

<p><b>COUNCILLOR BERNIE MOONEY CABINET MEMBER – ENVIRONMENT</b></p>	<p><b>CABINET MEMBER BRIEFING REPORT 4 JULY 2016</b></p> <p><b>FLOOD AND COASTAL EROSION RISK MANAGEMENT : GOVERNANCE AND REPORTING ARRANGEMENTS</b></p>
---	--

### **REPORT SUMMARY**

This report provides a summary of the governance arrangements that are in place to oversee the management of flood and coastal erosion risk.

This is not a key decision.

### **RECOMMENDATION**

The Cabinet Member is requested to:

- (1) Note the findings of the report.
- (2) Request Council to appoint the Cabinet Member for Environment to the Merseyside Flood and Coastal Risk Management Strategic Partnership and by default to the North West Regional Flood and Coastal Committee.
- (3) Refer this report and decision for consideration by the Environment Overview & Scrutiny Committee on 18<sup>th</sup> July 2016.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 The Flood and Water Management Act 2010 (FWMA) identifies Wirral Council as a Lead Local Flood Authority (LLFA). A statutory duty of the FWMA is for the LLFA to work in partnership with other Risk Management Authorities (RMAs) including the Environment Agency and Sewerage Undertakers.
- 1.2 This report sets out the existing committees, partnerships and groups that were either in place prior to the introduction of the FWMA or have been put in place since its introduction specifically to facilitate partnership working arrangements between the LLFA and RMAs in order to comply with the requirement under the FWMA.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 This report sets out existing arrangements for governance and so no other options are considered.

### **3.0 BACKGROUND INFORMATION**

- 3.1 Section 13 of the FWMA sets out a requirement for LLFAs and RMAs to co-operate in the exercising of their Flood and Coastal Erosion Risk Management (FCERM) duties. Section 7 of the FWMA also requires the Environment Agency (EA) to set out a national strategy for the management of flood and coastal erosion risk. The EA's "Understanding the risks, empowering communities, building resilience" document delivers this requirement and identifies Regional Flood and Coastal Committees (RFCC) as having a key role in the co-ordination of FCERM by advising on and approving the implementation of programmes of work for their areas, and supporting the development of funding for local priority projects and works. The national strategy also identifies that RFCCs provide for local democratic input through the majority membership of representatives from LLFAs.
- 3.2 North West Region Regional Flood and Coastal Committee  
The North West RFCC provides the overarching platform for partnership working for Wirral Council as LLFA.
- 3.3 All RFCCs are established by the EA under Section 22 of the FWMA. The membership of the RFCC is set out by the Secretary of State for the Environment and for the North West this is defined in the RFCC Terms of Reference. For the Merseyside LLFAs of Wirral, Liverpool, Sefton and Knowsley the appointed representatives are the elected members from Sefton Council and Wirral Council that attend the Merseyside Flood and Coastal Risk Management Partnership.
- 3.4 Members of the RFCC have voting rights and exercise these votes on decisions relating to investment programmes for FCERM in the north-west,

use of Local Levy collected from local authorities and also on annual increases to the Local Levy demand.

- 3.5 The RFCC meets quarterly.
- 3.6 The RFCC is supported by a Finance Sub-Group (FSG) which discusses the detail of the committee related finances, primarily relating to the FCRM Programme, in more detail. This Group is not a decision making group and does not have any delegated powers, but makes recommendations to the full RFCC. Membership is agreed by the RFCC based on an appointment by the LLFAs based on those with a background or interest in the financial aspects. At present a Member from Knowsley Council represents Merseyside at the FSG. The FSG meets quarterly, typically a month before the main RFCC meeting.
- 3.6 Merseyside Flood and Coastal Risk Management Partnership  
The Merseyside LLFAs of Wirral, Sefton, Liverpool and Knowsley work together to ensure a consistent approach to flood and coastal erosion risk management is delivered across Merseyside. The Merseyside FCRM Partnership also includes representatives from other RMAs of United Utilities as sewerage undertaker and the Environment Agency.
- 3.7 The Merseyside FCRM Partnership has two tiers; a Tactical Officers Group and a Strategic Group. The Tactical Officers Group works in partnership to share best practice in the delivery of FCERM in each LLFA area and report on progress in doing this consistently across Merseyside to the Strategic Group.
- 3.8 The Strategic Group is attended by elected members from each LLFA supported by relevant officers. Currently Wirral's holder of the Environment Portfolio attends and chairs the Strategic Group. In order to be consistent with the approach of the other LLFAs it is proposed that Wirral Council directly appoints the Cabinet member for Environment to the Strategic Group of the Merseyside Flood and Coastal Risk management Partnership. This would lead, by default, to membership of the North West RFCC.
- 3.9 The Strategic Group is not a decision making group but reviews and endorses the work and reports of the Tactical Officers Group. The Strategic can task the Tactical Officers Group with specific activities.
- 3.10 The Merseyside FCRM Partnership is served by Terms of Reference which are subject to review and agreement by the Strategic Group. Both the Tactical Officers and the Strategic Group meet quarterly prior to the next round of RFCC meetings.
- 3.11 Wirral Flood and Water Management Partnership  
In 2008, in response to the Pitt review and recommendations, Wirral's Streetscene & Transportation Overview & Scrutiny approved the establishment of a cross-party Elected Members Steering Group, which meet regularly with the cross-departmental Officers Flood Group. Both groups were set up in

following a local flood incident as a way in which such events could be tackled from a multi-agency perspective before the introduction of the FWMA.

- 3.12 These two groups have now combined into the Wirral Flood and Water Management Partnership (WF&WMP) and includes representatives from the RMAs of the EA, United Utilities, Dwr Cymru Welsh Water and Wirral Council as Highways Authority, Local Planning Authority and Emergency Planning. Wirral NHS, MerseyTravel and the Emergency Services also attend.
- 3.13 Cross-party membership is maintained with attendance from representatives from the Conservative, Labour and Liberal Democrat groups. The Cabinet member for Environment also attends and provides a link between local management of flood and coastal erosion risk to that across Merseyside and the north-west region.
- 3.14 The WF&WMP receives reports from Wirral's Operational Flood Group and also monitors progress in delivering the Action Plans arising from the Local Flood Risk Management Strategy and also from Section 19 Flood Investigations. The WF&WMP meets twice a year and reports annually to the Environment Policy and Performance Committee.
- 3.15 Wirral Operational Flood Group  
Officers from Wirral as LLFA and Highway Authority meet with other RMA officers from EA, United Utilities and Dwr Cymru Welsh Water to work together to manage flood and coastal erosion risk in Wirral. Day-to-day issues are identified, shared and, where possible, resolved and wider flood risk issues are considered in more detail. In addition this group is tasked with delivering the actions arising from flood investigations and also the actions from the Local Flood Risk Management Strategy that require partnership working.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications arising from the governance arrangements arising in this report.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 This report identifies the operational and strategic arrangements put in place either by Wirral Council or the Environment Agency to manage flood and coastal erosion risk locally, across Merseyside and regionally.
- 5.2 Wirral's membership and participation at the Groups, Partnerships and Committees both at officer and elected member level demonstrates co-operative working with other RMAs and Wirral's compliance with Section 13 of the Flood and Water Management Act.

## **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 This report outlines the existing governance and reporting arrangements for the management of flood and coastal erosion risk. No changes to the existing arrangements are recommended, other than the direct appointment of the Cabinet Member for Environment to the Merseyside FCRM Partnership, and as such there are no resource implications.

## **7.0 RELEVANT RISKS**

7.1 There are no risks associated with this report. A direct appointment of the Cabinet Member for the Environment to the Merseyside FCRM partnership reinforces the existing arrangement.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 None required

## **9.0 EQUALITY IMPLICATIONS**

9.1 There are no equalities implications associated with this report.

**REPORT AUTHOR: Neil Thomas**  
**Team Leader – Highway Assets**  
telephone: (0151) 606 2333  
email: [neilthomas@wirral.gov.uk](mailto:neilthomas@wirral.gov.uk)

