

# Cabinet Meeting

## 21 October 2015

<b>Report title</b>	The Local Strategy for Flood Risk Management in the Black Country	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Steve Evans City Environment	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Nick Alderman, City Environment	
<b>Originating service</b>	Operational Transport and Highway Services	
<b>Accountable employee(s)</b>	Bob Willis	Urban Traffic Control and Traffic Manager
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<b>Report to be/has been considered by</b>	No other meetings	

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### Recommendation(s) for action or decision:

The Cabinet is recommended to:

1. Approve that consultation on the Local Strategy for Flood Risk Management in the Black Country is carried out with the public, other flood risk management authorities and others with an interest.
2. Approve that a further report is made in due course on the outcome of the consultation and to consider approval of the Local Strategy for Flood Risk Management in the Black Country.

## **1.0 Purpose**

- 1.1 This report seeks approval to carry out public consultation on the draft Local Strategy for Flood Risk Management in the Black Country and its associated Strategic Environmental Assessment (SEA). This is a statutory requirement of the Flood and Water Management Act 2010.

## **2.0 Background**

- 2.1 Following the severe flooding during the summer of 2007 the government commissioned an independent review (the 'Pitt Review') which in 2008 recommended that local authorities should lead on the management of local flood risk, working in partnership with other organisations.
- 2.2 Two key pieces of legislation have brought this forward; the Flood Risk Regulations (2009), which transpose the EU Floods Directive into UK Law, and the Flood and Water Management Act 2010 (FWMA 2010).
- 2.3 The Council is now a Lead Local Flood Authority (LLFA) and has relatively new powers and statutory duties to co-ordinate local flood risk management activities related to surface water (overland runoff), groundwater and smaller watercourses (known as Ordinary Watercourses). The Council works together with other organisations including the Environment Agency, which manages flooding from generally larger rivers (known as Main Rivers, the main example in Wolverhampton being Smestow Brook), and infrastructure or utility providers such as Severn Trent Water.
- 2.4 The FWMA 2010 places a duty on the City Council, as the LLFA, to develop, maintain, apply and monitor the implementation of a local flood risk management strategy, including a duty to consult the public and other risk management authorities as part of its development. The consultation period for the Black Country strategy is proposed to last for six weeks from 2nd November until 10th December 2015. Six weeks is the Council's standard consultation period as defined in our Consultation Framework. The Department for Environment, Food and Rural Affairs (DEFRA) has stated that strategies must be published by April 2016.
- 2.5 While each Local Authority has a duty as LLFA for its particular area the Association of Black Country Authorities and the Environment Agency have encouraged joint working arrangements between Dudley, Sandwell and Walsall Metropolitan Borough Councils and City of Wolverhampton Council in respect of flood risk management functions.
- 2.6 Under these joint working arrangements a Local Strategy for Flood Risk Management in the Black Country and its associated SEA are currently being finalised ready for public consultation. These are public documents which explain the local flood risk, clarify who is responsible for managing it and set out an action plan to mitigate its worst impacts. They will be accessible through the "current consultations" section of the City Council's website shortly and copies will also be made available in the members' rooms.
- 2.7 The Local Strategy complements a number of other planning policies, legislative requirements and flood risk strategies including the National Planning Framework, The

FWMA 2010, the Black Country Joint Core Strategy, the Black Country Strategic Flood Risk Assessment and the Preliminary Flood Risk Assessments for each authority.

- 2.8 Following consultation a report will be made to Cabinet on the outcome of the consultation and to consider approval of the Local Strategy for Flood Risk Management in the Black Country.

### **3.0 Financial implications**

- 3.1 The Council's contribution towards the cost of preparing the Local Strategy for Flood Risk Management in the Black Country and its associated SEA is £6,712.50. This is funded from the Surface Water Management revenue budget managed by Highway Assets.  
[TT/08102015/L]

### **4.0 Legal implications**

- 4.1 Section 9 of the FWMA 2010 places a duty on the Council, as LLFA, to develop, maintain, apply and monitor the implementation of a Local Flood Risk Management Strategy. The Act also places a duty on the Council to consult both the public and other risk management authorities about its local flood risk management strategy.  
[TS/07102015/F]

### **5.0 Equalities implications**

- 5.1 There are no equalities implications arising from this report. An equalities impact assessment has not been undertaken as carrying out public consultation on the Local Strategy for Flood Risk Management in the Black Country is not believed to impact significantly against the protected characteristics.

### **6.0 Environmental implications**

- 6.1 There are no environmental implications arising from this report. However, if approved, this report would instigate events that could lead to notable environmental improvements in Wolverhampton.

### **7.0 Human Resources implications**

- 7.1 There are no Human Resources implications arising from this report.

### **8.0 Corporate Landlord implications**

- 8.1 There are no Corporate Landlord implications arising from this report.

### **9.0 Schedule of background papers**

- 9.1 None