

BIRMINGHAM CITY COUNCIL

PUBLIC

Report to:	CABINET
Report of:	Acting Strategic Director of Place
Date of Decision:	17 November 2015
SUBJECT:	SUSTAINABLE DRAINAGE
Key Decision: Yes	Relevant Forward Plan Ref: 000320/2015
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s)	Councillor Tahir Ali – Development, Transport and the Economy
Relevant O&S Chairman:	Councillor Victoria Quinn – Economy, Skills and Sustainability
Wards affected:	All

1. Purpose of report:	
1.1	To outline changes to national policy in relation to sustainable urban drainage systems (SuDS).
1.2	To outline the work undertaken by the Lead Local Flood Authority (LLFA) and Planning and Regeneration in response to the policy changes.
1.3	To seek approval to publish the Sustainable Drainage: Guide to Design, Adoption and Maintenance.

2. Decision(s) recommended:	
	That Cabinet -
2.1	Notes the national policy changes in relation to sustainable drainage systems.
2.2	Notes the work undertaken by the LLFA and Planning and Regeneration in response to the change.
2.3	Approves the publication of the Sustainable Drainage: Guide to Design, Adoption and Maintenance.

Lead Contact Officer(s):	
Telephone No:	Clive Wright – Resilience, Drainage and Flood Risk Manager – 0121 303 7235 Kerry Whitehouse – Projects Leader, Drainage and Resilience – 0121 464 6142
E-mail address:	clive.wright@birmingham.gov.uk kerry.whitehouse@birmingham.gov.uk

3. Consultation

3.1 Internal

The Deputy Leader, Cabinet Member for Sustainability, the Cabinet Member for Neighbourhood Management and Homes, the O&S Chairman for Economy, Skills and Sustainability, and the O&S Chairman for Neighbourhood and Community Services have been consulted and have not raised any issues. Finance and Legal Services officers have been involved in the compilation of this report. Extensive consultation has been undertaken with officers from Planning & Regeneration, Highways, Transportation, Ecology, Landscape Practice, Leisure and Birmingham Municipal Housing Trust, the responses to this consultation have been incorporated into the Sustainable Drainage: Guide to Design, Adoption and Maintenance

3.2 External

The Environment Agency and Severn Trent Water have been fully engaged in the preparation of the Sustainable Drainage: Guide to Design, Adoption and Maintenance. Consultation has been undertaken with the Birmingham Social Housing Partnership.

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 Strategic Outcomes of the Leaders Policy Statement 2015:

- A Fair City
- A Prosperous City

The Sustainable Drainage: Guide to Design, Adoption and Maintenance is consistent with the above policies including the Council Business Plan and, Budget 2015, which includes the key priority of 'a smart, green and sustainable city'. The Sustainable Drainage Guide to Design, Adoption and Maintenance provides support to developers, designers, planners and prospective sustainable drainage system (SuDS) owners and maintainer's to ensure that systems are successfully implemented on new developments. Well-designed SuDS provide effective surface water drainage, reduce flooding impacts, improve water quality and provide amenity, recreation and wildlife benefits.

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

The development of the Sustainable Drainage: Guide to Design, Adoption and Maintenance has been fully funded by a Sustainable Drainage Grant of £48,700 from Defra (Department for Environment Food and Rural Affairs). A further grant of £81,604 has been provided by Defra for 2015/16 to cover further development and the LLFA's role as a statutory consultee.

4.3 Legal Implications

In April 2015, government strengthened existing planning policy by making SuDS a key consideration for major development. Local planning policies and decisions on applications in relation to major development are now required to ensure that SuDS for the management of run-off are put in place unless demonstrated to be inappropriate and that the SuDS should be designed to ensure that the maintenance and operation requirements are economically proportionate. The Council is the Lead Local Flood Authority under the Flood and Water Management Act 2010. In March 2015, the Government laid a statutory instrument making the LLFA a statutory consultee on matters in relation to surface water.

4.4 Public Sector Equality Duty

An Equality Analysis has been undertaken for the Sustainable Drainage: Guide to Design, Adoption and Maintenance and no adverse impacts have been identified, this is attached as Appendix 2.

5. Relevant background/chronology of key events:

- 5.1 Sustainable Drainage is an approach to managing drainage in and around properties and other developments. SuDS work by slowing and holding back the water that runs off from a site, reducing flood risk, allowing natural processes to break down pollutants and providing amenity value. They provide an alternative to the traditional method of channelling water through networks of pipes and sewers.
- 5.2 In December 2014, the government announce that existing planning policy would be strengthened by making SuDS a material consideration for major development (10 dwellings or more; or equivalent non-residential or mixed development). As of 6th April 2015, Local planning policies and decisions on applications in relation to major development are now required to ensure that SuDS for the management of run-off are put in place unless demonstrated to be inappropriate and that the SuDS should be designed to ensure that the maintenance and operation requirements are economically proportionate.
- 5.3 From 15th April, the LLFA became a statutory consultee for all major planning applications with surface water drainage implications.
- 5.4 Since January 2015, the Drainage and Resilience team, in their role as LLFA have been working closely with Planning & Regeneration to prepare for the changes. Over the past 4 months we have:
- Held a workshop for all services affected to highlight the changes and understand the implications for their service
 - Worked closely with Planning & Regeneration colleagues to update the registration manual, validation criteria and planning conditions
 - Worked with Planning & Regeneration to ensure systems are in place to allow the LLFA to comment on applications and that the drainage team is trained.
 - Ran 3 capacity building workshops for Planning & Regeneration colleagues to highlight the changes and ensure that they understand their new role
 - Worked with Environment Agency and Severn Trent to ensure that all our approaches to the change are complimentary
 - Developed the sustainable drainage guidance document

5.5 The Sustainable Drainage: Guide to Design, Adoption and Maintenance has been drafted to provide detailed guidance to support the implementation of SuDS in future development in Birmingham, the policy steer is from the changes to the planning system and legislation. The guidance puts a particular emphasis on the local requirements for SuDS on all major development.

5.6 The specific objectives of this draft guidance are to:

- Enhance understanding of national and local requirements of SuDS
- Explain the principles and benefits of SuDS and the role these play in Birmingham
- Provide detailed guidance on the local requirements placed on developers
- Provide technical guidance with regard to specific SuDS features and associated landscaping, planting and ecology
- Provide guidance on the operation & maintenance requirements and adoption process

A draft version is currently available on the Councils website as an interim measure pending approval. Amendments will be made from time to time and a version control maintained.

6. Evaluation of alternative option(s):

6.1 The only alternative option is to not proceed with the publication of the Sustainable Drainage Guide to Design, Adoption and Maintenance. This is not an option as it forms an essential guide to developers, setting out Birmingham City Councils expectations in relation to SuDS. Failure to publish will result in unnecessary and elevated levels of inquiries to Planning and Regeneration and the LLFA requiring greater levels of resourcing.

7. Reasons for Decision(s):

7.1 To approve the Sustainable Drainage Guide to Design, Adoption and Maintenance to support to developers, designers, planners and prospective sustainable drainage system (SuDS) owners and maintainer's to ensure that systems are successfully implemented on new developments.

Signatures

Date

Cabinet Member

.....
Cllr Tahir Ali - Development, Transport and the Economy

.....

Chief Officer

.....
Jacqui Kennedy, Acting Strategic Director of Place

.....

List of Background Documents used to compile this Report:

List of Appendices accompanying this Report (if any):
1. Sustainable Drainage: Guide to Design, Adoption and Maintenance
2. Equality Analysis Initial Screening

Dated	16th September 2015
--------------	---------------------