



**Meeting:** Council

**Date:** 5 February 2015

**Wards Affected:** All Wards in Torbay

**Report Title:** Torbay Council Local Flood Risk Management Strategy

**Is the decision a key decision?** Yes

**When does the decision need to be implemented?** After the call-in period has expired

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## 1. Purpose and Introduction

1.1 Torbay Council as a Unitary Authority is classified as a Lead Local Flood Authority under the Flood and Water Management Act 2010. In order for Torbay Council to meet its statutory duties to manage flood risk and deliver the requirements of the Flood and Water Management Act a Local Flood Risk Management Strategy (LFRMS) for Torbay must be produced. The LFRMS provides a high level strategy for addressing flood risk from local sources including surface water, groundwater and ordinary watercourses.

## 2. Proposed Decision

2.1 That the Local Flood Risk Management Strategy for Torbay set out in Appendix 1 to the submitted report be approved.

## 3. Reason for Decision

3.1 Torbay Council as a Unitary Authority has been designated as the Lead Local Flood Authority (LLFA) for Torbay and under Section 10 of the Flood and Water Management Act 2010 (FWMA) and is required to develop, maintain, apply and monitor a Local Flood Risk Management Strategy (LFRMS) for Torbay.

## Supporting Information

### 4. Position

- 4.1 Under the Flood and Water Management Act 2010 (FWMA), Torbay Council now has new powers and responsibilities for coordinating local flood risk management. The Council are now a Lead Local Flood Authority and have a responsibility to work with local partners to better manage local flooding.
- 4.2 One of the key requirements to the new responsibilities is the requirement to ‘develop, maintain, apply and monitor a strategy for local flood risk management’ in Torbay.
- 4.3 It is not economically, technically, socially or environmentally feasible to wholly prevent flooding. However, the Council can reduce and mitigate the impacts of flooding through good planning, management and effective investment. The Local Flood Risk Management Strategy (LFRMS) sets out how the Council will meet its responsibilities.
- 4.4 Torbay Council’s responsibility and the focus of the Strategy is the management of local flooding. By this it means flooding from surface water, groundwater and ordinary watercourses. These types of local flooding are becoming increasingly common, through more intense localised rainfall events. The most severe flooding is often caused when different types of flooding combine.
- 4.5 The aim of this Strategy is to help manage flood risk in a way that will benefit people, property and the environment. The following outcomes have been developed to support this aim. These outcomes will be used to guide the development and implementation of the Strategy.
1. To improve the understanding of local flood (surface water, groundwater and ordinary watercourse) and coastal risks.
  2. Increasing individual and community awareness and preparedness for flood and coastal erosion events and the impacts of climate change of flood risk.
  3. To collaborate with Flood Risk Management Authorities stakeholders and the public to reduce flood and coastal risks and share data and resources to the greatest benefit.
  4. To reduce the impact and consequences for individuals, communities, businesses and the environment from flooding and coastal erosion.
  5. To ensure that planning decisions are properly informed by flooding issues and the impact future planning may have on flood risk management and long term developments.
  6. Improve and/or maintain the capacity of existing drainage systems by targeted maintenance.
  7. Take a sustainable approach to flood risk management balancing economic, environmental and social benefits.
  8. Increase approaches that utilise the natural environment.

9. Ensure the development of skills required to implement effective and innovative flood risk management measures.
10. Identify projects and programmes which are affordable, maximising capital funding from internal and external sources.

- 4.6 Within the LFRMS the general measures Torbay Council have or will put in place to achieve the Strategy outcomes outlined above are identified in detail. Some of these measures are already being delivered, others are new commitments. The main LFRMS document provides further details.
- 4.7 The development of the Strategy has been overseen by the Torbay Council Flood Steering Group which includes representatives from Torbay Council (both officers and members), the Environment Agency and South West Water. Before the Strategy was finalised it was important that everyone had a chance to comment, therefore the draft Strategy was open to public consultation from early November until 19 December 2014. Following this consultation process the LFRMS has been finalised.
- 4.8 Following the adoption of the Strategy by the Council there will be an annual review of actions plans, plus periodic reviews of the Strategy as a whole.

## **5. Possibilities and Options**

- 5.1 As failure to publish the Local Flood Risk Management Strategy (LFRMS) for Torbay would result in non compliance with the statutory obligations as set out in the Flood and Water Management Act 2010 there are no alternative options available.

## **6. Fair Decision Making**

- 6.1 Initial consultation on the LFRMS has been undertaken through the Council's Flood Steering Group with Council officers, Members, the Environment Agency and South West Water.
- 6.2 As required under the National Flood and Coastal Erosion Risk Management Strategy for England, before publication of the LFRMS public consultation must be carried out. The draft Strategy was open to public consultation from early November until 19 December 2014. Following this consultation process the LFRMS has been finalised.
- 6.3 The recommendation will have no detrimental effect on equalities, environmental sustainability or crime and disorder.
- 6.4 There are no significant implications for other business units as a result of the publication of the Torbay LFRMS, however, services such as Harbours and Development Control will need to be aware of the contents of the strategy.

## **7. Public Services (Social Value) Act 2012**

- 7.1 The production of the LFRMS has been undertaken by staff within the Engineering Section of the Street Scene Service using existing resources.
- 7.2 The production of the LFRMS for Torbay is required to comply with the new statutory obligations allocated to all Lead Local Flood Authorities under the Flood and Water Management Act 2010. Funding for compliance with these new statutory obligations has been provided to all Lead Local Flood Authorities including Torbay Council by central Government. The implementation of these new statutory obligations will be undertaken by staff within the Engineering Section of the Street Scene Service using existing resources.

## **8. Risks**

- 8.1 Failure to publish the LFRMS for Torbay would result in Torbay Council failing to comply with their statutory duties under the Flood and Water Management Act 2010.

### **Appendices:**

Appendix 1 Torbay Council Local Flood Risk Management Strategy

Appendix 2 Equality Impact Assessment

### **Additional Information:**

None

### **Background Papers:**

The following documents/files were used to compile this report:

Floods and Water Management Act 2010

National Flood and Coastal Erosion Risk Management Strategy for England

Flood Risk Regulations 2009

Torbay Council Preliminary Flood Risk Assessment Report, dated June 2011

Environment Agency Maps identifying the following data:

- Areas Susceptible to Surface Water Flooding
- Flood Maps for Surface Water
- Areas Susceptible to Groundwater Flooding
- Flood Map for Planning (Flood Zone Maps)

Torbay Council Level 1 Strategic Flood Risk Assessment dated October 2008

Torbay Council Level 2 Strategic Flood Risk Assessment dated December 2010