

REPORT TO CABINET

Title: **FLOOD MONITORING**

Date: **25 November 2010**

Member Reporting: **Councillor C Rayner**

Contact Officer(s): **David Perkins, Head of Operations**
Tel: 01628 686860

Wards Affected: **All**

1. SUMMARY

1.1 This report provides an update on actions taken with regard to flooding since the last Flood Monitoring Report at May 2010 Cabinet including:

- The Floods & Water Management Act 2010
- The Flood Risk Regulations 2009 / Preliminary Flood Risk Assessments
- Funding & Grants Update
- Flood Group Update and communications with Defra
- Update on Capital Schemes
- Amendments to Flood Risk Maps
- Update on the Lower Thames Flood Risk Management Strategy
- The EA's proposed works on the Battle Bourne Embankment

2. RECOMMENDATION:

That the contents of the report be noted.

What will be different for residents as a result of this decision?
--

Residents will be made aware of the actions taken by the Council to reduce the risk of flooding and the work being undertaken by the Council in conjunction with other agencies.
--

3. SUPPORTING INFORMATION

3.1. Flood and Water Management Act 2010.

3.1.1 While the Flood and Water Management Act 2010 (the Act) received Royal Assent on 8th April 2010 it has to be commenced by Ministerial Order before coming into

effect. The Department for Environment Food and Rural Affairs (DEFRA) wrote to all Local Authorities in England on 16th September 2010 with details of the commencement timetable for the Act.

- 3.1.2 The first stage of the Act commenced on 1st October 2010. The parts of the Act that have come into effect focus on definitions, the activation of statutory instrument making powers, the requirement for the Environment Agency to prepare a National Flood and Coastal Erosion Risk Management Strategy for England and the requirement for Lead Local Flood Authorities (Unitary and County Councils) to prepare Local Flood Risk Management Strategies. It is anticipated that work undertaken by Lead Local Flood Authorities in developing their Local Flood Risk Management Strategies will initially focus on the preparation of Preliminary Flood Risk Assessments.
- 3.1.3 It is expected that the remaining parts of the Act relating to local flood risk management (with the exception of the requirements relating to sustainable drainage) will come into effect in April 2011. While this will place significant new burdens upon the Council the Government has indicated that these burdens will be fully funded. Details of the level of funding to be made available and how this funding will be distributed are however yet to be announced.
- 3.1.4 It is currently anticipated that the requirements relating to sustainable drainage (the SUDs Approving Body role) will not come into effect until April 2012. Lead Local Flood Authorities are however expected to develop their capability relating to sustainable drainage systems before this date.
- 3.1.5 A further Ministerial Order, the Flood Risk Management Functions Order 2010, has the effect of bringing the requirements of the EU Floods Directive (previously transposed into English Legislation by the Flood Risk Regulations 2009) within the scope of the provisions of the Flood and Water Management Act 2010.

3.2 The Flood Risk Regulations 2009 / Preliminary Flood Risk Assessments

- 3.2.1 The Flood Risk Regulations 2009 require that all Lead Local Flood Authorities prepare a Preliminary Assessment Report in relation to flood risk in their area by 22nd June 2011.
- 3.2.2 Lead Local Flood Authorities must identify significant flood risk areas based on guidance to be issued by the Secretary of State. Officers attended a DEFRA workshop on 24th September and provided feedback on the proposed methodology / criteria to be used in determining areas considered to be at significant risk of flooding. Once approved, the national criteria and further guidance will be issued to Lead Local Flood Authorities by DEFRA.
- 3.2.3 While the exact methodology / criteria to be used are still unclear it is proposed that the Environment Agency will issue Lead Local Flood Authorities with indicative Flood Risk Areas based on the national criteria and nationally held data. Lead Local Flood Authorities will then need to review these areas taking account of local flood risk data. Flooding from all sources should be taken into account, except main rivers and large reservoirs (unless flooding from a main river or large reservoir interacts with

flooding from another source in which case it should be taken into account). The Environment Agency will be responsible for identifying areas at significant risk of flooding from main rivers and large reservoirs.

- 3.2.4 Lead Local Flood Authorities will be required to produce flood hazard and flood risk mapping (involving detailed mathematical modelling) for each area identified as being at significant risk by 22nd June 2013. Lead Local Flood Authorities will also be required to produce Flood Risk Management Plans for each area identified as being at significant risk by 22nd June 2015. It is therefore important that the areas identified as being at significant risk of flooding are meaningful.

3.3 Funding and Grants

- 3.3.1 The Council received a payment of £20,000 from DEFRA on 1st October 2010 for the preparation of the Preliminary Flood Risk Assessment (referred to above).
- 3.3.2 An application for funding of a detailed feasibility study relating to the Horton and Wraysbury Drains has been submitted to the Environment Agency under the Flood Defence Grant in Aid scheme. A determination relating to this application has not yet been received.

3.4 Flood Group

- 3.4.1 At the Flood Group meeting on 16th June 2010 an Officer informed the group that Wycombe District Council had commissioned an independent consultant to assess the Marlow Flood Alleviation scheme. Therefore, the Council withdrew the holding objection and issued a briefing note to Parish Councils on the matter.
- 3.4.2 At the meeting on 21st September 2010 the Environment Agency confirmed that the Marlow Flood Alleviation scheme would not be progressing due to funding restrictions.
- 3.4.3 The key item covered at the meeting on 21st September 2010 was the identification of the critical watercourses to be included as part of the Council's Local Flood Risk Management Strategy.
- 3.4.4 The Parish Flood Group representatives raised the issue of insurance. It was agreed to invite the National Flood Forum to make a presentation on this matter at a future meeting. The group agreed that the Council's Emergency Planning Officer would attend the next Parish Flood Group meeting to discuss the Flood Warden Scheme. The group were also informed of Exercise Watermark the national emergency flood exercise due to take place in March 2011. The exercise is designed to include local community involvement. It was agreed to consider a number of riverside parishes participating in the exercise.
- 3.4.5 Richard Benyon, the Minister for Natural Environment and Fisheries has accepted an invitation from the Lead Member for Highways and Streetcare to attend a future meeting of the Flood Group.

- 3.4.6 The Chairman will raise at the next meeting concerns about damage being done to the highway drainage infrastructure by some utility companies and their sub contractors as this can result in local flooding of the highway.

3.5 Capital Schemes: Highway Drainage

- 3.5.1 Works have recently commenced on a small scheme to address poor drainage of the footway in Cookham Road, Maidenhead (between Kennet Road and the A4 St.Cloud Way). An order has also recently been placed for a highway drainage scheme to alleviate flooding of the carriageway on the junction of Cheapside Road and New Mile Road, Ascot, and works should commence at this location shortly.

3.6 Amendment to Flood Risk Maps

- 3.6.1 The Environment Agency's August 2010 update to the Flood Map for England and Wales shows minor changes to the extent of flooding within the Hurley and Walthams, and Horton and Wraysbury wards. The Planning Policy Manager, in consultation with the Lead Member for Planning and Development, has formally noted and approved the new dataset for use. Notification of the new dataset has been sent to all parish and town councils and the development control panels.

3.7 Lower Thames Flood Risk Management Strategy

- 3.7.1 The Lower Thames Flood Risk Management Strategy was submitted to the Environment Agency's Major Projects Review Group in February 2010. It has since been recommended for approval by the Major Projects Review Group. Subject to approval by DEFRA, and funds being made available, the first stage of the flood plain management work should begin in 2012. The structural engineering works should begin in 2017 at the earliest.

3.8 Battle Bourne Embankment

- 3.8.1 The Environment Agency is finalising the preferred option to restore the embankment. Alignment of the flood defence will be mostly along its existing alignment apart from where there are significant trees. Subject to approval, detailed design will start in the summer of 2011 and construction will start in 2012.

3.9 Other Flood Issues: The Cut

- 3.9.1 In September 2010, the EA began a flood risk mapping study for The Cut catchment. Current flood zones on The Cut were generated as part of a national study in 2004, thus the new mapping will be used by the EA to improve the National Flood Risk Assessment (NaFRA) which calculates the likelihood of flooding within the Extreme Flood Event Outline (Flood Zone 2). The 1% and 0.1% probability extents will also be used to update Flood Zones for PPS25, to improve local flood warning services, advise on flood risk, target flood risk awareness campaigns and assist in the planning, design, construction and maintenance of flood defences.
- 3.9.2 The Council will be able to use the new data to make informed planning and development decision and will be made available for use in Strategic Flood Risk

Assessments and Preliminary Flood Risk Assessments. Emergency Services will be able to use the data to prepare emergency plans and to direct resources to the most important locations during flood events whilst members of the Public will have access to the new data through the Flood Map which can raise awareness and encourage people in flood prone areas to take appropriate action, and enable them to make informed decisions on fluvial flood risk. The model data can also be requested for use in site specific Flood Risk Assessments.

3.9.3 The catchment will be modelled in two parts, one model for the Bracknell area and one for the Holyport area.

4. OPTIONS AVAILABLE AND RISK ASSESSMENT

4.1 Options

	Option	Comments	Financial Implications
1.	Do nothing	Failure to comply with the Floods and Water Management Act 2010.	Revenue: None Capital: None
2.	Approve the recommendations contained in this report and support the work of the Flood Group.	This would enable a range of measures to be progressed to alleviate flooding in the borough.	Revenue: None Capital: None

4.2 Risk assessment

4.2.1 Now that the Floods and Water Management Act 2010 has been enacted, the Council is obliged to undertake a number of statutory duties. Without any additional Government funding it is unlikely that the council will be able to fulfil these new obligations.

5. CONSULTATIONS CARRIED OUT

5.1 Consultation on a wide range of flooding issues has been undertaken through the Council's Flood Group.

6. COMMENTS FROM OVERVIEW AND SCRUTINY PANEL

6.1 To be added following the O&S Panel meeting on 8th November 2010.

7. IMPLICATIONS

The following implications have been addressed where indicated below.

Financial	Legal	Human Rights Act	Planning	Sustainable Development	Diversity & Equality
✓	✓	✓	✓	✓	✓

Background Papers:
Floods & Water Management Act 2010