

Decision Maker: **Executive**

For Pre-Decision Scrutiny by the Environment PDS Committee on

Date: **7th June 2016**

Decision Type: Non-Urgent Executive Non-Key

Title: **FLOODING AND WATER MANAGEMENT ACT**

Contact Officer: Garry Warner, Head of Highways
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Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: All

1. Reason for report

- 1.1 Updates Members on the Council's role as the Lead Local Flood Authority.
- 1.2 Seeks agreement from the Executive to release dedicated Central Contingency funding to ensure the Council meets its statutory duties as the Lead Local Flood Authority.

2. **RECOMMENDATIONS**

That the Executive:

- 2.1 **Agrees to release a sum of £213k from the 2016/17 Central Contingency budget to implement the proposals detailed in this report, and include a sum of £213k in future budgets.**
- 2.2 **Agrees to release the DEFRA grant of £69,482 to meet the costs of providing technical advice on surface water drainage proposals through planning process as well as the maintenance and improvements of surface water drainage assets.**
- 2.3 **Approves the LLFA future works programme.**

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Quality Environment
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Financial

1. Cost of proposal: £282.482k
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: Central Contingency
 4. Total current budget for this head: £213k and £69.482k
 5. Source of funding: Grants included in Central Contingency
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Staff

1. Number of staff (current and additional): 2
 2. If from existing staff resources, number of staff hours: 2 fte
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Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Boroughwide
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

Background

- 3.1 The Flooding and Water Management Act (FWMA) 2010 requires the London Borough of Bromley, as the Lead Local Flood Authority (LLFA), to develop, maintain, apply and monitor a strategy for local flood risk management in its area.
- 3.2 The LLFA has a duty to identify the causes of surface water flooding, including groundwater, and determine those organisations or authorities that have a role in mitigating the flood risk. Having identified those parties provide a forum where such parties can be brought together to produce a considered and coordinated response.
- 3.3 This report reviews the Council's progress in the role of LLFA, and considers its responsibilities and activities for the coming year.

Progress

- 3.4 During the last year good progress has been made on implementing the FWMA. In the 12 months since the last report, the following has been undertaken: -
 - Ongoing catchment based cooperation with the Environment Agency, and neighbouring boroughs,
 - Multiple highway drainage schemes by infiltration that augment local sw drainage systems,
 - Partnership working with the Chislehurst Commons Conservators,
 - Undertaken Ordinary Watercourse condition surveys and improvements,
 - Proactively engaged with developers to promote sustainable drainage,
 - Published the Local Flood Risk Strategy and associated Action Plan.

South East London Flood Risk Partnership

- 3.5 As a LLFA LB Bromley has been part of the South East London Flood Risk Group (SEFRG), working in partnership with the boroughs of Bexley, Lewisham and Greenwich. The SEFRG provides a forum at which officers and elected Members from each authority come together to exchange information, share experiences and identify opportunities for partnership working. Representatives from the Environment Agency and Thames Water Utilities regularly attend quarterly meetings, together with any other authority or organisation that has an interest in flood risk within its catchment area. The Partnership has met regularly throughout the year.

Future Responsibilities and Work Streams

- 3.6 Complete the review and update LBB Strategic Flood Risk Assessment - £20k
- 3.7 Ongoing Surface water flooding improvement initiatives, including surveys to establish condition of Ordinary Watercourses - £120k
- 3.8 Review of impounded water bodies - The FWMA introduced new standards for the management of reservoirs, and the Council is required to assess the risk associated with failure of the reservoir structure. There are 18 sites within the borough that may require regular statutory inspections under the FWMA, half of which are within Council-owned land - £20k

- 3.9 Working with the Environment Agency to investigate and improve main rivers, which are a vital part of surface water drainage across the borough's catchments – match funding - £48k.
- 3.10 During the last three years local residents have been encouraged to retro-fit sustainable rainwater drainage to existing residential properties, through the installation of subsidised water butts. This initiative will be continued - £5k.
- 3.11 In 2015 DEFRA awarded one-off grants to all Lead Local Flood Authorities to help support their role as statutory consultees for the planning application process. It is proposed that the grant received by LBB of £69,482 is used to fund technical advice on surface water drainage proposals through planning applications during 2016/17, particularly providing advice on surface water drainage proposals in major development, with any residual funding being used to supplement the maintenance and improvements of surface water drainage assets.

4. POLICY IMPLICATIONS

4.1 The draft Environment Portfolio Plan 2016/17 includes the following Aim and Objectives:

Aim	To improve the boroughs resilience to the risk of flooding
In 2016/17 we will:	
4.1.1: Increase flood risk awareness and develop resilience through our Lead Local Flood Authority role	
4.1.2: Continue to ensure surface water drainage is properly considered in the development process and that suitable plans exist to maintain sustainable drainage assets into the future	
4.1.3: Deliver the Action Plan set out in the Local Flood Risk Strategy	

4.2 In order for the Council to fulfil its statutory requirements under the FWMA, the Director of Environment and Community Services has been given delegated responsibility for co-ordinating the tasks with other Council departments. It is proposed that this arrangement continues.

5. FINANCIAL IMPLICATIONS

- 5.1 In previous years the Council has received funding through a combination of the Settlement Funding Assessment (SFA) as well a support grant from DEFRA to carry out its new responsibilities under the FWMA.
- 5.2 As an LLFA, Bromley has been allocated at total of £213k for local flood risk management during 2016/17, which has also been built into the grant settlement for the next four years.
- 5.3 This sum has been set aside in the Council's 2016/17 Central Contingency budget. It is proposed that £213k is now drawn down from this Contingency on a permanent basis to fund on-going maintenance and improvements of surface water drainage assets as set out in the table below.
- 5.4 It should be noted that within four years the Council's SFA will reduce by 52.2% and therefore the £213k budget will be reduced by at least £111k by 2019/20.

- 5.5 An additional one-off DEFRA grant of £69,482, which is not ring-fenced, has also been awarded to help support the role of Lead Local Flood Authorities as statutory consultees for the planning application process. Approval is also sought to release this sum from the Central Contingency.
- 5.6 The proposed budget for implementing the requirements of the FWMA is shown below for the next two years:

Activity	2016/17 £'000	2017/18 £'000
Review and update LBB Strategic Flood Risk Assessment - (carried over from last year)	20	0
Maintenance & improvement of surface water drainage assets, including surveys to SW drainage assets	120	160
Impounded water body review - (carried over from last year)	20	0
Contribution to Environment Agency Flood catchment initiatives/internal surface water flood risk management works & other internal surface water/flood management projects	48	48
Contribution to retro-fitted SUDS to existing residential properties (water butts)	5	5
Provision of advice for surface water drainage proposals in major developments	69	69
	282	282

6. LEGAL IMPLICATIONS

- 6.1 The London Borough of Bromley has a statutory duty under the Flooding and Water Management Act 2010, as the Lead Local Flood Authority, to develop, maintain, apply and monitor a strategy for local flood risk management within the borough.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	