

Report to: Lead Cabinet Member for Transport and Environment

Date of meeting: 22 February 2016

By: Director of Communities, Economy and Transport

Title: Revised East Sussex Local Flood Risk Management Strategy – Draft for Public Consultation

Purpose: To seek Lead Member agreement to publish a draft Revised Strategy for public consultation for a period of six weeks

RECOMMENDATION: The Lead Member is recommended to approve the Draft Revised Local Flood Risk Management Strategy 2016-2026 for public consultation for a six week period commencing on 29 February 2016.

1 Background Information

1.1 The County Council adopted the East Sussex Local Flood Risk Management Strategy (LFRMS) in July 2013. The Strategy was prepared as part of the County Council's new role as a Lead Local Flood Authority (LLFA). It was a high level statutory document with a Delivery Plan to cover the period 2013 – 2016. There is a need to produce a revised Strategy in order to cover the implications of Government changes which makes the County Council (as LLFA) a statutory consultee to the planning system on drainage matters for major new development. It will therefore be necessary for the Strategy to be revised to give detailed guidance and advice at a more local level. The forward delivery of actions to implement the Strategy also needs to be updated.

1.2 Under Section 9 of the Flood and Water Management Act 2010 (the Act), East Sussex County Council, as a LLFA, is required to develop and consult upon a Strategy. Section 9 (4) of the Act outlines the requirements of a Local Flood Risk Management Strategy, including the setting of objectives for local flood risk management in the county and demonstrating how these objectives are to be delivered. Development of the draft LFRMS has been overseen by a project board consisting of senior officers from East Sussex County Council, the Environment Agency and Southern Water.

1.3 The draft LFRMS sets out the Council's framework for managing local flood risk (from surface water, groundwater and ordinary watercourses) in East Sussex. Once adopted, it will replace the current LFRMS. The current LFRMS is supported by a Delivery Plan (a physically separate document) which has been reviewed and updated on an annual basis. At the June 2015 meeting of Cabinet, delegated authority was given to the Lead Member for Transport and Environment to approve subsequent reviews of the Delivery Plan.

1.4 The Revised Strategy will not commit the Council to expenditure beyond what is proposed as part of the revenue budget setting process. Existing budgets will be used to finance consultation and engagement with key stakeholders.

2 Supporting Information

2.1 The draft Revised LFRMS is enclosed as Appendix 1 of this report. The Strategy's Technical Appendices, which comprise supporting detailed information, are available in the Members Room. The legislation governing the County Council's flood risk management role does not provide detailed direction on how the LLFA role should be undertaken. However, working with local, regional and national partners has informed the development of the Revised LFRMS.

2.2 The key changes in the draft Revised Strategy are:

- A revised assessment of local flood risk for the County – paragraphs 18 – 25 of the LFRMS
- Guidance on the circumstances in which the LLFA will investigate a flood event – paragraphs 50 - 55 of the LFRMS

- The provision of standing advice to developers and planners on the requirements for drainage strategies as part of new development – paragraphs 56 - 68 and Appendix of the draft LFRMS
- The characterisation of drainage conditions within the County at a more local level to assist developers and planners in understanding which drainage techniques are appropriate in a particular location – Appendix of the draft LFRMS

2.3 The revised LFRMS is also intended to be used as a source of information for residents across East Sussex. Complex matters are communicated, including identification of different flooding mechanisms and explanation of homeowner responsibilities for maintenance and resilience to flooding which is included at paragraphs 69 – 87 of the draft LFRMS. This is consistent with the Council Priority of ‘helping people help themselves.’

2.4 A Strategic Environmental Assessment (SEA) has been undertaken for the revised LFRMS and found the strategy to have no adverse environmental impacts. A copy of the SEA is available in the Members Room. Natural England has confirmed that a Habitats Regulation Assessment will not be required for the draft LFRMS.

2.5 Section 9 (6) of the Act requires the LLFA to consult both the public and the Risk Management Authorities on the Strategy. As the document will be used mainly by Risk Management Authorities, Local Planning Authorities and developers, a technical stakeholder event is proposed to launch the consultation process. Following consultation, which is proposed for a six weeks period from 29 February to 10 April, the Strategy will be amended as appropriate, and presented for adoption to Cabinet.

3 Conclusion and Reason for Recommendation

3.1 The draft Revised East Sussex Local Flood Risk Management Strategy (2016-2026) sets out the County Council’s framework and priorities for managing flood risk in East Sussex. It includes additional aspects to cater for the County Council’s new role as statutory consultee to the planning system on drainage matters for major new development. A revised implementation plan is also included. The Lead Member is therefore recommended to approve the draft Revised Strategy for public consultation commencing on 29 February 2016.

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

- East Sussex Local Flood Risk Management Strategy 2013-2016
- Draft Revised Local Flood Risk Management Strategy 2016-2026 - Technical Appendices
- Strategic Environmental Assessment