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To: Environment, Highways & Waste Cabinet Committee

Date: 23 April 2013

Subject: Local Flood Risk Management Strategy

Classification: Unrestricted

Summary:

The Local Flood Risk Management Strategy is a requirement for Kent County Council in its new statutory capacity as Lead Local Flood Authority. It sets out a strategy for managing local flood risk (defined as flooding from surface water, groundwater and ordinary watercourses) in the county. The Local Strategy sets objectives for the management of local flooding and an action plan for KCC and other agencies in Kent to deliver these objectives.

Recommendation:

Cabinet Committee Members are invited to comment on the Local Strategy prior to its submission to Cabinet in May 2013 for formal adoption.

1. Introduction

The Local Flood Risk Management Strategy (the Local Strategy) is a requirement of the Flood and Water Management Act 2010 (the Act) for Kent County Council. It is part of our new role as Lead Local Flood Authority (LLFA) to oversee local flooding, which is flooding from surface water, ordinary watercourses and groundwater.

As part of our LLFA role, KCC has already undertaken the Preliminary Flood Risk Assessment (PFRA), reported to Cabinet in July 2011. The PFRA for Kent was published in August 2011 *and identified Kent as the most at risk Lead Local Flood Authority*, with approximately 76,000 properties at risk of surface water flooding.

The Local Strategy that sets out how these local flood risks will be managed in the county, how this will be delivered and how it will be funded. We have prepared the Local Strategy in partnership with other Risk Management Authorities in the county; consultation on the draft concluded in February 2013.

This paper provides an overview of the Local Strategy, drawing attention to specific sections of interest to the Authority. A copy of the final draft Local Strategy is

attached. Cabinet Committee Members are invited to comment on the Local Strategy prior to formal adoption in May 2013.

2. Background

The Flood and Water Management Act 2010 makes County and Unitary authorities Lead Local Flood Authorities, with a role to work alongside the Environment Agency and other risk management authorities to manage the risks of flooding.

The role of the Environment Agency is to provide a national strategic overview of all flood risk in England, which includes:

- Providing a National Strategy for all forms of flood risk management;
- Overseeing the distribution of grant funds for flood defence works; and
- Reporting on the progress and delivery of flood risk management in England.

The Environment Agency also has a local role to manage the flood risks from main rivers and the sea.

The new role of the Lead Local Flood Authority gives KCC a strategic overview role for local flooding (flooding from surface water, ordinary watercourses and groundwater). As Lead Local Flood Authority, KCC has flood risk management powers and duties, which include:

- Providing a Local Strategy for managing local flood risk;
- A duty to investigate flooding;
- Powers to regulate ordinary watercourses;
- A duty to maintain a register of structures and features, and
- A role to promote sustainable drainage.

3. The local strategy

3.1. Requirements

The Local Flood Risk Management Strategy must be consistent with the Environment Agency's National Strategy. The National Strategy sets out how all flood risks and coastal erosion will be managed in England.

The Act sets out the minimum that a local strategy must contain and, in accordance with this, the Kent Local Flood Risk Management Strategy details:

- The risk management authorities in the relevant area.
- The flood and coastal erosion risk management functions that may be exercised by those authorities in relation to the area.
- The objectives for managing local flood risk and the measures proposed to achieve those objectives.
- How and when the measures are expected to be implemented.
- The costs and benefits of those measures, and how they are to be paid for.

- The assessment of local flood risk for the purpose of the strategy.
- How and when the strategy is to be reviewed.
- How the strategy contributes to the achievement of wider environmental objectives.

3.2. Objectives

The Local Strategy sets out the following objectives for flood risk management in Kent (see Section 4 of Strategy), which all Risk Management Authorities in the county must act consistently with:

1. Improving the understanding of the risks of flooding from surface runoff, groundwater and ordinary watercourses in Kent.
2. Reducing the impact of flooding on people and businesses in Kent.
3. Ensuring that development in Kent takes account of flood risk issues and plans to effectively manage any impacts.
4. Providing clear information and guidance on the role of the public sector, private sector and individuals in flood risk management in Kent and how those roles will be delivered and how authorities will work together to manage flood risk.
5. Ensuring that emergency plans and responses to flood incidents in Kent are effective and that communities understand the risks and their role in an emergency.

The local strategy aims to coordinate the work of KCC with the Environment Agency, local authorities, water companies, internal drainage boards and other partners to better understand flood risk in the county and provide effective solutions to protect the people and economy of Kent from flooding.

3.3. Summary

The Local Strategy gives an overview of the flood risk in Kent, with signposts to more information, it outlines who else in the county has flood risk management functions and it sets out how KCC will exercise the new duties and powers given to us by the Act (see section 5 of Strategy).

The Local Strategy also applies a local flood risk policy to areas of the county to enable us as LLFA to prioritise action. These policies are determined according to the complexity of local flood risk. These policies are described below:

Policy 1 Areas with complex local flood problems	The local flood risks in these areas will be investigated as a priority. An action plan of feasible options to manage the identified risks will be developed.
Policy 2 Areas with moderate local flood problems	The local flood risks in these areas will be dealt with by ensuring the relevant risk management authorities work together to investigate the problems.
Policy 3 Areas with low	Flooding in these areas will be monitored and problems will be dealt with reactively by the appropriate authority.

local flood risk

Where further investigations are required they will be undertaken through Surface Water Management Plans. These policies will be kept under review.

Given the size and complexity of the local flood risks in Kent we have proposed that specific local actions and policies are identified and delivered through the aforementioned Surface Water Management Plans, not the Local Strategy.

3.4. Action plan

The Local Strategy includes a 12 month action plan (see section 9 of Strategy) to deliver the objectives, which is split into three parts:

1. The actions KCC will deliver countywide to meet the objectives of the Flood and Water Management Act.
2. The local actions that KCC will undertake to better understand flood risks, including Surface Water Management Plans.
3. The actions KCC will deliver in partnership with other risk management authorities.

The action plan will be reviewed annually.

4. Funding

As a LLFA, we receive an annual area based grant of £750,000 from Defra to undertake the new duties set out by the Act. This grant is in place for the next two financial years and will be used to fund KCC's actions identified in the Local Strategy.

The Local Strategy sets out how flood risk management issues will be investigated and how KCC will fund these, limiting our commitment to the initial investigation (within the available budget). Any further work identified beyond this will need to be at least part funded through the government's flood defence grant in aid scheme, which may require other local contributions.

The current action plan for 2013/14 is achievable within the annual Defra grant.

5. Consultation

The draft Local Strategy was developed with the overview of KCC's Flood Risk Management Committee, which includes representatives from the district authorities in Kent, and the Kent Flood Partnership, which is a committee of officers from the Risk Management Authorities in Kent.

The Local Strategy has just completed its statutory public consultation. The comments received were generally supportive with a few welcome suggestions for improvement.

The current draft Local Strategy is appended to this paper; it will be revised in light of the consultation responses in time for the EHW Cabinet Committee on 23 April. The Local Strategy is scheduled for the 24 May Cabinet meeting. This Local Strategy will be in place for three years and reviewed in 2016.

Recommendations:

Cabinet Committee Members are invited to comment on the Local Strategy prior to its submission to Cabinet in May 2013 for formal adoption.

Background Documents:

The Flood and Water Management Act:

http://www.legislation.gov.uk/ukpga/2010/29/pdfs/ukpga_20100029_en.pdf

National Strategy for Flooding and Coastal Erosion Risk Management, Environment Agency: www.environment-agency.gov.uk/research/policy/130073.aspx

Draft Local Flood Risk Management Strategy for Kent; KCC, 2013

Preliminary Flood Risk Assessment for Kent, KCC, 2011:

www.kent.gov.uk/flooding_pfra

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