

Cabinet

15 OCTOBER 2012

**CABINET MEMBER
FOR TRANSPORT
AND TECHNICAL
SERVICES**

*Councillor Victoria
Brocklebank-Fowler*

**EXECUTIVE RESPONSE TO THE
FLOODING SCRUTINY REPORT**

Wards: ALL

This provides the Cabinet's Executive Response to the report of the Flooding Scrutiny Task Group, which was agreed by the Overview and Scrutiny Board 24 July 2012. The scrutiny report contains 20 recommendations to the Cabinet, Council and Thames Water. The Cabinet's draft Executive Response is attached at Appendix 1.

The scrutiny report (attached at Appendix 2) summarises the findings of a scrutiny inquiry carried out between January to July 2012, which received evidence from a range of stakeholders and expert witnesses, as well as from a wider online public consultation.

The draft Executive Response to the scrutiny report has been drawn up in consultation with the Cabinet Member for Transport and Technical Services.

The Executive Response provides the executive decisions in respect of the scrutiny recommendations, whereby the Cabinet is invited to either agree, reject or amend each recommendation.

CONTRIBUTORS

Head of Highway
Maintenance and
Projects

Head of Highways &
Construction

Flood Risk Manager

Governance and
Scrutiny

EDFCG
DoL

Recommendation:

**That approval be given to the Executive
Response to the Flooding Scrutiny report, as
set out at Appendix 1.**

**HAS A EIA BEEN
COMPLETED?
N/A**

**HAS THE REPORT
CONTENT BEEN
RISK ASSESSED?
N/A**

1. BACKGROUND

- 1.1. The flooding scrutiny inquiry was undertaken between January to July 2012. The Flooding Scrutiny Task Group was commissioned by the Overview and Scrutiny Board on 7 December 2011, following a referral from the Environment and Residents Services Select Committee, to examine how the Council should discharge of its new responsibilities under the Flood and Water Management Act 2010 as the lead local flood authority for the borough.
- 1.2. The Terms of Reference for the Task Group inquiry were to consider the key strategic priorities for flood risk management in the borough and the appropriate communications with local residents for flood risk management. This has entailed consideration of the strategic objectives for flooding as outlined in the draft Surface Water Management Plan and other statutory responsibilities related to flood risk management, as well as engagement with the Council's lead partner agency Thames Water and with local residents through an initial consultation exercise and awareness campaign.
- 1.3. During the inquiry, the Task Group interviewed a wide range of stakeholders and expert witnesses. It has considered key documents and legislation, including the Flood and Water Management Act 2010, Flood Risk Regulations 2009 and the authority's draft Surface Water Management Plan.
- 1.4. Witnesses to the Task Group have included the Cabinet Member for Environment and Asset Management (then Councillor Nicholas Botterill), the Head of Policy and Spatial Planning, the Head of Highways and Construction, the Flood Risk Manager the Highways Maintenance Manager, the Senior Environmental Policy and Projects Officer, the Environmental Quality Manager, and other Council officers, including officers from the Parks department.
- 1.5. The Task Group interviewed Simon Jones, Assistant Director-Communication, to discuss communications and engagement with local residents on flooding. Representatives from the Environment Agency, the Association of British Insurers, and representatives from Thames Water.

2. THE SCRUTINY REPORT

- 2.1. The Flooding scrutiny report and recommendations were agreed by the Overview and Scrutiny Board on 24 July 2012 and were referred to the Cabinet for an Executive Response and executive decisions in respect of each of the scrutiny recommendations. The Flooding Scrutiny Task Group report is attached at Appendix 2.
- 2.2. The report examines three key areas: mapping flooding risk, mitigating flooding risk and stakeholder engagement, which includes engagement with the general public as well as communication with partner agencies such as Thames Water and puts forward its conclusions, suggestions and recommendations detailed in each section of the report.

3. SCRUTINY RECOMMENDATIONS

- 3.1. The scrutiny report contains 20 recommendations to the Cabinet, Council and Thames Water. The recommendations of the Task Group are summarised on pages 4 – 9 of the scrutiny report, which also provides initial estimates of any financial and resource implications which are anticipated.
- 3.2. The H&F Cabinet, Council and Thames Water are now requested to provide an Executive Response and executive decisions in respect of each scrutiny recommendation.

4. THE EXECUTIVE RESPONSE

- 4.1. The Cabinet is requested to agree an Executive Response to the scrutiny report, which will be published on the Council website and referred back to the Transport, Environment and Residents Services Select Committee for information and monitoring of the implementation of agreed recommendations. The Cabinet's Executive Response to the Flooding Scrutiny Task Group report is provided at Appendix 1.
- 4.2. The Executive Response at Appendix 1 provides the response to the report and executive decisions in respect of relevant scrutiny recommendations. The Cabinet is invited to either agree, reject or amend each relevant recommendation. Recommendations which require a policy decision are referred to the full Council for a decision at the appropriate time. Recommendations to external agencies are referred to the relevant external agencies (Thames Water) for an Executive Response.
- 4.3. The Executive Response has been drawn up in consultation with Councillor Victoria Brocklebank Fowler, Cabinet Member for Transport and Technical Services.
- 4.4. The Cabinet is now asked to approve the Executive Response to the Scrutiny recommendations as set out in Appendix 1.

5. RISK MANAGEMENT

- 5.1 Not applicable.

6. EQUALITY IMPLICATIONS

- 6.1 An initial EIA assessment was carried out at the beginning of the Scrutiny inquiry in January 2012. During the inquiry, the Task Group sought a diverse range of views and considered how current policy and proposals in this area might affect different sections of the community (eg different age groups, ethnic groups and so forth). No equality issues were raised and little or no impact on equality as a result of the recommendations in the report are envisaged.

7. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

- 7.1 Initial financial and resource implications are provided within the report, referenced under each recommendation under Summary of Recommendations pages 4-9.
- 7.2 The initial financial and resource implications for each recommendation are summarised below:

Recommendation One: Flood Risk Mapping

It is proposed to commission an update to the Surface Water Management Plan and Strategic Flood Risk Assessment as a joint commission led by the Royal Borough of Kensington and Chelsea (RBKC). The combined cost of the commission is anticipated at approximately £100k, of which it is anticipated H&F will be responsible for approximately £60k. These costs are currently estimates and will be updated upon receipt of tenders. The flooding revenue budget will be used to cover these costs.

Recommendation Nine: Porous Paving

Some assistance, possibly through consultants, may be required to undertake the feasibility and cost assessment, with the project managed by in-house officers. The cost of external consultants advice are anticipated to be in the region of £10-30k.

Recommendation Seventeen: A Flood Fair

Funding has been confirmed from Drain London for a flood fair. This is in the form of match funding up to a total of £10k. The Council are undertaking this is partnership with RBKC and hence are proposing to use £5k of funding from the existing flooding budget, with £5k being received from RBKC to cover the total £20k for the flood fair.

This work will be undertaken by in-house resources, with assistance from the Council press office and external parties such as Thames Water, the Environment Agency etc who will be invited to contribute to the fair.

8. COMMENTS OF THE DIRECTOR OF LAW

- 8.1. The process for consideration of the scrutiny report and Executive Response are consistent with the Overview and Scrutiny Procedure Rules set out in Part 4 paragraph 13 of the Council Constitution.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	The Flooding scrutiny report	Michael Carr X2076	Governance & Scrutiny
CONTACT OFFICER:		NAME: Michael Carr – Scrutiny Development Officer EXT. 2076	



Hammersmith & Fulham Council

Executive Response to the Flooding Scrutiny Report

By The Cabinet, 15 October 2012

Introduction

The Cabinet welcomes the Flooding scrutiny report, which provides a useful review of the responsibilities of the new Council as the lead local flood authority and the responsibilities of the our local partner agencies under the Flood and Water Management Act. It also provides some useful research into best practice in the field, especially with regards to flood risk mapping and mitigation and partnerships, both with statutory partner and with the general public.

The scrutiny inquiry itself has also provided a useful step in taking forward the Council's flood risk management strategy, the development of the Flood Risk Management Plan, public consultation and public awareness campaigns and initial dialogue with statutory partners at the Environment Agency and Thames Water to improve flood risk management.

Recommendation One: Flood Risk Mapping

It is recommended that the Council seek to identify high risk flooding areas using historical data and by recording flooding events as they occur.

Suggested Executive Decision: Approved in principle and referred with more detailed costing to the Cabinet Member for Transport and Technical Services for decision.

Recommendation Two: The Flood Water Management Plan

It is recommended that the Council undertake a review of the current Surface Water Management Plan.

Suggested Executive Decision: APPROVED

Recommendation Three: Pooling Resources

It is recommended that the Council assess whether it would be appropriate to pool its resources with neighbouring Local Lead Flood Authorities, either on a pan-London basis or through the tri-borough arrangements, to ensure that the Council has sufficient technical expertise to enable it to discharge its responsibilities under the Flood Water Management Act and the Flood Risk Regulations.

Suggested Executive Decision: APPROVED

Recommendation Four: Green Roofing

It is recommended that the Council approach the Department for Environment Food and Rural Affairs (DEFRA) to enquire about the availability of funding for a pilot programme using financial incentives to encourage the development of new or retrofitted green roofs on pre-selected sites.

Suggested Executive Decision: APPROVED

Recommendation Five: Flood Risk Assessments

It is recommended that the Council require planning applicants to provide a detailed flood risk assessment, placing a particular emphasis on any application for a basement development. This assessment should include an acknowledgement from the applicant that they understand surface water flooding risk and also require them to state what sustainable drainage systems (SUDs) they intend to incorporate into their development. If an applicant does not intend to incorporate any SUDs they should be required to explain why their development will not have any detrimental impact on surface water flooding in the borough.

Suggested Executive Decision: Endorsed and referred to the Transport & Technical Services department for a decision on implementation within the Council's existing Submission Development Management policies approved by Council in October 2011.

Recommendation Six: Rainwater Retention

It is recommended that the Council assess what mechanisms it can introduce to either temporarily or permanently hold back rainwater, with a particular emphasis on limiting water flowing rapidly from the north of the borough to the south of the borough.

Suggested Executive Decision: APPROVED

Recommendation Seven: Bio-diversity

It is recommended that the Council set biodiversity targets over a five year period. These targets should include, but not be limited to, the number of new trees planted, the number of swales introduced and the amount of new meadow grass added to the borough.

Suggested Executive Decision: Approved in principle and a more detailed report on the targets be submitted to the relevant Cabinet Member.

Recommendation Eight: Environmental Grants

It is recommended that the Council consider approaching environmental trusts and agencies, including the Western Riverside Environmental Fund, the SITA Trust, the Million Ponds Project, the Forestry Commission, the Woodland Trust, London Orchard Project, the Capital Growth Fund, the Heritage Lottery Fund and the Environment Agency, to apply for support towards for any project the Council intends to

undertake which has an emphasis on biodiversity and green infrastructure.

Suggested Executive Decision: APPROVED

Recommendation Nine: Porous Paving

It is recommended that the Council undertake a feasibility and cost assessment as to whether porous surfaces would be a suitable material to use on (i) highways, (ii) footpaths and (iii) hard standing areas and if the Council deems porous paving a feasible and cost-effective alternative, establish annual targets for replacing existing paving in line with ongoing regeneration and maintenance work.

Suggested Executive Decision: APPROVED

Recommendation Ten: Information Sharing

It is recommended that the Council engage directly with Thames Water to seek to come to an arrangement to allow for the sharing of all relevant information to enable both parties to better fulfil their responsibilities under the Flood Water Management Act and the Flood Risk Regulations.

Suggested Executive Decision: APPROVED

Recommendation Eleven: Flooding Data Format

It is recommended that Thames Water and the Council agree upon a uniform data format for data collection.

Suggested Executive Decision: APPROVED

Recommendation Twelve: Flood Contacts

It is recommended that, in order to facilitate a better working relationship between the Council and Thames Water, each organisation identify an individual point of contact for operational matters.

Suggested Executive Decision: APPROVED with the Flood Risk Manager to undertake the role of the individual point of contact for the Council. Thames Water is also requested to appoint an individual point of contact for operational enquiries.

Recommendation Thirteen: Information Sharing Systems

It is recommended that the Council and Thames Water examine the website operated by Northamptonshire County Council and seek to implement a similar system to allow both responsible parties to report flooding events and share information. Additionally they should explore the possibility of incorporating the flooding asset register into this system. This system should be for internal use only and not for public use.

Suggested Executive Decision: APPROVED

Recommendation Fourteen: Flood Risk Management Assets

Thames Water, in order to abide by their obligations under the Flood Water Management Act should share all information in respect to the sewer system in and around the London Borough of Hammersmith and Fulham, with particular emphasis and urgency given to any part of the sewer network identified on the public register of Flood Risk Management Assets.

Suggested Executive Decision: Endorsed and referred to Thames Water for a decision and response.

Recommendation Fifteen: Planning Applications Assessments

It is recommended that the Council and Thames Water undertake a review into how they share information on planning applications, how planning applications flood risk assessments are processed, prioritised for comment and referred. This should include agreeing the criteria for referral to Thames Water for consultation on specific applications that warrant a surface water flooding perspective. Additionally both the Council and Thames Water, if making representations, should take into account the interlinking nature of their respective flooding roles and make any representations they see fit in this light.

Suggested Executive Decision: APPROVED

Recommendation Sixteen: Flooding Insurance

It is recommended that the Council make a representation to the Department for Environment Food and Rural Affairs (DEFRA) stating that the insurance industry should take greater account of any sustainable drainage systems (SUDs) or other property protection measures incorporated into a property when calculating its insurance premium.

Suggested Executive Decision: APPROVED

Recommendation Seventeen: A Flood Fair

It is recommended that the Council hold a Flood Fair. The aim of the Flood Fair should be to collect historical information on flooding incidents, increase awareness of flooding risks and clarify responsibilities between the responsible flooding parties. Other stakeholders, such as Thames Water, the Environment Agency, the Department for Environment Food and Rural Affairs (DEFRA), and companies that provide sustainable drainage systems (SUDS) and other flooding prevention systems should be invited along. All residents that the Council is aware have suffered from flooding in the past should be invited, as well as community groups. Ideally the event would be held over a number of days in different parts of the borough.

Suggested Executive Decision: APPROVED

Recommendation Eighteen: Community Engagement

It is recommended that the Council seek to engage with residents through Residents Associations and other community forums.

Suggested Executive Decision: APPROVED.

Recommendation Nineteen: Flooding Advice

It is recommended that the Council continue to offer advice to residents online about flood risk. In addition, at times when it is felt flooding risk is more likely to concern the public; the Council should promote the possible sustainable drainage systems (SUDs) available to residents via local and social media. The council should encourage local residents to maintain and increase the permeability of back gardens by providing advice and guidance, particularly in those areas most at risk of surface water flooding.

Suggested Executive Decision: APPROVED.

Recommendation Twenty: Flooding Incidents

It is recommended that, when the Council is alerted to a flooding incident in the borough they should attempt to make direct contact with those affected and advise them of the possible sustainable drainage systems (SUDs) available to them. They should follow up with these residents after a six month period to see what steps they have taken to mitigate future flooding problems.

Suggested Executive Decision: APPROVED.

**Councillor Brocklebank Fowler – Cabinet Member for Transport and
Technical Services**

Signed _____

The London Borough of Hammersmith & Fulham