

**REPORT TO:** Environment and Urban Renewal Policy  
and Performance Board

**DATE:** 16<sup>th</sup> March 2011

**REPORTING OFFICER:** Strategic Director Environment and  
Economy

**SUBJECT:** Flood Risk Management - Progress Report

**WARDS:** Boroughwide

## **1.0 PURPOSE OF THE REPORT**

1.1 To inform Members of progress made in the development of Halton's Surface Water Management Plan (SWMP), the Preliminary Flood Risk Assessment (PFRA) and the timescales in relation to other flood risk management related matters. The Board has considered reports previously in relation to Flood Risk Management on 16<sup>th</sup> June and 24<sup>th</sup> November 2010.

## **2.0 RECOMMENDATION: That**

- (1) the Board notes the continuing work undertaken by Officers, the Council's Consultants and Partners (the Environment Agency and United Utilities) in the development of a Surface Water Management Plan (SWMP) for Halton;**
- (2) a report detailing the SWMP study and outputs be presented to the Board in June 2011;**
- (3) a draft PFRA, together with any proposed Flood Risk Areas be presented to the Board for endorsement in June 2011 prior to submission to Defra; and**
- (4) the PFRA be forwarded to Executive Board for approval.**

## **3.0 SUPPORTING INFORMATION**

### **3.1 Progress on the Surface Water Management Plan for Halton.**

3.1.1 Members will be aware that Halton was awarded £100,000 for the development of a SWMP under the Environment Agency's 'Early Action' funding programme for 2010/11. Funding for the study and plan was originally awarded for Widnes, however following discussion with partners, the scope of the study was widened to the whole Borough. At the Board's November meeting, it was resolved that progress reports be presented as work on the Surface Water Management Plan and study progresses. A set of objectives for the study were approved and partners (HBC, Environment Agency and United Utilities) have been

working to these as the study develops. The Council's Consultants Mott MacDonald are commissioned to produce the SWMP in accordance with advice and technical guidance produced by Defra and they report monthly against an agreed project plan and programme.

- 3.1.2 Defra has produced a framework for undertaking a SWMP in the form of a 'wheel diagram' and this is attached to this report as appendix 1. The Risk Assessment phase of the study was commenced in December and the 'Intermediate Assessment' is nearing completion. The assessment uses information from various sources including:
- Environment Agency's surface water flood maps;
  - Surface water run-off flows derived from additional modelling;
  - Spill volumes from United Utilities sewers;
  - Location of reported flood incidents (to HBC and to UU);

A regular, 100 metre grid square pattern has been superimposed on a map of the Borough and the number of properties within each square identified, including the location of any critical or essential infrastructure, which are given additional weight in the assessment. The data described above is used within a formula to enable a flood risk score to be produced for each grid square, which can in turn be illustrated on maps and used to identify areas at higher risk of surface water flooding. Following a verification process these areas will form the basis of the Detailed Assessment, which is the next stage of the SWMP study process, due to commence at the end of February.

- 3.1.3 This stage will entail detailed modelling of surface and sub-surface drainage systems to gain a full understanding of the causes and consequences of flooding in that localised area. It is anticipated that this work will be completed in April and a final report on the risk assessment phase will be prepared, which should then enable options that mitigate the risk to be developed and costed.

- 3.1.4 The communication of this new information in relation to flood risk is an important element of the SWMP process and work has commenced on the development of an engagement and communication plan. Following the identification of the 'higher risk' areas through the intermediate assessment, the stakeholder engagement and communication plan will raise awareness of the study in those areas, enable verification of the flood risk maps and assist in the detailed assessment stage.

- 3.1.5 It is proposed to present the report described in paragraph 3.1.3 to the Board at the next meeting in June 2011.

## 3.2 Progress on the Preliminary Flood Risk Assessment

- 3.2.1 All lead Local Flood Authorities (LLFAs) must produce a PFRA, map any proposed Flood Risk Areas (FRAs) and submit these to the Environment Agency by 22<sup>nd</sup> June 2011. The PFRA provides the

baseline for taking forward the Flood Risk Regulations (2009) and for the development of a local flood risk management strategy. The Environment Agency published final detailed guidance on the preparation of PFRA in December 2010. Halton received a £10,000 grant allocation from Defra to fund the PFRA and JBA Consultants have been commissioned to undertake the assessment and prepare the report and maps.

3.2.2 The PFRA will consider flood risk from various sources, including surface water runoff, ground water, ordinary watercourses, canals and any interaction these have with drainage systems, including sewers. Whilst the Environment Agency are responsible for flood risk in relation to main rivers, the sea and reservoirs, this assessment will also take into account any local impact of flooding from these sources, for example where a watercourse floods when a main river backs up.

3.2.3 The Environment Agency has already produced indicative Flood Risk Area maps for England and Wales, which show whether there is a 'significant risk' in the area based on local flooding. There are ten such areas identified in England, including Manchester and Liverpool (NB. the area does not include Halton). Any proposed additional FRAs resulting from the PFRA must be evidenced and submitted to the EA with the PFRA report in June.

3.2.4 The PRFA will be informed and updated by new, more detailed information on surface water flood risk as the SWMP progresses. Outputs from the PFRA will include GIS mapping of Flood Risk Areas from all sources together with a breakdown of flood risk for each area / 'hotspot', which can be reviewed independently from the report itself. The completed assessment will include:

- Mapping of 'hotspots' and key flood risks;
- Identification of the relevant Risk Management Authority;
- A highlighting of the consequences of flooding in that area to human health, economic activity, the environment etc.;
- Scope possible ideas for responses to localised flood risk and identify the way forward.

3.2.5 It is anticipated that the draft PFRA will be complete by the end of April and it is proposed to present a report for endorsement at the Board meeting in June prior to submission to Defra by 22 June 2011.

### 3.3 Other Flood Risk Management Matters

#### 3.3.1 Draft National Strategy and Future Funding

Defra have recently consulted on a new draft National Strategy and on proposed reforms for funding of Flood and Coastal Erosion Risk Management. The Strategy, which has been prepared by the EA, is a requirement under the Flood and Water Management Act and is important to all LLFAs as it will guide the production of local strategies. The Strategy describes what needs to be done by all those involved to

reduce the risk and manage the consequences of flooding and encourages a partnership working approach and support for local communities, groups and individuals to understand and manage risks locally. The proposed changes to the way flood risk management is funded in the future follows these themes in the Strategy, in that national budgets would pay for a **share** of the benefits accrued from flood risk management schemes with other funding found locally, for example, through the community, from business and land owners. The intention is that more schemes would be able to proceed and that local communities can influence the national priorities for expenditure on FRM. Halton has provided a joint response, together with our neighbouring LLFAs (St Helens, Warrington, Cheshire East and Cheshire West & Chester) to these two consultations. The responses to the consultations were delivered utilising the 'shared resource', to the LLFAs, which is provided by Jacobs Consultants. The responses are attached as Appendix 2 to this report.

### 3.3.2 Keckwick Brook Flood Defence Scheme

For a number of years, the Environment Agency have been investigating and designing a scheme to manage the risk of flooding to residential properties adjacent to Keckwick Brook in Sandymoor. Recent hydrological modelling work suggests that the extent of the flooding envelope is not as great as first thought and this has resulted in a reduced scheme comprising flood protection embankments between the brook and properties at risk. The scheme has been allocated funding in the 2011/12 GiA programme through the Regional Flood and Coastal Committee. The EA are currently consulting on their proposals and are seeking contributions toward the overall cost of the scheme from Developers and the Homes and Communities Agency before the Project Approval Board gives final approval. EA have been informed that the Section 106 Agreement for Sandymoor developments does not include contributions to flood risk management.

### 3.3.3 Wharford Farm Flood Protection Works

From the same GiA programme, Halton has been allocated £56,000 in 2011/12 for protection works to the Wharford Farm flood defence reservoir. Wharford Farm is a storm water storage basin providing protection to properties downstream in Sandymoor. A meander in the course of Keckwick Brook is causing erosion in proximity to the toe of the reservoir embankment and Halton has proposed works to strengthen and protect the embankment. Recent discussions with the EA have identified potential advantages in working in partnership to deliver both schemes, to improve efficiency and minimise costs.

### 3.3.4 Timetable for introduction of new duties, roles & responsibilities under Flood and Water Management Act:

- Consenting Works on Watercourses.  
The FWMA amends the Land Drainage Act and makes LLFAs responsible for consenting works which affect watercourses in their

area. Currently, anyone who proposes to undertake work 'in, over, under or near a watercourse' must contact the EA for consent before starting the work, to ensure that the works do not endanger life or property by increasing the risk of flooding. This is a new duty for Halton. Originally this piece of the legislation was intended to come into force in April 2011, however this has been delayed and it is expected that further information, advice and training will be given by EA prior to the duty being transferred later this year.

- Register of Structures and Features and Designation.  
LLFAs will be required to prepare and maintain a register of structures or features which, in the opinion of the authority, are likely to have a significant effect on a flood risk in its area, together with a record of information about each of those structures or features, including information about ownership and state of repair. The Bill also provides LLFAs with additional legal powers to formally 'designate' assets or features, which are not maintained or operated by them. This is designed to provide LLFAs with increased regulatory control over features which provide a significant contribution to flood risk management in their area. These will be new Duties from April 2011.
  
- Investigation of Flooding Incidents.  
From April 2011, LLFAs will be required to investigate flooding incidents in its area, and identify and establish whether the appropriate, responsible Risk Management Authority has responded to (or is proposing to respond) to the flood. It will be for each LLFA to determine to what extent flooding incidents are investigated and work is underway with our neighbouring LLFAs to develop a consistent approach. The LLFA must publish the results of any investigation undertaken.
  
- SuDS Approval Body.  
It is unlikely that the new duties under the Act for SuDS Approval Bodies (SABS - Unitary and County Councils) will come into force until April 2012. From that date developers will be required to construct sustainable drainage systems for the disposal of all surface water as the default and SABS will have a duty to approve, adopt and thereafter maintain SuDS systems. However, the requirement is expected to be phased-in with sites of 1 Hectare or less following on at a later date. We are awaiting the publication of new draft National Standards for the implementation of SuDS and it is expected that Defra will consult on these shortly.  
Other, related changes to be introduced on the 1<sup>st</sup> October 2011 are:
  - the retrospective adoption of all sewers and drains that serve two or more dwellings (that have been constructed before July 2011); and
  - the removal of the automatic right to connect new surface water sewers to the public sewer network.

These changes have consequences principally for the water and sewerage companies who will become responsible for the maintenance

of currently private sewers and drains, and for developers when designing new drainage systems.

### 3.4 Local Government Settlement for Flood Risk Management

3.4.1 The report to the Board on 24<sup>th</sup> November 2010 detailed in paragraph 3.9, Halton's response to Defra consultation on future funding for the Lead Local Flood Authority role. At that time, it was unclear what level of funding would be made available by Government, however, Defra's report was based upon an indicative allocation of £36 million being distributed to LLFAs according to risk of flooding in their area. It was further suggested that the full amount could be phased-in, as not all of the new Duties would be in place at the start of 2011/12.

3.4.2 The Local Government Settlement announced in December confirmed that funding for 2011/12 will total £21 million rising to £36 million for 2012/13 and subsequent years of the Spending Review Period. Halton has been allocated Area based Grant funding of £115,600 in 2011/12 and £135,600 in 2012/13. Part of this funding is being used to enable additional staff resource to be put in place through the creation of an additional, temporary engineering post, for the next two years, to assist in the delivery of the Council's new role as Lead Local Flood Authority. Another part will be used for assessment and flood modelling studies.

### 3.5 Defra Capacity Building Programme

3.5.1 The new duties and responsibilities under the Act will require LLFAs to get up to speed quickly in order to deliver the new roles effectively. Following a survey of Local Authorities in 2008, and recognising that there was likely to be a technical expertise and skills gap within the new LLFAs, Defra have put into place a strategy to build capacity in the knowledge and skills required to undertake the new duties and responsibilities. In addition to developing a Foundation Degree course and NVQs to train new staff in flood risk management, Defra has designed and implemented a series of focused 'workshop' training to enable the professional development of existing staff. The workshops have been delivered regionally to LLFAs and will run up until April this year. Halton representatives will continue to attend these valuable learning events. Topics have included:

- Understanding the Legislation and PFRAs (part 1)
- Collaborative Working Skills & PFRAs (part 2)
- Local Flood Strategies and Modelling & Info Sharing
- Sustainable Drainage (SUDS)

To support the workshops, Defra have also produced e-learning modules on their website.

## 4.0 POLICY IMPLICATIONS

Whilst there are no specific policy implications in relation to this progress report, future reports brought before the Board will propose policy

directions and recommendations. Ultimately, both the SWMP and the PFRA will inform the Local Flood Risk Management Strategy for Halton. The Strategy must be consistent with the National Strategy for Flood and Coastal Erosion Risk Management as described in paragraph 3.3.1.

## **5.0 OTHER IMPLICATIONS**

### **5.1 Resource Implications**

The SWMP is funded by grant from Defra. The grant covers work involved in the surface water management studies, risk assessments and the identification and assessment of measures to mitigate the causes of flooding. It does not cover works or the implementation of the action plan. Defra has also provided £10,000 grant funding for the development of the PFRA. In-house staff resources within the Highways Transportation and Logistics Department are being supplemented by specialist consultants to undertake both the study and the flood risk assessments. Area Based Grant funding for Halton's role as LLFA over the course of the current spending review period is detailed in paragraph 3.4.2. An additional temporary engineering post is proposed to enable the delivery of the Council's new duties.

### **5.2 Sustainability**

The purpose of the SWMP study is to identify sustainable management responses to surface water flooding. The SWMP Action Plan then enables Partners to make sustainable surface water management decisions that are evidence and risk based, and take account of stakeholders' views and preferences, and the effects of climate change. The PFRA will be informed by the results of the SWMP study and will form the basis for developing Halton's Local Flood Risk Management Strategy.

### **5.3 Legal Implications**

Halton as a LLFA is required under the Flood Risk Regulations 2009 to produce a PFRA and submit this together with any proposed flood risk maps to the Environment Agency by 22<sup>nd</sup> June 2011. The preparation of a SWMP will assist Halton to meet its duties and responsibilities as Lead Local Flood Authority under the Flood and Water Management Act 2010.

## **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **6.1 Children and Young People in Halton**

There are no implications associated with this report.

### **6.2 Employment, Learning and Skills in Halton**

There are no implications associated with this report.

### **6.3 A Healthy Halton**

There are no implications associated with this report.

#### **6.4 A Safer Halton**

There are no implications associated with this report.

#### **6.5 Halton's Urban Renewal**

The PFRA and outputs from the SWMP study will be used to further update the Strategic Flood Risk Assessment that has recently been completed. Together, they are of considerable value to the spatial planning and development process, and will provide information on the consequences of, and the impact on new development, so that flood risk can be better managed. In return planners and developers may assist in the achievement of aspects of the action plan. These documents will help to promote sustainable development and support a more strategic approach to implementing surface water drainage infrastructure.

### **7.0 RISK ANALYSIS**

There are no key risks associated with the proposed actions at the present time, and a full risk assessment is not required. However, as both studies near completion and any areas at risk of flooding are identified or confirmed, there may be a risk that the expectations of stakeholders, residents etc., to resolve flooding issues and reduce flood risk, are raised to a level that may not be easy to meet with the limited resources available. Additionally, some solutions may require the co-operation of landowners, developers or riparian owners for example. The engagement of stakeholders during this part of the process will be key to delivering an action plan that is both realistic and achievable.

### **8.0 EQUALITY AND DIVERSITY ISSUES**

There are no Equality and Diversity issues in relation to this report.

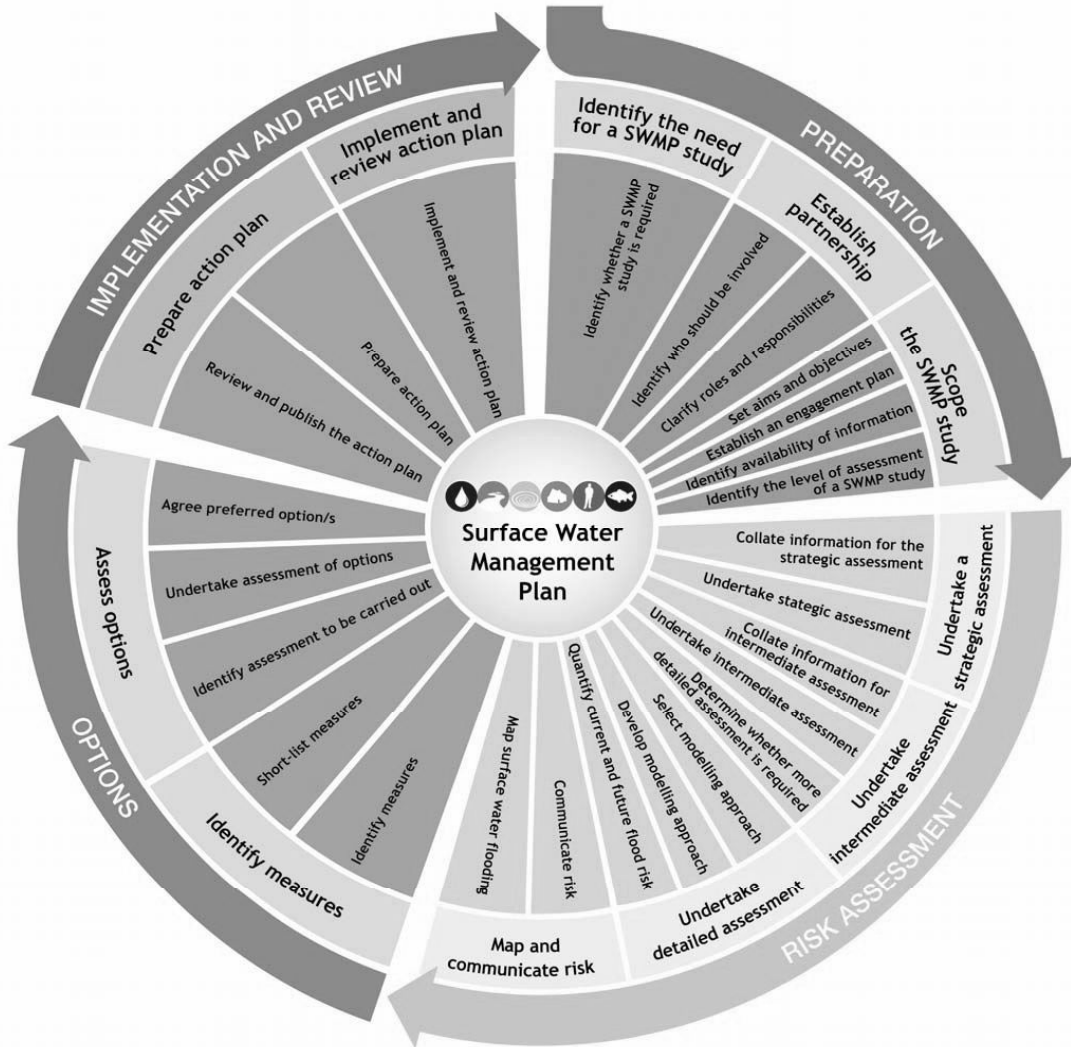
### **9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**



<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Early Action Bid for funding from Defra	Highways Development Division, Rutland House, Halton Lea, Runcorn	Dave Cunliffe
Halton Surface Water Management Plan – Project Plan	Highways Development Division, Rutland House, Halton Lea, Runcorn	Dave Cunliffe
Halton Borough Council Preliminary Flood Risk Assessment – Proposal	Highways Development Division, Rutland House, Halton Lea, Runcorn	Dave Cunliffe
Surface Water Management Plans Technical Guidance March 2010 (Defra)	Highways Development Division, Rutland House, Halton Lea, Runcorn	Dave Cunliffe
Preliminary Flood Risk Assessment (PFRA) Final Guidance (Environment Agency)	Highways Development Division, Rutland House, Halton Lea, Runcorn	Dave Cunliffe

# Flood Risk Management - Progress Report

## Appendix 1



The Surface Water Management Plan Process Wheel Diagram

Surface Water Management Plan Technical Guidance, Published March 2010  
Department for Environment, Food and Rural Affairs  
Flood Management Division,  
London

**Flood Risk Management Progress Report  
Appendix 2**

**LLFA Joint Response to Defra Consultations**

**The National Flood and Coastal Erosion Risk Management Strategy for England**

**Respondent details**

<b>Name:</b>	<b>Alastair Davis</b>
<b>Job title:</b>	<b>Flood Risk Officer (Secondment)</b>
<b>Organisation:</b>	<b>Jacobs (representing Cheshire East Council, Cheshire West Council, Warrington BC, St Helens BC, Halton BC)</b>
<b>Address:</b>	<b>Jacobs Fairbairn House Sale</b>
<b>Town/city:</b>	<b>Manchester</b>
<b>County:</b>	<b>Manchester</b>
<b>Postcode:</b>	<b>M336WP</b>
<b>Telephone (including code):</b>	<b>0161 962 1214</b>
<b>Email:</b>	<b>Alastair.davis@jacobs.com</b>
<b>Put a cross in this box if you are requesting non-disclosure of your response. <input type="checkbox"/></b> <b>Please provide an explanation to support your request.</b>	

**Consultation questions on the draft national flood and coastal risk management strategy for England**

**1 Is there any additional information on risk that should be considered?**

- Greater emphasis needed on flood hazard and breaching of assets and the impact this would have.
- Need to define sources of flooding from surface water and flooding from sewers. There is some confusion as to the difference and the respective responsibilities.
- Role clarity needed on evaluation of risk who has what responsibility document seems somewhat fragmented, consolidation of roles and responsibilities needs to be explained, possibly diagrammatically, to improve the communication of roles

**2 Are there any additional aspects of risk that need to be assessed?**

No

**3 The strategy takes into account different sources of risk (for example coastal erosion and flooding from rivers and surface water).**

**How can they best be quantified in a way that helps the assessment of the relative importance of these risks?**

Risk should include a measure of Hazard to help the assessment of relative risk.

**4 Do you agree with the proposed overall aims of the strategy?**

*Please tick the relevant box*

**Yes**

**No**

**Don't know**

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

**If not, please explain why.**

---

- We agree with the proposed aims of the Strategy. We welcome the increased flexibility and the potential for reduced beaurocracy.
- Proportionality and managing risk is welcomed so that smaller improvements can be undertaken but this needs to be a robust process to ensure the solutions are appropriate.
- Multiple benefits will be difficult to realise without some supporting statutory instruments, guidance or mechanisms for ensuring that LFA's receive adequate contributions. Often developers for instance will challenge contributions without supporting evidence for why they need to contribute.
- As above future funding contributions will need to take account of climate change and future guidance / legislation will be needed to support the contributions process i.e. level of commuted sums etc.
- Links to planning process need to be reviewed to ensure adequate time is given to assess new developments that have potentially have flood risk. Developers contributing to a scheme, perhaps covering the entire cost, will want to progress quickly, and there is insufficient time within the planning approval process to ensure that the designs meet the overall Flood Strategy, and won't compromise it.
- Fragmentation still exists between water authorities and EA / LFA the roles and responsibilities need to be clarified. between the organisations going forward
- Planning for risk management – needs to be expanded to cover governance and attendance of regular meetings by all asset owners in the LFA area to ensure governance takes place and buy in from all water asset managers / owners (water authorities, EA, canal owners, IDB)
- Levels of 'Significance' of flooding needs clarifying in the strategy so that it is clear what level of significance means. There is "significant", meaning a cluster of 30,000 people, and "Locally significant", which it is suggested should be an order of magnitude less than this. There will also be other flooding which is "significant", but does not reach the threshold of being "locally significant". Some of this flooding will still be significant to Councillors and the population affected. There is likely to be differences across the region / country on figures set for 'local significance' – suggest a table or matrix of what significant flooding means is produced, together with the implications of having "significant" or "locally significant" flood areas.
- Consideration needs to be given to cross boundary considerations with regard to consenting and future flood risk that may result from upstream development and water migration from another LFA area. Governance of any disputes that may arise needs to have a mechanism for arbitration. Suggest changes to planning guidance to capture impacts of upstream LFA proposals.
- We welcome the strategies' approach to working with EA on community engagement – this needs to expand to include water authorities.
- Predicting and warning of flooding currently works well and systems are in place, however the rainfall warning and predictability of this impact on surface water flooding needs monitoring with best practice guidance needed for the management of these events.

**5 Are there any additional goals that should be included?**

*Please tick the relevant box*

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>
Don't know	<input type="checkbox"/>

**If so, what are they?**

**6 Are there any other guiding principles for FCERM you would include?**

*Please tick the relevant box*

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>
Don't know	<input type="checkbox"/>

**If so, what are they?**

**7a Are the measures and actions set out in Sections 3.3.1 to 3.3.5 clear?**

*Please tick the relevant box*

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**If not, how can they be improved?**

Please see above.

**7b Do the measures and actions give enough specific information on what will be done and by whom?**

*Please tick the relevant box*

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

**If not, please explain where we need to be more specific.**

Understanding Risk:

- Responsibilities for mapping and data needs clarifying e.g. mapping and modelling at what level and who is responsible for what mapping on a national and local scale? – we do not feel that the Consultation document makes this clear.

**8 Please tell us about any other measures and actions you would include.**

No comment to make

**9 Are you aware of any barriers to the implementation of the measures discussed in Sections 3.3.1 to 3.3.5?**

*Please tick the relevant box*

**Yes**

**No**

**Don't know**

**If so, how can Defra and the Environment Agency help overcome them?**

**10a How should the relative risks to people, property and business (including agriculture and food production) be taken into account?**

No comment to make

**10b How should the risks to people, property and business, and improving and protecting the environment and habitats be balanced?**

No comment to make

- 11a How far is it possible to distinguish between FCERM benefits and other benefits (for example, to agriculture, land drainage, health, recreation, and the environment)?**

No comment to make

- 11b What is the best way to quantify these additional benefits and how should they be considered in FCERM decisions on priorities and funding?**

No comment to make

- 12 How may the current arrangements for emergency response be improved?**

The current arrangements for emergency response work well, but currently only cover fluvial flooding. This needs to be expanded in the future to cover flooding from all sources.

- 13 Are the responsibilities of the key organisations managing flood and coastal erosion risks clear?**

*Please tick the relevant box*

<b>Yes</b>	<input type="checkbox"/>
<b>No</b>	<input type="checkbox"/>
<b>Don't know</b>	<input type="checkbox"/>

**If not, please explain why.**

---



- Reference to town and parish councils need rewording as they don't have flood risk duties and reference to these on p21 is misleading.
- P22 reference to FCERM plans – what will this plan look like? A Flood Management plan is only required where significant flood areas exist (there are none in our Authority Boundaries). We do have locally significant flood areas however, and will of course produce a local strategy to help deal with these areas. We would expect Utility and Infrastructure providers to input into the Local Strategy: this should be made clear in the strategy consultation document.
- Were there is no current IDB there would be a cost to setting up and administering this arrangement and what would be the trigger / criteria for setting one up – guidance would be needed on the requirements for setting up an IDB. There is a danger that setting up new IDBs would further fragment responsibility. On the face of it, the new IDBs wouldn't be able to do anything different to what the LLFA can do, unless they could access funding not available to LLFAs.
- The word “surface” has been left out on page 23 “water and sewerage companies are responsible for managing the risks of flooding from surface water and foul or combined sewer systems.”
- We feel that as the LLFA will have responsibility for investigating flood incidents, there is a risk that public would be confused - do all residents need to contact LLFA when they experience flooding from any source? Does this mean utility companies no longer have to investigate flooding from their sewers? The reporting system back and forth between LLFA and the utility company needs clarifying and guidance given. Advice would also be appreciated as to what level of incident to start investigating.
- Where does a main river flood end and surface water flooding begin? They are often linked, and the responsibility needs clarifying.

**14 Please tell us if any organisations or groups should be added and what their role might be.**

The Manchester Ship Canal company is an organisation that we feel should be added. It owns a major asset potentially affecting flood risk across a number of LLFAs.

**15 Do the organisations identified in Chapter 4 have the skills and capabilities available to carry out the roles identified above and achieve the required outcomes?**

*Please tick the relevant box*

<b>Yes</b>	<input type="checkbox"/>
<b>No</b>	<input checked="" type="checkbox"/>
<b>Don't know</b>	<input type="checkbox"/>

**If not, how should these be secured?**

We welcome the Capacity Building programme that Defra and the EA are currently implementing. This helps a great deal in helping to build knowledge and skills. The LLFA's need time to get the right resources in place to meet the new challenges, but this is being progressed.

**16 Do you agree with the overall objectives for the proposed changes to the funding system as set out above?**

*Please tick the relevant box*

<b>Yes</b>	<input type="checkbox"/>
<b>No</b>	<input type="checkbox"/>
<b>Don't know</b>	<input type="checkbox"/>

**If not, please explain your answer.**

We welcome the change in funding approach, but have some reservations. Please see our response to the Funding consultation document.

**17 Please tell us about any other options for prioritising and justifying maintenance and managing situations where ongoing maintenance cannot be justified from national budgets.**

No comment to make.

**18 How often should local strategies be reviewed and who should be involved in the review?**

We would suggest a 2 or 3 year cycle for review of the strategy to tie in with the SFRA / PFRA review timeframes but that any supporting implementation plans are reviewed annually i.e. project priorities that will result from SWMP and other appropriate plans.

**19 Should reports on the implementation of the national strategy assess progress against specific milestones and activities?**

*Please tick the relevant box*

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input checked="" type="checkbox"/>

**If so, what should these specific milestones and activities relate to?**

No comment to make.

**20 There are two levels of information: statutory guidance and advice.**

**Are there any areas where we are proposing to provide advice where you consider it should be statutory (that is provided as guidance)?**

*Please tick the relevant box*

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input checked="" type="checkbox"/>

**If so, please explain why.**

We would also welcome your views on the following over-arching questions:

**21 What primary objectives in FCERM should the strategy achieve over the next 12 years?**

No comment to make.

- 22 Is the risk-based approach to FCERM appropriate and does the approach suggested take account of the main risk factors?**

No comment to make.

- 23 Are there any barriers to local action that need to be removed or reduced?**

No comment to make.

## **Returning your response**

**Thank you for taking the time to complete this form.** Your response to this consultation needs to be returned by 16 February 2011.

You can return it by email to [DefraEAFCEMstrategy@environment-agency.gov.uk](mailto:DefraEAFCEMstrategy@environment-agency.gov.uk).

Or by post to:

M Cox  
FCERM strategy team  
Environment Agency  
Rio House, Waterside Drive  
Aztec West  
Bristol BS32 4UD

**Response to Future funding for flood and coastal erosion risk management:**

Halton BC  
St.Helens BC  
Cheshire West and Chester Council  
Cheshire East Council  
Warrington BC

**Q1. Do you think that the existing funding prioritisation and allocation system should continue, in which Government focuses on funding the most cost-beneficial projects?**

We welcome the ability for all projects to have the potential to be funded. The current system is complicated and the criteria are applied differently between the different EA regions.

The current system does need to be reviewed but not totally abandoned i.e. we need to retain a robust but simplified analysis process.

**Q2. Do you have any other comments or anything to add to the analysis in Section 1?**

No.

**Q3. Do you agree with the objectives in Section 2? If not, which would you change, or what others would you add?**

In theory the objectives of the funding system make sense. However, there would be issues in areas with low development opportunity or in areas of deprivation, where they could lose out on potential flood alleviation measures / funding due to the inability to contribute. We would not want to see less “worthy” schemes leapfrogging up the list, taking away national funding, on the basis that they happen to be in an area that can afford to offer other funding (through Local Levy or other contributions).

**Q4. Do you agree with the guiding principles outlined in Section 3? If not, which would you change, or what others would you add?**

The guiding principles of allowing grant in aid to be available for all potential projects is welcomed. However, the expectation of the ability to receive funding may be raised to high, whereas if supplementary funding is not available, then a scheme may not materialise.

Guiding principle No 3 ‘ALL sources of flooding needs explaining since it is not likely that all flooding problems from all sources would have equal weighting – the scope given here is too wide and needs clarity on what would receive higher weighting. This could be explained in a table or a supplementary matrix.

Guiding Principle No 4 – the document suggests that new properties, built after 2009, will not be counted within the funding formula. This is retrospective. We consider that it should start at the time of the formula comes into force.

There is little detail on how projects with innovation will be appraised

Funding flood risk from multiple sources is an approach that needs careful thought since the current planning and contribution processes don't readily allow for flood risk solutions to be agreed and funded prior to agreeing planning permission particularly the smaller sites.

Clarity is needed on who would negotiate with the insurers. This is a role currently undertaken on a national basis by the Environment Agency. Would this role still be carried out, or would it fall to LLFAs to negotiate with regards to offering insurance against flooding it is responsible for?

**Q5. In particular, do you agree that the costs of protecting new development should not fall to the general taxpayer, now or over the long-term?**

We agree that the costs of protecting new development should not be funded by the taxpayer. The mechanism for securing contributions however, needs to be produced in supplementary guidance linked to the planning process.

**Q6. Do you agree with the rationale for the 'payment for outcomes' approach?**

We support the skewing of the analysis to support deprived areas. Please could more information be provided on this – how, for instance, will the boundary of a deprived area be established? Is it on a ward level, or Super Output Areas? What happens when a scheme straddles two areas, one of which counts as deprived, and one which does not?

The calculation for the £1 for £18 for non household properties appears to be arbitrarily based on a single flood in 2007, that had a particular geographic spread. It appears to be created so that commercial property, on average, is not included in the benefit assessment. The proposed calculations need more explanation. Would it not be simpler to remove all commercial property from the benefit calculation? If not, it needs to be more flexible as this can differ regionally and locally depending on the prosperity and risk of an area. A local benefit calculation for non household risk would need to be developed.

**Q7. Do you agree that a payment for outcomes system would be more likely to deliver the objectives stated in Section 2, in comparison with the current prioritisation and allocation approach? An accompanying impact assessment provides a more detailed comparison.**

The system is likely to enable more proposals to be considered but there is a risk that the funding packages would not be in place to deal with the flood risk mitigation measures agreed.

**Q8. Do you have any comments or suggestions on the role of RFCCs and the local levy?**

What will be the role of the RFCC when the projects are funded from mixed sources? There maybe mixed priorities when pulling funding together from multiple sources.

We are also concerned that there is a potential for locally raised levies to be sent elsewhere if RFCC schemes didn't spend / progress. This should be avoided. Moving away from an annual budget would help retain local funds to be used regionally.

**Q9. Do you have any comments on the analysis in Section 6, or your own views of the potential benefits and risks of the payment for outcomes approach?**

It is unclear on what will be completely funded or partly funded and how this comes together. This area needs clarification on what the trigger will be for fully funded schemes the anticipated payment for outcomes payment and commitment process. This needs thought, particularly how this can aid planning for the medium and longer term. There is a danger that LLFA's who are well set up with capacity to submit bids will receive money at the expense of the LLFA's who potentially don't have capacity but have greater need. Some proactive system of engagement with LLFA's would help here to ensure no LLFA misses out on the process.

The analysis appears to be skewed towards whether a project can be funded from other sources and external contributions and not based on pure need to manage flood risk. There needs to be a review period that looks at the process to ensure that the funding is being distributed to those projects of varying size and benefit that need it and will mitigate agreed and recognised local and national flood risk.

What will be the mechanism for prioritising schemes / bids?

Expectation that 'ALL' sources of risk would be treated equally hence all would be funded the calculations would not readily deliver this and needs to include potential flooding from water authority assets.

There is a danger that the scope and expectation of what can be achieved is raised due to the expansion of works that can potentially receive funding but that in reality there will be less funding and hence a potential disappointment in the process may result.

There needs to be rationale developed as the process is implemented to give confidence to LFA's when submitting future bids.

Who pays for overruns on multi-funded schemes?

**Q10. Do you have any suggestions for improving the way a payment for outcomes system might work?**

We would like the opportunity to be taken to move away from the annual budget and the problems that it creates in trying to spend funds before the end of the financial year, as this could lead to scheme design and construction being dictated by annual spend cycles, rather than the most appropriate time to suit weather conditions, environmental assessments etc. There will also be difficulties in marrying up all funding streams to deliver projects and flexibility would therefore be required to carry funds forward into different financial years.

The development of a toolkit would help LLFA's to understand what projects would be successful and what funding could be available from what source. There needs to be a unit cost table available to assist with pricing and costing up schemes and studies. This would help ensure consistency of approach across differing LLFAs.

Funds should be made available for feasibility and modelling investigations, and not only scheme delivery.