

North Tyneside Council

Report to Cabinet

Date: 18 October 2021

Title: North Tyneside Local Flood Risk Management Strategy

Portfolios:	Community Safety and Public Protection	Cabinet Members:	Councillor Carole Burdis
	Environment		Councillor Sandra Graham

Report from Service Areas: **Environment, Housing & Leisure**

Responsible Officer: **Phil Scott, Director of Environment, Housing and Leisure** **Tel: (0191) 643 7295**

Wards affected: **All**

PART 1

1.1 Executive Summary:

In 2012, North Tyneside experienced a series of devastating storm events that caused extensive flooding to homes and infrastructure across the borough. In response to this, the North Tyneside Surface Water and Drainage and Partnership was established to develop a programme of flood risk reduction initiatives including the development of a formal management strategy which, at the time was a legislative requirement.

North Tyneside's first Local Flood Risk Management Strategy ('the Local Strategy') was approved by Cabinet in July 2014. This paved the way for the delivery of a successful programme of major schemes and drainage work. This was supported by an overall regional investment of around £20million (including a £4.75m investment from the Authority) which has greatly reduced the risk of flooding in communities across North Tyneside.

The Local Strategy now requires updating to take into account the extensive work that has been completed, changing circumstances, and the emergence of new national strategies relating to flood alleviation.

1.2 Recommendation:

It is recommended that Cabinet:

(1) notes the information presented in this report; and

(2) approves the North Tyneside Local Flood Risk Management Strategy which is attached to this report as **Appendix 1**.

1.3 Forward Plan:

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 3 September 2021.

1.4 Council Plan and Policy Framework

The proposals in this report relate to a number of themes in Our North Tyneside, the Council Plan 2021 to 2025, in particular:

- A secure North Tyneside
- A green North Tyneside

1.5 Information:

1.5.1 Background

North Tyneside experienced extensive flooding in 2012 which highlighted such events can occur at anytime and anywhere with potentially devastating consequences.

The Flood and Water Management Act 2010 and the Flood Risk Regulations 2009 placed certain duties on local authorities. The Authority, as a lead local flood authority (LLFA), has a responsibility for leading the co-ordination of local flood risk management within the North Tyneside area.

The Authority has the duty, under Section 9 of the Flood and Water Management Act 2010 (FWMA), to have in place a Local Flood Risk Management Strategy to manage all sources of flooding using a risk-based approach.

North Tyneside's first Local Flood Risk Management Strategy ('the Local Strategy') was approved by Cabinet in July 2014. The Local Strategy now requires updating to take into account the extensive work that has been completed, changing circumstances, and the emergence of new national strategies relating to flood alleviation.

The updated Local Strategy, included as Appendix 1 of this report, sets out the roles and responsibilities of flood risk management partners along with the Authority's position as the LLFA for North Tyneside. It sets out the strategic objectives for managing flood risk and functions alongside the national Flood and Coastal Risk Management Strategy 2020.

1.5.2 The Current Strategy

The current strategy, approved in 2014, was the Authority's first Local Strategy. It contained a number of local objectives to tackle flood risk and was supported by an implementation plan which resulted in the successful delivery of over 30 flood alleviation schemes. Other objectives related to improving community engagement, strengthening partnership working and making our emergency response operations more resilient. The objectives of the Strategy were largely met and it was later decided that there was no longer a need to continue with the Surface Water and Drainage Partnership. It was

therefore dissolved in 2020. The achievements made during the lifetime of the first Local Strategy are summarised below:

- Numerous successful community engagement initiatives including the introduction of a flood warden scheme
- Financial investment of around £20million for schemes to reduce the risk of flooding in the borough with North Tyneside contributing £4.75million
- Completion of 8 major flood risk reduction schemes. Examples include Green Lane, Dudley; Shiremoor; Fairfield Green, Monkseaton and Briar Vale, Monkseaton
- Completion of the £6m Killingworth and Longbenton Sustainable Drainage Project
- Completion of around 30 further drainage improvement schemes
- Installation of property level protection to homes at Oak Grove, Wallsend and Murton Village
- Improvements to emergency flood response procedures to increase resilience
- Improving links between partner drainage agencies and regional bodies such as the Northumbria Region Flood and Coastal Committee
- Investment in 2 new gully cleansing vehicles with associated silt level measuring ICT
- Completion of numerous studies and drainage modelling to better understand surface water issues and risks
- Administering the DEFRA Repair and Renewal grant funding to support residents and businesses affected by flooding

1.5.3 The Revised Strategy

Although much has been achieved since 2012, the Authority remains fully committed to flood risk management. The updated Local Strategy therefore largely continues with the original policy direction and objectives. The way the Authority will achieve these is set out on within Section 2.9 of the revised strategy. The objectives are shown below.

- 1) We will continue to encourage direct involvement in decision making through partnership working with key organisations and communities.
- 2) We will target resources where they have the greatest effect by continuation with a risk-based approach.
- 3) We will contribute to wider social, economic and environmental outcomes by encouraging sustainable multi benefit solutions for the management of local flood risk.
- 4) We will continue to encourage and support communities and local landowners to take action and contribute to the reduction of flood risk.
- 5) We will continue to ensure that emergency plans and responses to flood incidents are effective and that communities are able to respond properly to flood warnings.
- 6) We will ensure that our infrastructure is resilient to flooding and be ready to adapt to flooding change.
- 7) We will provide further support to local residents to increase their own resilience to flooding.

These objectives align with those included within the latest national DEFRA strategy for flood risk management which was developed in 2020. The revised Local Strategy will provide the strategic framework for the Authority to continue its programme of surface water management work from now until 2032 in line with the timescales of similar engineering strategies and plans such as the Highway Asset Management Plan.

1.5.4 Funding

The majority of flooding hotspots identified within the borough were addressed during the lifetime of the current Local Strategy. As such, at this time, there is no need for the Authority to provide further capital investment. Future schemes and studies will be smaller scale and will normally be funded through external grants, in particular from the Environment Agency. With regard to new housing, developers will be required to fund drainage systems in line with the conditions of detailed flood risk assessments which they are required to undertake. The Authority and partner agencies will work with housing developers to ensure this is done in the most sustainable manner.

1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

Option 1

To approve the recommendations as set out in paragraph 1.2 above.

Option 2

Not to approve the recommendations as set out in paragraph 1.2 above.

Option 1 is the recommended option.

1.7 **Reasons for recommended option:**

Option 1 is recommended for the following reasons:

Approving the recommendations in paragraph 1.2 will ensure the Authority's ongoing commitment to tackling surface water issues and will fulfil the statutory requirement to have a published Local Strategy in place to manage this.

1.8 **Appendices:**

Appendix 1 – North Tyneside Local Flood Risk Management Strategy 2021

1.9 **Contact officers:**

Mark Newlands, Highways & Infrastructure Manager, 0191 643 6129
Colin MacDonald, Senior Manager, Technical & Regulatory Services, 0191 643 6416
Nick Preston, Capita Operations Manager, 07594 522116
Cathy Davison, Principal Accountant Investment (Capital) and Revenue, 0191 643 5727

1.10 **Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

North Tyneside Local Flood Risk Management Strategy 2014
<https://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/Local%20Flood%20Risk%20Management%20Strategy%202014.pdf>

Cabinet Report - Surface Water and Drainage Partnership Annual Update, January 2020

<https://democracy.northtyneside.gov.uk/documents/s1967/North%20Tyneside%20Surface%20Water%20and%20Drainage%20Partnership%20Annual%20Update.pdf>

Department for Communities and Local Government (2012) National Planning Policy Framework (NPPF)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Defra / Environment Agency National Flood and Coastal Erosion Risk Management Strategy for England

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/920944/023_15482_Environment_agency_digitalAW_Strategy.pdf

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

The Authority's capital investment in surface water work ended in 2020 following the dissolution of the Surface Water and Drainage Partnership. As such, any new capital work associated with the updated Local Strategy will be funded by external Environment Agency grants such as the local levy and contributions from other partner organisations. Day to day activities such as investigations, routine maintenance and community engagement will be funded from service budgets.

2.2 Legal

The Flood Risk Regulations 2009 translate the EU Floods Directive into law for England and Wales. The Regulations require the Environment Agency, county councils and unitary authorities together with partners such as water companies, to manage flood risk from all sources and to reduce the impact of flooding on human health, economic activity, cultural heritage and the environment.

The Flood and Water Management Act 2010 is designed to put in place the changes recommended by Sir Michael Pitt in his review of the summer floods of 2007.

The 2009 Regulations and the 2010 Act carry with them duties for local authorities, including:

- the duty to produce a Local Flood Risk Management Strategy;
- the duty to produce and maintain a register of assets which have a significant effect on the flood risk in the area. Such assets need to be designated and works to those assets subsequently controlled through a consent procedure;
- a responsibility to investigate and publish reports on flood incidents in their area; and
- the duty to establish a Sustainable Urban Drainage Schemes (SuDS) approval body.

In accordance with the requirements of the Local Government Act 2000 and the Regulations made under that Act, Cabinet is responsible for considering and determining this matter.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

Internal consultation has involved the Cabinet Member for Community Safety & Public Protection, the Cabinet Member for Environment and the Director of Environment, Housing and Leisure.

2.3.2 External Engagement

External engagement has been carried out with our primary partner drainage agencies, Northumbrian Water Limited and the Environment Agency. Both organisations were given an opportunity to comment on the draft Local Strategy and have indicated their support.

2.4 Human rights

There are no human rights implications directly arising from this report.

2.5 Equalities and diversity

The Local Strategy is a continuation of an existing strategy and as such there are no equality and diversity issues directly arising from this report.

2.6 Risk management

There are no risk management implications arising directly from this report. Strategic and operational risks associated with works delivered under the Local Strategy will be managed on a project by project basis using individual risk registers.

2.7 Crime and disorder

There are no crime and disorder implications arising directly from this report.

2.8 Environment and sustainability

The updated Local Strategy strongly supports improvements to the environment such as habitat improvement, reduction in pollution incidents and improvements to water quality. Additionally, wherever possible, surface water schemes will be designed using sustainable methods to mimic natural drainage features – for example, the use of natural drainage basins and earthworks.

PART 3 - SIGN OFF

- Chief Executive X
- Director of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Assistant Chief Executive X