

CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE	AGENDA ITEM No. 5
6 JULY 2022	PUBLIC REPORT

Report of:	Adrian Chapman, Executive Director Place and Economy	
Cabinet Member(s) responsible:	Cllr Marco Cereste, Cabinet Member for Climate Change, Planning, Housing and Transport	
Contact Officer(s):	Nick Greaves – Highway Development Control and Drainage Manager	Tel: 01733 863827

PETERBOROUGH LOCAL FLOOD RISK MANAGEMENT STRATEGY

RECOMMENDATIONS	
FROM: Nick Greaves – Highway Development Control and Drainage Manager	Deadline date: 11 th July 2022
<p>The Climate Change and Environment Scrutiny Committee is asked to:</p> <ul style="list-style-type: none"> a) Review Peterborough’s updated Draft Local Flood Risk Management Strategy; b) Endorse the strategy and recommend to Cabinet that a public consultation is undertaken on the Draft Local Flood Risk Management Strategy ahead of consideration by Council later this year. 	

1. ORIGIN OF REPORT

1.1 This report has been prepared in order to meet a statutory requirement for the Council to review and update the Peterborough Local Flood Risk Management Strategy.

2. PURPOSE AND REASON FOR REPORT

2.1 This report is to enable the Climate Change and Environment Scrutiny Committee to review the draft Peterborough Local Flood Risk Management Strategy (FMS) and seek the committees support recommend to Cabinet that a public consultation is undertaken.

Following the results of the consultation the Committee will be asked to review the final FMS ahead of consideration by Cabinet and Council.

2.2 This report is for Climate Change and Environment Scrutiny Committee to consider under its Terms of Reference No. Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by Council:

2. Flood Risk Management

Functions determined by Statute:

To review and scrutinise flood risk management in accordance with Section 21F of the Local Government Act 2000 (as amended by the Flood and Water Management Overview & Scrutiny (England) Regulations 2011 No. 697).

2.3 This report links to the following Corporate Priorities:

Pride in our communities, our places and our environment;

The FMS is about how flood risk to people and properties is managed, setting out actions to help communities understand the risks and be able to take action to become more resilient. Working in partnership those actions also offer opportunity to improve the natural environment and continue to ensure that Peterborough is sustainable in the long term.

Better jobs, good homes and improved opportunities for all;

As well as identifying opportunities to improve the sustainability and protection of existing housing the FMS also contributes to ensuring the future growth and delivery of infrastructure is delivered in a sustainable way by setting out the activities that will be carried out including assessing new development and building the evidence base for future local plans.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	11 th July 2022
Date for relevant Council meeting if applicable	N/A at this stage	Date for submission to Government Dept.	N/A

4. BACKGROUND AND KEY ISSUES

- 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 local 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' (FMS).

The FMS was originally developed in 2015 to address this need, in partnership with other flood risk management authorities, it is monitored by those partners who sit on the Cambridgeshire and Peterborough Flood and Water Partnership. The update to the FMS has been delayed by impacts of Covid, staff resources and delays in the national and regional plans that the FMS is required to be consistent with, in future the FMS will cover a period of 6 years to better align with updates to the National Flood and Coastal Erosion Risk Management Strategy.

There has been a focussed review of the existing FMS to embed local learning, changes in the flood risk industry and wider water environment sector.

Key issues

The objectives of the FMS remain the same;

- 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.
- Establish efficient co-ordinated partnership approaches to flood and water management and response and recovery, including sharing and seeking new resources together.
- Reduce flood risk to prioritised areas and strategic infrastructure, ensuring that standards of resilience elsewhere are maintained.
- Improving the wider 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.

Climate change and wider environmental concerns have been integrated consistently throughout the document rather than being identified in isolation.

Policy and legislative drivers have notably moved on since the previous FMS was developed in 2015, although that has meant many changes for wider industry the original FMS already

incorporated many of those principles such as achieving multi benefits, climate change adaptation and working with partners.

With reference to funding options for flood risk management works, the updated FMS expands the range of references for funding sources. Also a special note has been made of delivery challenges and the need to proactively gather evidence and build project scopes so the Council can be flexible and respond to funding opportunities.

An Equality Impact Assessment has been prepared with EDI topics being built into the updated FMS and associated action plan, this helps to highlight some of the deprivation and isolation issues and considerations that need to be made.

The FMS must give consideration to the National Flood Risk and Coastal Erosion Risk Management Strategy and Anglian Flood Risk Management Plan. The National Strategy is adopted whilst the Flood Risk Management Plan is currently being finalised. Officers are in communication with the Environment Agency team producing the Flood Risk Management Plan to assure that direction and content remains consistent.

Following receipt of all consultation responses, any required amendments will be made before bringing the FMS back to Scrutiny Committee.

5. CONSULTATION

- 5.1 Prior to the review of the FMS there has been continued engagement with communities, members and partners which have helped to inform any learning which was used to update the FMS. As a part of the review process there has been further consultations with both internal and external partners, notably the partner organisations and members who form the Cambridgeshire and Peterborough Flood and Water Management Partnership.

The principal flood and water management authorities involved in that partnership (the Environment Agency, the Internal Drainage Boards, Anglian Water, Emergency Services and Catchment Partnerships) have supplied information and have had the opportunity to review the FMS iteratively as it has been updated.

Feedback has been sought from internal colleagues representing the Natural and Historic Environment, Resilience, Climate Change, Strategic Growth and Highways Drainage.

- 5.2 The purpose of bringing the draft FMS to the Committee is to seek the Committee's support to recommend to Cabinet that we enter into a period of public consultation ahead of the drafting of the final FMS.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is anticipated that following scrutiny the draft FMS will pass to Cabinet and then subsequently for public consultation.

Following a period of six weeks consultation the FMS will be amended to reflect any feedback, return to Scrutiny and in turn Cabinet and Council for approval and adoption.

7. REASON FOR THE RECOMMENDATION

- 7.1 The production and monitoring of the FMS are a statutory requirement and the existing FMS and associated action plan that were produced in 2015 require updating.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 a. Wholesale review and rewrite of existing FMS – Rejected due to additional costs of external resource and significant amount of extra time required to deliver with potentially limited benefits from that process.

b. No review or update of existing FMS – Rejected due to the FMS and the need for it's monitoring being a statutory requirement. The legislative environment in the flood risk and water sector is constantly changing and opportunities will be missed if this monitoring and update does not reflect that.

9. IMPLICATIONS

Financial Implications

- 9.1 There are not anticipated to be any new implications for resources or with procurement through delivery of this FMS. Section 6 of the FMS sets out partnership funding sources for delivery of actions where existing resources are not sufficient, Section 7 builds on this to highlight the securing of this funding as a constraint to delivery.

Legal Implications

- 9.2 We have a statutory duty under the Part 1, Section 2 (9) of the Flood and Water Management Act 2010 to produce a Local Flood Risk Management Strategy.

The implication of failing to comply with this duty is that the Council will be in breach of a legal requirement for which the Council could be subject to legal challenge. In addition, this could severely damage the reputation of the Council and jeopardize our position as a leading authority in flood and water management.

Equalities Implications

- 9.3 A full Equality Impact Assessment has been undertaken for the production of the FMS and disproportionate impact of flooding on different communities and the need to consider this in the delivery of actions is reflected within the FMS.

Rural Implications

- 9.4 Delivery of actions in the FMS are anticipated to improve the flood resilience and water environment of rural areas of Peterborough, the FMS sets out how environmental and amenity impacts will be assessed as the actions are developed with a view to identifying wider improvement opportunities where possible.

Carbon Impact Assessment

- 9.5 The Strategy itself is not anticipated to have any new demands on energy, transport or waste or create any new streams of carbon that are not already being considered by ours and our partners normal day to day operational activities.

There are projects within the action plan with have the potential to provide carbon capture and efficiencies to existing activities which will not only reduce or capture carbon but also ready the council and city for the impacts of climate change.

The overall impact is expected to be a positive one both in terms of providing wider environmental benefits and reducing emissions or capturing carbon, however those values are difficult to assign at present as the details of the actions are yet to be developed. As such the Strategy sets out the need to consider the carbon impact as well as adaptation to a changing climate as a part of the development of any solutions to the proposed actions, officers will need to carefully assess the impacts and look for more suitable alternatives if impacts are found to be negative.

10. BACKGROUND DOCUMENTS

- 10.1 Local Documents used in the production of the FMS and this report:

- FMS Carbon Impact Assessment – 220607 PCC LFRMS Approved CIA
- FMS Equality Impact Assessment – PCC FMS EqIA 2021
- FMS Strategic Environmental Assessment (SEA)

11. APPENDICES

- 11.1 Appendix A: Local Flood Risk Management Strategy
- Appendix B: Local Flood Risk Management Strategy Proposed Actions – Summary Table

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