



City of Westminster Cabinet Member Report

Meeting or Decision Maker:	Cabinet Member for City Highways
Date:	22 November 2017
Classification:	General release
Title:	Local Flood Risk Management Strategy
Wards Affected:	All
Key Decision:	An entry was included in the Forward Plan for Key Decisions on Wednesday 13 November 2017.
Financial Summary:	No direct financial implications associated with the report
Report of:	<i>Kevin Goad - Highways Infrastructure Manager</i>

1. Executive Summary

1.1 As part of its obligation as a Lead Local Flood Authority (LLFA) under the Flood and Water Management Act (2010), the City Council is required to undertake risk management duties to assess, minimise, mitigate, manage and monitor flood risk, particularly surface and ground water flooding and flooding from ordinary watercourses. To demonstrate the City Council is performing its duties as a LLFA it must have certain documents in place, this includes a Local Flood Risk Management Strategy and Action Plan (LFRMS). The purpose of the LFRMS is to demonstrate the City Council:-

- Understands the level of local flood risk in its area.
- Takes a sustainable approach to flood risk management taking account of likelihood of flooding versus the risk of harm to people, the economy and environment.
- Promotes preparedness and resilience to local flood risk.
- Ensures the planning process takes full account of local flood risk.

- Adopts a collaborative approach to manage flood risk with partners, businesses and residents.
- 1.2 A draft of the LFRMS has been through a six week public consultation period. The LFRMS attached to this report and its contents are submitted for approval by the Cabinet Member for City Highways as council policy.

2. Recommendations

- 2.1 It is recommended that the LFRMS attached to this report is approved by the Cabinet Member for City Highways for publication on the City Council's website. The approved LFRMS will be in place for a period of six years until 2023 at which time it will be reviewed and updated and subject to a further approval.

3. Reasons for Decision

- 3.1 The City Council, as required by law, must have an approved LFRMS in place to demonstrate it is meeting its statutory duties as a LLFA under the Flood and Water Management Act 2010.

4. Background information, including policy context

- 4.1 In 2007 after severe flooding in various parts of the country, the Government set up the Pitt Review to look at flood management processes. It made several recommendations which led to local authorities assuming various duties in an effort to better understand and mitigate flood risk in their areas. A further consequence of the Pitt Review was the Flood and Water Management Act (FWMA) 2010. The Act requires local authorities such as the City of Westminster, to act as a Lead Local Flood Authority (LLFA) requiring them to perform a range of risk management duties to assess, minimise, mitigate, manage and monitor flood risk. The Local Flood Risk Management Strategy (LFRMS) and action plan attached to this report deals with these duties and how Westminster meets its obligations.
- 4.2 Flooding from surface water, groundwater and ordinary watercourses is defined as local flooding in the FWMA 2010. In Westminster local flood risk is predominantly from surface water sources as there are no ordinary watercourses and the risk from flooding from groundwater flooding is considered to be very low. Surface water flooding in Westminster is closely linked to the capacity of the drainage infrastructure in the public highway and the sewer system into which the gullies in the public highway discharge.
- 4.3 The format of the LFRMS is in keeping with the guidance found in the Flood and Coastal Erosion Risk Management Strategy for England published by Defra. This ensures a consistent approach across the country from a national to a local level.

- 4.4 Responsibility for meeting Westminster’s LLFA obligations is currently split across a number of directorates and departments. Policy, Performance and Communications currently has responsibility for delivering the strategic aspects of the council’s duties including updating the Strategic Flood Risk Assessment (SFRA) and Local Flood Risk Management Strategy (LFRMS). These documents also set out the requirements for GPH and embedding flood risk management policy into the planning approval process.
- 4.5 CMC (Transport & Highways) has responsibility for the operational aspects of managing the risk specifically from surface water flooding. This risk is mainly managed through the Highways Drainage (Gully) Contract and applying good asset management practices and the promotion drainage improvement schemes and sustainable drainage schemes (SuDS).
- 4.6 The allocation of responsibilities is summarised in the table below.

Policy, Performance and Communications	<p>Strategic responsibility for flooding strategy (LLLFA)</p> <p>Strategic responsibility for SFRA (for the National Planning Policy Framework)</p> <p>Promotion of SuDS</p>
CMC – Transport and Highways, Drainage	<p>Operational responsibility for flooding</p> <p>Project lead for all LLFA duties, reporting to Environment Agency (e.g. update PFRA)</p> <p>Maintain flood asset register</p> <p>Drainage maintenance</p> <p>Investigate flooding incidences, S19 notices and recording flooding events</p> <p>Promotion of SuDS</p> <p>Major infrastructure projects e.g. Thames Tideway</p>
Growth, Property and Housing incl. Planning Department and building control	<p>Ensuring compliance with flood risk management policies within planning applications</p> <p>Statutory consultee on surface water drainage for major development</p>

	Promotion of SuDS especially through place making activity Consultee on major infrastructure projects
Emergency Planning/Business Continuity	Emergency event coordination Emergency plans
Corporate Services	Customer Services – first receivers of reported incidents of flooding need to be clear on how to respond.

4.7 The draft LFRMS was issued for public consultation via the City Council’s website for a six week period, the public consultation period ended on the 2nd October 2017. The LFRMS was also issued for consultation internally among Officers during the same period. Responses were received from a number of statutory consultees and one member of the public (resident) and these have been summarised in Appendix 1.

4.8 The LFRMS attached has been updated to take account of the comments received as part of the consultation exercise

5. Financial implications

5.1 There are no financial implications associated with this report

6. Legal implications

6.1 The Flood and Water Management Act (2010) designates Westminster City Council as a Lead Local Flood Authority (LLFA), with statutory responsibility to manage a range of risk management duties including a requirement to assess, minimise, mitigate, manage and monitor flood risk.

6.2 Publication of an approved LFRMS is a statutory requirement under the FWMA 2010.

7. Ward member consultation

7.1 The LFRMS document including the action plan has been the subject of council wide consultation including amongst Ward Members.

If you have any queries about this report or wish to inspect any of the background papers, please contact:

Andy Foster – Highways Infrastructure Manager, email: afoster1@westminster.gov.uk or Ceridwen John – Principal Policy Officer, email cjohn@westminster.gov.uk

For completion by the **Cabinet Member for City Highways**

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

NAME: **Councillor Danny Chalkley, Cabinet Member for City Highways**

State nature of interest if any

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(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Local Flood Risk Management Strategy (LFRMS)** and reject any alternative options which are referred to but not recommended.

Signed
Councillor Danny Chalkley, Cabinet Member for City Highways

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:
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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

Appendix 1 – Summary for consultation responses to LFRMS 2017

Respondent	Summary response	WCC comment
Historic England	Commented on the need to ensure that any measures to manage local flooding are designed to respect the natural, built and historic environment.	Objective 2 has been amended to address this point.
RBKC	Broadly support. Questioned how the strategy will be monitored and review timescales. A number of minor clarification points were asked for which have been dealt with individually.	This will form part of the annual monitoring report and clarified in the document. Clarifications have been made in the document.
WCC – Planning Policy	A few minor clarifications in relation to the City Plan revision timescales, and the London Plan.	Clarifications made in final document.
Jean Fernandes (Local Resident)	<p>Requests a full list of statutory duties.</p> <p>Questions how Thames Water data can be accessed by members of the public.</p> <p>Requests clarification that the EA does not deal with local drainage issues.</p> <p>Questions how previous Thames Water sewer water data sets conflict with current data sets.</p>	<p>This is detailed on https://www.gov.uk/guidance/flood-risk-management-information-for-flood-risk-management-authorities-asset-owners-and-local-authorities - this link has been included in the strategy for reference.</p> <p>The Council cannot influence TW's data sharing practices.</p> <p>The Council agrees that the WA does not deal with local drainage issues.</p> <p>The table provided in this final document was the most up to date information available, and was accessed on 19th October 2017. This list is the only list that the</p>

		Council will refer to and it supersedes all previous versions (which are now out of date and not relevant for current policy) and accepts that this is Thames Water's most current and agreed data which should be used to model future flood risk.
Thames Water	No comments apart from supplying a more up to date sewer flooding data report (19 th October 2017)	Updated table used in final report and a clear reference made to this being the only data we now use.
Natural England	Confirms the current plans will have no significant adverse impacts on current designated sites. Updates the Council on future plans to designate a Marine Conservations Zones in the River Thames, and welcome our future consultation with them on relevant matters.	No changes but we will note the MCZ plan as part of the City Plan revision.
Environment Agency	Minor clarification on their roles and responsibilities. Some general questions made relating to climate change and T2100 plan. Update on the EA's work on checking defence walls and process. Suggested use of proactive as well as reactive community engagement on flooding matters	Clarification made in final report. Questions addressed in document but broadly this will be dealt with in more detail in the soon to be consulted on Strategic Flood Risk Assessment. Welcomed. Further to our meeting in November, we have discussed this, agreed, and included in the final document.

Canals and River Trust	Gave a general update and requested a clarification of their roles and responsibility	Clarification made in final report.
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**Appendix 2 – Westminster’s Local Flood Risk Management Strategy (LFRMS)
2017**