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development	
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PETERBOROUGH FLOOD RISK MANAGEMENT STRATEGY

RECOMMENDATIONS	
FROM : Cabinet Member for Growth, Planning, Housing and Economic Development	Deadline date : N/A
That Cabinet recommends to Full Council that the Peterborough Flood Risk Management Strategy be adopted.	

1. ORIGIN OF REPORT

- 1.1 This report has been prepared in order to meet a statutory requirement for the Council to adopt a local flood risk management strategy. This follows public consultation on a draft strategy last year.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to consult and seek agreement from Cabinet that the Peterborough Flood Risk Management Strategy (abbreviated to FMS in this report) be recommended for approval by Full Council.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1 to take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.

3. TIMESCALE

Is this a Statutory Plan?	Yes	If Yes, date for relevant Cabinet meeting	27 th July 2015
Is this a Major Policy Item?	Yes	If Yes, date for relevant Council meeting	14 th October 2015

4. PETERBOROUGH FLOOD RISK MANAGEMENT STRATEGY

Background to the FMS

- 4.1 The Flood and Water Management Act 2010 (FWMA 2010) makes Peterborough City Council a Lead Local Flood Authority with responsibility for co-ordinating the management of surface water flood risk (flooding from surface runoff, groundwater and ordinary watercourses). Lead Local Flood Authorities have a duty to develop, maintain, apply and monitor a 'local flood risk management strategy' which must specify:

- The level and types of flood risk in the area

- The flood management organisations and their responsibilities
- The functions these organisations carry out
- Objectives for managing the risk
- The measures proposed to achieve these objectives and how and when these are expected to be implemented
- The costs of the measures and how these will be paid for
- The benefits of the measures
- How the strategy contributes to the achievement of wider environmental objectives
- How and when the strategy will be reviewed.

4.2 The statutory minimum obligation for the FMS is to consider the types of flood risk for which Peterborough City Council is responsible. However the FMS has been developed as a partnership plan with all of the flood and water management organisations. The FMS therefore explains flood risk from all sources, not just those that the Council is responsible for. It includes actions from all partners to provide one document that can be a Peterborough resource for all organisations, Council officers and residents interested in finding out about flood risk. Apart from improved efficiency and co-operation this also provides benefits when applying for external funding as it is now imperative for organisations to demonstrate partnership support.

4.3 The FMS consists of a main report, an action plan and several appendices. Accompanying the FMS there is also a Strategic Environmental Assessment and an Equality Impact Assessment. The key issues for focus are:

- Understanding the Council's responsibilities (Chapter 1)
- Agreeing the objectives set (Chapter 5) as these steer the measures proposed.
- Understanding the most significant flood risks in Peterborough (Chapter 7)
- The need for all flood and water management organisations to financially contribute to schemes in order to unlock any Government funding (Chapter 9)
- The range and type of actions to be delivered and the costs of these (Chapter 10 and the accompanying action plan).

4.4 The FMS objectives are:

1. Improve awareness and understanding of flood risk and its management to ensure that the city council, partner organisations, stakeholders, residents, communities and businesses can make informed decisions and can take their own action to become more resilient to risk.
2. Establish efficient co-ordinated cross-partner approaches to flood and water management and to response and recovery, including sharing and seeking new resources together.
3. Reduce flood risk to prioritised areas and strategic infrastructure, ensuring that standards of protection elsewhere are maintained.
4. Improving the sustainability of Peterborough; ensuring an integrated catchment approach and proper consideration of the water environment and its benefits in new and existing urban and rural landscapes.

5. CONSULTATION

5.1 Extensive engagement with the public and partner organisations has taken place alongside and following the enactment of the FWMA 2010. The engagement included holding public flood awareness events and flood warden training, consulting on the now adopted Flood and Water Management Supplementary Planning Document, writing to Parish Councils, attending resident, neighbourhood and Scrutiny meetings, learning from flood incidents and working very closely with other flood management organisations to share understanding and shape the FMS. A list of the engagement events and consultations which have taken place is on page 2 of the FMS.

- 5.2 Following approval by Cabinet in September 2014, the FMS underwent a six-week public consultation period in November and December 2014. Comments were received from partner and statutory organisations and from flood wardens and residents. The comments received from this have been addressed within the FMS, as detailed in section 5.5 below.
- 5.3 The principal flood and water management authorities involved in developing this plan (the Environment Agency, the Internal Drainage Boards and Anglian Water) have supplied information and have had the opportunity to review the FMS as it has developed.
- 5.4 As business cases are worked up for the individual projects within the action plan more detailed consultation will be undertaken with communities, Ward and Parish Councillors.

Consultation Outcomes

- 5.5 Updates and/or amendments have been made to the document to cover the following areas:
- Throughout – Changes to Government policy on sustainable drainage; more references have been included to refer the reader to related external information and a range of general updates and amendments;
 - Chapter 2 – Additional background on Peterborough’s geology, hydrology and heritage (scheduled monuments);
 - Chapter 7 - Details about Main River and Reservoir flooding; protection standards; improved diagrammatic explanation of how the Whittlesey/Nene Washes work; greater clarity on describing risk levels in Peterborough and an improved groundwater risk section;
 - Chapter 8 - Additional quantitative data on climate change; and references to examples of vulnerable receptors in Peterborough such as designated wildlife sites;
 - Action plan - Made easier to monitor; actions renumbered with a simpler system; priority column removed; progress of the actions updated; and amendments made to the included actions:
 - Additional actions: Encourage opportunities for woodland creation where these would bring flood risk benefits; public services co-operation agreement; groundwater evidence base
 - Removed actions: SuDS Approving Body, River Nene structure automation, Middle Nene WFD and flood risk management project
 - Public summary - Improved separate public document.

Scrutiny

- 5.6 The Sustainable Growth and Environment Capital Scrutiny Committee considered this item prior to the public consultation in 2014. At their request they also received a written briefing in March 2015 notifying them of the changes that have been made post-consultation.

6. ANTICIPATED OUTCOMES

- 6.1 The following outcomes are anticipated:
- I. That Cabinet will support the FMS and recommend it to Full Council for its approval and adoption.
 - II. If Cabinet approves the FMS, it will progress to the next available Full Council on 14th October 2015.
- 6.2 If the FMS is adopted, it will be published on our website. The main report of the FMS will be reviewed on a five year cycle, but progress with the action plan will be formally monitored and published on a yearly basis with updates made as required.

7. REASONS FOR RECOMMENDATIONS

7.1 The FMS will:

- Meet statutory requirements;
- Make Peterborough more resilient to flooding;
- Help to co-ordinate and attract investment into Peterborough for both flood risk management and wider environmental and amenity improvements;
- Aid the delivery of sustainable growth;
- Assist with the city's aspiration to create the UK's Environment Capital;
- Be a reference guide for Council officers, Flood Warden, Parish Council and communities who want to more know more about flood and water management.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 The Council is required to produce a 'local flood risk management strategy' in accordance with its duties as a Lead Local Flood Authority. It is therefore not an option to not produce a strategy. The only available alternative is to produce a document that covers only the sources of flooding that Peterborough City Council is responsible for. This option was rejected in favour of preparing a plan in partnership with all other flood risk management authorities, covering all sources of flood risk. The chosen option is believed to be more useful for the reader, more efficient to implement and more likely to enable Peterborough to attract partnership funding.

9. IMPLICATIONS

9.1 The FMS will have implications for all areas of Peterborough and anyone that is at risk of flooding.

9.2 Location

The impact of the FMS is city-wide.

9.3 Equality

An equality impact assessment has been undertaken and no significant equality impacts have been raised by the FMS. In future if the FMS is adopted and if individual schemes within the action plan are implemented, the equality impacts of these schemes will need to be fully considered through the design and consultation processes.

9.4 Legal

The Council must prepare an FMS and must follow due Regulations in its preparation in order to fulfil the requirements under the FWMA 2010. Business case approval will be required for each project and this will include a full review of any legal considerations.

9.5 Financial

The projects proposed in the action plan will need to have their own business cases developed and approved before delivery could take place. The same rule applies for the Council as for each project partner within their own organisation. At business case stage financial approval will be required.

9.6 The following Council budgets are currently funding the type of flood risk and water management related work that is included in the action plan: Resilience, Flood and Drainage, Highway Maintenance, Highways Salary budget, Strategic Planning and the Future Cities Demonstrator project (Peterborough DNA).

9.7 The action plan shows measures proposed by the Council to achieve its four objectives (Chapter 5 of the FMS). In order for the proposed measures to become deliverable actions each item on the action plan will need to be worked up in more detail and tested for deliverability and viability through the business case process. Implementation of the FMS does not require any additional Council revenue budgets. Delivery of the action plan in full would require either budgets to remain at their present value or outside funding to be

secured. The significant budgetary constraints that the Council faces are well noted and for this reason projects will have to be carefully prioritised based on the benefits. Funding will also be sought from a wide range of sources.

- 9.8 While the total cost of the ten year partnership action plan is notable the larger schemes making up most of these actions are Main River schemes proposed for Government funding. These will be led by the Environment Agency. In order for Government funding to be drawn down, local contributions from the Regional Flood and Coastal Committee, local authorities, communities and/or businesses are required for all schemes. The split of this contribution over several sources means, however, that direct contributions needed from the Council would be small compared to the total project costs and the benefits that would be delivered. Externally led schemes will still require a Council business case if a funding contribution is to be made. Those applying for Government funding will also be agreed and overseen by the Regional Flood and Coastal Committee on which the Council has Cabinet Member representation.
- 9.9 Currently the Council's flood and water management function has no capital budget. Depending on the designs of schemes and agreements over which organisation is to own the asset(s) produced, the Council may be unable to deliver a small number of the schemes without a small capital budget stream in future. However few Council capital schemes are currently proposed, and for any that are, or that come forward in future, alternatives sources of funding will be explored. One example is that projects that deliver growth benefits will apply for monies collected through the Planning Obligations Implementation Scheme (POIS) or Community Infrastructure Levy (CIL). The risk with regards to competition for these funds is noted.
- 9.10 Dependencies and Risks
Delivery of projects may be affected by the need to obtain planning consent; flood defence or ordinary watercourse land drainage consent, landowner permission, maintenance agreements, funding and partner approval as well as by updated information about the levels of risk (e.g. flood modelling) or about the constraints on a particular site (such as archaeology or ecology).
- 9.11 Environment Capital
The FMS is consistent with creating the UK's Environment Capital as the one of the strategy's aims is that delivery of flood risk management schemes also bring wider environmental benefits, such as improvements to water quality, biodiversity and public amenity. The FMS also considers the issues around Peterborough becoming more resilient to changes in climate and availability of water as a natural resource.
- 9.12 Cross-Service Implications
Preparation of the FMS has involved several teams within the Growth and Regeneration and Governance Directorates. Delivery will be principally lead by Growth and Regeneration but there will need to be close partnership working with the following teams from other Directorates: Resilience; Finance; Legal; Neighbourhoods; the Peterborough Highways Services Framework and the Strategic Resources/Serco framework. Consultation will continue with all relevant teams as projects within the action plan are worked up in more detail.

10. BACKGROUND DOCUMENTS

- 10.1 Flood and Water Management Act 2010

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