

# HAMPSHIRE COUNTY COUNCIL

## Decision Report

<b>Decision Maker:</b>	Executive Member for Economy, Transport and Environment
<b>Date:</b>	12 November 2019
<b>Title:</b>	Local Flood and Water Management Strategy
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Simon Cramp

**Tel:** 01962 832348

**Email:** [simon.cramp@hants.gov.uk](mailto:simon.cramp@hants.gov.uk)

### Purpose of this Report

1. The purpose of this report is to seek approval from the Executive Member for Economy, Transport and Environment to adopt the draft Hampshire Local Flood and Water Management Strategy (LFWMS) and to undertake public consultation on the strategy as required by the Flood and Water Management Act.

### Recommendations

2. That the Executive Member for Economy, Transport and Environment approves the draft Hampshire Local Flood and Water Management Strategy (attached to this report as Appendix 1) for adoption, subject to a public consultation for a period of 8 weeks.
3. That authority is delegated to the Director of Economy, Transport and Environment to make minor amendments to the draft Hampshire Local Flood and Water Management Strategy as required by the outcome of the public consultation, in consultation with the Executive Member for Economy, Transport and Environment.

### Executive Summary

4. This report explains the requirement of the County Council as a Lead Local Flood Authority to prepare a Local Flood Risk Management Strategy.
5. The County Council's existing Local Flood Risk Management Strategy was published in 2013 and it is considered that this is now in need of updating. The report sets out the ambition to prepare a new strategy that sets out the County Council's approach to flood risk and water management in its widest sense. The report proposes that the new strategy is known as the Hampshire Local Flood and Water Management Strategy (LFWMS).
6. The report describes the seven key principles that frame the strategy and inform the proposed policies and actions, and seeks approval from the Executive Member for Economy, Transport and Environment to submit the draft LFWMS to public consultation for 8 weeks. The report also seeks approval to adopt the

interim policy position whilst the strategy undergoes consultation and pending final formal adoption.

## **Contextual Information**

7. Under the Flood and Water Management Act (2010), Hampshire County Council became the Lead Local Flood Authority (LLFA) for Hampshire. In accordance with the legislation, all LLFAs across the country are required to produce a Local Flood Risk Management Strategy.
8. Under the act, the LLFA's strategy must specify:
  - risk management authorities within that area;
  - their flood and coastal erosion;
  - risk management functions and objectives for managing flood risk;
  - measures proposed to achieve those objectives;
  - how and when the measures are expected to be implemented;
  - costs and benefits and funding sources assessment of local flood risk;
  - how and when the strategy is to be reviewed; and
  - how the strategy contributes to the wider environmental objectives.
9. The County Council's first and current LFRMS was adopted in July 2013. Since publication of the strategy, the County Council's awareness of flood risk and water management systems has increased. Informed by the experience of the widespread flood events in Winter 2013/14, new research and national guidance on the impact of climate change, and the draft national Flood and Coastal Erosion Risk Management Strategy, the County Council's approach to flood and water management is evolving. It is the County Council's aspiration to become a leading example for LLFAs across the country and to produce an updated strategy containing clear, concise statements of intent of how the County Council will seek to manage flood risk and water as a resource across Hampshire.
10. It is therefore proposed that the updated LFRMS is renamed the Hampshire Local Flood and Water Management Strategy (LFWMS), signifying the wider water resource management remit and the partnership working with other Risk Management Authorities (RMAs) that this entails.
11. The County Council's vision is to create a safer, more resilient Hampshire. The priority of the new strategy is to protect people, homes, businesses and key infrastructure by:
  - avoiding risks and managing water resources through effective planning and design;
  - preventing future flooding by reducing or removing existing risks;
  - adapting to flood risk in order to minimise the impact and enable normal life to return as soon as possible;
  - enabling communities to be better prepared to react to flood events and recover more easily; and
  - adopting practices that are sustainable and affordable now and in the future.
12. The Hampshire Local Flood and Water Management Strategy (LFWMS) explains how the County Council will undertake flood risk and water management by following 7 principles:

- effective Partnership Working;
  - developing a Catchment Approach;
  - understanding Priorities and Risks;
  - supporting the Planning Process by encouraging Sustainable and Resilient Development;
  - recording, Prioritising and Investigating Flood Events;
  - working with Multi-Agency Groups to Develop Flood and Water Management Schemes; and
  - encouraging and Supporting Community Resilience.
13. The new strategy sets out tangible policy statements and proposed actions which identify what the County Council, working with its partners, will do to improve flood and water management across Hampshire. The strategy seeks to further improve existing working relationships with partner organisations such as the Environment Agency, water companies, Catchment Partnerships and local authorities at all levels of government.
14. As part of the development of the new strategy, the activities of Hampshire's Strategic Flood and Water Management Partnership Board is being reviewed to ensure its future composition and operation remains fit for purpose going forward. The current board includes representation from:
- Hampshire County Council;
  - Adjoining Lead Local Flood Authorities;
    - Portsmouth City Council;
    - Southampton City Council;
    - Isle of Wight County Council;
  - Water companies;
    - Southern Water (also representing Thames and Wessex);
  - Risk Management Authorities;
    - Environment Agency (Solent and South Downs Area Office);
    - District/Borough Councils (Chief Executive and Officer representation);
  - Key Stakeholders;
    - New Forest National Park Authority (also representing South Downs National Park Authority);
    - Hampshire Association of Local Councils; and
    - National Flood Forum.
15. While the Flood and Water Management (FWM) Act 2010 places a duty on all flood risk management authorities to co-operate with each other, the act does not say what any local arrangements should look like. As a Lead Local Flood Authority, the County Council established the current Partnership Board in 2011 to enable effective partnership working with other Flood Risk Management Authorities and key partners to manage the risk of flooding in Hampshire.
16. In line with the ambitions of the new strategy, it is considered that the structure of the existing Partnership Board would benefit from adopting a broader based,

'Partnership' approach, and that a Standing Conference arrangement, aligned with the County Council's Economy, Transport and Environment Select Committee, be investigated in more detail with key partner organisations for implementation in 2020.

17. It is the intention for the strategy to be hosted online making it more accessible for partners and members of the public, and to enable it to be updated as required in response to national policy and guidance, particularly the national Flood and Coastal Erosion Risk Management (FCERM) Strategy, and the outcomes of the County Council's programme of Catchment Plans for Hampshire.

### **Consultation and Equalities**

18. The County Council has undertaken informal consultation with representatives of the Environment Agency, Risk Management Authorities, water companies and emergency services who form part of the Hampshire Strategic Flood and Water Management Partnership Technical Delivery Group. The responses to the early draft strategy were supportive of the approach. It is intended to seek the views of these and other partner organisations as part of the formal consultation.
19. As required by the provisions of the Flood and Water Management Act (2010), the draft Hampshire Local Flood and Water Management Strategy (LFWMS) will be submitted for public consultation beginning in late November 2019. The consultation will be open for 8 weeks, 2 weeks longer than is statutorily required, to allow for the Christmas and New Year period.
20. When preparing a LFRMS, it is a statutory requirement to carry out a Strategic Environmental Assessment (SEA) to identify any potentially significant environmental effects arising from the implementation of the strategy. The SEA is an integrated, systematic appraisal of the potential environmental impacts of policies, plans, strategies and programmes during the development of the Plan before they are approved. This is to ensure that the implications for the environment have been fully and transparently considered. A Habitat Regulations Assessment, and consultation with Natural England, has been undertaken as part of this process. The assessments found that there were no significant negative effects of the strategy.
21. A Draft Scoping Report was provided to Statutory Consultees (Natural England, Thames Water, Historic England and the Environment Agency) in 2017 to allow them to express their views on the scope of SEA for the emerging flood risk management strategy. The interim Environmental Assessment (attached as Appendix 2) will be made available to the public and consultation bodies during the period of formal consultation on the draft Hampshire Local Flood and Water Management Strategy to facilitate informed consultation responses on both documents.
22. Following completion of an Equalities Impact Assessment, it is considered that the proposal will have a neutral impact on groups with protected characteristics.

### **Next Steps**

23. It is proposed that the draft Hampshire Local Flood and Water Management Strategy (LFWMS) be submitted for an 8 week public consultation period

beginning in late November 2019. If the public consultation produces any significant areas of challenge or objections, a report will be brought back to the Executive Member for Economy, Transport and Environment in due course. In the event that the consultation raises only minor suggested amendments, it is proposed that these are dealt with under the recommended delegation to the Director of Economy, Transport and Environment.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u> Local Flood Risk Management Strategy	<u>Date</u> 23 July 2013
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u> Flood and Water Management Act	<u>Date</u> 8 April 2010

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
Hampshire Local Flood and Water Management Strategy	SharePoint – to be identified

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

The strategy includes policy and actions that are intended to benefit all communities in Hampshire. It is considered that there will be no additional impact on people with protected characteristics and therefore the strategy has been assessed as having a neutral impact overall.