

# Report of the Strategic Director of Regeneration to the meeting of the Executive to be held on 6<sup>th</sup> December 2016.

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### Subject:

**Bradford District Local Flood Risk Management Strategy**

### Summary statement:

The report seeks Members to adopt the Local Flood Risk Management Strategy (LFRMS). As Lead Local Flood Authority (LLFA), the City of Bradford Metropolitan District Council is required under Section 9 of the Flood and Water Management Act (FWMA) 2010, to develop, maintain, apply and monitor a strategy for local flood risk management – a “Local Flood Risk Management Strategy” (LFRMS). The strategy must detail the risk management authorities and the functions that they can exercise within the Bradford Lead Local Flood Authority area, assess local flood risk, the objectives for managing that risk and measures proposed to implement those objectives.

The FWMA requires the LFRMS to demonstrate how it contributes to the achievement of wider environmental objectives. To fulfil our legislative requirements a Strategic Environmental Assessment (SEA) of the LFRMS was commissioned. The Draft SEA states that there are no negative environmental effects identified from the LFRMS objectives and that many of the proposed LFRMS objectives have the potential for both direct and indirect environmental benefits.

The LFRMS (attached as Appendix 1) is an all-encompassing or umbrella document for the implementation of the FWMA, which sets out how the LLFA intend to fulfil the requirements of the FWMA and who (within the council) will be responsible for the different areas. It will therefore act as a tool to deliver the benefits of well managed and hence reduced flood risk to people, properties and the wider environment of Bradford District.

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### Portfolio:

**Regeneration, Planning and Transport  
Portfolio**

### Overview & Scrutiny Area:

**Environment and Waste Management**



## 1. SUMMARY

Adverse weather is a national concern and the risk of flooding in England is predicted to increase as a result of climate change and development in areas at risk. The Environment Agency's (EA) 2008 National Flood Risk Assessment showed 2.4 million properties are at risk of flooding from rivers and sea, with one million of those also susceptible to surface water flooding. A further 2.8 million properties are susceptible to surface water flooding alone. This equates to 1 in 6 at risk properties with expected annual damage costs of more than £1 billion to residential and non-residential properties.

Flood risk across the Bradford District is varied but caused in the main by overland flow following short, high intensity, or heavy, prolonged rainfall events and/or overtopping rivers and watercourses. There is a history of land and property flooding, the most recent and severe flooding in the district in 15 years being a consequence of Storms Desmond and Eva in 2015.

It is important to realise that it is not possible to prevent all flooding, it is inevitable and can occur at any time, however, there are actions that can be taken to manage risk and reduce impact.

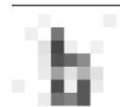
This local Flood Risk Management Strategy provides Bradford Council's approach for managing flood risk from all sources throughout the District and has been developed to align with current legislation and guidance. It builds on work that has already been undertaken to assess the risk of flooding in the district, most recently the draft Strategic Flood Risk Assessment (amended February 2014), and aims to:-

- Ensure increased understanding of local flood risk to enable investment in flood management activities to be appropriately prioritised.
- Engage and enable all Risk Management Authorities, residents, communities and businesses to manage flood risk in partnership.
- Ensure emergency plans and responses to flood incidents are effective and communities are facilitated to recover quickly and effectively after flood events.
- Guide local spatial planning and prevent inappropriate development.

It is important that flood risk management activities are targeted effectively. Bradford Council is utilising information from all available sources, including national flood maps, historic records and information shared with other Risk Management Authorities, to increase understanding of district wide flood risk and to effectively prioritise resources.

The Local Flood Risk Management Strategy is developed and maintained by Bradford Council. It sets out the Council's objectives and measures for managing local flood risk and aims to guide effective flood risk management activities undertaken by the Risk Management Authorities operating within the District.

We have prepared this LFRMS based on the latest information and will keep it up to date in line with any developments in the understanding of local flood risk so that it reflects new



information available on its management. It is proposed that this strategy will be reviewed once every six years

The Local Flood Risk Management Strategy will be made available on Bradford Council's website to provide residents, businesses and communities with the Council's strategic aims and objectives for managing flood risk.

## **2. BACKGROUND**

The European Union Flood Directive (2007/60/EC) was consolidated into British law in the Flood risk Regulations (FRR, 2009) and, following the UK floods of 2007, the government-commissioned Pitt Review produced an extensive set of recommendations some of which were transposed into new legislation as the Flood and Water Management Act (FWMA), which came into effect on the 12th April 2010.

The FWMA created a general responsibility for Lead Local Flood Authorities (LLFA's: County and Unitary Councils) to take leadership for the coordination and management of flood risk and to exercise flood risk management functions.

To exercise these functions and deliver the requirements of the FWMA, CBMDC is to develop, maintain and apply a Local Flood Risk Management Strategy (LFRMS) for the District and the LFRMS is developed to align with current legislation relating to flood risk management. The principal regulations being:-

- Flood Risk Regulations, 2009 (FRR)
- National Flood and Coastal Erosion Risk Management Strategy, 2011 (FCERM)
- National Planning Policy Framework, 2012 (NPPF)
- Emerging Core Strategy and Local Development framework for Bradford MDC area (to supersede Replacement Unitary Development plan, 2008)
- Environmental Assessment of Plans and Programmes Regulations, 2004
- Water Environments (Water Framework Directive (WFD)) Regulations 2003

LLFAs are responsible for developing and applying their local strategy, and other risk management authorities must act consistently with the local strategy in respect to FCERM. The other partners in delivering a local strategy include district authorities, IDBs, water companies and highways authorities. There is no prescribed format or scope beyond the legislative requirements contained in the FWMA. LLFA's need to consider and determine the exact scope of their local strategy, which should reflect local circumstances, aspirations and priorities. The nature and prevalence of flood risk locally is likely to shape the scope of any local strategy.

Partnership working with risk management authorities will ensure that due consideration is given to all sources of flood risk and that wider river catchment work is progressed. Bradford Council has established a Flood Programme Board with Investment, Resilience and Data sub groups of representatives from the Council, the Environment Agency, Yorkshire Water and local Community groups. This multi-agency board will ensure that we are fully engaged in partnership working and communicating flood risk and flood risk management activities to all stakeholders. The board has recently secured £850k of Local



Levy funding to undertake investigative scoping work and resilience work in Bradford District over the 2016/17 and 2017/18 financial years.

### **3. OTHER CONSIDERATIONS**

Not applicable.

### **4. FINANCIAL & RESOURCE APPRAISAL**

Adoption of the LFRMS requires no additional funding measures. The LFRMS sets out that the Lead Local Authority seeks to secure external funding streams. Internal match funding in terms of European Interreg projects will be met from existing staff time and budget.

### **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

The LFRMS sets out the statutory requirements of the Lead Local Flood Authority under Section 9 of the FWMA 2010. The strategy sets out the Council's objectives and measures for managing local flood risk and to guide effective flood risk management activities undertaken by Risk Management Authorities (RMA's) operating within Bradford District. Progression of the measures detailed within the strategy through the LFRMS Action Plan will lead to an overall reduction in risk.

### **6. LEGAL APPRAISAL**

As Lead Local Flood Authority (LLFA), the City of Bradford Metropolitan District Council is required under Section 9 of the Flood and Water Management Act 2010, to develop, maintain, apply and monitor a strategy for local flood risk management – a "Local Flood Risk Management Strategy".

The LFRMS aligns with the Principal Legislation relating to flood Risk Management, these being:

- Flood Risk Regulations, 2009 (FRR)
- National Flood and Coastal Erosion Risk Management Strategy, 2011 (FCERM)
- National Planning Policy Framework, 2012 (NPPF)
- Emerging Core Strategy and Local Development framework for Bradford MDC area (to supersede Replacement Unitary Development plan, 2008)
- Environmental Assessment of Plans and Programmes Regulations, 2004
- Water Environments (Water Framework Directive (WFD)) Regulations 2003

### **7. OTHER IMPLICATIONS**



## **7.1 EQUALITY & DIVERSITY**

There are no direct Equality and Diversity implications arising from this report.

## **7.2 SUSTAINABILITY IMPLICATIONS**

There are no direct sustainability implications arising from the report. The Local Authority however, has a duty to aim to make a contribution towards sustainable development. The LFRMS details the requirements of the LLFA as a statutory consultee to the Planning Authority to ensure that robust sustainable drainage systems are provided where appropriate. The strategy also sets out objectives to:-

- Utilise all available flood risk and climate change information to deliver sustainable outcomes for development sites allocated through the Local Plan process.
- Develop a process with the Council's Planning department to create clear guidance for developers to manage flood risk on smaller development sites.
- Engage with significant developers to raise awareness of catchment wide flood risk management initiatives and potentials for aligning with and benefitting from them.
- Offset the environmental impact of development by enhancing biodiversity and water quality within areas designated for flood storage.

## **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

Not applicable.

## **7.4 COMMUNITY SAFETY IMPLICATIONS**

There are no direct community safety implications arising from this report.

## **7.5 HUMAN RIGHTS ACT**

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

## **7.6 TRADE UNION**

There are no trade union implications arising from this report.

## **7.7 WARD IMPLICATIONS**

There are no Ward or area implications arising from this report.

## **7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)**

Not applicable.

## **8. NOT FOR PUBLICATION DOCUMENTS**

None.



## **9. OPTIONS**

Members can resolve to either adopt the strategy as attached (Appendix 1) or adopt and give delegated authority for amendments following the publication of the SEA Post Adoption Statement. The SEA must be open to statutory and public consultation (in progress) before it is finalised and the SEA Post Adoption Statement can be published. As no negative environmental effects were identified in the draft SEA and many objectives have potential for both direct and indirect environmental benefits it is not anticipated that consultation of the document will result in anything other than minor text amendments to the LFRMS.

## **10. RECOMMENDATIONS**

Executive is recommended that the LFRMS be adopted, and that delegated authority is given to the Strategic Director for Regeneration to amend the LFRMS as a result of the consultation on the SEA, and following consultation with the Portfolio Holder for Regeneration, Planning and Transport.

## **11. APPENDICES**

**Appendix 1:** Bradford District Local Flood Risk Management Strategy (Bradford LFRMS).  
Appendix F of the Bradford LFRMS is a Strategic Environmental Assessment  
Draft Environmental Report by JBA Consulting.

## **12. BACKGROUND DOCUMENTS**

Not applicable.

