

SLOUGH BOROUGH COUNCIL

REPORT TO Cabinet **DATE:** 18th November 2013

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PART I **KEY DECISION**

FLOOD MANAGEMENT UPDATE

1 Purpose of Report

- 1.1 The purpose of the report is to provide an update on Flood Management in Slough and seek Cabinet approval for the adoption of the Strategic Flood Risk Assessment 2012, the Surface Water Management Plan 2012 and the Local Flood Risk Management Strategy 2013.

2 Recommendation(s)/Proposed Action

- 2 The Cabinet is requested to consider the report which includes an update on various aspects of Flood Management in Slough and then resolve:
- (a) That the Strategic Flood Risk Assessment 2012 be approved and adopted.
 - (b) That the Surface Water Management Plan 2012 be approved and adopted.
 - (c) That the Local Flood Risk Management Strategy 2013 be approved and adopted.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Corporate Plan

3a. Slough Joint Wellbeing Strategy Priorities

Health

Increased level of flood protection delivered through the Council's approach to Flood Risk Management may lead to a reduced level of stress and anxiety of those previously at risk of flooding. Improvement to environment and biodiversity and increase in green spaces will lead to increased enjoyment of locality which may lead to improved wellbeing.

Economy and Skills

Increased flood resilience of businesses will increase uptake of appropriate levels of insurance and lead to reduced economic losses associated with flooding.

Regeneration and Environment

Flood Management plans and projects promote various forms of regeneration including retrofitting green space and increased biodiversity leading to improvements to the environment and living space.

Housing

Increase flood protection to residential properties leading to improvement in flood resilience. Increase uptake of appropriate levels of household insurance through raising awareness and education, leading to reduced economic losses associated with flooding.

Safer Communities

Increased understanding of flood risk in Slough. Reduction in flood risk through improved flood alleviation measures, emergency flood plans, and increased raising of awareness within at risk communities.

3b. Cross-Cutting themes

The core of the flood management plans and strategies promotes community engagement and empowerment promoting *Civic Responsibility*. The flood management projects require community ownership, cohesion and decision making relating to flood risk reduction measures.

The flood management plans, strategies and projects promote and facilitate *Improvements to the Image of the Town* by promoting flood reduction schemes which include the reintroduction of green space, and increased biodiversity, leading to an improving image of the town.

3c. Summary

Effective Flood Management as set out in the Surface Water Management Plan and Local Flood Risk Management Plan will provide a range of benefits to both the community and the environment that help to address a number of the key needs areas identified within the JSNA.

The activities set out within the Surface Water Management Plan will seek to improve the natural environment by increasing bio-diversity and re-introducing green space into a densely urbanised environment, addressing Social and Place needs. These improvements will encourage the community to utilise external areas more frequently, increasing physical activities such as walking, thereby addressing Lifestyle and Health needs.

The reduction in flood risk achieved through implementation of the Local Flood Risk Management Strategy will reduce anxiety and stress experienced by those 'at risk' leading to an increase in overall wellbeing, addressing Health and Wellbeing needs.

4 Other Implications

(a) Financial

The Department for Food and Rural Affairs (DEFRA) have provided the Council funding to 2015/16 to manage additional responsibilities arising from the Flood and Water Management Act 2010 (FWMA), which has made the Council the Lead Local Flood Authority. It is likely that the Council will have duties to become a Sustainable Urban Drainage System (SuDS) approval/adoption and enforcement authority from April 2014. The Council will be notified by 31 December 2013 as to what levy the Council can charge developers relating to the SuDS enactment of the Act. It is currently unclear whether this charge will cover the Council's considerable additional costs relating to this duty and the considerable costs associated with maintaining SuDS assets that are adopted from April 2014. In terms of Flood Management projects the Community Pathfinder Project running to 2015 is fully funded from a DEFRA grant and the Flood Alleviation Scheme will require seed/partnership funding by the Council. £100,000 has been allocated in the Council's capital programme, and there is likely to be the option to include land contributions in

addition or in place of the current allocation which will be determined as the projects develops.

(b) Risk Management

Risk	Mitigating action	Opportunities
Legal	Legal team consulted on key aspects of Plans and Strategies.	Increased legal support linked to the Council's duties as a Lead Local Flood Authority and a SuDS approval/adoption /enforcement body from April 2014.
Property	Engagement with housing team when developing Plans and Strategies	Use of resources alongside possible grants for installation of individual property level protection
Human Rights	None	None
Health and Safety	Early consideration of H&S implications of Flood Plans and capital schemes.	Opportunities to reduce existing H&S risk associated with flooding and watercourses.
Employment Issues	The 2013 restructure of Assets Infrastructure and Regeneration implemented in October 2013 has included a Flood Management Team and posts with the Development Team to cater for SuDS enactment from April 2014. To prepare for this it will be necessary to start the recruitment process in November/December 2013 with a view the posts will be filled before April 2014 to ensure statutory processes and procedures are in place.	Increased resources required within Highways Engineering team to support Lead Local Flood Authority functions and a SuDS approval/adoption/ enforcement body once enacted by government which is likely from April 2014 (subject to parliament review in December 2013).
Equalities Issues	Provision of information to raise awareness of flooding to communities at risk through neighbourhood and community groups, schools, and leaflets to households at risk.	Challenges of raising flood awareness and engaging with all parts of the community. Opportunities to raise awareness through the DEFRA funded pathfinder resilience funding and deliver improvements in hard to reach communities.
Community Support	Community Pathfinder Project and Flood Alleviation Scheme will both engage at risk communities seeking community ownership and involvement	Opportunities to achieve real improvements to vulnerable communities by enabling ownership of key issues and increasing community cohesion.

	relating to raising flood awareness and flood management.	
Communications	Project leads have engaged with communications team in relation to community engagement and provided articles in Citizen and leaflets for impacted households	Community Pathfinder Project and Flood Alleviation Scheme could raise concerns of Flood Risk to residents and business in Slough.
Community Safety	Community safety teams have been engaged.	Raising the profile of Flood Management/Awareness and both the Community Pathfinder Project and Flood Alleviation Scheme projects have potential to improve community safety.
Financial	Early discussions with various stakeholders (EA, Thames Water, Wildfowl & Wetlands Trust, DEFRA), to determine possible funding routes for flood risk improvement works. Although unlikely future maintenance costs of SuDS may allow Council to charge developers; this will be determined in December 2013.	The Community Pathfinder Project and Flood Alleviation Scheme have the potential to deliver considerable capital infrastructure and improvements as well as raising flood awareness. The new responsibilities under the Flood and Water Management Act 2010 including likely SuDS approval/adoption/enforcement have the potential to place significant additional resource and maintenance burdens on the Council. DEFRA have indicated that Council's will be informed of the outcome by December 14 for likely SuDS enactment in April 2014.
Timetable for delivery	Project teams closely managing delivery of key tasks.	Council has been Lead Local Flood Authority since 2010. Community Pathfinder Project to summer 2015 Flood Alleviation Scheme to 2016/2017. SUDS approval/adoption /enforcement likely from April 2014.
Project Capacity	Resources are in place and funded from grants to deliver the Community Pathfinder Project and Flood Alleviation Scheme.	Opportunities to utilise resource to achieve wider benefits to the Council.
Other	None	None

(c) Human Rights Act and Other Legal Implications
There are no Human Rights Act implications.

(d) Equalities Impact Assessment

The communities at greatest risk of flooding are being addressed as a priority regardless of background. Where undertaken, community engagement activities have been designed to ensure vulnerable and hard to reach communities are given suitable support and opportunity to participate through translation of materials to multiple languages, door to door surveys on different days/times with multilingual survey teams, and engagement through a range of community and faith groups.

5. Supporting Information

- 5.1 Following serious flooding incidents in 1998, 2000 and 2003, the Government published the Making Space for Water document in 2005. The document is a comprehensive, integrated and forward-thinking strategy for managing future flood and coastal erosion risks in England. It sets out the future agenda for implementing a new strategy over the next 20 years and beyond, taking account of the many uncertainties such as the future extent of climate change.
- 5.2 Following the extreme rainfall and subsequent floods of 2007 the Pitt Review 2008 was set up. Many of the recommendations from that review were implemented through the Flood and Water Management Act 2010 (FWMA). Under the FWMA, the Council became a Lead Local Flood Authority (LLFA) with various duties, responsibilities and powers. Funding is provided by a DEFRA grant on a year by year basis to support LLFAs in their new responsibilities. The entire Act has now been enacted apart from the SuDS responsibilities and the intention is to enact this final part of the Act in April 2014.
- 5.3 There a number of different flood management strategies, plans and documents which provide the future direction for the Council relating to flood management. The report provides an overview of these documents, their ownership and purpose. Some of these documents need to be adopted.
- 5.4 **Strategic Flood Risk Assessment 2012**
The purpose of the Strategic Flood Risk Assessment (SFRA) is to ensure that the allocation of land within the Local Development Framework, from the Core Strategy through to the Site Allocations, are made on the basis of an appropriately detailed assessment of flood risk. The SFRA ensures the formulation of appropriate development control policies for managing flood risk (from all sources) in Slough and identifies the level of detail required for site specific Flood Risk Assessments and for surface water drainage schemes.

The SFRA formed part of the evidence base for Slough's Submission Core Strategy 2009 and has now been updated to reflect changes which have occurred over the past two years. One of these changes is the National Planning Policy Framework (NPPF), which was issued in March 2012 and outlines the national policy including development and flood risk assessment. This replaced with immediate effect national policy including Planning Policy Statement 25 - Development and Flood Risk. The NPPF requires Local Plans to be supported by the SFRA and develop policies to manage flood risk from all sources.

The Strategic Flood Risk Assessment recommended to be adopted can be viewed at <http://www.slough.gov.uk/council/strategies-plans-and-policies/flooding-and-flood-risk.aspx> and due to the size of the full document an Executive Summary has been provided in Appendix B.

5.5 **Surface Water Management Plan 2012**

The Council, along with some other local authorities particularly at risk from surface water flooding, was given funding from DEFRA to assess the risk from flooding by surface water. This led to the publication of the Surface Water Management Plan (SWMP), which was based on detailed surface water modelling of catchments to the west of the town centre. Assessment of the surface water flood risk within Slough was undertaken based on historical flooding records and future flooding data obtained from the Environment Agency (EA). The assessment concluded that the Chalvey Ditch and Salt Hill Stream catchments were the critical catchments in terms of surface water flooding in Slough. The SWMP provides an understanding of the mechanism of surface water flooding and provides an evidence base to inform the planning process. In addition the SWMP can be used to ratify and improve the findings of the Preliminary Flood Risk Assessment, which is a requirement of the EU Flood Risk Regulations 2009.

The Surface Water Management Plan recommended to be adopted can be viewed at <http://www.slough.gov.uk/council/strategies-plans-and-policies/flooding-and-flood-risk.aspx> and due to the size of the full document an Executive Summary has been provided in Appendix C.

5.6 **Preliminary Flood Risk Assessment 2012**

The EU Flood Risk Regulations 2009 (FRR) came into force and transposed the EU Floods Directive into law for England and Wales. The FRR require three main pieces of work being:

- *Preliminary Flood Risk Assessment (PFRA)* – information on past floods and future flood risk from surface, groundwater and ordinary watercourses. Identification of Flood Risk Areas. Slough was not identified as a Flood Risk Area.
- *Flood Hazard and Flood Risk Maps* – where Flood Risk Areas are identified, the EA and LLFA are required to produce hazard and risk maps for the Indicative Flood Risk Areas by 22nd December 2013. This does not apply to Slough.
- *Flood Risk Management Plans* – where Indicative Flood Risk Areas are identified a Flood Risk Management Plan needs to be produced by 22nd December 2015. This is not applicable to Slough.

The Preliminary Flood Risk Assessment has been completed and accepted by the EA and can be found on the EA website with a link from the Councils website at <http://www.slough.gov.uk/council/strategies-plans-and-policies/flooding-and-flood-risk.aspx> and due to the size of the full document an Executive Summary has been provided in Appendix D.

5.7 **Local Flood Risk Management Strategy 2013**

The FWMA places a duty on LLFAs to develop strategies for flood risk. Local Flood Risk Management Strategies (LFRMS) should encourage more effective risk management by enabling people, communities, business and the public sector to work together. The local strategies must be consistent with the National Flood and Coastal Erosion Risk Management Strategy which was approved by Parliament in July 2011.

The LFRMS is a statutory requirement under the FWMA and is designed to bring together the understanding of flooding in the local area, identify who is responsible for addressing flooding issues and explore how flood risk can be managed within Slough. The focus of the LFRMS is on 'local flooding' from surface water, groundwater or ordinary water courses such as streams and ditches, but it also deals with how this type of flooding interacts with flooding from main rivers. The LFRMS impacts on the activities of

all flood risk management authorities including; Councils; the EA; Highways Authorities; Water Authorities; and Internal Drainage Boards. These bodies all have a duty to act consistently with the local strategy when undertaking their flood and coastal erosion risk management functions and have a 'duty to have regard for the strategy' when discharging other duties that may affect flood and coastal risk, for example spatial planning and development.

The LFRMS has been out to public consultation during mid 2013 and comments have been addressed. The Local Flood Risk Management Strategy recommended for adoption can be viewed at <http://www.slough.gov.uk/council/strategies-plans-and-policies/flooding-and-flood-risk.aspx> and due to the size of the full document an Executive Summary has been provided in Appendix E.

5.8 **Other Relevant Plans and Legislation**

These relate to and are important within the context of flood management and impact upon the work in Slough. They are not the direct responsibility of the Council as a LLFA but the Council is required to have a good understanding of the legislation and requirements. They include the Water Framework Directive 2007 (WFD) and the responsibilities for the Council and plans produced under this legislation.

River Basin Management Plans

A River Basin Management Plan (RBMP) is being produced for each river basin district every six years by the EA. The plan relevant to Slough is the Thames RBMP. The plan describes the river basin district, and the pressures that the water environment faces. It shows what this means for the current state of the water environment in the river basin district, and what actions will be taken to address the pressures. It sets out what improvements are possible by 2015, and how the actions will make a difference to the local environment including the catchments, estuaries, the coast and groundwater. River Basin Management is a continuous process of planning and delivery. The WFD 2007 introduces a formal series of 6 year cycles. The first cycle will end in 2015 when, following further planning and consultation, the plan will be updated and reissued.

Catchment Flood Management Plans

Catchment Flood Management Plans (CFMP) give an overview of the flood risk in river basins and are produced by the EA. They recommend ways of managing those risks now and over the next 50-100 years. The CFMP relevant to Slough is the Thames CFMP. The role of the CFMP is to establish flood risk management policies which will deliver sustainable flood risk for the long term. The CFMP identifies flood risk management policies to assist all key decision makers in the catchment.

5.9 **Slough Flood Alleviation Scheme Project**

This initiative is a partnership project with the EA and Thames Water (TW) to identify structural solutions for fluvial and surface water flooding. These solutions could include storage or attenuation of water in the upper parts of the catchment and the use of open spaces such as parks. The project commenced in 2012 and is currently in the feasibility stage with baseline flood risk modelling of combined surface and fluvial flood risk, building on the SWMP modelling and identification of a "long-list" of options. The Council have committed £100,000 to the costs of design and construction in 2014/15 and are providing data, staff time and expertise to the project. The provision of park and open land owned by the Council for infrequently used flood storage areas, as an in-kind contribution, is being considered as part of the options process. The feasibility part of the project is costing £450,000 and is being funded by local levy via the Regional Flood and Coastal Committee.

After the completion of the feasibility project, approval to proceed to detailed design and construction will be considered by the Project Approval Board (PAB) of the Environment Agency. The approval will be subject to the economic and business case for the project being robust and achievable. If approval is granted the project will be in the region of £5-£10 Million of local investment. Funding may be through a combination of DEFRA Grant in Aid, Local Levy contribution, private investment and LA investment. At present this Council has set aside £100,000 for this part of the project. On current timescales the PAB will be in summer 2014 with detailed design in 2014/2015 and construction from 2015/2016 onwards.

5.10 Community Pathfinder Project

The Council was one of only 13 Councils nationally that successfully bid for and secured £253,000 of DEFRA funding in April 2013 to deliver this project over 2 years to the summer of 2015. The project plan which formed part of the successful bid involves engaging with three local communities which are at risk of flooding: Chalvey; Manor Park and Upton Lea. The primary objectives of the projects are: obtaining a better understanding of the most at risk and vulnerable communities within Slough; encouraging community ownership of flood risk; assisting the community in understanding the level of flood risk and options available to reduce that risk; supporting the community in choosing options to reduce risk; leaving a legacy for the community. Progress so far has seen residents take part in a door to door survey to understand the level of flood awareness in the community; engagement with the local communities at residents meetings, community events such as the Big Saturday and in local schools. The ongoing work will be focused on understanding the community needs, creating community led flood groups and wardens with training in the community, and working with the schools to create projects and a website on raising flood awareness. The overall objective of the project is to raise flood awareness and promote community ownership relating to flood resilience.

5.11 Sustainable Drainage Systems

The latest indication from government is that the final enactment of the FWMA which relates solely to SuDS will be enacted in April 2014 subject to parliamentary approval from Regulatory Policy Committee in December 2013. If enacted as planned the Act will require a SuDS Approving Body (SAB) to be established by the Council and be operational by April 2014. The SAB would have responsibility for the approval of proposed SuDS/drainage systems in new developments and redevelopments, subject to SuDS exemptions and thresholds yet to be finalised. Developers will be required to pay a fee for the initial approval of the SuDS on a development site. It is intended that this income will fund the application process and the required additional staff posts. Approval must be granted by the SAB before the developer can commence construction. The Council would be expected to inspect the SuDS systems being installed to ensure the system complies with the drawings and specifications approved by the SAB. Once satisfactorily constructed the Council would adopt and be responsible for maintaining the SuDS system in perpetuity. The process and system would be similar to the current granting of planning permissions and subsequent construction and adoption of roads arising from development. SuDS systems can be very costly and intensive to maintain and the SAB must be mindful of maintenance liabilities when approving SuDS applications. It is likely the cost of maintaining SuDS systems approved and constructed from April 2014 will be borne by the Council. It is unclear until December 2013 if Councils will be able to charge developers commuted sums for additional maintenance burdens associated with funding SuDS.

6 Conclusion

The report includes an overall update on various aspects of Flood Management in Slough including the significant changes and new duties arising from the Flood and Water Management Act 2010 and Flood Management projects underway. By adopting the three strategies/plans as recommended within the report the Council will be ensuring compliance with its new statutory obligations and other Flood Management obligations.

7 Appendices Attached

Appendix A	Flood Management Matrix
Appendix B	Executive Summary of Strategic Flood Risk Assessment 2012
Appendix C	Executive Summary of Surface Water Management Plan 2012
Appendix D	Executive Summary of Preliminary Flood Risk Assessment 2012
Appendix E	Executive Summary of Local Flood Risk Management Strategy 2013

9 Background Papers

None.