

<b>SUBJECT:</b>	<b>Flood and Water Management Act</b>
<b>REPORT OF:</b>	<b>Officer Management Team - Director of Services Prepared by - Head of Environment</b>

## 1. Purpose of Report

- 1.1 The purpose of this report is to provide Members with an update of the progress being made by the Bucks Strategic Flood Management Group.

## 2. Links to Council Policy Objectives

- 2.1 Working with partners across Bucks will help us to achieve the Council's aim to make our environment measurably cleaner, healthier and managed in a way to preserve it for future generations.

## 3. Background

- 3.1 The Flood and Water Management Act was introduced in April 2010 following the report by Sir Michael Pitt. The Act establishes the County Council as the Lead Local Flood Authority, while District Councils retain responsibility for managing local ground water flooding incidents and the role in ensuring that ordinary watercourses are kept clear and flowing.
- 3.3 Funding is allocated to the lead flood authority in order to develop a countywide flood plan and to ensure that all available information and good practice is gathered and shared across the districts.
- 3.4 The lead local flood authority is responsible for developing and maintaining a strategy for local flood risk management in its area to include:
  - Surface run off
  - Groundwater
  - Ordinary Watercourses
- 3.5 All authorities are required to co-operate with other relevant authorities in the exercise of their flood and coastal erosion risk management, for Buckinghamshire this is achieved via a Strategic Flood Management Group (SFMG) which includes representatives of each local authority and the relevant regulators.
- 3.6 As one of the first tasks for the SFMG, a Preliminary Flood Risk Assessment (PRFA) has been developed and was approved by Bucks County Council on 8<sup>th</sup> July 2011.

## 4. Proposal/Discussion

- 4.1 A report was presented to Bucks County Council's Cabinet Member for Planning and Transportation on 8<sup>th</sup> July 2011 recommending the approval of the PFRA
- 4.2 The PFRA report is an assessment of past and potential future flooding events across Buckinghamshire looking at local sources of flood risk, primarily from surface runoff caused by intense rainfall, high groundwater levels and out-of-bank flows from ordinary watercourses. It maps past and possible future floods and

high level indications of possible consequences and is used to inform where the risk of flooding has been significant, and could be again in the future.

- 4.3 The report brings together a variety of existing resources and making them accessible in order to help to identify the risk of potential flooding in the future. The majority of incidents in South Bucks relate to areas of historic road and land flooding and are outlined in tables B6 to B11 attached to the PFRA report. These tables are supported by a GIS based mapping system which will ultimately link with both the County's transportation maps and our own mapping system.
- 4.4 The County Council have consulted relevant authorities through the Local Area Forums and via Local Members. Relevant views have been taken into account and were included in the final report as appropriate.
- 4.5 A copy of the full PFRA report as approved and submitted to The Environment Agency has been placed in the Members' Room.
- 4.6 This is the first step in developing a Local Flood Risk Strategy, which will set out how local flood risk will be managed across Buckinghamshire. In addition to the PFRA, Surface Water Management Plans are being prepared for the highest risk areas in High Wycombe and Chesham.
- 4.7 Given the potential additional publicity surrounding flooding as a result of the PFRA, there is a potential for an increased expectation of action by the authority in relation to riparian owned ditches. The Council has agreed previously that we would try to encourage the relevant riparian owners to carry out maintenance to watercourses as required rather than enforcing notices by carrying out works in default and attempting to recover expenditure.
- 4.8 As part of the continuing work of the Bucks Strategic Flood Management Group specific projects are in hand to address resourcing issues across authorities, eg. The assessment of applications for sustainable urban drainage systems (SUDS). Aylesbury and Wycombe Councils have established processes in place while resources at South Bucks are limited.
- 4.9 As part of their role as a lead flood authority Bucks County now have similar powers under the Flood and Water Management Act to those available to South Bucks under the Land Drainage Act. As a result there is an expectation that there will be a need for consistency in which the powers are exercised across authorities in Buckinghamshire. Members may wish to note that should there be a significant change in the approach to enforcement we would need to consider making resources available for enforcement work.

## **5. Resources, Risk and Other Implications**

- 5.1 The risks associated with this matter are around the Council's ability to respond to an emergency flooding situation. The Civil Contingencies Act places a duty on the authority to have contingency plans in the event of an emergency including responsibility for local flood risk management.
- 5.2 The PFRA report raises the profile of potential flooding and may in turn lead to a greater anticipation that both county and district councils will act to mitigate in all flood prone areas. Should there be a need for more intrusive intervention relating to the enforcement of to watercourses this will obviously have unmet resource implications.

- 5.3 The production of this report and submission to Environment Agency meets the statutory duty for each authority under the Flood and Water Management Act.
- 5.4 The flood risk maps identify areas which are at risk of flooding and therefore could have potential impact on insurance and property values.

## 6. Summary

- 6.1 Members are asked to consider the informal approach to enforcement relating to watercourses and advise the portfolio holder whether they consider that there is a need to reconsider our approach to enforcement to a more intrusive intervention bearing in mind there will be resource implications.
- 6.2 This report is to bring the PFRA for Buckinghamshire to the attention of Members of the Policy Advisory Group, which is asked to note its contents.

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<b>Background Papers:</b>	PFRA Report