

BIRMINGHAM CITY COUNCIL

PUBLIC

Report to: CABINET
Report of: Corporate Director - Place
Date of Decision: 24th October 2017
SUBJECT: LOCAL FLOOD RISK MANAGEMENT STRATEGY

Key Decision: Yes
If not in the Forward Plan: Relevant Forward Plan Ref:
(please "X" box) Chief Executive approved ☒
Relevant Cabinet Member(s) O&S Chair approved ☒
Councillor Lisa Trickett – Clean Streets, Recycling and Environment
Relevant O&S Chair: Councillor Zafar Iqbal – Economy Skills and Transport
Wards affected: All

1. Purpose of report:

- 1.1 To outline the requirements to develop a Local Flood Risk Management Strategy for Birmingham.
- 1.2 To seek approval of the Local Flood Risk Management Strategy for Birmingham.

2. Decision(s) recommended:

That Cabinet:-

- 2.1 Notes the requirements to develop a Local Flood Risk Management Strategy for Birmingham.
- 2.2 Approves the Local Flood Risk Management Strategy for Birmingham attached at Appendix 1.

Lead Contact Officer(s): Kerry Whitehouse, Interim Flood Risk Manager

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3. Consultation

- 3.1 Internal The Interim Leader, the Cabinet Member for Transport and Roads, the Cabinet Member for Housing and Homes, and the O&S Chairman for Economy, Skills and Transport have been consulted. Finance and Legal Services officers have been involved in the compilation of this report. Extensive consultation has been undertaken with officers from Planning & Regeneration, Emergency Planning, Housing, Sustainability and Leisure. All Ward Councillors were consulted during the public consultation period.

- 3.2 External The Environment Agency, Severn Trent Water, Canal and River Trust, Highways England, Network Rail and Amey Birmingham Highways Ltd have been fully engaged in the preparation of the Local Flood risk Management Strategy. Public consultation through BeHeard for 12 weeks.

4. Compliance Issues:

- 4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

This work contributes to the following of the Council's Vision and Forward Plan 2017

- Housing
- Health

The Local Flood Risk Management Strategy is consistent with the above policies. The Local Flood Risk Management Strategy increases the understanding of flood risk in Birmingham, explains roles and responsibilities in terms of controlling this risk to keep people safe in their homes and sets out the strategy and policies to manage this risk into the future thus reducing the mental and emotional health issues flooding can cause.

- 4.2 Financial Implications
(Will decisions be carried out within existing finance and Resources?)

The Local Flood Risk Management Strategy sets out a series of policies to manage flood risk in Birmingham. These policies aid the prioritisation of existing revenue funding covering; stakeholder responsibilities, local flood risk, asset management, responding to flooding, managing flood risk, managing development and environmental implications. The policy identification has no financial implications for the City Council, where projects are taken forward, they will be delivered through existing budgets or will be subject to funding bids for National Flood Defence Grant in Aid. Apart from aiding the prioritisation of existing revenue funding, there are no financial implications for the City Council.

- 4.3 Legal Implications

The Council is the Lead Local Flood Authority under the Flood and Water Management Act 2010. Under section 9 of the 2010 Act the Council has a duty to develop, maintain, apply and monitor the application of a Local Flood Risk Management Strategy in its area. The Council also has a duty to publish a summary of its Local Flood Risk Management Strategy

- 4.4 Public Sector Equality Duty

A copy of the Equality Act 2010 – Public Sector Duty statement is appended – Appendix 3 together with the initial equality assessment screening which was prepared prior to the public consultation– Appendix 4. No issues arose during the consultation period which would require an updated equality assessment.

5. Relevant background/chronology of key events:

- 5.1 The responsibility for flood risk management lies with a number of organisations depending on the type of flood risk. The Flood and Water Management Act 2010 made Upper Tier and Unitary Authorities the Lead Local Flood Authority; as such Birmingham City Council is responsible for local flood risk from small watercourses and brooks, surface water runoff and groundwater. The Environment Agency is responsible for flood risk from larger rivers and the sea. Severn Trent Water is responsible for flood risk from sewers.
- 5.2 The Council as the Lead Local Flood Authority under the Flood and Water Management Act 2010 has a duty to develop, maintain, apply and monitor the application of a Local Flood Risk Management Strategy in its area. The Strategy sets out the objectives for managing local flood risk and the measures proposed to achieve those objectives. One of the main aims of the strategy is to make it clearer to the public who is responsible for flood risk, their level of flood risk and measures that can be taken to manage that risk. The Council also has a duty to publish a summary of its Local Flood Risk Management Strategy.
- 5.3 The Local Flood Risk Management Strategy is required to consider the impact and consequences of local flood risk (from small watercourses, surface water runoff and groundwater) together with the interface between the larger rivers and local flood risk sources.
- 5.4 The overarching aim of the strategy is to ensure that local flood risk is understood and managed in a coordinated way in Birmingham. The strategy sets out seven objectives and twenty policies in relation to:
- Identifying stakeholder responsibilities and partnership arrangements;
 - Understanding and communicating local flood risk;
 - Outlining arrangements for flood asset management;
 - Defining the criteria and procedures for responding to and investigating flooding events;
 - Setting out how flood risk management measures will be promoted;
 - Minimising the impact of development on flood risk; and
 - Considering the environmental implications of local flood risk management
- 5.5 An Outline version of the Local Flood Risk Management Strategy was prepared in 2014, internal services and other Flood Risk Management authorities were consulted on its contents. From the responses received the Draft Strategy was prepared for public consultation in 2015. Public consultation on the strategy was carried out in accordance with the Council's Consultation and Engagement guidelines and posted on BeHeard for a 12 week consultation period ending February 2016. In addition to this Ward Councillors, businesses and local groups with interest in flooding issues were also consulted directly. Following consultation, the responses were used to produce the final version of the Local Flood Risk Management Strategy. A summary of the consultation responses is included in Appendix 5.
- 5.6 The Local Flood Risk Management Strategy once formally adopted will be applied and monitored to ensure that the objectives are being met. This will be through the annual flood risk management report to Scrutiny.

6. Evaluation of alternative option(s):

- 6.1 The only alternative option is to not proceed with the publication of the Local Flood Risk Management Strategy. This is not an option as it is a duty under the Flood and Water Management Act 2010 to develop, maintain, apply and monitor the application of a local flood risk management strategy.

7. Reasons for Decision(s):

- 7.1 To approve the Local Flood Risk Management Strategy for Birmingham to enable the Council fulfil duty under the Flood and Water Management Act 2010 to develop, maintain, apply and monitor the application of a Local Flood Risk Management Strategy.

Signatures

Date

Cabinet Member

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Cllr Lisa Trickett – Clean Streets, Recycling
and Environment

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Chief Officer

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Jacqui Kennedy, Corporate Director - Place

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List of Background Documents used to compile this Report:

List of Appendices accompanying this Report (if any):

1. Local Flood risk Management Strategy for Birmingham
2. Summary of the Local Flood Risk Management Strategy for Birmingham
3. Equality Act 2010 – Public Sector Duty statement
4. Equality Analysis Initial Screening
5. Local flood Risk Management Strategy Consultation Summary

Report Version

Dated 11th October 2017