



**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**15 June 2023**

**Report of the Executive Director - Place**

**Local Flood Risk Management Strategy Review June 2023**

(Cabinet Member for Highways, Assets and Transport)

**1. Divisions Affected**

1.1 County-wide.

**2. Key Decision**

2.1 This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

**3. Purpose**

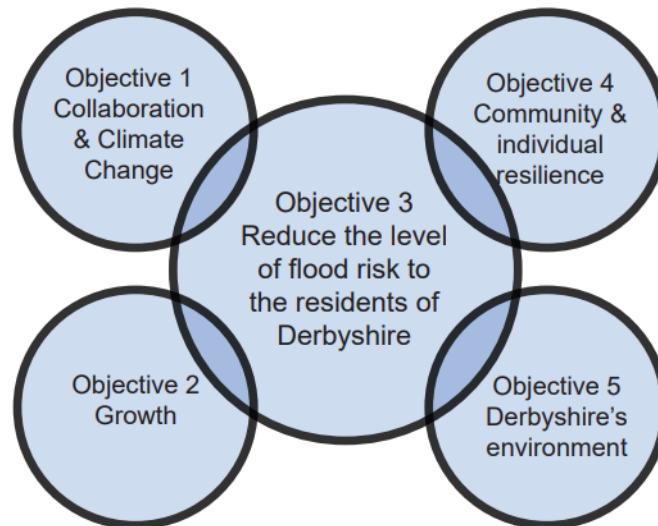
3.1 To seek:

(a) Cabinet approval of the review version of the Local Flood Risk Management Strategy (LFRMS) and all supporting documentation that are presented with this report and

(b) authority for the Executive Director – Place to (i) make any corrective or minor technical amendments to the review version of the LFRMS and supporting documentation as approved by Cabinet that he may find necessary, and (ii) report to the Cabinet Member – Highways Assets and Transport for the LFRMS annual review.

## **4. Information and Analysis**

- 4.1 Under the Flood and Water Management Act 2010 (FWMA), Derbyshire County Council, as the Lead Local Flood Authority (LLFA), is duty bound to develop maintain apply and monitor a Local Flood Risk Management Strategy (LFRMS). The LFRMS was originally adopted by the Council in 2015. The LFRMS specifies that it is to be reviewed annually subject to a full review every five years.
- 4.2 The LFRMS sets out the approach the Council takes to managing the risk of flooding within the county. The LFRMS identifies key objectives to manage the risk of flooding from local sources, the actions that will be taken to achieve these objectives, how they are funded and priority for delivery.
- 4.3 The LFRMS review version is in line with the National Flood and Coastal Erosion Risk Management Strategy which the Environment Agency has developed and maintains as required by section 7 of the FWMA. Each of the LFRMS objectives reflects at least one or more of the three ambitions of the National Strategy.
- 4.4 This review is a full five-year review to ensure the LFRMS is in keeping with the National Strategy as developed and maintained by the Environment Agency. It accounts for the ever-increasing impacts of climate change and ensures that the objectives follow the principles of SMART goals (specific, measurable, achievable and relevant).
- 4.5 The LFRMS review version is a consumable document that is inclusive, concise and clear in order to meet its objectives. All readers should be able to clearly understand the Council's approach to Flood Risk Management, as one objective focusses on communities and individuals understanding and managing their own flood risks to enable effective community and personal resilience.
- 4.6 The LFRMS in this review version reduces the volume and the objectives and actions have been refined and streamlined, to try and make the documents more accessible and less overwhelming for the reader. The LFRMS has an overarching objective to 'reduce the level of flood risk to the residents of Derbyshire' and all other objectives contribute to this objective as per the figure below:



4.7 The review version of the LFRMS contains a Part 1 which contains general information relating to management of flood risk, is aimed at residents, whereas Part 2 contains more technical details relating to how Derbyshire manages flood risk. It also contains the five local objectives 12 guidance notes and a culvert policy.

4.8 The five local objectives are as follows:

1. Collaboration and Climate Change. To understand flood risk in Derbyshire and the increasing impacts of climate change whilst working collaboratively with all other Risk Management Authorities (RMAs) and relevant groups.
2. Growth. To work with all relevant bodies to ensure development in Derbyshire delivers Sustainable Drainage (SuDS) with multiple benefits.
3. Overarching Theme. To reduce the level of flood risk to the residents of Derbyshire.
4. Community and Individual Resilience. To enable and support Derbyshire communities and residents to recognise, understand and manage their own flood risk.
5. Derbyshire's Environment. Work to restore, protect and enhance the historic and natural environments of Derbyshire.

4.9 This review is thorough. Firstly, the approach to how the review was to be undertaken was agreed by the Flood Risk Team, and other LLFAs strategies were also reviewed and compared. Current legislation and other relevant national strategies have been reviewed to ensure the LFRMS would be concomitant with any changes and updates. Engagement with other LLFAs, the Environment Agency (EA) and other Risk Management Authorities, regarding the LFRMS, has also been undertaken. Discussions on the progress and trajectory of the review

have been ongoing within the Flood Risk Management Team (FRM) to ensure peer review of proposed changes. As the review work progressed, it became clear that the LFRMS needed to be rationalised to make the strategy clearer, more succinct, and relevant to the current climate and economic constraints within which the Council operates.

## **5. Consultation**

- 5.1 A public consultation was undertaken between 3 April 2023 and 28 April 2023.
- 5.2 The consultation was through the Council's website and also actively promoted by the FRM Team to a wide range of RMAs and both internal and external customers.
- 5.3 A total of 10 consultation responses were received from members of the public, along with responses from other agencies, including the Environment Agency, Severn Trent Water and Derbyshire Wildlife Trust. All comments and suggestions have been taken into consideration, and some amendments to the Strategy Documents/Guidance have been undertaken, as a result of this.

## **6. Alternative Options Considered**

- 6.1 No alternative options are available, as a full review of the LFRMS is a legislative requirement (FWMA 2010).

## **7. Implications**

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **8. Background Papers**

- 8.1 Cabinet Report, Approval of the Local Flood Risk Management Strategy and Supporting Documentation, dated 28 July 2015 (Minute No. 271/15 refers).

## **9. Appendices**

- 9.1 Appendix 1 – Implications.
- 9.2 Appendix 2 – The June 2023 review version of the Local Flood Risk Management Strategy and associated guidance documents.

## **10. Recommendations**

That Cabinet:

- a) Approves the reviewed version of the Local Flood Risk Management Strategy (LFRMS) and all supporting documentation that are presented with this report.
- b) Gives authority for the Executive Director – Place to (i) make any corrective or minor technical amendments to the review version of the LFRMS and supporting documentation as approved by Cabinet that he may find necessary, and (ii) report to the Cabinet Member – Highways Assets and Transport for the LFRMS annual review.

## **11. Reason for Recommendations**

- 11.1 To ensure that the Council meets its legislative requirements as per Section 9 of the Floods Water Management Act 2010, and also to effectively manage flood risk for the residents of Derbyshire.

## **12. Is it necessary to waive the call in period?**

- 12.1 No.

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## **Implications**

### **Financial**

- 1.1 A key objective within the Local Flood Risk Management Strategy (LFRMS) is to reduce the level of flood risk to the residents of Derbyshire. The delivery of the Strategy is through the Flood Risk Management Team. The Team has no capital funding for projects or schemes to manage flood risk, and all funding is sought externally in partnership with the Environment Agency and other Risk Management Authorities and, as such, is subject to external funding mechanisms. If any financial considerations become apparent these will be subject to approval by the relevant body in line with the Scheme of Delegation and Financial Regulations.

### **Legal**

- 2.1 The LFRMS, from its original publication in 2015, has set out a review schedule for how and when the LFRMS is to be reviewed. This is a requirement of the Flood and Water Management Act 2010 (FWMA). This schedule specified and continues to specify that the Strategy is reviewed annually and in full every five years or if there were to be a significant change in flood risk management legislation. This review is a full review.

### **Human Resources**

- 3.1 No significant implications.

### **Information Technology**

- 4.1 No significant implications.

### **Equalities Impact**

- 5.1 No significant implications.

### **Corporate objectives and priorities for change**

- 6.1 One of the objectives in the Council Plan 2021-2025 is to “Reduce the level of flood risk to the residents and businesses of Derbyshire through our planning role, the delivery of flood mitigation schemes and working with communities to develop flood resilience measures” and also

“Adapted our services and worked with communities to help lessen the effects of climate change”.

**Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

- 7.1 Implications regarding flood risk and environmental sustainability are addressed in the Information and Analysis section.