



Portfolio Holder Decision  
Making Session and date/time

8<sup>th</sup> January 2015

10 am

Item

1

Public

## **Collaborative Working Proposal for the Management of Local Flood Risk, including the Local Flood Risk Management Strategy, between Shropshire Council and Staffordshire County Council**

**Responsible Officer David Edwards, Flood and Water Manager**

Email: david.l.edwards@shropshire.gov.uk Tel: 07990 088077 Fax:

### **1. Summary**

- 1.1. The Portfolio Holder for Planning, Housing and Commissioning has delegated authority from Cabinet and further decision making powers under the Portfolio's Scheme of Delegation to make decisions regarding collaborative working arrangements with other local authorities and the management of local flood risk.
- 1.2. The Local Flood Risk Management Strategy sets out roles and responsibilities for flood risk management, the risk of flooding across Shropshire, where funding can be found to manage flood risk, what our policies are as a Lead Local Flood Authority and what our objectives and actions are to help us manage local flood risk.
- 1.3. The collaborative approach to flood risk management with Staffordshire County Council will bring about efficiencies through selected joint procurement of services and sharing of resources and expertise. Some of these services may be delivered by Shropshire Council.

### **2. Recommendations**

- 2.1. Cllr Malcom Price, the Portfolio Holder for Planning, Housing and Commissioning (Central) authorises:
  - A. The Local Flood Risk Management Strategy as the strategy for the management of local flood risk in Shropshire.
  - B. An agreement with Staffordshire County Council to deliver collaborative working approaches across the Local Flood Risk Management service based on an annual project plan.
  - C. [**subject to confirmation of implementation of Schedule 3 of the Flood and Water Management Act 2010 by Defra**] The implementation of a joint Sustainable Drainage Approving Body (SAB) between Shropshire Council and Staffordshire County Council, with a SAB hub based in Shropshire, to be operational in time for implementation of Schedule 3 of the Flood and Water Management Act 2010.

## **REPORT**

### **3. Risk Assessment and Opportunities Appraisal**

- 3.1. **Risk Management.** The means for either party to formally exit the collaborative approach has been built into the agreement. The risk that Shropshire Council and Staffordshire County Council may not in the future, agree on the approach to be taken for the management of local flood risk across the area is, therefore, appropriately managed.

- 3.2. The risks associated with shared liability have been covered within the collaborative working agreement.
- 3.3. **Human Rights.** The collaborative working approach, including the Local Flood Risk Management Strategy, does not have any impacts with regard to human rights.
- 3.4. **Equalities.** The collaborative working approach, including the Local Flood Risk Management Strategy, does not have any impacts with regard to equality.
- 3.5. **Community.** The collaborative working approach, including the Local Flood Risk Management Strategy, promotes partnership and community resilience.
- 3.6. **Environmental Consequences.** The environmental impact of the Local Flood Risk Management Strategy, which includes the collaborative working approach, has been appropriately assessed via a Strategic Environmental Assessment.
- 3.7. **Opportunities.** Further opportunities may exist for collaboration, with other Lead Local Flood Authorities, in the future. This will be explored by both Shropshire Council and Staffordshire County Council as the collaboration matures and the strategy becomes embedded.
- 3.8. **Other Consultation.** The Local Flood Risk Management Strategy has been out for public consultation for six months. Views have been received from both organisations and the public in support of the collaborative approach. Minor changes will be made to the strategy to reflect points raised.

#### 4. Financial Implications

- 4.1. The Local Flood Risk Management Strategy is a statutory document. Whilst it does not set out what will be spent it does cover how additional funding will be attracted for Shropshire Council's local flood risk management functions.
- 4.2. The collaborative approach has already realised modest savings through the joint procurement of local flood risk management services, including the Local Flood Risk Management Strategy. This has enabled the limited Defra 'new burden' grant funding, which pays for these services, to go further.
- 4.3. Through the formalisation of the collaborative approach, further efficiencies can be made, and further services may be commissioned from Shropshire Council by Staffordshire County Council or vice versa.
- 4.4. There are no costs to the collaborative approach.

#### 5. Background

- 5.1. Under the Flood and Water Management Act 2010, Shropshire Council is a Lead Local Flood Authority, with a duty to manage local flood risk in Shropshire. The legislation encourages partnership and collaborative working, and enables the sharing of certain duties.
- 5.2. Shropshire Council and Staffordshire County Council have already been collaboratively working on an informal basis, and have formed a strong working relationship in this area of responsibility. This has been recognised, regionally, by other risk management authorities such as the Environment Agency and Severn Trent Water.
- 5.3. Shropshire Council has represented Staffordshire County Council at meetings of the English Severn and Wye Regional Flood and Coastal Committee (RFCC).
- 5.4. Shropshire Council's Local Flood Risk Management Strategy has been produced in collaboration with Staffordshire County Council. This was jointly procured, and savings made, after assessing quotations from the term consultants available to both authorities. It sets out how local flood risk will be managed across Shropshire, and includes policies and procedures that are specific to Shropshire. The Local Flood Risk Management Strategy is a statutory requirement.

#### 6. Additional Information

- 6.1. Shropshire Council and Staffordshire County Council jointly procured IPandE to assist in the set-up of the Sustainable Drainage Systems (SuDS) Approval Body (SAB) role under Schedule 3 of the Flood and Water Management Act 2010. Whilst currently on hold

pending the outcome of Defra's latest SuDS consultation, this work has proved valuable to both authorities.

- 6.2. Shropshire Council and Staffordshire County Council have jointly procured a consultant to assist with the production of a SuDS Handbook, prior to either the implementation of Schedule 3 of the Flood and Water Management Act 2010 or revised planning guidance for SuDS.

## 7. Conclusions

- 7.1. The Local Flood Risk Management Strategy is the statutory document detailing how Shropshire Council will undertake its functions under the Flood and Water Management Act 2010. It has been subject to a six month period of public consultation.
- 7.2. Through working collaboratively on an informal basis, Shropshire Council and Staffordshire County Council have already achieved modest savings. This has enabled further local flood risk management work to be undertaken using the existing, limited, grant funding from Defra.
- 7.3. Through formalising a collaborative working agreement and setting up the joint SAB role (if required), further modest savings can be achieved on both sides, enabling yet further local flood risk management work to be carried out using the existing, limited, grant funding from Defra.

<b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information):</b>
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Local Flood Risk Management Strategy
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<b>Key Decision: Yes/No</b>
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<b>Included within Forward Plan: Yes/No</b>
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<b>If a Key Decision and not included in the Forward Plan have the General Exception or Special Urgency Procedures been complied with: Yes/No</b>
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<b>Name and Portfolio of Executive Member responsible for this area of responsibility:</b>
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Cllr Malcolm Price, The Portfolio Holder for Planning, Housing and Commissioning
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<b>Local Member:</b>
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<b>Appendices:</b>
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Shropshire Council and Staffordshire County Council Collaborative Working Agreement
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Shropshire Council / Staffordshire County Council Project Plan 2014/15
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Local Flood Risk Management Strategy, available online:
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<a href="http://www.shropshire.gov.uk/environmental-maintenance/drainage-and-flooding/local-flood-risk-management-strategy/">www.shropshire.gov.uk/environmental-maintenance/drainage-and-flooding/local-flood-risk-management-strategy/</a>
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**Declaration of Interest**

- I have no interest to declare in respect of this report

Signed ..... Date .....

NAME: .....

PORTFOLIO HOLDER FOR: .....

- I have to declare an interest in respect of this report

Signed ..... Date .....

NAME: .....

PORTFOLIO HOLDER FOR: .....

(Note: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter.)

For the reasons set out in the report, I agree the recommendation(s) in the report entitled .....

Signed .....

Portfolio Holder for .....

Date .....

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and pro-forma is returned to Democratic Services for processing.

Additional comment : .....

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Note: If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, Head of Legal and Democratic Services, Chief Executive and the Head of Finance, Governance and Assurance (S151 Officer) and, if there are staffing implications the Head of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Portfolio Holder: Your decision will now be published and communicated to all Members of Council. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication.