

**Report for:** Cabinet Meeting 9<sup>th</sup> July 2019

**Title:** Local Flood Risk Management Strategy (LFRMS)

**Report**

**Authorised by:** Stephen McDonnell – Director of Environment & Neighbourhoods

**Lead Officer:** Bernard Tausu, Projects Manager Drainage & Flood Water Management

**Ward(s) affected:** All

**Report for Key/**

**Non Key Decision:** Key Decision

**1 Describe the issue under consideration**

- 1.1 This report explains the need for a Local Flood Risk Management Strategy (LFRMS) for Haringey as well as to agree the LFRMS.
- 1.2 The Flood and Water Management Act (FWMA) 2010 requires a Lead Local Flood Authority (LLFA) to develop, maintain, apply and monitor a strategy for local flood risk management in its area. Local flood risk is defined by the FWMA as flooding from surface water, groundwater and ordinary watercourses.
- 1.3 The LLFA is responsible for ensuring a strategy is put in place. Haringey, as a London Borough and unitary authority, is a Lead Local Flood Authority and thus responsible for publishing a LFRMS.

**2 Cabinet Member Introduction**

- 2.1 This report recommends agreeing the LFRMS for Haringey. This strategy covers the different elements of the FWMA 2010 and Flood Risk Regulation (FRR) 2009.
- 2.2 The LFRMS also sets out what Haringey will do to manage local flood risk and references the strategies already produced, such as the Surface Water Management Plan (SWMP).

**3 Recommendations**

- 3.1 That the Cabinet:
- 3.2 Approves the adoption of the Haringey LFRMS for the Borough; and:
- 3.3 Authorises officers to publicise the report on the Council's website and to notify all groups having a particular interest in it.

## **4 Reasons for decision**

- 4.1 To comply with the Council's legal duties set out by Central Government in the FWMA. It is also a statutory requirement that this document be published to help engage residents and other stakeholders in flood risk issues.

## **5 Alternative options considered**

- 5.1 Cabinet could decide not to adopt the LFRMS for Haringey and not to make it available on the Haringey's website. In this case Haringey would not be meeting the statutory requirements of the FWMA, and non-compliance would have to be reported to the Department for Environment, Food and Rural Affairs (DEFRA). DEFRA are considering financial penalties for non-compliance, including reducing eligibility for flood grants. It is therefore, not considered necessary to consider other options.

## **6 Background information**

- 6.1 The FWMA requires a LLFA to develop, maintain, apply and monitor a strategy for local flood risk management in its area. Local flood risk is defined by the FWMA as flooding from surface water, groundwater and ordinary watercourses.
- 6.2 The LLFA is responsible for ensuring a strategy is put in place. Haringey, as a London Borough and unitary authority, is a LLFA and thus responsible for publishing a LFRMS.
- 6.3 The LFRMS, once approved by Cabinet, will be a statutory document, which will impact on the activities of all flood risk management authorities active in the Borough. These bodies will all have a 'duty to act consistently with the local strategy' when undertaking their flood and coastal erosion risk management functions and have a 'duty to have regard for the strategy' when discharging other duties that may affect flood and coastal risk (for example spatial planning and development).
- 6.4 The LFRMS explains the need for a LFRMS for Haringey, the evidence available to inform it, and the responsibilities each of the different parties has in managing flood risk. It will complement and support the national strategy for England published in 2011 but now been revised and released by the EA as a draft strategy reflecting its own views for consultation between 9<sup>th</sup> May – 4<sup>th</sup> July 2019. It is a vision for a nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100.
- 6.5 In summary, the LFRMS contains:
  - The Flood Risk Management Authorities in Haringey and the flood risk functions that may be exercised by those authorities,
  - The objectives for managing local flood risk,
  - The measures proposed to achieve the objectives,
  - How and when the measures are expected to be implemented,
  - The costs and benefits of those measures and how they are to be paid,
  - The assessment of local flood risk for the purpose of the strategy,

- How and when the strategy is to be reviewed,
  - How the strategy contributes to the wider environmental objectives.
- 6.6 Haringey is aiming to develop a greater understanding of flood risk amongst residents and property owners, a key requirement of the FWMA and FRRs. Flood risk can best be demonstrated through flood modelling and mapping. Ultimately, Haringey will have a flood risk management portfolio, which will include a series of maps and plans, for all types of potential flooding, to highlight the areas of highest risk, action plans for reducing flood risk and a clear emergency planning process.
- 6.7 This LFRMS has been out to public consultation having been advertised on the Council's consultation web page; and consulted with other RMAs that are defined under Part 1 Clause 9 (6) of the FWMA. Additionally, we contacted Haringey Federation of Residents Association (HFRA) and other community organisations. In order to encourage participation in what is essentially a specialist exercise, we also invited all contacts to complete a short online questionnaire designed to provide user-friendly means of giving us their views- including any local knowledge and experience of flood risk. Feedback and Questionnaire following the consultation has been included as a part of Appendix B within this LFRMS.

## **7 Contribution to strategic outcomes**

- 7.1 The LFRMS supports the delivery of the Borough Plan 2019-2023 Place priority. Helping to create a place with strong, resilient & connected communities where people can lead active and healthy lives in an environment that is safe, clean and green.
- 7.2 The Environmental Assessment of Plans and Programmes Regulations (EAPR) 2004 and The Conservation of Habitats and Species Regulations (CHSR) 2010 respectively require a strategic environmental scoping assessment and a habitats scoping report to be undertaken in relation to the LFRMS. The scoping reports have been completed in accordance with the relevant legislation and both reports concluded that further assessments are not required.
- 7.3 The FWMA aims to improve flood risk management and the way we manage our water resources. Flood Risk Management Plans (FRMP, published in 2015) fall under the scope of the Strategic Environmental Assessment Directive 2001/42/EC implemented in the UK by the EAPR.
- 7.4 This build on earlier government reports, EA Foresight Future Flooding 2004; DEFRA Making Space for Water and EU Water Framework Directive that deals with water supply, pollution from waste water, river basin management including ecological and environmental protection.
- 7.5 Many of the soft engineering techniques used for flood resistance and resilience are now based on adapting existing river corridors to provide space for water at peak times and include opportunities to improve these areas for amenity use, improved biodiversity, habitat, and wildlife and water quality.
- 7.6 Haringey will continue to work with other RMAs, communities and developers to adapt climate change allowance in flood risk assessments to minimise

vulnerability and provide resilience to flooding change in the future. Climate change allowances are predictions of anticipated peak river flows by river basin district and peak rainfall intensity which are based on climate change predictions and different scenarios of CO2 emissions to the atmosphere.

## **8 Statutory Officers comments**

### **Finance**

- 8.1 There are no direct financial implications set out in this strategy report. Prioritised schemes are agreed with stakeholders outlined in the report and funding sources are agreed prior to embarking on any works.
- 8.2 The Council's financial commitment to managing flood risks is included in the agreed revenue and capital budgets and forms part of the annually agreed Medium Term Financial Strategy. Internally managed projects are delivered through the Highways and Sustainable Transport works teams. Cost estimates are agreed and internal funding is earmarked and external funding formally agreed. Financial monitoring of the delivery of agreed schemes forms part of the council's regular revenue and capital monitoring procedures.

### **Procurement.**

- 8.3 There are no procurement issues arising from this report.

### **Legal**

- 8.4 The EU Floods Directive 2007/60/EC on the assessment and management of flood risks entered into force on 26th November 2007. This was transposed into UK Law through the FWMA on the 8<sup>th</sup> April 2010. All Upper Tier and Unitary Authorities were designated as LLFA with RMA powers. One of the statutory duties is to develop, maintain, apply and monitor LFRMS for surface water runoff, groundwater, rivers, lakes and ponds. Not adopting this LFRMS would breach our statutory obligations, put at risk funding and cooperation with other risk management authorities, risk of becoming open to claims for flood damage and loss of reputation.
- 8.5 Once adopted, RMAs, as defined in Part 1 Clause 6 (13) of the FWMA (which includes the Environment Agency (EA), local authorities and Highways England), must act in a way that is consistent with Haringey's LFRMS when exercising flood and coastal erosion risk management functions, and have regard to it when exercising their functions in a manner that may affect flood risk. Haringey itself, when exercising functions such as flood risk management, planning or highways, will be required to act consistently with or have regard to (as appropriate) the adopted LFRMS.

### **Equality Comments**

- 8.6 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
  - Advance equality of opportunity between people who share those protected characteristics and people who do not;
  - Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

- 8.7 The LFRMS has no foreseeable equality impact as it will benefit all residents, businesses and communities. There are no equality implications as a result of actions identified in the Local Flood Risk Management Plan (FRMP) that were included in the National FRMP. However, any equalities implications will be considered on the merits of each individual project at the inception and appraisal stage that will be produced prior to design and construction.

## **9 Use of Appendices**

Appendix A – Local Flood Risk Management Strategy objectives, Actions and Measures  
Appendix B Public Consultation and Online Questionnaire

## **10, Local Government (Access to Information) Act 1985**

- Draft LRMFS

**Appendix A – Local Flood Risk Management Strategy  
Objectives, Actions and Measures**

## Appendix A – Local Flood Risk Management Strategy Objectives, Actions and Measures

Sr No.	Local Objectives	Actions /Measures	Timescale			Key Partners	Potential source of funding	Comments
			Short	Medium	Long			
1	Identify, define and prioritise Critical Drainage Areas (CDA's), including further definition of existing local flood risk zones, and mapping new areas of potential flood risk.	Previous work undertaken in the Haringey Surface Water Management Plan (SWMP) will be reviewed and the factors that will affect the identification of the scheme(s) to be taken forward looked at more comprehensively. The scheme(s) offering the greatest cost benefit will then be developed in more detail, and funding possibilities identified prior to making a formal funding application.	X	X	X	Haringey Council (HC)	Local funding sources / FCRM GiA / Local Levy	The options proposed should be kept in line with NPPF, The London Plan and local Haringey planning polices.
2	To improve the understanding of flood risk within Haringey and ensure everyone understands their roles and responsibilities in reducing the risks.	<ul style="list-style-type: none"> <li>• Clear identification of roles and responsibilities of key organisations</li> <li>• Development of clear guidance for the public</li> <li>• Develop a better understanding of flooding through investigations and recording of flooding</li> <li>• Ensure that where there are risks that cannot be reduced in the short-term that emergency plans are in place.</li> </ul>	X			HC / Neighbouring LLFAs / TW / EA / Transport for London / Network Rail	Local Levy / Local funding sources	Keep in line with Flood Risk Regulations objectives
3	To confirm all the elements such as tanks, ponds etc. that have a role in surface water management and make the information available to the public and drainage professionals.	The collection of information from different sources and preparation of an Asset Register. (This is a particular requirement of the FWMA).	X	X	X	HC / TW/ EA / other RMAs	Local Levy / Revenue for LLFAs / Local funding sources	
4	To ensure the long term integrity of privately owned structures that have a role in flood protection.	Designation of structures that have a key role in flood risk protection. (Designation is a process identified in the Flood and Water Management Act that enables Haringey to have control over important structures.)	X	X	X	HC / other RMAs / Canal and River Trust / Private owners	Local funding sources	
	To enable Statutory	The convening of regular meetings (at a				HC / EA /	Local	

5	Organisations and the public to work together to reduce flood risks by using all available resources and funds to achieve the greatest benefit	frequency to be determined) of the key flooding organisations so that any plans that might have an impact on flood risk reduction can be considered jointly.	X	X	X	Neighbouring LLFAs / other RMAs	funding sources	
6	To avoid an increase in flood risk as a result of development by preventing additional rainwater entering existing drainage systems wherever possible.	The drainage department became a statutory consultee to the LPA as of April 2016. This requires Haringey under the Flood and Water Management Act to technically assess drainage details associated with development to ensure that they are sustainable and do not worsen flood risk. The main elements of this process will be: <ul style="list-style-type: none"> <li>• Pre-application discussions with Developers and receiving formal drainage applications</li> <li>• Receiving comments from other organisations on the application</li> <li>• Providing recommendations to the LPA</li> <li>• Inspection of as-constructed drainage works</li> </ul>	X	X	X	HC (Planning) / TW / EA	Local funding sources	Measures to be set out in line with the NPPF and the London Plan.
7	To take a sustainable and holistic approach to flood management, seeking to deliver wider economic, environmental and social benefits, climate change mitigation and improvements under the Water Framework Directive.	<ul style="list-style-type: none"> <li>• Promote effective water cycle management</li> <li>• Consider the joint use of green space for recreation and flood management</li> <li>• Develop guidance documents to set out requirements for new development</li> <li>• Develop guidance on sustainable drainage for house owners</li> <li>• Discuss any scheme proposals with all relevant parties</li> <li>• Ensure that any proposals satisfy Water Framework Directive requirements</li> </ul>	X	X	X	HC	Local Levy / Revenue funding for LLFAs	As outlined in the FWMA
8	To encourage the maintenance of privately owned flood defences and ordinary watercourses and minimise any impediment to flow.	<ul style="list-style-type: none"> <li>• Establish consenting procedures to control building of structures that may affect water flow</li> <li>• Advertise consenting procedures both within and outside the Haringey</li> <li>• Develop guidance for riparian owners on their responsibilities</li> </ul> <ul style="list-style-type: none"> <li>• Provide support to private owners of flood defences</li> <li>• Record all appropriate structures/assets on</li> </ul>	X	X	X	HC / other RMAs / Canal and River Trust / Private owners	Local funding sources	

		watercourses so that ownership/responsibility can be identified in the event of flooding.						
9	To develop a process to ensure that critical sections of watercourse are kept clean and maintained on a regular basis to avoid flooding.	The map of Ordinary Watercourse within the Haringey area is to be annotated with information on those watercourses where there is the greatest risk of flooding. Following this the maintenance programme for ordinary watercourses is to be reviewed and where necessary adjusted to reflect where the risk is highest.	X	X	X	HC	Local funding sources	
10	To share information on flood management best practice	<ul style="list-style-type: none"> <li>• Mechanisms for sharing information to be investigated and/or created.</li> <li>• Best practice examples to be collected</li> </ul>	X	X	X	HC / EA / Neighbouring LLFAs	sources / FCRM /GiA / Local Levy	
11	To ensure that proposals and policies are properly integrated with any other flooding related plans.	The current versions of documentation such as the Preliminary Flood Risk Assessment, Haringey's Surface Water Management Plan and the Strategic Flood Risk Assessment will need to be reviewed and any subsequent versions and any new documentation considered in the development of policies.	X	X	X	HC / EA / Neighbouring LLFAs / other RMAs	Local funding sources / FCRM /GiA / Local Levy	

**Appendix B – Public Consultation and  
Online Questionnaire**

## Public Consultation

To fulfil the requirement the FWMA, Part 1 Clause 9 (6), the draft LFRMS has been consulted with the following RMAs, Haringey Federation of Residents Association (HFRA) and other community organisations and the summary of the comments received from them are tabulated in Table B1.

**Table B1: Summary of the Comments**

Sr No	Organization	Comments	Response/Action
1	The Environment Agency	Content with the Strategy and No comments to be made	The comments are noted and no changes to the report
2	Greater London Authority	No comments	None
3	London Borough of Waltham Forest	No comments	None
4	London Underground Ltd.	<p><b>Page 3, para 5,</b></p> <p>It may be worth explicitly mentioning rail infrastructure owners/managers alongside the other entities mentioned given the scale of Network Rail and London Rail assets within the borough.</p>	The report has been modified accordingly
		<p><b>Page 6,</b></p> <p>Re. Rail infrastructures owners/managers, it may be worth identifying TfL's and NR's responsibility for drainage systems serving track assets, these may affect adjacent catchments in some circumstances.</p>	The report has been modified accordingly
		<p><b>General observation:</b></p>	

		Is it worth mentioning somewhere, an explicit objective of working collaboratively with TfL to ensure joined-up solutions wherever practicable?	This has been incorporated as one of our objective 5.
5	London Borough of Hackney	No comments	None
6	London Borough of Islington	No comments	None
7	Thames Water Utilities Limited	<p><b>Thames Water : Water Saving Device – Need Replacement</b>  <a href="https://watersavingdevices.thameswater.co.uk/">https://watersavingdevices.thameswater.co.uk/</a></p> <p><b>Thames Water : Save Water at Home – Need Replacement</b>  <a href="https://www.thameswater.co.uk/Be-water-smart/You-can-be-water-smart/your-water-smart-home">https://www.thameswater.co.uk/Be-water-smart/You-can-be-water-smart/your-water-smart-home</a></p> <p><b>Thames Water : Water-Saving Ideas – Need Replacement</b>  <a href="https://www.thameswater.co.uk/Be-water-smart/You-can-be-water-smart/your-water-smart-garden">https://www.thameswater.co.uk/Be-water-smart/You-can-be-water-smart/your-water-smart-garden</a></p> <p><b>Thames Water : Order your freebies – Need Replacement</b>  <a href="https://www.thameswater.co.uk/Be-water-smart/Water-saving-freebies">https://www.thameswater.co.uk/Be-water-smart/Water-saving-freebies</a></p> <p><b>Also requested to include following statement in the report:</b>          “It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”</p>	The suggested Links and text has been added within the report.
8	London Borough of Camden	No comments	None

9	London Borough of Barnet	No comments	None
10	London Borough of Enfield	No comments	None
11	Highways England	The Highways England will only be concerned with the proposal that have the potential to impact the safe and efficient operation of the Strategic Road Network (SRN), in this case the A1. After reviewing the consultation, we have no comments.	The comments are noted and no changes to the report.
12	Transport for London	Acknowledgement of the email and no comments to be provided.	No Changes to me made in report.
13	The Canal and River Trust	No comments	None
14	Network Rail	No comments	None
15	Local Community Group	At the moment no comments to make however we should be contacted for the Rivers Forum and any other SuDS proposal	The comments are noted and no changes to the report.

## Online Questionnaire

### Haringey Local Flood Risk Management Strategy (LFRMS) - Consultation

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**Q1 Please state if you are responding as an individual, business, government body, or other organisation**

Individual / resident

Business

Governmental or other organisation

If government or other org, please enter the name:

**Q2 Which of the actions below do you think are most important? (Tick up to 3 choices)**

- Sustainable drainage issues to be considered in all major planning applications
- Ensure that flood risk management strategies work in conjunction with environmental pollution control
- Have regular inspections and repairs of drainage systems - including sewers
- Identify all areas within Haringey which are at risk of flooding
- Record information from flood events and use it to identify and manage risk
- The roles and responsibilities of all organisations working on flood risk must be clearly set out
- Promote understanding of flood risk amongst residents and property owners
- Ensure flood risk management specifically includes road drains and gullies

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**Q3 Residents in areas affected by flooding often comment on the lack of communication about what is happening and what action is being taken. What do you think are the most effective means of keeping the public informed before and during a flood event?**

Letter / new sletter

Email

Public meetings

Residents associations, 'Friends groups'

Social media

Other

Haringey council website

If other, please state:

**Q4 Other suggestions and comments**



Given the somewhat specialist nature of the consultation, we did not expect many responses. However please see below some of the consultation Analysis from all who responded.

### **Respondent groups:**

		Count	%
<b>Respondent</b>	Individual / Resident	8	53 %
	Business	0	0 %
	Governmental or Other Organisation	7	47 %
	TOTAL	15	100 %

### **The most important actions to be considered:**

		Count	%
<b>Which Actions do you consider most important</b>	Sustainable drainage issues to be considered in all major planning applications	7	54 %
	Ensure that floor risk management strategies work in conjunction with environmental pollution control	7	54 %
	Have regular inspections and repairs of drainage systems – including sewers	10	77 %
	Identify all areas within Haringey which are at risk of flooding	4	31 %
	Record information from flood events and use it to identify and manage risk	0	0 %
	The roles and responsibilities of all organisations working on flood risk must be clearly set out	3	23 %
	Promote understanding of flood risk amongst residents and property owners	2	15 %
	Ensure flood risk management specifically includes road drains and gullies.	4	31 %