

**ROTHERHAM BOROUGH COUNCIL
REPORT TO COUNCILLOR GERALD SMITH
CABINET MEMBER FOR TOWN CENTRE & ECONOMIC GROWTH &
PROSPERITY**

1.	Meeting:	CABINET MEMBER MEETING
2.	Date:	19 March 2012
3.	Title:	Rotherham Local Flood Risk Management Strategy Project Brief All Wards
4.	Programme Area:	Environment and Development Services

5. Summary

As Lead Local Flood Authority, the Council is required under Section 9 of the Flood and Water Management Act (2010) to develop, maintain, apply and monitor a Local Flood Risk Management Strategy. The Lead Local Flood Authority shall manage flood risk to safeguard and minimise the risk of future flooding by working in partnership with organisations, communities and stakeholders in Rotherham and surrounding areas.

It is a requirement of the Act that Rotherham's Local Flood Risk Strategy, Project Brief is approved and signed off by the Council's Cabinet Member before the Strategy is finalised. It is also proposed that Rotherham Local Flood Risk Management Strategy will be agreed and signed off by all partners and by the Local Flood Risk Management Steering Group and the council's scrutiny panel.

6. Recommendations

It be recommended that:

- 6.1 Cabinet Member approves the Rotherham Local Flood Risk Management Strategy Project Brief before the Strategy is finalised.**

7. Proposals and Details

The Council is required under Section 9 of the Flood and Water Management Act (2010) to produce a Local Flood Risk Management Strategy.

The main requirements of the Strategy are that it must:-

- Be completed by December 2013;
- Take account of Corporate procedures and priorities in Local Government;
- Be compatible with the requirements of the Flood and Water Management Act 2010;
- Be consistent with the National Flood and Coastal Erosion Risk Management Strategy;
- Identify and deliver all legal requirements and liabilities;
- Prepare guidance about its application;
- Engage Risk Management Authorities, partner organisations, stakeholders, members and local communities, Parish Councils, and Local Flood Action Groups in delivering the Local Flood Risk Strategy;
- Identify the skills and resource capacity required to deliver, maintain, apply and monitor the strategy;
- Prioritise areas for future investigation and investment in flood risk management in the Borough;
- Be of sufficient quality to:
 - justify future expenditure and resources for future Flood Risk Management, supporting funding investment under the new Defra approach to joint funding of schemes 'Partnership Funding'
 - support and feed into the spatial planning and development control processes
 - support and feed into emergency planning and community resilience actions
- Be a document that is relevant to everyone in Rotherham including all Risk Management Authorities and strategic partners
- Develop a clear, realistic and achievable action plan
- Be compatible with the requirements of the Flood Risk Regulations 2009
- Sign off by Risk Management Authorities or strategic partners in Rotherham such as the Environment Agency, Internal Drainage Board, British Waterways, Yorkshire Water, Severn Trent Water etc.

The main benefits of the Strategy are to achieve consistent assessment and sustainable development objectives, and to inform future integrated investment in flood risk management across Risk Management Authorities. The Strategy will achieve satisfactory solutions to identified risks/problems and benefits for flood risk management, funding and opportunities through spatial planning and new development. The Strategy will be beneficial towards increasing skills and capacity for flood risk management, and should improve community awareness of the work of the Lead Local Flood Authority and local flood risk by involving local communities in decision making.

The aim of the Local Flood Risk Management Strategy is to provide action plans that steers future flood risk management actions in Rotherham. It is a duty on all Lead Local

Food Authorities to formalise arrangements between Risk Management Authorities and to undertake new responsibilities as set out in the Flood Risk Regulations 2009 and Flood and Water Management Act 2010. The main aim of the Strategy is to raise awareness and help build community resilience and involve a strategic assessment of environmental impacts and community engagement.

It is a requirement of the Flood and Water Management Act 2010 that a Project Brief is incorporated within the Strategy. To enable the Strategy to be formally completed, it is necessary that a Project Brief is prepared by the Council, which will provide the required guidance, aims, objectives and outcomes necessary to have a successful and practical Strategy.

The Council's Cabinet Member is required to approve and sign off the Project Brief to enable the Council's Local Flood Risk Management Strategy to be completed.

8. Finance

It has been agreed by Defra that funding will be provided to Lead Local Flood Authorities through the Local Support Grant, which will enable the Authorities to carry out their duties under the requirements of the Flood Risk Regulations 2009 and Flood and Water Management Act 2010.

Rotherham has received grant funding of £120,000 for 2011/2012 from Defra, and Defra has also agreed to provide the Council with an additional £156,300 grant funding for 2012/2013, to enable the Council to carry out its new statutory duties under the Regulations and Act. Defra has also stated that future grant funding beyond 2012/2013 should be made available to all Lead Local Flood Authorities.

It is estimated that some of the new duties of the Council will be carried out over a 5 year cycle, which is expected to be completed by 2016. However at the end of the 5 year cycle the Council will be expected to update and revise documents, records, registers and Local Flood Risk Management Strategy, because these documents will be continuous living documents required to maintain flood risk management within Rotherham.

The Council's legislative duties such as investigations works, records, flood risk management plans and enforcement under the Act will be continuous.

Please note any requirements for additional revenue funding are not reflected in the current medium term financial strategy.

9. Risks and Uncertainties

It is important that the funding provided by Defra through the Local Support Grant is used to fund the work and requirements under the Act, including the Council's Local Flood Risk Management Strategy. Defra have indicated that they will if required audit or assess Lead Local Flood Authorities that are failing to carry out their duties under the Act.

Some sections of the Floods and Water Management Act 2010 have yet to be finalised by Defra. The main concern to Lead Local Flood Authorities is the proposed introduction of

Sustainable Urban Drainage Systems (SUDs), which are likely to have a major impact on all skills, resources, and funding within the Council.

Rotherham Local Flood Risk Management Strategy is programmed to be completed by December 2013, although Defra have not provided any directive as to when Lead Local Flood Authorities are expected to complete the Local Flood Risk Management Strategies.

In accordance with the Flood Risk Regulations 2009 and Flood and Water Management Act 2010, it is a requirement of the Council to approve and implement a Project Brief to ensure a consistent approach in delivering Rotherham Local Flood Risk Management Strategy.

It is proposed that the Cabinet Member approves Rotherham's Project Brief, which is attached with this report.

10. Policy and Performance Agenda Implications

The issues contained within this report support the Council's main Corporate Priorities.
Flood Risk Regulations 2009
Floods and Water Management Act 2010

11. Background Papers and Consultation

Rotherham Project Brief (attached with this report)

Ward Members have not been consulted.

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**ROTHERHAM METROPOLITAN BOROUGH COUNCIL
LOCAL FLOOD RISK MANAGEMENT STRATEGY
PROJECT BRIEF**

Project Information	
Project Name	Rotherham Local Flood Risk Management Strategy
Project Manager	Stephen Lister
Project Executive	Graham Kaye
Project Council's Elected Member	Councillor Gerald Smith

Background
As Lead Local Flood Authority, the Council is required under Section 9 of the Flood and Water Management Act (2010) to develop, maintain, apply and monitor a Local Flood Risk Management Strategy

Purpose
Lead Local Flood Authority to manage flood risk to safeguard and minimise the risk of future flooding by working in partnership with organisations, communities and stakeholders in Rotherham and surrounding areas.

Outline Business Case
<p>There is a legal requirement to produce a Local Flood Risk Management Strategy.</p> <p>The main benefits will be:</p> <ul style="list-style-type: none"> • Consistent assessment (flood risk, surface water management, and sustainable development objectives) to inform future integrated investment in flood risk management across Risk Management Authorities (e.g. cross boundary issues). • Improving co-operation between Lead Local Flood Authority and other Risk Management Authorities to achieve satisfactory solutions to identified risks/problems and benefits for flood risk management, funding and opportunities through spatial planning and new development. • The avoidance of duplication of effort or inefficient investment • Formalising actions between Risk Management Authorities in terms of procedure to meet the requirements of the new legislation • Increasing internal skills and ultimately capacity for flood risk management • Increasing community awareness of the work of the Lead Local Flood Authority and local flood risk • Involving local communities in decision making – localism agenda

Early warnings should be issued as soon as the Project Manager becomes aware that any of these might not be achieved with regular updates given

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL
LOCAL FLOOD RISK MANAGEMENT STRATEGY
PROJECT BRIEF**

Objectives

- Completion by December 2013
- Take account of Corporate procedures and priorities in Local Government
- Be compatible with the requirements of the Flood and Water Management Act 2010
- Be consistent with the National Flood and Coastal Erosion Risk Management Strategy
- Identify and deliver all legal requirements and liabilities
- Prepare guidance about its application
- Engage Risk Management Authorities, partner organisations, stakeholders, members and local communities, Parish Councils, and Local Flood Action Groups in delivering the Local Flood Risk Strategy
- Identify the skills and resource capacity required to deliver, maintain, apply and monitor the strategy
- Prioritise areas for future investigation and investment in flood risk management in the Borough
- Be of sufficient quality to:
 - justify future expenditure and resources for future Flood Risk Management, supporting funding investment under the new Defra approach to joint funding of schemes 'Partnership Funding'
 - support and feed into the spatial planning and development control processes
 - support and feed into emergency planning and community resilience actions
- A document that is relevant to everyone in Rotherham including all Risk Management Authorities and strategic partners
- Develop a clear, realistic and achievable action plan
- Be compatible with the requirements of the Flood Risk Regulations
- Sign off by Risk Management Authorities or strategic partners in Rotherham such as the Environment Agency, Internal Drainage Board, British Waterways, Yorkshire Water, Severn Trent Water etc.

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PROJECT BRIEF**

Outcomes

The strategy will :

- define Risk Management Authorities, (Partners and Stakeholders) in the Lead Local Flood Authority area
- define flood risk management functions that Risk Management Authorities may exercise
- assess local flood risk for the purpose of the strategy
- set objectives for managing flood risk
- define measures designed to meet those objectives
- describe how and when measures will be implemented
- identify costs, benefits and funding of measures
- describe how the strategy will be reviewed
- show how the strategy contributes to wider environmental objectives

A summary of the Local Flood Risk Management Strategy will be needed, which includes guidance on the availability of relevant information and how the strategy will be applied.

In Scope

The aim of the Local Flood Risk Management Strategy is to:

- Provide an action plan that steers future flood risk management actions by Risk Management Authorities in Rotherham.
- Formalise arrangements between Risk Management Authorities to undertake new responsibilities as set out in the Flood Risk Regulations (2009) and Flood and Water Management Act (2010).
- Enable document to raise awareness and help build community resilience.
- Manage expectations we will need to set out clearly the aims of the Local Flood Risk Management Strategy.
- Detail of the work that will be suitable for these purposes.
- Involve a strategic assessment of environmental impacts and community engagement.
- Engage with Communication Plan, Strategy including Action Plan, optional guidance document, Strategic Environmental Assessment

Out of Scope

The aim of the Local Flood Risk Management Strategy will not:

- Involve detailed computer modelling of all flood risks across the Borough
- Seek to resolve all flooding and drainage issues
- Develop schemes to a detailed design level
- Undertake detailed parish feasibility studies or Surface Water Management Plans
- Provide an action plan that steers future flood risk management actions by Risk Management Authorities in Rotherham.

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Project Variables

Assumptions:

- The majority of the work will be undertaken using the Council's resources with external support where necessary
- Good buy-in from Risk Management Authorities throughout the development of the Strategy
- Elected Member support and involvement throughout
- Legislation is fully enacted by October 2012. (SUDS Approval Body is a major concern)

Constraints:

- Legal requirements
- Consistency with National Flood and Coastal Erosion Risk Management Strategy
- Available skills and resources
- Balancing the different drivers and objectives of Risk Management Authorities in Rotherham
- Available budget for staff resources and time management relating to new ways of working
- Available budget for specialist elements, e.g. Strategic Environmental Assessment (if required)

Tolerances:

Are to be managed by the Project Executive and the Flood Risk Management Group in relation to:

- Scope - conflicting aims of Risk Management Authorities, stakeholders, members and communities that maybe difficult to resolve
- Benefit – strategy should as far as possible be fit for purpose by all Risk Management Authorities, stakeholders, members and communities
- Time – strategy itself is complete by December 2013 (sign off by multiple partners may take longer)
- Cost – subject to availability budget
- Risk – major risks may arise which affect time, budget or other objectives which mitigating actions cannot absorb
- Quality – should be as far as possible compatible with Risk Management Authorities, stakeholders, members and communities

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LOCAL FLOOD RISK MANAGEMENT STRATEGY
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Stakeholders

Rotherham MBC - Local Lead Flood Authority, Highway Authority, Local Planning Authority, Emergency Planning and Elected Members
Minister of Parliament for Rotherham area
Rotherham Multi Agency Flood Risk Management Group
South Yorkshire Flood Risk Partnership
Environment Agency
Danvm Internal Drainage Board
Yorkshire Water
Severn Trent Water Limited
South Yorkshire Resilience Forum
Communities.

Wider stakeholders e.g. British Waterways, Network Rail, Natural England, National Flood Forum, Highways Agency, Utility Companies, Local Flood Action Groups

List is not intended to be exhaustive and complete linkages will be considered through a Communication Plan

Interfaces

The Strategy will, wherever possible, link consistently with:

- National Flood Risk Management Strategy
- Rotherham Strategic Flood Risk Assessment
- Catchment Flood Management Plan
- Rotherham Preliminary Flood Risk Assessment (2011)
- Rotherham Emergency Plan, and Flood Action Plan
- Community Risk Register
- Multi-Agency Flood Plan
- Yorkshire Water and Severn Trent Water Limited Drainage Area Plans
- Highways Network Management Plan
- Local Transport Plan
- Local Development Frameworks/ Replacement Local Plans
- Rotherham Environment and Ecological Plan

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL
LOCAL FLOOD RISK MANAGEMENT STRATEGY
PROJECT BRIEF**

Project Description and Acceptance

Description:

Purpose: steer flood risk management actions

Major deliverables: Communication Plan, Strategy including Action Plan & Summary, Guidance is optional, Strategic Environmental Assessment (if necessary)

Derivation: Input from Preliminary Flood Risk Assessment (Rotherham MBC 2011)

Overall quality: fit for purpose for strategic study that can be used to steer investment, flags where more detailed work needed

Quality tolerances: compatible with Risk Management Authorities, stakeholders, members and communities to be confirmed by the Project Board

Acceptance

Criteria:

- takes full account of consultation with Partners, wider organisations, political representation and communities;
- realistic and achievable action plan that takes full account of available measures including spatial and emergency planning;
- strategy consistent with National FRM Strategy and corporate policy and priorities

Final sign off :

- from all partners including Rotherham Council sections not directly involved
- from Local FRM Steering Group
- Councillor Gerald Smith or Deputy to confirm sign off for Project Brief.
- Scrutiny Panel sign off for Strategy.

Project Approach

The majority of the work will be undertaken using the Council's resources with the use of external resources for support as appropriate.

Rotherham MBC completed Rotherham Preliminary Flood Risk Assessment in June 2011.

Opportunities should be taken for capacity building for flood risk management and developing a strategy that is tailored to Rotherham MBC needs.