

Briefing Note

Lead Local Flood Authority – Roles and Responsibilities

The Flood and Water Management Act 2010 (FWMA) placed a number of responsibilities on Hampshire County Council as the Lead Local Flood Authority (LLFA), the list below includes a number of statutory requirements that are either a power or a duty to undertake:

- Must develop, maintain, apply and monitor a strategy for local flood risk management in its area;
- Has a duty to cooperate;
- Power to request information in relation to flood and coastal risk management
- Must, to the extent that it considers it necessary or appropriate, investigate flood events
- Must establish a register and record of significant flood risk assets
- Consenting and enforcement responsibilities on ordinary watercourses

More detailed information on what the Lead Local Flood Authorities is and is not responsible for is provided within Appendix A.

In April 2015, Under Schedule 4 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 as the Lead Local Flood Authority we are also a statutory consultee for 'Major Development with surface water drainage'

Local Flood Risk Management Strategy

The Local Flood Risk Management Strategy (LFRMS), was adopted by the County Council in July 2013 together with its associated high level action plans. A review and update to the Strategy is currently underway and it is envisaged that this will be completed by early 2018.

Following the flooding in 2013/2014 the approach taken within Hampshire moved to a more catchment based approach to flooding. The purpose of this approach is to better co-ordinate work within a catchment, maximise the availability of funding throughout disparate flooding locations within one catchment and to understand the catchment as a whole. This approach was endorsed by the cabinet in December 2014.

We have also commissioned and are just about to finalise work that looks at all flood risk within the catchments within Hampshire. This will be used to understand and prioritise work on catchment plans going forward. We will presenting initial results of this work to the Hampshire Strategic Partnership Board and Technical Delivery Group, which includes representatives from all Risk Management Authorities.

A programme for these catchment plans will then be developed. This work strongly relies on all risk management authorities, community groups, and local residents coming together to understand the flood risk and to develop plans to mitigate flooding.

Investigating flood events

The requirement of the Act is to investigate flooding incidents to the extent necessary and a formal flood investigation under Section 19 of the Act requires the following information to be completed:

- a) which risk management authorities have relevant flood risk management functions, and
- b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.

We have completed a number of Section 19 investigations and the results of these are published on our website:

- Buckskin, Basingstoke
- Romsey
- Thornford Road, Headley
- Wickham
- St Mary Bourne

Our current guidance on when we will investigate flood incidents under Section 19, is provided in Appendix B. This flooding a risk based approach which includes the potential for actual consequences of flooding. Minor flood incidents within the County Council's area of responsibility will be recorded and assessed but will not be the subject of a formal investigation under the provisions of the Act.

Statutory consultee role

As the Lead Local Flood Authority we are responsible for commenting on surface water drainage on planning applications for major developments. We are provided with partial funding from central government to fulfil this role.

The role covers the review of the surface water drainage with a specific emphasis on SuDS and the incorporation of these into the new development. The role does not require us to comment on existing sources of flooding or works to ordinary watercourses.

Partnership working

We work closely with other risk management authorities, particularly the Environment Agency, which has overall responsibility for fluvial and coastal flooding.

Flood and Coastal work within Rushmoor

Investigations

We have not undertaken any Section 19 Flood investigation reports within Rushmoor Borough. We have received approximately 7 reports of flooding within the Borough within the last twelve months.

Partnership work

We have been working with Thames Water and other partners in relation to the Aldershot Catchment study, this is a study to look at ways in which surface water drainage can be managed within Aldershot.

Surface Water Consultations

We received 20 consultation requests from Rushmoor BC within the last 12 months.

Flood Defence schemes

Hampshire County Council is currently working with the Borough Council and other partners to develop the understanding of past flood events, and potentially develop solutions to reduce flood risk, at a number of locations in the district.

In March 2015 Defra indicatively allocated funding from central government's Flood and Coastal Erosion Risk Management (FCERM) programme, in the period up to 2021, for the following 3 schemes in the borough:

- Middleton Gardens Flood Alleviation – surface water runoff with overland flow from the adjacent Cove Secondary School playing fields.
- Sycamore Road Flood Alleviation Scheme – surface water runoff with overland flow leading to road closures and potential property damage.
- Rectory Road Flood Alleviation Scheme - surface water runoff with overland flow leading to road closures and property flooding.

Two other schemes, Fleet Road at Cove and Church Lane East in Aldershot, have been included in the unfunded 'pipeline' FCERM programme for 2021/22 onwards. All funding allocations in the FCERM programme remain unsecured pending agreement of a full business case for any proposed scheme. A brief update on the above schemes follows:

Rectory Road – Hampshire County Council, working with the Borough Council and the Environment Agency, commissioned a study of the flooding in Rectory Road to understand the mechanisms of flooding which has historically occurred in this area, and to identify potential solutions to reduce future flood. In order to inform this study, 59 local residents were contacted asking for their help in completing a questionnaire. By September 2015, we had received 21 responses providing information about flooding in the area, and how it affected properties and the road. Although the study primarily focussed on reducing the risk of flooding to properties on Rectory Road, the recreation ground, Rectory Road, the railway bridge, the SSE sub-station, and Thames Water and Network Rail assets have all been included within the area under consideration.

The study, including flood modelling, identified a potential scheme to reduce the risk of flooding from surface water runoff from the recreation ground, Rectory Road, and the railway bridge which are all interlinked. In summary, the scheme would include a

bund to the rear of those properties backing onto Rectory Road Recreation Ground and who are most at risk, and improving the culverts between Rectory Road and the railway line to enable flood water to get away. The further development, delivery and success of this scheme depends upon the full involvement and cooperation of Thames Water and Network Rail. The County Council has met with representatives of both these companies to see how we might work together and discussions are continuing. In the meantime, there has been some increase in maintenance activity by the various parties involved and there appears to have been an improvement in the performance of drainage assets in the area. To date, there's been no recurrence of past flood incidents.

Sycamore Road - The County Council has been working closely with Thames Water to assess the extent to which the recently implemented Storage Shaft Flood Alleviation Scheme has been effective in reducing the risk of flooding from the combination of surface water flows and surcharging of the foul sewer seen in previous years. Notwithstanding an intense rainfall event in May 2016, there has not been any recent report of surface water flooding in this location. In order to now understand what the level of residual risk is, and whether there is therefore any need for further investment, the County Council has appointed drainage engineers to carry out further investigations and to recommend what, if any, further intervention is required at Sycamore Road. There is the potential that this might include low key and low cost attenuation on the adjacent recreation ground. However, this will depend on the assessment.

Middleton Gardens / Cove Secondary School – An investigation was undertaken to try and identify a viable and cost beneficial solution to reduce flood risk for the school and adjacent properties. The study concluded that there were no physical interventions that met those criteria. However, it was recommended that discussions take place between the school, local residents and others that might be affected, and emergency services about establishing a flood action plan (FAP), and to indicate the need for residents owners to implement their own property level resilience measures. In view of this outcome, and as required by Defra, the County Council has signalled to the Environment Agency (EA), who administer the FCERM funding that we are unable to present a case to retain the indicative funding allocation for Middleton Gardens. The funding has therefore been made available by the EA to support other flood risk reduction schemes that are able to meet the criteria. The situation at Middleton Gardens / Cove Secondary School will be monitored and the position reviewed with the EA if circumstances change.

Fleet Road, Cove and Church Lane East, Aldershot – There is no immediate prospect of national funding being made available for these sites. The County Council has held initial conversations with the Environment Agency and Thames Water to understand the current situation at these locations, and consider if there is an opportunity to undertake early investigations. As no obvious opportunity has yet arisen, and the risk from flooding at these locations, and the impact of any occurrence, is considered to be less than at the above sites, further work at Fleet Road and Church Lane will take place in accordance with the priorities developed for the County Council's Flood Risk and Coastal Defence programme. The situation will be monitored and reviewed with the EA if circumstances change.

Appendix A

What is the **Lead Local Flood Authority** responsible for?

	LLFA Role	What we are not responsible for	Others with a role
Co-ordinating management of flooding	<p>Management of flooding from:</p> <ul style="list-style-type: none"> • Surface water • Groundwater • Ordinary watercourses 	<ul style="list-style-type: none"> • Undertaking works to reduce or mitigate flood risk from every report of flooding • Management and co-ordination of flooding from all sources 	<p><i>Environment Agency - Flood Risk Strategy for main river/ sea</i> <i>Water Companies</i> <i>Planning authority – Strategic Flood Risk Assessment</i></p>
Investigating flooding	<p>Undertaking flood investigations, where deemed required by the LLFA</p>	<ul style="list-style-type: none"> • Investigation of every flood report • Responding or managing an emergency in relation to a flood incident • Undertaking any works to mitigate this flooding 	<p><i>Other authorities & organisations are able to investigate and undertake studies on flooding</i></p> <p><i>The planning of emergencies of any type are undertaken through the Local Resilience Forums</i> <i>During an event a multi-agency group is established to manage the responses to flooding.</i></p>
Approving works to watercourses	<p>Consenting works on ordinary watercourses</p>	<ul style="list-style-type: none"> • Consenting works to main rivers • Consenting discharges into watercourse or the ground 	<p><i>The Environment Agency is responsible for consenting works to main rivers and for advising on discharges into water</i></p>
Enforcement of works	<p>Determining and taking enforcement on unconsented works or lack of maintenance works on ordinary watercourses</p>	<ul style="list-style-type: none"> • Enforcement related to main rivers. • Enforcement related to planning applications and permissions 	<p><i>The Environment Agency is responsible for enforcing on main rivers</i></p> <p><i>The Planning authority is responsible for enforcement in relation to planning</i></p>
Commenting on Planning Applications	<p>Statutory consultee on surface water drainage for major development</p>	<ul style="list-style-type: none"> • Providing comments on any existing sources of flooding • Commenting on groundwater resources 	<p><i>There are various consultees within the planning process including the Environment Agency and water companies</i></p>
Maintaining existing surface water drainage	<p>Watercourses and ditches</p>	<ul style="list-style-type: none"> • As the LLFA we are not responsible for the adoption and maintenance of surface water drainage 	<p><i>Riparian Owners</i></p>
	<p>Surface water sewers</p>		<p><i>Water Companies</i></p>
	<p>Highway drainage</p>		<p><i>Highway Authority/ Private ownership</i></p>

Appendix B

Guidance: Investigate flooding events

As the Lead Local Flood Authority (LLFA), Hampshire County Council (HCC) has a duty to investigate significant flood events to the extent that the LLFA deem appropriate. These are formal Section 19 Flood investigations under the FWMA 2010. The following guidance sets out what we will investigate and how we propose to undertake these investigations.

Flood Investigations

Hampshire County Council, as Lead Local Flood Authority for Hampshire, will investigate 'significant' flooding in accordance with the requirements of Section 19 of the Flood and Water Management Act 2010.

Significant flooding is defined as:

- Flooding that affects 20 or more properties internally in one flood event within the same location.
- Flooding that affects significant lengths of highways affecting 20 or more properties and lasts for a period of 3 hours from the onset of flooding.

Other flooding incidents will be considered lower risk and will be progressed based on the criteria set out in Table A.

Although not all flooding will be classed as a Section 19 investigation, we will still investigate each incident to the extent necessary. For highway flooding, the report will be forwarded to our Highways unit who will undertake any investigations or works as per their own policies.

Other sites will be logged and assessed so that the flood incidents with the greatest impacts are investigated first. Investigation does not infer that works will be undertaken to mitigate flood risk, although if the cause is found to be as a result of other parties, we will notify them of the issues.

If flooding is as a result of ordinary watercourse issues, we will contact the riparian landowner to ensure their responsibilities are being undertaken.

Table A: Investigation criteria

Criteria		Likely response
Significant flooding	<ul style="list-style-type: none"> Flood that affects 20 or more properties internally in one flood event within the same location Flooding that affects significant lengths of highways that affects access to 20 or more properties and lasts for a period of 3 hours or more 	Formal Flood investigation under Section 19 of the Flood and Water Management Act 2010 undertaken
Major	<ul style="list-style-type: none"> Internal flooding of 1 (domestic or commercial) property which has occurred on more than one occasion. Internal flooding of 5 or more properties as a result of a single flood event A major transport route has been disrupted for more than 10 hours 	Flooding is logged Desktop review Site visit Recorded Report completed
Moderate	<ul style="list-style-type: none"> Flooding that affects more than 1 property internally in 1 flood event Flooding that affects highways access to 1 or more properties and lasts for more than 3 hours 	Flooding is logged Desktop review undertaken Recorded
Minor	<ul style="list-style-type: none"> Flooding that affects gardens and open areas with no internal property flooding Ponding on small sections of highways 	No investigation

Flood Investigation process

When the LLFA receive a report of flooding this is logged within our existing database. An initial review of information will be undertaken. More information will be gathered from the reporter where necessary. The following process identified in **Diagram A**, will be followed for flood investigations.

The key purpose of investigating flooding is to determine the cause and identify steps that could be taken to mitigate against that particular event. In practise, by undertaking this assessment, potential mitigation measures will identify which lead authority is in the best position to undertake such mitigation. It will also identify particular issues, such as blocked drainage systems, which by definition, relate to a particular Risk Management Authority (RMA).

As LLFA we will work with other RMAs to implement mitigation measures identified where possible, and to emphasise the priorities within Hampshire.

Diagram A: Flood investigation process

