
Report Title: West Berkshire Local Flood Risk Management Strategy

Committee considering report:	Executive
Date of Committee:	10 February 2022
Portfolio Member:	Councillor Richard Somner
Date Portfolio Member agreed report:	20 January 2022
Report Author:	Stuart Clark
Forward Plan Ref:	EX4142

1 Purpose of the Report

- 1.1 To seek approval of the West Berkshire Local Flood Risk Management Strategy 2022-2027.

2 Recommendation

- 2.1 That the Executive approves the West Berkshire Local Flood Risk Management Strategy 2022-2027.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are no financial implications for the council. Flood defence schemes proposed in the strategy are funded by Grant-Aid and contributions from the Regional Flood and Coastal Committee.
Human Resource:	There are no direct human recourse implications at present, however, the enactment of Schedule 3 of the Flood and Water Management Act (FWMA) may require additional resources. The council employs engineering consultants to assist with the design of flood defence schemes and to meet peaks in workload from our duties under the Flood and Water Management Act.

Legal:	Legal assistance is required with land purchases for flood defence schemes.			
Risk Management:	The Local Flood Risk Management Strategy (LFRMS) is an essential part of the Council's duties as Lead Local Flood Authority under the Flood and Water Management Act (FWMA). Reputational harm would be caused by a failure to implement the actions contained in the LFRMS and our duties under the FWMA.			
Property:	It is sometimes necessary to purchase private land to construct major flood defence schemes.			
Policy:	The LFRMS supports HM Government Policy Statement 'Flood and coastal erosion risk management', the National Planning Policy Framework and the EU Floods Directive.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		There are no Equalities impacts associated with the LFRMS.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		There are no Equalities impacts associated with the LFRMS.

Environmental Impact:	x			<p>A Strategic Environmental Assessment is included in Appendix C.</p> <p>Whenever possible, all flood defence schemes, sustainable drainage systems and land drain works undertaken or approved by the council aim to achieve biodiversity, water quality and amenity benefits.</p> <p>Adaptation and protecting the District against the impacts of climate change is an integral part of the Council's Environment Strategy.</p>
Health Impact:	x			<p>Flooding can have a significant impact on Health and Wellbeing of those residents that have been affected. Reducing the risk of flooding will therefore lead to healthier communities.</p>
ICT Impact:				No impact.
Digital Services Impact:				No impact.
Council Strategy Priorities:				<p>Approval of this strategy is in line with the Council Strategy Priorities of 'maintaining a green district' and 'developing local Infrastructure to support and grow the local economy.</p>
Core Business:				<p>The LFRMS supports the council's Environment Strategy.</p>
Data Impact:				No impact.

Consultation and Engagement:	<p>The draft strategy was published on the council's website from 23 August 2021 with comments invited by 3 October 2021. In total 101 responses were received from a mixture of residents, Local Ward Members, Parish Councils and Local Flood Forums. A wide range of feedback and comments were received.</p> <p>The feedback from the consultation was on the whole constructive and supportive. The general consensus was that the document is welcomed and the objectives are appropriate to reducing flood risk within the district.</p> <p>Details of the responses along with an officer comment can be seen in Appendix B.</p>
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4 Executive Summary

- 4.1 The Flood & Water Management Act 2010 places a duty on West Berkshire Council, as Lead Local Flood Authority, to develop, maintain, apply and monitor a strategy for local flood risk management (the 'Strategy'). This Strategy forms the framework within which communities have a greater say in local risk management decisions.
- 4.2 The Strategy encourages effective flood risk management by enabling people, communities, businesses and the public sector to work together to ensure a clear understanding of the risks of flooding so that investment in flood risk management can be prioritised more effectively.
- 4.3 The Strategy sets out clear and consistent plans for flood risk management that forms links to local planning policies and helps ensure that emergency plans and responses to flood incidents are effective. This will in turn help communities recover more quickly and effectively after flood incidents.

5 Supporting Information

Introduction

- 5.1 The Flood and Water Management Act (FWMA) 2010 requires West Berkshire Council as a Lead Local Flood Authority to produce a Local Flood Risk Management Strategy to provide the framework for managing local flood risk from groundwater, surface water and ordinary watercourse within the District.
- 5.2 The draft Local Flood Risk Management Strategy was made available for public consultation from 23 August 2021 to 3 October 2021. Consultees included members of the Berkshire Strategic Flood Risk Management Partnership, Environment Agency, Thames Water, Parish Councils, Water, local flood forums, and the general public.

Background

- 5.3 The Strategy establishes a set of objectives and corresponding measures (presented as an action plan) that will steer the Council towards meeting those objectives; and provides a single consistent reference point against which the Council can develop and monitor flood risk management. The objectives may also be regarded as an adaptation to the changing climate and as such supporting the wider strategic objectives of the Council's Environment Strategy.
- 5.4 The Strategy sets out how West Berkshire Council will work with other agencies and the public to understand local issues and to communicate and manage the risk of flooding. The Strategy will help communities, individuals and businesses understand local flood risk, what action they can expect to see with regards flood risk management and what action they can take to reduce the impact of future flood events.

Proposals

- 5.5 There are four main objectives in the Strategy as listed below. These are covered in more detail within the document along with the strategic measures and actions required to achieve these objectives. The objectives are:
1. Maintain and update our understanding of flood risk within West Berkshire and increase public awareness;
 2. Develop plans to reduce flood risk taking account of people communities and the natural environment;
 3. Identify measures that aim to reduce flood risk;
 4. Ensure that planning decisions take account of flood risk.

Overview and Scrutiny

- 5.6 The Flood and Water Management Act has made an amendment to the Local Government Act, under Section 21F, introducing powers for Overview and Scrutiny Committees to review and scrutinise the activities of the flood risk management authorities. In addition, under the Flood Risk Management Overview and Scrutiny (England) Regulations 2011, the lead local flood authorities Overview and Scrutiny Committee is empowered to request reports or the attendance at meetings of any flood risk management authority, to enable the scrutiny of the delivery of their flood risk management functions.
- 5.7 The Strategy will be reviewed every five years and reported to the Overview and Scrutiny Management Commission.

Implementation and Review

- 5.8 Reviewing and updating this strategy will be essential to ensure it remains fit for purpose and as a way of demonstrating successes in delivering reduced flood risk within West Berkshire. Implementation of the strategy will be led by the Highways and Flood Risk Asset Management Team within the Environment Department,

working closely with the Council's Joint Emergency Planning Unit and professional partners through the Berkshire Strategic Flood Action Group.

6 Other options considered

- 6.1 No other options were considered. The Flood and Water Management Act 2010 places a duty on West Berkshire Council, as Lead Local Flood Authority, to develop, maintain, apply and monitor a strategy for local flood risk management from surface water, groundwater and ordinary watercourses.

7 Conclusion

- 7.1 Flooding can have severe detrimental impacts on people's lives, from short duration nuisance flooding of highways, open space and river corridors to flooding of people's homes and businesses leading to damage, loss of personal possessions, displacement during remedial works and environmental impacts from pollution. The effects can also lead to physical and mental health issues and increased strain on people's lives.
- 7.2 This Local Flood Risk Management Strategy sets out how West Berkshire Council will work with its partners in local flood risk management to understand local flooding, communicate risks and manage unacceptable risks now and in the future.
- 7.3 Through the process of developing the LFMS, the Lead Local Flood Authority have assessed flood risk management measures that support the wider objectives of the council's Environment Strategy, and other related policies. The declaration of a Climate Emergency by West Berkshire Council in 2019 means that the objectives contained in the LFMS may be regarded as planned adaptation and coping response to the changing climate.

8 Appendices

- 8.1 Appendix A – Local Flood Risk Management Strategy 2022-2027
- 8.2 Appendix B – Consultation responses and officer comments
- 8.3 Appendix C – Strategic Environmental Assessment

Subject to Call-In:

Yes: ☒ No: ☐

The item is due to be referred to Council for final approval ☐

Delays in implementation could have serious financial implications for the Council ☐

Delays in implementation could compromise the Council's position ☐

Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months ☐

Item is Urgent Key Decision ☐

Report is to note only ☐

Wards affected: All Wards

Officer details:

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Document Control

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Author:	Stuart Clark		
Owning Service	Transport and Countryside		

Change History

Version	Date	Description	Change ID
1			
2			

Appendix A

Equality Impact Assessment (EqIA) - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:*
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:*
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;*
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.*
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.*

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	Approval of the Local Flood Risk Management Strategy 2022-2027
Summary of relevant legislation:	The Local Flood Risk Management Strategy is a requirement of the Flood and Water Management Act 2010.
Does the proposed decision conflict with any of the Council's priorities for improvement? <ul style="list-style-type: none"> • Ensure our vulnerable children and adults achieve better outcomes • Support everyone to reach their full potential • Support businesses to start develop and thrive in West Berkshire • Develop local infrastructure including housing to support and grow the local economy Maintain a green district • Ensure sustainable services through innovation and partnerships 	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please indicate which priority and provide an explanation
Name of Budget Holder:	Andrew Reynolds
Name of Service/Directorate:	Transport and Countryside
Name of assessor:	
Date of assessment:	
Version and release date (if applicable):	

Is this a ?		Is this policy, strategy, function or service ... ?	
Policy	Yes <input type="checkbox"/> No <input type="checkbox"/>	New or proposed	Yes <input type="checkbox"/> No <input type="checkbox"/>
Strategy	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Already exists and is being reviewed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Function	Yes <input type="checkbox"/> No <input type="checkbox"/>	Is changing	Yes <input type="checkbox"/> No <input type="checkbox"/>
Service	Yes <input type="checkbox"/> No <input type="checkbox"/>		

(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	The LFRMS sets out the aims and priorities to reduce flood risk over the 5 year period ending in 2027.
Objectives:	Develop plans and identify measure to reduce existing flood risk. Improve the understanding of flood risk in West Berkshire and increase public awareness.

Outcomes:	Raising public awareness of flooding and reducing flood risk.
Benefits:	The primary beneficiaries are the residents and businesses in West Berkshire effected by flooding from surface water, groundwater and ordinary watercourse.

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)

Group Affected	What might be the effect?	Information to support this
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments:		

(3) Result

Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Please provide an explanation for your answer:

Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Please provide an explanation for your answer:

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a EqlA 2.

If an EqlA 2 is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the EqlA guidance and template – <http://intranet/index.aspx?articleid=32255>.

(4) Identify next steps as appropriate:	
EqlA Stage 2 required	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Owner of EqlA Stage Two:	
Timescale for EqlA Stage Two:	

Name: Stuart Clark

Date: 6 December 2021

Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website.