

Report to Communities, Highways and Environment Scrutiny Committee

30 September 2021

Local Flood Risk Management Strategy 2021-2026

Report by Director of Highways Transport and Planning

Electoral division(s): All

Summary

The County Council is the Lead Local Flood Authority (LLFA) for West Sussex. One of the statutory duties of a LLFA is to 'develop, maintain, apply and monitor' a local flood risk management strategy (LFRMS) in its area.

The current West Sussex LFRMS, which was adopted in 2013, sets out how flooding is managed in West Sussex with a focus on local flood risk from surface water, groundwater and ordinary watercourses. It defines the roles and responsibilities of the designated risk management bodies and riparian (private) owners. It also identifies how the County Council meets its statutory duties as a LLFA.

The LFRMS is being reviewed and updated to set out the County Council's strategy for the next five years (2021 to 2026). In the main, the draft LFRMS continues the approach of the current Strategy, with the principal aim being to oversee the direct reduction in local flood risk for residents and to make communities more resilient to future flood risk.

During the life of the Strategy (2021-2026), the County Council's main focus will be on the 25 Priority Areas (parishes or neighbourhood areas in unparished areas) that are most at risk of flooding.

The draft LFRMS is subject to public consultation for six weeks. Following the consultation and analysis of feedback, any necessary amendments will be made before the Cabinet Member for Environment and Climate Change is recommended to adopt the final Strategy.

Focus for Scrutiny

That the draft LFRMS clearly sets out how flood risk from surface water, groundwater and ordinary watercourses will be managed in West Sussex over the next five years and that the strategic approach, including the focus on 25 Priority Areas, will deliver the strategic objectives in the draft Strategy.

That the draft 2021/26 Strategy sufficiently reflects any learning arising since its original adoption in 2013.

That the criteria for selecting the 25 Priority Areas are sound.

That Members are clear how value for money will be measured and monitored under the draft Strategy.

Proposal

1 Background and context

- 1.1 The Flood and Water Management Act 2010 created a new statutory role for County and Unitary authorities as Lead Local Flood Authority (LLFA). Accordingly, the County Council is the LLFA for West Sussex. One of the statutory duties of a LLFA is to 'develop, maintain, apply and monitor' a local flood risk management strategy (LFRMS) in its area.
- 1.2 The current West Sussex LFRMS, which was adopted in 2013, sets out how flooding is managed in West Sussex with a focus on local flood risk from surface water, groundwater and ordinary watercourses. It defines the roles and responsibilities of the designated risk management bodies and riparian (private) owners. It also identifies how the County Council meets its statutory duties as a LLFA.
- 1.3 The LFRMS is being reviewed and updated to set out the County Council's strategic approach for the next five years (2021 to 2026). A draft of the Strategy has been prepared for public consultation prior to adoption.
- 1.4 This paper outlines the consultation process and subsequent formal adoption of the LFRMS by the County Council to meet its statutory duties as a LLFA.

2 Proposal details

- 2.1 The development of the draft Strategy has been overseen by a senior officer group (the West Sussex Flood Partnership) representing the Risk Management Authorities (RMA) operating in the County (West Sussex County Council, the Environment Agency, Southern Water, the districts and borough councils, and South Downs National Park Authority). It has also involved liaison with other key stakeholders, including the town and parish councils.
- 2.2 In the main, the draft LFRMS continues the approach of the current Strategy, with the principal aim being to oversee the direct reduction in local flood risk for residents and to make communities more resilient to future flood risk.
- 2.3 The objectives of the draft LFRMS, and the focus of local work over the lifetime of the Strategy, are as follows:
 1. *Adaptation*: to work with communities to implement adaptive approaches to enhance the natural and built environment.
 2. *Resilience*: to support communities to help them to become more resilient to future flood risk.
 3. *Collaboration*: to work with all Risk Management Authorities and stakeholders to achieve a consistent, co-ordinated and risk-based approach to flood risk management.

4. *Opportunities*: to seek opportunities (including funding and research and development) from existing and new sources to invest in making communities resilient to flooding.
5. *Evidence*: to develop a strategic understanding of flood risk from all sources.
6. *Sustainability*: to contribute positively to sustainable growth and support environmental net gain by influencing wider development, redevelopment and regeneration plans to deliver flood risk benefits.

2.4 Preparation of the LFRMS has involved an analysis of flood risk for every parish within the County, allowing local communities to alert themselves to the risk of flooding. During the life of the Strategy (2021-2026), the County Council's main focus will be on the 25 Priority Areas (parishes or neighbourhood areas in unparished areas) that are most at risk of flooding (see appendices). This will involve consideration of any work to reduce local flood risk that has already been carried out and investigation of any new works that could be considered in the future.

2.5 An action plan has been developed so that the County Council can track progress and the location of investment over the lifetime of the Strategy. Regular reviews of progress against the action plan will be conducted, with priorities adjusted as necessary. It will be fully reviewed and updated in five years.

2.6 Following adoption, the LFRMS will be used to inform investment decisions, including those relating to routine maintenance, and upgrading and new improvements in response to flooding issues.

An executive summary of the draft Strategy is attached as Appendix A and here's a link to the full [Local Flood Risk Management Strategy 2021-26](#).

3 Other options considered (and reasons for not proposing)

3.1 The maintenance of the LFRMS is a statutory duty under the Flood and Water Management Act 2010; therefore, no other options were considered during this review process.

4 Consultation, engagement and advice

4.1 The preparation of the draft LFRMS has involved the other RMAs in the County and liaison with key stakeholders.

4.2 Any scheme development that is considered following the analysis of the 25 Priority Areas will give due regard to the Council's 'Climate Change Strategy (2020-2030)'.

4.3 Public consultation on the draft strategy is for six weeks from mid-August to the end of September 2021. A communications plan has been developed and the draft strategy will be promoted with all Parish Councils and partner authorities and advertised through the media. A 'Have Your Say' page has been developed on the Authority's consultation portal, which is live during the consultation period.

4.4 A verbal update regarding the consultation responses will be given to members of the Communities, Highways and Environment Scrutiny Committee on 30 September, as the consultation closes the same day.

4.5 Following the consultation, the draft strategy will be amended, if necessary, to take account of any relevant comments before it is adopted. Any amendments to the strategy following the consultation will be reported back to the committee prior to the adoption of the final strategy.

5 Finance

5.1 There are no financial consequences associated with publishing the draft LFRMS for consultation.

5.2 Once the final Strategy is adopted, it will influence future investment decisions. However, the financial implications of these decisions will be addressed in future budget preparation and/or Key Decisions.

5.3 The LFRMS will also become the strategic mechanism by which the County Council can secure funds through the Regional Flood and Coastal Committee and the Department for Environment, Food and Rural Affairs to support flood risk management works. The criteria for projects to qualify for this funding are set out in the Strategy.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
None	n/a

7 Policy alignment and compliance

7.1 Policy - The draft Strategy has been influenced by, and is consistent with, all relevant policies at the national, regional and local level.

7.2 Legal Implications – the preparation and maintenance of the LFRMS is a statutory duty. The matters to be addressed by the Strategy are specified in the Flood and Water Management Act 2010. The strategy must be consistent with the national flood and coastal erosion risk management strategy for England. Prior to adoption, consultation on the draft strategy must take place with the risk management authorities that may be affected by the Strategy and the public.

7.3 Equalities – an Equality Impact Assessment has been undertaken. No negative impacts have been identified or are anticipated for customers or residents with protected characteristics.

7.4 Crime and Disorder - not applicable.

7.5 Public Health – the prevention of flood risk will have a positive impact on public health.

7.6 Social Value – not applicable.

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Appendices

Appendix A – Executive Summary of the draft West Sussex Local Flood Risk Management Strategy

Appendix B - 25 Priority Areas across West Sussex

Background papers

None