



## SHEFFIELD CITY COUNCIL

### Report to Cabinet

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**Report of:** Simon Green, Executive Director of Place

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**Cabinet Portfolio:** Environment, Recycling and Streetscene

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**Date:** 17 September 2013

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**Subject:** Sheffield Flood Risk Management Strategy

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**Author of Report:** James Fletcher, Regeneration and Development Services - 2735847

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#### **Summary:**

As Lead Local Flood Authority (LLFA) under the Flood and Water Management Act (2010), Sheffield City Council is responsible for preparing and implementing a strategy for managing local flood risk within its area. This risk is defined as flooding from ordinary watercourses, surface water and groundwater.

The Environment Agency retains the role for managing the risk of flooding from the city's main rivers with Yorkshire Water having responsibility for the city's sewerage network.

The Sheffield Flood Risk Management Strategy has been developed over the last year with an agreed approach between the City Council, the Environment Agency and Yorkshire Water to work in partnership. This approach has led to the development of an integrated strategy for managing the risk of flooding from main rivers and smaller streams as well as managing surface water flash flooding.

The strategy aims to reduce the likelihood of flooding and its impact on Sheffield's people, businesses and visitors, and also to take the opportunity to enhance the city's environment.

The increasing risk of flooding due to changes in weather patterns, combined with challenging financial times, means that authorities need to consider different ways of working. As well as looking at more traditional methods of flood protection, plans are to provide more support to local communities to help individuals and groups take action to protect themselves.

The document attached to this report is the first edition (October 2013) of the Sheffield Flood Risk Management Strategy. A Flood Risk Management (FRM) Partnership formed between the City Council (as LLFA and Highway Authority), the Environment Agency and Yorkshire Water will monitor and review the delivery of the strategy over the next few years.

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### **Reasons for Recommendations:**

The Flood and Water Management Act 2010 places a statutory duty on Sheffield City Council as Lead Local Flood Authority to prepare, implement and maintain a flood risk management strategy for its area.

The Sheffield Flood Risk Management Strategy is a partnership approach to managing flood risk with other agencies operating in the city. The strategy's aims are to reduce the likelihood of flooding and its impact on Sheffield's people, businesses and visitors whilst taking the opportunity to enhance the city's environment.

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### **Recommendations:**

It is recommended that Cabinet:

1. Endorse the aims and objectives of the Sheffield Flood Risk Management Strategy, Edition 1, Version 1 (October 2013)
2. Approve the implementation of the action plan of measures outlined in section 6 of the strategy document.

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### **Background Papers:**

- Sheffield Flood Risk Management Strategy, Edition 1, Version 1 (October 2013)
- Equality Impact Assessment – Sheffield Flood Risk Management Strategy

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**Category of Report:** OPEN

**If Closed add – ‘Not for publication because it contains exempt information under Paragraph... of Schedule 12A of the Local Government Act 1972 (as amended).’**

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES Cleared by: Catherine Rodgers, Finance Manager
<b>Legal Implications</b>
YES Cleared by: Nadine Wynter, Service Manager, Legal Services
<b>Equality of Opportunity Implications</b>
YES Cleared by: Ian Oldershaw, EIA Lead Officer, Regeneration and Development Services
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO
<b>Environmental and Sustainability implications</b>
YES
<b>Economic impact</b>
YES
<b>Community safety implications</b>
YES
<b>Human resources implications</b>
YES: Cleared by Lynsey Linton, HR Business Partner
<b>Property implications</b>
NO
<b>Area(s) affected</b>
All
<b>Relevant Cabinet Portfolio Leader</b>
Environment, Recycling and Streetscene
<b>Relevant Scrutiny Committee if decision called in</b>
Economic and Environmental Wellbeing
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press release</b>
NO

## **REPORT TO CABINET: Sheffield Flood Risk Management Strategy**

### **1.0 SUMMARY**

- 1.1 As Lead Local Flood Authority (LLFA) under the Flood and Water Management Act (2010), Sheffield City Council is responsible for preparing and implementing a strategy for managing local flood risk within its area. This risk is defined as flooding from ordinary watercourses, surface water and groundwater.
- 1.2 The Environment Agency retains the role for managing the risk of flooding from the city's main rivers with Yorkshire Water having responsibility for the city's sewerage network.
- 1.3 The Sheffield Flood Risk Management Strategy has been developed over the last year with an agreed approach between the City Council, the Environment Agency and Yorkshire Water to work in partnership. This approach has led to the development of an integrated strategy for managing the risk of flooding from main rivers and smaller streams as well as managing surface water flash flooding.
- 1.4 The strategy aims to reduce the likelihood of flooding and its impact on Sheffield's people, businesses and visitors, and also to take the opportunity to enhance the city's environment.
- 1.5 The increasing risk of flooding due to changes in weather patterns, combined with challenging financial times, means that authorities need to consider different ways of working. As well as looking at more traditional methods of flood protection, plans are to provide more support to local communities to help individuals and groups take action to protect themselves.
- 1.6 The document attached to this report is the first edition (October 2013) of the Sheffield Flood Risk Management Strategy. A Flood Risk Management (FRM) Partnership formed between the City Council (as LLFA and Highway Authority), the Environment Agency and Yorkshire Water will monitor and review the delivery of the strategy over the next few years.

### **2.0 WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE**

- 2.1 It is six years since terrible flooding in the Don Valley in Sheffield caused damage and loss of life. Since then the city has experienced smaller floods and narrowly avoided main river flooding last summer.
- 2.2 Flooding is a natural process that shapes the natural environment. The Sheffield Flood Risk Management Strategy does not seek to prevent flooding entirely. However, if steps are not taken to manage the risk of flooding then the problem will worsen as the effects of climate change take hold.
- 2.3 The strategy aims to reduce the likelihood of flooding and its impact on Sheffield people, businesses and visitors and also to take the opportunity

to enhance the city's environment.

### **3.0 OUTCOME AND SUSTAINABILITY**

- 3.1 The strategy is essential to delivering corporate benefits across the 'Competitive City' and 'A Great Place to Live' outcomes. The partnership approach to managing flood risk supports corporate benefits for the city to be environmentally responsible, resilient to climate change and in promoting economic growth and regeneration. Strategic objectives are also to manage storm and rain water using natural processes thereby creating more desirable homes and sustainable communities that are more resilient to flooding.
- 3.2 Clearly, the FRM Partnership will need to outline how it intends to measure the success of the strategy in achieving its results. In the first two years of implementation, the Partnership will establish baseline figures and set outcome targets, for example, the reduction of properties at a high risk of flooding or improvements in water quality. Performance will be reported through the governance structures of the relevant outcome boards.
- 3.3 The strategy outlines seven important results that the Partnership wants to achieve:
- A greater role for communities in managing flood risk.
  - Well-managed rivers and watercourses that can cope better.
  - Property and transport routes better prepared against flooding.
  - Sustainable and appropriate development.
  - Help keep Sheffield's river valleys open for business.
  - Regenerated waterways and water bodies that consider the needs of local plants and wildlife.
  - Areas downstream of Sheffield are not disadvantaged by our actions.
- 3.4 The City Council will seek to address flood risk and improve water quality by using sustainable measures particularly in the areas of sustainable infrastructure and new development. The provision of sustainable urban drainage systems (SuDS) will play an increasing role in managing storm water in urban communities. These systems will be designed to deliver wider environmental benefits leading to more desirable homes and sustainable communities.
- 3.5 Wider environmental objectives are linked to contributing to achieving the requirements of the Water Framework Directive (2000). Plans relate to managing pressures on Sheffield's waterways and water bodies and improving well-being by enhancing the city's waterways to create pleasurable, sustainable and accessible landscapes.
- 3.6 A strategic environmental assessment (SEA) has been carried out as part of strategy development. The SEA has been published on the City Council's website and forwarded to the Environment Agency, Natural England and English Heritage for comment. The SEA analyses the strategy's actions

against a set of environmental objectives to determine their impact on the environment. The results are that the overall potential impact is overwhelmingly positive with benefits to human health, biodiversity, water quality and the city's heritage.

#### **4.0 KEY FEATURES OF THE STRATEGY**

- 4.1 As mentioned, the development and implementation of the strategy is required by the Flood and Water Management Act (F&WMA) and the first edition (October 2013) is attached to this report. The City Council is one of the first authorities in England to have published a strategy for managing flood risk in its area and it is hoped that this document will help to secure further investment.
- 4.2 The strategy provides an overview of the main sources of flood risk facing the city and their interaction. It signposts other studies and plans that inform our current understanding of risk and those documents that provide the evidence base for action and investment.
- 4.3 As required by the F&WMA, the strategy outlines the responsibilities and functions of other agencies and bodies operating in the Sheffield area and emphasises the partnership approach to managing flood risk.
- 4.4 The central component of the strategy is the action plan laid out in section 6. This section sets out delivery plans together with potential funding streams. The plan groups actions by the seven strategic results, however flood management areas of activity can be summarised as:
- Flood defence provision where feasible and appropriate.
  - Upstream management of storm flows.
  - Stewardship and regeneration of rivers and streams.
  - Maintenance of the local drainage infrastructure.
  - Community resilience including emergency planning.
  - Spatial planning policy and development management.
- 4.5 As legally required, the City Council has consulted widely with stakeholders and the public during the development of the strategy. The City Council published a summary document on its website early in 2013 for a period of 3 months. This was followed by the publication and distribution of a full draft document in early August with a press release inviting comment and feedback up to 30 September. Specific responses to the strategy have been limited, however, general areas of public feedback relate to better maintenance of the local drainage infrastructure, the provision of flood defences and emergency responses following a flood warning or during an event. Public comments have been taken on board in finalising planned actions.

## **5.0 LEGAL IMPLICATIONS**

- 5.1 The Flood and Water Management Act (F&WMA) 2010 places a statutory duty on the City Council, as Lead Local Flood Authority (LLFA), to prepare, consult on, implement, maintain and review a local flood risk management strategy and to publish a summary.
- 5.2 Other statutory duties placed on the City Council, as LLFA, are detailed in section 4.3 of the strategy document. In summary, these are:
1. To investigate incidents of flooding in its area where appropriate and necessary and publish reports.
  2. To maintain an asset register of structures and features which have a significant effect on flood risk
  3. To establish and operate an approval body for sustainable drainage systems (SuDS) serving new development in Sheffield.
- 5.3 The expected statutory start date for the operation of the SuDS Approval Body (SAB) for Sheffield is April 2014. Following operation, the Council's duties will be to approve and adopt SuDS serving new development in Sheffield. Government has confirmed that detailed legal requirements for the SAB will be announced in October 2013. A more detailed report on the SAB will be presented to Cabinet following this clarification.
- 5.4 The F&WMA also creates risk management authorities (RMAs) operating in the Sheffield area. This final strategy document will have some legal standing as the RMAs must act in a manner which is consistent with the strategy. The RMAs in Sheffield are:
- The City Council as LLFA and the highway authority.
  - The Environment Agency as main river authority.
  - Yorkshire Water as sewerage undertaker.
- 5.5 The strategy outlines the respective legal duties of the RMAs whilst emphasising the approach to working in partnership to address the main forms of flood risk in Sheffield.
- 5.6 As mentioned, the City Council's legal duty is for the strategy to address the risk of flooding from local sources. This is defined as flooding from ordinary watercourses, surface water and groundwater and the Council has specific duties and powers to manage local flood risk. However, as mentioned, the Council is committed to working in partnership with the Environment Agency, who are responsible for managing the risk of flooding from main rivers. The partnership has agreed to develop and implement an integrated framework for managing flood risk from all key sources, including local and main river, whilst emphasising the respective legal responsibilities of the RMAs.
- 5.7 This partnership approach has widened the scope of the strategy beyond the specific legal duty placed on the City Council to address local flood risk. The Council considers that this approach falls within the Council's general power of competency under the Localism Act 2011, because a strategy that includes addressing the risk of flooding from all key sources creates benefits for Sheffield and its residents. This approach also supports corporate

outcomes for the city to be environmentally responsible, resilient to climate change and in promoting economic growth and regeneration.

## **6.0 FINANCIAL AND PROCUREMENT IMPLICATIONS**

- 6.1 Section six of the strategy document outlines plans for delivery setting out an action plan of measures with estimated costs and potential funding streams.
- 6.2 Some of the actions are planned to be undertaken in the short term (1 to 2 years) and work has already begun on certain measures. Where required, funding is either in place and allocated or is close to being secured. Other measures will take more time and are scheduled for the medium (2 to 5 years) or long term (over 5 years). For those longer term measures, potential funding streams are being assessed, however the action plan will be subject to review and revision in line with actual funds secured.
- 6.3 At present, the City Council receives £221,000 per year as part of the Financial Services Support Grant (FSSG) to finance its role as LLFA in managing local flood risk. These funds are allocated to Place, Regeneration and Development Services, who oversee flood risk management work within the City Council and the grant contributes to staff costs in this area. Government has confirmed that the Council will continue to receive the current level of LLFA grant for the current spending review period to 31 March 2015. The Council's ability to maintain capacity in this service area post March 2015 is dependent on the Government's commitment to continue the current level of funding as a minimum requirement. The operation of the SuDS Approval Body (SAB) for Sheffield, as explained in sections 5.2 and 5.3 of this report, may require staff levels to be increased to meet the Council's statutory duties relating to the SAB. A more detailed report on the financing of the SAB will be presented to Cabinet following clarification by Government expected in October 2013.
- 6.4 In addition to amending plans in line with actual funding, the necessary approvals will be sought in accordance with Financial Regulations in respect of accepting any funds from a 3<sup>rd</sup> party or assuming the responsibilities of an Accountable Body. Similarly any capital works will be progressed through the capital approval process in line with Finance Regulations.
- 6.5 The action plan gives procurement requirements in general terms outlining planned projects, programmes, systems, surveys and studies. The action plan does not specify suppliers of goods, services or works other than those actions being carried out by internal Council service areas or as part of the Streets Ahead project. Procurement strategies will be developed in due course in accordance with Council standing orders as each measure is progressed.

## **7.0 HUMAN RESOURCE IMPLICATIONS**

- 7.1 The City Council has increased capacity over the last two years in the Flood



Risk Management team in Regeneration and Development Services to meet its duties as LLFA that includes implementing the flood risk management strategy. As mentioned in item 6.3 of this report, this LLFA role is part financed by a grant received as part of the FSSG from central Government. The Council's ability to maintain capacity in this area and successfully deliver the strategy is dependent on the continuation of this grant post March 2015.

- 7.2 As mentioned earlier in the report, there may be staffing implications related to the operation of the SuDS Approval Body (SAB) for Sheffield. A more detailed report will be submitted following clarification by Government expected in October 2013

## **8.0 ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 As mentioned, the City Council has chosen to develop an integrated flood risk management strategy working in partnership with the Environment Agency and Yorkshire Water. This approach covers the risk of flooding from the city's main rivers and streams as well as addressing surface water flooding.
- 8.2 Although the scope of the strategy goes beyond the Council's specific legal duty to manage local flood risk, the Council is committed to working with the Environment Agency to address the risk of main river flooding within the city.

## **9.0 EQUALITY OF OPPORTUNITY IMPLICATIONS**

- 9.1 An Equality Impact Assessment has been undertaken and is attached to this report. A key component of the strategy is to work with those communities that are vulnerable to the harmful effects of flooding particularly in socially deprived areas of the city. Community flood plans will look to provide information and support to vulnerable members of the community especially in an emergency situation.
- 9.2 In general, the management of flood risk will have a positive effect on all members of the community regardless of age, sex, race, belief, disability and sexual orientation

## **10.0 REASONS FOR RECOMMENDATIONS**

- 10.1 The Flood and Water Management Act 2010 places a statutory duty on Sheffield City Council as Lead Local Flood Authority to prepare, implement and maintain a flood risk management strategy for its area
- 10.2 The Sheffield Flood Risk Management Strategy is a partnership approach to managing flood risk with other agencies operating in the city. The strategy's aims are to reduce the likelihood of flooding and its impact on Sheffield's people, businesses and visitors whilst taking the opportunity to enhance the city's environment.

## **11.0 RECOMMENDATIONS**

- 11.1 It is recommended that Cabinet:
1. Endorse the aims and objectives of the Sheffield Flood Risk Management Strategy, Edition 1, Version 1 (October 2013).
  2. Approve the implementation of the action plan of measures outlined in section 6 of the strategy document.