

WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE – 29 JANUARY 2013

SUBJECT:	PROGRESS REPORT ON THE IMPLEMENTATION BY WIRRAL OF THE FLOOD RISK REGULATIONS 2009 & THE FLOOD AND WATER MANAGEMENT ACT 2010
WARD/S AFFECTED:	ALL
REPORT OF:	INTERIM DIRECTOR OF TECHNICAL SERVICES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The Flood & Water Management Act 2010 and the Flood Risk Regulations 2009 established Wirral Council as a Lead Local Flood Authority (LLFA). LLFA's are required to lead the strategic management of local flood risk (arising from surface water, groundwater and ordinary watercourses).
- 1.2 Wirral is at risk of local flooding, with a substantial number of domestic properties identified as at risk from potential future flooding. The responsibilities attached to the LLFA role, place substantial new burdens on Wirral Council in managing these flood risks and will be directed through the Flood & Water Management Partnership, the Sustainable Communities Overview & Scrutiny Committee and finally to Cabinet for approval. Additionally, the production of an annual report by the Overview & Scrutiny Committee responsible for flood risk management on progress in implementing the duties and an action plan for the next 12 months is required.

2.0 BACKGROUND AND KEY ISSUES

2.1 Flood Risk Management Progress Report

- 2.1.1 The Flood Risk Regulations 2009 – Preliminary Flood Risk Assessment (PFRA)
 - 2.1.1.1 The requirements of the EU Floods Directive (Directive 2007/60/EC, the assessment and management of flood risks across EU Member States) in England and Wales was adopted within UK legislation through the Flood Regulations 2009 and the Flood and Water Management Act 2010, placing new flood risk management duties on the Environment Agency (EA) and Lead Local Flood Authorities (LLFAs) and a duty on other relevant organisations to cooperate and share data.
 - 2.1.1.2 The Regulations required LLFA's to prepare a PFRA showing the impact of historic flooding and the potential impact of a repeat event by 22 December 2011.

- 2.1.1.3 For the Council, as the LLFA for the Wirral area, the PFRA process involved an assessment of local flood risk, the preparation of a Preliminary Assessment Report and the identification of Flood Risk Areas (where the risk of flooding is significant). The deadline for completion was 22nd June 2011. The Wirral PFRA was submitted prior to this deadline and will be reviewed after 6 years (2017). A copy is stored in the Members Library for information.
- 2.1.1.4 The next stage of this process requires only those LLFA's identified as at significant risk of flooding to produce Flood Hazard Maps and Plans. Only Liverpool and Sefton within Merseyside met the significant risk criteria. However, the Environment Agency has decided to produce these maps covering all of the UK not just the significant risk areas.

2.2 THE FLOOD AND WATER MANAGEMENT ACT 2010 – IMPLEMENTATION

- 2.2.1 The Flood and Water Management Act 2010 has continued to place additional duties and responsibilities on each LLFA. These new duties and responsibilities are detailed in **Appendix 1**.
- 2.2.2 The additional duties and responsibilities are, in general, being funded through financial grants, initially through Defra. Wirral Council received £122,800 in 2011/12 and £167,900 in 2012/13, with a further £167,900 annually in years 2013/14 and 2014/15. (Cabinet minutes 84 and 354 refers).
- 2.2.3 These costs have been calculated by Defra based on a model of the level of flood risk to the LLFA and the level of resource required to address that risk.
- 2.2.4 A report to Cabinet in March 2011 identified how Wirral Council would meet its initial responsibilities as an LLFA.
- 2.2.5 In April 2011, further parts of the Act commenced, including the development of a local strategy for flood risk management and the production of an annual report by the Overview & Scrutiny Committee responsible for flood risk management on progress in implementing the duties and an action plan for the next 12 months.
- 2.2.6 The development of the local flood risk management strategy has been progressing and a draft will shortly be available for initial consultation with flood risk partners.
- 2.2.7 A further report to Cabinet in April 2012 identified how Wirral Council would meet its additional responsibilities as an LLFA, in connection with Flood Investigations and the development of a Flood Risk Asset Register; detailing its policy in connection with these two new duties. Both have been developed and integrated into the existing highway drainage asset maintenance software, Seagulls, providing both a graphical and written reporting process. Although no significant assets have been identified to be added to the register, a number of significant flooding events have been recorded and reported on.
- 2.2.8 In October 2012, an additional report to Cabinet identified how the Council, as an LLFA, would meet its duty in connection with the Consenting and Enforcement of certain works to ordinary watercourses that might have an adverse flooding impact, which was formerly an Environment Agency function. It detailed the

administration processes and necessary delegated authority required to ensure the efficient management of the process.

2.2.9 To date five Consent applications have been processed and approved.

2.2.10 Under the Act, LLFAs will also be required to approve and adopt Sustainable Drainage Systems (SuDS). This will require the establishment of a SUDS Approving Body (SAB). Defra had planned to implement this duty this year but now it is unlikely to be enacted until late 2013 or early 2014. A report detailing proposals to enable the Council to meet its new responsibilities in connection with SuDS will be presented to Cabinet when more details are known.

2.3 WIRRAL FLOOD & WATER MANAGEMENT PARTNERSHIP

2.3.1 The main purpose of the partnership, through joint agency working, is to achieve an effective response to flooding and coastal erosion incidents on Wirral; to take such collective measures in order to minimise the potential impact of such incidents; and to seek the implementation of more permanent and sustainable solutions to the mitigation or alleviation of flooding and coastal erosion.

2.3.2 This partnership met in April and October 2012 and the minutes of the meetings are attached as **Appendix 2**.

2.3.3 A copy of the updated Partnership Action Plan is attached as **Appendix 3**. This Action Plan captures the key flood risk activities that will be undertaken by or on behalf of the Partnership during 2013.

2.4 WIRRAL OPERATIONAL FLOOD GROUP

2.4.1 The Operational Flood Group met in February and May 2012 and was due to have met again in August but this was postponed due to resources being fully engaged in managing the response to flooding following a number of extreme storm events in August and September detailed below in item 4.0.

2.5 FLOOD INVESTIGATIONS

2.5.1 Until recently property flooding had been an infrequent occurrence on the Wirral. However, on Monday 13th August Wirral experienced a 1 in 30 year storm event that led to some 46 properties suffering some form of internal flooding. Then, 2 days later, on Wednesday 15th August a 1 in 12 year storm event also occurred with some 26 properties flooded internally, with many of these having flooded two days earlier. In all, nearly 250 calls were received concerning the flooding over the two days.

2.5.2 On Wednesday 29th August a further 1 in 20 year storm event occurred resulting in 10 properties flooding internally. Then on the 24th September following an extended period of rain, a 1 in 25 year storm event occurred, resulting in widespread flooding and although 10 roads had to be closed as impassable due to the flooding, to date, only one property has been identified as flooding internally.

2.5.3 However, only two of the flooding events met the council criteria to be designated as a significant flooding event and it is possible that this will need to be re-

assessed and reported to Members. The storms highlighted three areas as major flood locations requiring a detailed assessment, Rigby Drive and surrounding area of Greasby, Reeds Lane/Reedville Grove and the drainage of the Queensway Tunnel approach roads

2.5.4 During November and December 2012, although there were no significant extreme rainfall events, the rainfall that did occur fell onto saturated ground and the already overloaded surface water/land drainage systems were unable to remove this water and widespread flooding of open land occurred. This then resulted in run-off onto nearby properties and the public highway. Although investigations were undertaken, it was not possible at many of the locations to undertake works that might have relieved the flooding and where the public highway was affected, it was necessary to either close the road because of the risk of freezing or undertake additional gritting. At present, this risk is continuing, and would be exacerbated by any further heavy rain followed by freezing conditions.

2.5.5 A number of issues resulted from the flooding that will need further consideration during the coming twelve months and where necessary will be reported to Members.

- Development of a highway culvert inspection programme.
- Screen installations to protect highway culverts from blockages.
- Maintenance of ditches and watercourses.
- The sandbag policy.
- The designation of a significant flood event.
- The need for flood plans for specific areas.
- Partnership working and the EA's PR role during flooding events.

3.0 RELEVANT RISKS

3.1 Wirral faces a significant risk of flooding with a substantial number of domestic properties identified as at risk from potential future flooding. Past national floods have demonstrated what a devastating physical and psychological impact flooding can have on affected communities. Wirral continues to proactively manage the risk of flooding and the members of the Flood & Water Management Partnership will continue to work together to reduce the risk of property flooding here on Wirral. The recent unpredicted extreme storm events that led to the flooding of a large number of properties, shows that these risks need to be identified and tackled.

3.2 The reduction of identified flood risk also partly mitigates one of the Council's Corporate risks – "Not having plans in place could compromise delivery of essential services in the event of a major public emergency".

3.3 The re-assessment of its flood risk policies and issues resulting from the recent flooding events, if not undertaken may result in Wirral not meeting its obligations under the Flood and Water Act 2010 to effectively manage local flood risk.

4.0 OTHER OPTIONS CONSIDERED

4.1 Not relevant.

5.0 CONSULTATION

5.1 There is no consultation required at this time as a result of this work.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 Flooding affects all voluntary, community and faith groups whether it be directly with their properties being flooded, or in a responder or recovery capacity.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 There are no additional financial implications arising out of the report and the Council received £167900 this financial year and will receive £167,900 annually in years 2013/14 and 2014/15 to deliver its obligations as an LLFA.

8.0 LEGAL IMPLICATIONS

8.1 There are no legal implications other than the duties imposed under the new legislation.

9.0 EQUALITIES IMPLICATIONS

9.1 There are no Equality implications arising out of this progress report.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no specific carbon reduction implications although there are significant links with carbon reduction and sea level rises, increases in extreme weather patterns, etc. As a result, the Council's Climate Change Officer is a member of the Wirral Flood and Water Management Partnership.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There will be significant planning implications in relation to this new legislation. As a result of which relevant officers from the Forward Planning and the Development Control sections are members of the Flood and Water Management Partnership and the Wirral Local Flood Risk Management Strategy Working Group.

12.0 RECOMMENDATIONS

12.1 That the report be noted.

12.2 That the report be accepted by the Committee as meeting its responsibilities under the flood legislation to produce an annual report on Flood Risk Management progress.

13.0 REASONS FOR RECOMMENDATIONS

13.1 It is a responsibility under the Flood and Water Management Act 2010 to produce an annual flood risk management progress report.

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APPENDICES

- Appendix 1 Floods and Water Management Act 2010 – Summary of Local Authority Responsibilities.
Appendix 2 Wirral Flood & Water Management Partnership 2012 meeting Minutes.
Appendix 3 Wirral Flood & Water Management Partnership 2013 action plan

REFERENCE MATERIAL

- The Flood & Water Management Act 2010
http://www.legislation.gov.uk/ukpga/2010/29/pdfs/ukpga_20100029_en.pdf
- The Flood & Water Management Act explanatory notes
<http://www.legislation.gov.uk/ukpga/2010/29/notes/contents>
- The Flood Risk Regulations 2009
<http://www.legislation.gov.uk/uksi/2009/3042/contents/made>
- What does the Flood & Water Management Act mean for Local Authorities, Defra.
<http://www.defra.gov.uk/environment/flooding/documents/policy/fwmb/fwma-lafactsheet.pdf>

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Sustainable Communities O & S Committee	17 November 2010
Cabinet	17 March 2011
Cabinet	21 July 2011

SUMMARY OF LOCAL AUTHORITY RESPONSIBILITIES/DUTIES FROM THE FLOODS AND WATER MANAGEMENT ACT 2010

ENACTED SECTIONS 2010

1. **Local Strategy (9)** Lead Local flood Authority (LLFA) develop maintain, apply and monitor a local strategy for Flood Risk Management (FRM). This must be consistent with the National Strategy.
2. **Co-operate and share information (13)** An authority must co-operate with other authorities in exercising FCERM, this includes sharing data.
3. **LLFA to establish Scrutiny Committee (31) (Schedule 2 Para 54)** Power to LLFA to allow for scrutiny committees in exercising FCERM.
4. **Building regulations: flood resilience (40)** Provides that building regulations can be made for any type of work in relation to flood resilience and resistance.

DUTIES AND POWERS ENACTED APRIL 2011

1. **Duty to Investigate (19)** The LLFA must investigate flooding incidents in its area in order to identify what authority has the flood risk management function and to establish if that authority has or intends to respond. The LLFA must publish results of investigations.
2. **Duty to Maintain a Register (21)** A LLFA must establish and maintain a register of structures or features, which may have an effect on flood risk in its area. Records must include information on ownership and condition.
3. **Duty to Contribute to Sustainable Development (27)** LLFA must aim to contribute towards sustainable development whilst exercising FCERM.
4. **Designation of Features (30) (Schedule 1)** Power enabling LLFA to designate a feature that affects flood or coastal erosion risk, this is to prevent future alterations that may increase flood risk.
5. **Amendment of Other Acts (30) (Schedule 2)**
 - a. Para 29; gives the LLFA powers to carry out works on Ordinary Watercourses in line with the local FRM strategy
 - b. Para 31; gives LLFA power to enforce obligations to maintain or repair watercourse or bridge
 - c. Para 32; names the LLFA as the consenting authority for works to Ordinary Watercourses
 - d. Para 33; gives power to LLFA to require works for maintaining flow of watercourse
6. **Sustainable Drainage (32) (schedule 3)** The LLFA will be the Approving Body with the duty to approve rainwater drainage systems before construction and then adopt and maintain the drainage system upon completion. This section of the Act is not likely to be enacted in 2011. The Government intends to consult on issues late 2011. Schedule 3 also removes the right to connect to public sewer in certain cases.
7. **Incidental Flooding or Coastal Erosion (39)** Allows LLFA to carry out works that may increase flooding or coastal erosion if justified.

DUTIES AND POWERS ENACTED OCTOBER 2011 AND APRIL 2012

1. **Designation of Features (30) (Schedule 1)** Power enabling LLFA to designate a feature that affects flood or coastal erosion risk, this is to prevent future alterations that may increase flood risk.
2. **Amendments to other Acts (31) (Schedule 2)**

1. Para 29; gives the LLFA powers to carry out works on Ordinary Watercourses in line with the local FRM strategy
 2. Para 31; gives LLFA power to enforce obligations to maintain or repair watercourse or bridge
 3. Para 32; names the LLFA as the consenting authority for works to Ordinary Watercourses
 4. Para 33; gives powers to LLFA to require works for maintaining flow of watercourse
- 3. Incidental Flooding or Coastal Erosion (39)** Allows LLFA to carry out works that may increase flooding or coastal erosion if justified.

DUTIES AND POWERS STILL TO BE ENACTED

- 1 Sustainable Drainage (32) (Schedule 3)** The LLFA will be the Approving Body with the duty to approve rainwater drainage systems before construction and then adopt and maintain the drainage system upon completion. This section of the Act is not likely to be enacted until some time in 2013/14. Schedule 3 also removes the right to connect to a public sewer in certain cases.



MEETING MINUTES

Nature of Meeting: MINUTES OF WIRRAL FLOOD AND WATER MANAGEMENT PARTNERSHIP


Location and Date: Birkenhead Pavilion – Tuesday 19 April 2012 at 10:00 am

Present: John Baker Wirral Council, Drainage
 Ben Lukey Environment Agency,
 Stuart Minton United Utilities,
 Nigel Worthington Merseyside Authorities Flood Risk Coordinator
 Aimee Conroy Wirral Council, Emergency Planning
 Bryan Lipscombe Wirral Council, Sustainability Liaison Officer
 Neil Thomas Wirral Council, Coast Protection
 John Entwistle Wirral Council, Planning Policy
 Cllr Dave Mitchell Elected Member (Liberal Democrats)
 Paul Grey Wirral Council, Building Control, Assistant Director
 Cllr John Hale Elected Member (Conservative Group)
 Hazel Edwards Climate Change
 Andy Williamson Merseyside Fire and Rescue
 Ryan Dodd Wirral Council, Drainage

Apologies: Cllr Harry Smith Elected Member (Labour Group)
 Kevin Carberry Wirral PCT
 Richard Lewis Wirral Council, Investment Strategy, Manager
 Mike Lane Wirral Council, Risk and Insurance
 Laura Furlong Wirral Council, Press & Public Relations, Press
 Matthew Rushton Officer
 Shaun Brady Wirral Council, Development Control, Principal
 Planning Officer
 Wirral Council, Highway Maintenance, Senior Group
 Leader

Item		Action
1.0	<p>Introductions and Welcome</p> <p>John Baker welcomed the group to Birkenhead Visitor Centre</p> <p>Apologies</p> <p>See above.</p>	
2.0	<p>Minutes of Meeting of 20 October 2011</p>	
2.1	<p>Amendments:</p> <ul style="list-style-type: none"> • Date changed from October 2010 to 2011 • 4.6 – not an action 	

<p>3.0</p>	<p>Actions from Previous meetings:</p> <ul style="list-style-type: none"> • 9.0 – Welsh Water could not attend meeting that was set up to agree flood locations with WC and UU. • 9.4 – JB received funding for property resilience. To be spent by March 2013. Survey completed and there is meeting with contractors to discuss flood gates / doors. JB contacted other Local Authorities to discuss installation issues. • 3.1 – Not actioned – JB had concerns over the wording of the letter to go with leaflet. • 3.3 Compilation of Vulnerable Persons database in flood zones has not been completed. • 4.2 – Wording changed to ‘continue to liaise with local coastal groups re: defences’. • 4.9 – to look at the Flood Management Strategy and receive comments from EA, Coastal and Planning. Looking to produce a draft by October 2012. • 3.2 – leaflet to be sent to recently flooded properties – JB not comfortable with proposed letter to go with leaflet – see above • 3.3 – MC to liaise with BL to see if we can get a programme together on clearing Wirral’s rivers. BL states it’s about making Wirral a nicer, cleaner place to live. • 3.6. SG to circulate UU maintenance regime to the Operational Group; to include the de-silting programme and planned maintenance. Not received, SM to ask Emma Dennett for list. • 6.2 – Hoylake Golf Club drainage regime is still on going. EA have cut back their maintenance regime. • 8.2 – Bromborough Rake investigations. UU have spent 25K on removing root intrusions and investigations on 1000m of sewer are completed. Modelling completed after 4 months. Found to be gully problems. 	<p>SM</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p>	<p>Feedback from Merseyside Flood & Coastal Risk Partnership</p> <p>Under the Flood and Water Management Act 2010 (F&WMA) the Regional Flood Defence Committee has now been renamed to the Regional Flood and Coastal Committee (RFCC). The appointed Chair decided to create sub groups to the committee and as such the Merseyside Flood Risk Partnership was set up. It has two members, Cllr Harry Smith and Cllr John Hale on the group.</p> <p>The first few meetings have been to establish the sub group, to discuss the issues and to look at applications for funding and support the RFCC.</p> <p>BL said the remit for the RFCC is wider than that of the RFDC and it’s not just limited to the EA but now covers the LA’s and other agencies under the F&WMA. The EA will do a progress report on how the Act is being implemented and the wider implications are being dealt with by EA, LA’s and other agencies.</p>	<p>EA</p>
<p>5.0</p> <p>5.1</p> <p>5.2</p>	<p>Flood and Water Management Act 2010 Update</p> <p>Certain sections of the new legislation were enacted immediately but other sections have, and will, come into place at different times.</p> <p>The SUDS and SAB legislation has not yet been enacted. The legalisation is believed to come into force in April 2013. The new SUD responsibilities will mean WC will adopt and maintain the SUD’s/SAB process; from applications to approval, overseeing the development</p>	

<p>5.3</p> <p>5.4</p> <p>5.5</p> <p>5.6</p> <p>5.7</p> <p>5.8</p> <p>5.9</p> <p>5.10</p> <p>5.11</p> <p>6.0</p>	<p>and then to inspect them. A consultation took place last year which WC took part in; the feedback has yet to be received.</p> <p>Cllr Mitchell asked whether additional funding will be made available for building regulations input. It was replied that we are still awaiting a response from DEFRA regarding funding to maintenance these SUDs. JB will produce report on the new legalisation on SUDs for Cabinet once DEFRA have issued a response to the consultation.</p> <p>NW highlights there is still uncertainty on how and when it is going to be implemented. It may be a phased approach and a (proposed) fee for SAB that LA's can claim. There are workshops about the SUDs and SAB and he intends to roll it out to the Merseyside LA's.</p> <p>Flood Risk Strategy: JB is arranging a meeting with UU and WW to discuss a flood risk locations and joint working possibilities.</p> <p>Cllr DM raised concerns over Bridle Road, Eastham Village. Discussions around SUDs and whether they are suitable for all instances took place.</p> <p>SM/UU wanted to know how many watercourses run through that area. JB highlighted no maps / information on the watercourses as we don't have the responsibility over them. The future would be to map them, find out who owns them and then do something about it.</p> <p>On the 6th April, consenting and enforcement of ordinary watercourses transferred from EA to Lead Local Flood Authorities (Wirral). A number of workshops have taken place or are programmed. JB to attend next week. A briefing note has been prepared by JB and a report will go to Cabinet in June. JB to share report with the Group.</p> <p>The Drainage Team will lead with enforcement through existing highway enforcement team. It is expected that WC will not be overrun with requests. The EA has only received 3 consent applications for Wirral in last 5 years.</p> <p>A discussion took place around the new Flood Risk Area in Meols. BL explains the differences between the Flood Risk Area and A flood Warning Zone. Cllr Hale raised concerns over some of the residents now can not get insurance. BL reminded everyone the government arrangements with the ABI to offer insurance to households who live in flood risk areas. BL said he will discuss this with the EA regarding the household insurance.</p> <p>Flood Risk Asset Register: JB would like to develop a Flood Risk Asset Register to identify assets that could create flooding if anything is done to them. The register has been set up and is waiting to be populated.</p> <p>Operational Flood Group Minutes/Notes Feb 2012 Feedback Please read notes from meeting</p> <p> OFG notes Feb 2012</p>	<p>JB</p> <p>JB</p> <p>JB</p> <p>BL</p>
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8.2	<p>arrangements for the new employees at UU.</p> <p>New government legislation has changed the responsibility for the maintenance and repair of some sewer pipes which previously belonged private householders. Since October 1st 2011, sewer pipes which are shared by more than one property, or run beyond your property boundary, are now UU responsibility.</p>	
8.4	<p>There are issues around the Welsh Water / UU boundary. Stuart to provide an update</p> <p>Next meeting: 18th October 2012, 1000hrs Wallasey Town Hall</p>	SM/UU

Nature of Meeting: MINUTES OF WIRRAL FLOOD AND WATER MANAGEMENT PARTNERSHIP

Location and Date: Wallasey Town Hall, Committee Room 1, on 18 October 2012

Present:	Mark Camborne (Chair)	Wirral Council, Health, Safety & Resilience
	Ian Hale	Environment Agency, Flood Risk Management
	Dave Wells	AECOM Study Team, Project Manager
	Alan Williams	AECOM Study Team, Technical Lead
	John Baker	Wirral Council, Drainage
	Aimee Conroy	Wirral Council, Emergency Planning
	Bryan Lipscombe	Wirral Council, Sustainability Liaison Officer
	Neil Thomas	Wirral Council, Project Manager, Coast Protection
	John Entwistle	Wirral Council, Planning Policy
	Richard Lewis	Wirral Council, Investment Strategy Manager
	Matthew Rushton	Wirral Borough Council, Principal Planning Officer
	Laura Furlong	Wirral Council, Press & Public Relations, Press Officer
	Cllr Harry Smith	Elected Member (Labour Group)
	Cllr Dave Mitchell	Elected Member (Liberal Democrats Group)
	Hilary Bishop	LJM University, Regional Flood & Coastal Committee
	Sue McPherson	Merseyside Fire and Rescue
	Donna Fitzsimmons	Merseyside Fire and Rescue
	Sue Fitch	Wirral Borough Council, Health & Safety (Minute-taker)

Apologies:	Kevin Carberry	Wirral PCT
	Mike Lane	Wirral Council, Risk and Insurance
	Matthew Rushton	Wirral Council, Development Control, Principal Planning Officer
	Shaun Brady	Wirral Council, Highway Maintenance, Senior Group Leader
	Hazel Edwards	Wirral Council, Climate Change Officer
	Harriet Smith	Merseytravel

Item		Action
1.0	<p>Welcome & Apologies Mark Camborne welcomed the group, introductions were made and apologies given – see above. It was noted that there was no representation from United Utilities.</p> <p>Agreed: MC to write to Steve Mogford, CEO of UU to ask for representation at future meetings, as a key partner.</p>	MC
2.0	<p>Presentation on Coastal Strategy – AECOM NT reported that the draft Wirral Coastal Strategy has been issued for public consultation and could be accessed online through Wirral Council's website (www.Wirral.gov.uk/coastalstrategy). Consultation is open until 11 November 2012 and any comments on the draft strategy were welcome. So far there has been a good response from the public.</p> <p>The AECOM presentation gave details of the key elements of the draft strategy, which will identify where and when investment and intervention in Wirral's coastal defences are required.</p>	

	<p>Dave Wells presented:</p> <ul style="list-style-type: none"> ○ Strategy Objectives ○ Overview of the SMP Policies ○ Environmental Considerations <p>Alan Williams presented</p> <ul style="list-style-type: none"> ○ Flood & Coastal Erosion Risk Review ○ Preferred Strategy Options ○ Strategy Implementation <p>Agreed: A copy of the presentation to be circulated with the minutes.</p> <p>IH warned that less government funding for flood defence will be available in the future and local authorities need to take account of this in their long-term investment planning. Developers will also need to take into account future increased risks of flooding in their designs.</p>	NT
3.0	<p>Minutes of Meeting held on 19th April 2012 The minutes of the last meeting were agreed as an accurate record.</p>	
4.0	<p>Actions from previous meeting:</p> <p><u>19/04/2012:</u></p> <ul style="list-style-type: none"> • 3.0 – Outstanding: Emma Dennett is no longer the contact at UU. Agreed: MC to write to CEO of UU to verify correct person to provide the UU maintenance regime. • 4.3 – Completed: Nigel Worthington, Merseyside Flood Risk Coordinator, who is funded by the 5 Merseyside authorities, has produced a progress report on how the Flood & Water Management Act 2010 is being implemented and how the wider implications are being dealt with by the local authorities, the EA and other agencies. This was presented to the Regional Flood & Coastal Committee. • 5.3 – Outstanding: Report to be produced by JB on the new SUDS and SAB legislation: a response has been received from Defra to the consultation, but matter is still on hold as government is re-thinking implementation dates. To be carried forward. • 5.8 – Completed: JB advised that the report on the consenting and enforcement of ordinary watercourses legislation was submitted for Cabinet last month (September). Cllr Smith advised that it did not go through Cabinet, but that it had been approved by him as a Cabinet Member under delegated powers. • 5.10 – Outstanding: Ben Lukey (EA) was no longer attending these meetings. IH to take over investigation into why some households now can not get home insurance due to the new flood warning zones in Meols. <p>[MC reported that Tewkesbury Borough Council had written to WBC and other local authorities, asking them to write to the Government and the Association of British Insurers to urge them to come to an agreement that enables all householders to have affordable flooding insurance for their properties. MC confirmed that this had been done in early July. Letters of response were received from the government's Minister for Local Government and the CEO of the ABI.]</p>	<p>MC</p> <p>JB</p> <p>IH</p> <p>MC</p>

	<ul style="list-style-type: none"> • MC followed this up by raising it with DCLG and response was as follows: <p>“The future of flood insurance is a priority for Government and is being considered at the highest level. Government has been working very hard with industry on this complex issue and it continues to do so. We need a lasting solution that ensures affordable insurance bills for those at flood risk but does not place unsustainable costs on wider policyholders and the taxpayer. There are no outcomes as yet but you will be kept updated when there are any developments. For information, DEFRA is the lead government department on this issue.”]</p> • 7.8 – Ongoing: UU and EA to update the Birkett/Great Culvert pumping station responsibilities document. This pumping station is operated by UU. A memorandum of understanding has been drafted and is awaiting official sign-off by a solicitor. Once this has been done, discussions will take place with the relevant authorities on how the system operates. • 8.1 - Completed: MC had contacted Michelle O’Neill regarding the lack of communication over the Moreton Station incident. • 8.4 – UU to provide update on their new drainage responsibilities: update to be provided by new contact once advised by CEO of UU. 	<p>UU/EA</p> <p>UU</p>
<p>5.0</p> <p>5.1</p> <p>5.2</p> <p>5.3</p>	<p>Feedback from recent flooding events on Wirral</p> <p>➤ JB reported that on 13 August 2012, Wirral experienced a 1 in 30 year storm, which led to 46 properties suffering internal flooding. All properties affected were visited by Council officers to try and make contact with as many residents as possible.</p> <p>On 15 August 2012 a 1 in 12 year storm event also occurred with 26 properties flooded internally, many of these having been flooded 2 days earlier. 250 calls were received concerning the flooding over the 2 days.</p> <p>On 29 August 2012 a further 1 in 20 year storm event occurred, resulting in 10 properties suffering internal flooding.</p> <p>On 24 September 2012, following an extended period of heavy rain, widespread flooding occurred and 10 roads had to be closed. However, only one property was identified as flooded internally.</p> <p>Only the first incident met the Council criteria to be designated as a significant flooding event (see online Council Flood Investigation Policy).</p> <p>The storms highlighted three areas as major flood locations requiring a detailed assessment: Rigby Drive area of Greasby, Reeds Lane/ Reedsville Grove in Moreton and the drainage of the Tunnel approach roads.</p> <p>➤ A number of issues resulted from these incidents which need resolving or further consideration:</p> <ul style="list-style-type: none"> ▪ Sandbag policy ▪ Designation of a significant flood event ▪ Flood plans for specific areas ▪ Partnership working and the EA’s PR role during flooding events <p>➤ MC advised that a local flood response plan will be developed in partnership with key agencies, ie Police, Fire, EA, LA’s, after consulting</p>	

5.4	<p>with Wirral residents, to give support during periods of significantly heavy rainfall.</p> <p>➤ WBC Sandbag policy clearly states that sandbags will not be issued except in cases involving vulnerable people.</p>	JB/AC
6.0	<p>Feedback from Merseyside Flood & Coastal Risk Partnership JB gave feedback from the last meeting held on 14 November 2012. The Flood Defence Levy increase was discussed. An increase of between 5 and 10% for the North West was deemed too high at the present time. WBC was in agreement with the proposal for no increase, given the current risk profile (quite low) of significant flooding in Wirral. IH confirmed no increase in Levy for the North West.</p>	
7.0	<p>Operational Flood Group Notes from this group's last meeting are attached to these minutes. The last meeting was held on 10 May 2012 and it is planned to hold the next one in the near future (August/September meeting had been postponed).</p>	
7.1	<p>JB gave an update:</p>	
7.2	<ul style="list-style-type: none"> ▪ The Flood Resilience project (covering 20 properties) had been completed. 	
7.3	<ul style="list-style-type: none"> ▪ SUDS/SAB Progress – JB reported that this had been delayed (see 5.3 above). 	
7.4	<ul style="list-style-type: none"> ▪ WBC has a requirement to produce an Overview & Scrutiny Committee report on Flood Risk Management progress. Action: JB will draft a report based on what has happened and from that an action plan will be produced. 	JB
7.5	<ul style="list-style-type: none"> ▪ Regarding recent flooding incidents, JB confirmed that an investigation had begun on the two areas affected. Cllr Anita Leech had called for a joint agency local meeting. JB confirmed that this will be organised after the investigation has been completed. 	JB
8.0	<p>Partner Agencies Feedback</p>	
8.1	<ul style="list-style-type: none"> ▪ MFRS: Contact with Paul Murphy had worked well. 	
9.0	<p>AOB</p>	
9.1	<p>Bryan Lipscombe informed members of an event being jointly run by the EA and CLASP on 12 November 2012 at Avenham Park Pavilion, Preston, entitled 'Managing NW Bathing Waters in a Changing Climate'. This is particularly aimed at sustainability officers, planning officers and members who may not be directly involved in water management but who would like to better understand this issue and its growing importance.</p>	
9.2	<p>MC reported that a Beach Supervisor course for 50 people had been jointly arranged with partner Authorities for 24 & 25 October 2012, at the marine boating lake in New Brighton. The aim of this was to provide practical experience in the event of a pollution incident.</p>	
10.0	<p>Date of next meeting:</p>	
	<p>The next meeting will be held on 18 April 2013 at Wallasey Town Hall, Committee Room 1, 10 am – 12 noon.</p>	

Note: Glossary of Abbreviations:

SuDS: Sustainable Drainage Systems

SAB: SuDS Advisory Body

OFG: Operational Flood Group

FLOODS & WATER MANAGEMENT ACT 2010
DUTIES & RESPONSIBILITIES IMPLEMENTATION ACTION PLAN FOR 2013

Ref No	Action	Target Date	Comments
01	Continue meetings of the Wirral Local Flood Risk Management Strategy Working Group	On-going	Ongoing regular meetings
02	Review population of the Risk Assets Register	July 2013	
03	Develop the draft Wirral Local Flood Risk Management Strategy and local flood risk action plan	Jan 2013	Draft for internal/partnership consultation
03(a)	The draft Wirral Local Flood Risk Management Strategy to be available for external consultation.	May 2013	
03(b)	Publish the Wirral Local Flood Risk Management Strategy and progress local flood risk action plan	July 2013	Final Strategy document to be available on- line.
04	Review process for consenting Ordinary Watercourse works	July 2013	
04(a)	Progress and further consenting applications	On-going	
05	Review the Flood Incident Prioritisation Policy and investigation protocols	April 2013	Cabinet member approval may be required.
06	Establish Council response to the SuDS legislation, once enactment date known.	On-going	Ongoing development during 2013/14
07	Respond to any new duties and responsibilities as identified.	On-going	
08	Continue to review Defra guidance as it is published and implement it as appropriate	On-going	
09	Review flooding incidents and lessons learned; develop appropriate future responses as necessary.	On-going.	
10	Respond to future flooding incidents as appropriate	On-going	
11	Consider existing and further Grant-in-Aid applications and other flood risk funding routes.	On-going	

Equality Impact Assessment Toolkit (from May 2012)

Section 1: Your details

EIA lead Officer: John Baker

Email address: johnbaker@wirral.gov.uk

Head of Section: Mark Camborne

Chief Officer: Chris McCarthy

Department: Technical Services

Date: 2 January 2013

Section 2: What Council proposal is being assessed?

Report on progress with flood risk management and the action plan for 2013

Section 2b: Will this EIA be submitted to a Cabinet or Overview & Scrutiny Committee?

Yes / No

If 'yes' please state which meeting and what date

21 January 2013

Please add hyperlink to where your EIA is/will be published on the Council's website

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/technical-services-0>

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

- Services**
- The workforce**
- Communities**
- Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4.

- None** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 4: Does the proposal have the potential to maintain or enhance the way the Council (please tick relevant boxes)

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity
- Fosters good relations between groups of people

If you have ticked one or more of above, please go to section 5.

- No** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 5:

Could the proposal have a positive or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications

Section 5a: **Where and how will the above actions be monitored?**

Section 5b: **If you think there is no negative impact, what is your reasoning behind this?**

Section 6: **What research / data / information have you used in support of this process?**

Section 7: **Are you intending to carry out any consultation with regard to this Council proposal?**

Yes / No – (please delete as appropriate)

If ‘yes’ please continue to section 8.

If ‘no’ please state your reason(s) why:

(please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 8: How will consultation take place and by when?

Before you complete your consultation, please email your preliminary EIA to equalitywatch@wirral.gov.uk via your Chief Officer in order for the Council to ensure it is meeting it's legal requirements. The EIA will be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 5. Then email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for re-publishing.

Section 9: Have you remembered to:

- a) **Add appropriate departmental hyperlink to where your EIA is/will be published (section 2b)**
- b) **Include any potential positive impacts as well as negative impacts? (section 5)**
- c) **Send this EIA to equalitywatch@wirral.gov.uk via your Chief Officer?**
- d) **Review section 5 once consultation has taken place and sent your completed EIA to equalitywatch@wirral.gov.uk via your Chief Officer for re-publishing?**