

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Environment and Transport
Date:	4 June 2019
Title:	Hampshire County Council Response to Government Consultation on the Draft Flood and Coastal Erosion Risk Management Strategy for England
Report From:	Director of Economy, Transport and Environment

Contact name: Simon Cramp

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1. The decision:

- 1.1 That the Executive Member for Environment and Transport notes the content and potential impacts of the Government's consultation on the Draft National Flood and Coastal Erosion Risk Management Strategy and endorses the key principles to form a basis for the County Council's detailed response, as set out in paragraphs 13-24 of the supporting report.
- 1.2 That the Executive Member for Environment and Transport approves the next steps for submission set out in the supporting report.
- 1.3 That authority is delegated to the Director of Economy, Transport, and Environment to make all necessary arrangements to approve and submit the detailed response to Government in consultation with the Executive Member for Environment and Transport.

2. Reasons for the decision:

- 2.1. Climate change predictions indicate that the UK will experience wetter winters and drier summers, with an increased likelihood of more intense rainfall leading to flooding. Additionally, we will experience continuing sea level rise and increased storminess that will have profound impacts for our coastline. The scale of potential future flooding and coastal change is significant. In November 2018 the Secretary of State for Environment, Food and Rural Affairs called for 'a new philosophy for managing all sources of flooding and coastal change'. The Draft National Flood and Coastal Erosion Risk Management Strategy sets out how this will be achieved.
- 2.2. The Environment Agency has a statutory duty to develop, maintain, apply and monitor a national flood and coastal erosion risk management strategy. This is a requirement of Section 7 of the [Flood and Water Management Act \(FWMA\) 2010](#). The FWMA also lists what the strategy must cover, and states that it requires public consultation, and that the Secretary of State must approve it. The first national flood and coastal erosion risk management (FCERM) strategy was published in 2011. In its 25year Environment Plan, the

Government committed the Environment Agency to revising the FCERM strategy in 2019.

2.3. The Environment Agency is now consulting on the Draft National Flood and Coastal Erosion Risk Management Strategy for England which will replace the existing strategy.

2.4. As a Lead Local Flood Authority, the County Council is responsible for managing and planning for flooding and coastal change and must ensure that its local FCERM strategies are consistent with the final national strategy. In addition, all risk management authority plans and strategies, even if they are not FCERM focussed, must be undertaken in a manner which is consistent with the national strategy. This consultation represents an important opportunity for the County Council to influence the long-term strategic direction of flood and coastal erosion risk management not only as a lead local flood authority, but also as the Highway Authority, an infrastructure provider, provider of a range of services, and as a landowner.

3. Other options considered and rejected:

3.1 None.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None

4.2. Conflicts of interest declared by other Executive Members consulted: None

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

4 June 2019

**Executive Member for Environment and Transport
Councillor Rob Humby**

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Purpose of this Report

1. The purpose of this paper is to provide an introduction to the consultation on the Draft National Flood and Coastal Erosion Risk Management Strategy launched by the Government on 9 May 2019, and to set out the County Council's broad position in relation to the key issues ahead of submitting a formal written response by 4 July 2019.

Recommendations

2. That the Executive Member for Environment and Transport notes the content and potential impacts of the Government's consultation on the Draft National Flood and Coastal Erosion Risk Management Strategy and endorses the key principles to form a basis for the County Council's detailed response, as set out in paragraphs 13-24 of this report.
3. That the Executive Member for Environment and Transport approves the next steps for submission as set out in this report.
4. That authority is delegated to the Director of Economy, Transport and Environment to make all necessary arrangements to approve and submit the detailed response to Government in consultation with the Executive Member for Environment and Transport.

Executive Summary

5. This paper seeks to
 - summarise the broad themes arising in the consultation;
 - consider the potential impact that the proposed outcomes from the consultation may have on the County Council; and
 - request approval from the Executive Member for Environment and Transport for the County Council's overarching position ahead of submitting a formal written response.

Contextual Information

6. Recent climate change predictions indicate that the UK will experience wetter winters and drier summers, with an increased likelihood of more intense rainfall leading to flooding. Additionally, we will experience continuing sea level rise and increased storminess that will have profound impacts for our coastline. The scale of potential future flooding and coastal change is significant. In November 2018 the Secretary of State for Environment, Food and Rural Affairs called for 'a new philosophy for managing all sources of flooding and coastal change'. The Draft National Flood and Coastal Erosion Risk Management Strategy sets out how this will be achieved.
7. The Environment Agency has a statutory duty to develop, maintain, apply and monitor a national flood and coastal erosion risk management strategy. This is a requirement of Section 7 of the [Flood and Water Management Act \(FWMA\) 2010](#). The FWMA also lists what the strategy must cover, and states that it requires public consultation, and that the Secretary of State must approve it. The first national flood and coastal erosion risk management (FCERM) strategy was published in 2011. In its 25 year Environment Plan, the Government committed the Environment Agency to revising the FCERM strategy in 2019.
8. The Environment Agency is now consulting on the Draft National Flood and Coastal Erosion Risk Management Strategy for England which will replace the existing strategy. The consultation was launched by Defra on 9 May 2019 and lasts for a period of 8 weeks.
9. The draft strategy vision is: for a nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100. The Environment Agency is asking for feedback on this vision, the proposed steps to be taken, and what needs to happen to implement them. This includes consideration of whether its strategic overview role for flooding and coastal change should evolve to help ensure the strategy's vision and objectives are achieved.
10. The draft strategy, like the existing strategy, is underpinned by the Environment Agency's principles:
 - We put people and the places they live and work in at the heart of what we do;
 - We build partnerships, supporting and trusting one another to get the job done;
 - We continually improve our evidence and understanding of the risks and their solutions;
 - We look for multiple financing opportunities to fund a nation more resilient to flooding and coastal change;
 - We are flexible and adapt to changing risk;
 - We recognise success and continue to grow and develop the range of skills we need;
 - We will be carbon neutral;
 - We manage flooding and coastal change whatever its source or cause; and

- We support sustainable development that creates great places for people and enhances the environment in line with the 25 year environment plan.
11. The strategy will be finalised in the light of the consultation responses and the Government's forthcoming national policy statement on flood and coastal risk before being submitted to the Secretary of State for Environment, Food and Rural Affairs for approval. Alongside the final strategy, the Environment Agency will publish an action plan detailing how it will work with partners to deliver the ambitions, strategic objectives and measures included in the strategy.
 12. All risk management authorities are responsible for managing and planning for their own sources of flooding and coastal change. As a Lead Local Flood Authority, the County Council must ensure that its local FCERM strategies are consistent with the final national strategy. In addition, all risk management authority plans and strategies, even if they are not FCERM focussed, must be undertaken in a manner which is consistent with the national strategy. This consultation represents an important opportunity for the County Council to influence the long-term strategic direction of flood and coastal erosion risk management not only as a lead local flood authority, but also as the Highway Authority, an infrastructure provider, provider of a range of services, and as a landowner.

The consultation and the potential impacts on the County Council

13. The Draft National Flood and Coastal Erosion Risk Management Strategy for England sets out the following vision: A nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100. The consultation is focused on what can be achieved over the next 10 to 30 years to help support the delivery of that long-term ambition.
14. The strategy also sets out the Environment Agency's proposal that its strategic overview role should continue to:
 - provide national data, information and tools on flooding and coastal change, to be shared publicly, appropriate for the decisions that risk management authorities need to make in helping everyone understand the risks we're managing;
 - lead effective partnerships that enable place-shaping, to manage flooding and coastal change;
 - provide timely and effective information and warnings; and
 - exercise a general supervision of flooding and coastal change in England;
 and change to include:
 - leading flooding and coastal change as part of broader climate resilience contributing to integrated solutions to the environmental and societal challenges the nation faces;
 - overseeing the collaboration, sharing and monitoring between flooding and coastal change infrastructure owners; and

- providing reporting and assurance that the final strategy's objectives and measures are being progressed.

15. The draft strategy has been split into 3 high level ambitions:

- climate resilient places;
- today's growth and infrastructure – resilient to tomorrow's climate; and
- a nation of climate champions, able to adapt to flooding and coastal change through innovation.

The delivery of these will be achieved through 15 strategic, longer term objectives (see Appendix One) and 36 shorter-term measures.

16. The strategy's key theme is the need to build climate resilient places, communities, homes and businesses. However, the strategy also makes clear that it will not be possible to prevent all flooding and coastal change happening, and some areas, homes and businesses cannot be protected. The priority in these areas is seen as ensuring the safety of the local community, reducing the scale of damage, and aiding recovery. This approach may mean that individuals and communities are supported in moving away from some areas.

17. The strategy emphasises that sustained investment is needed to prevent flood damage to properties and infrastructure increasing significantly, and it is estimated that an average annual investment of at least £1 billion in flooding and coastal change infrastructure is required over the next 50 years. Natural barriers and flood relief systems are seen as an increasingly important component of this infrastructure going forward.

18. The draft strategy outlines that the Environment Agency will develop standards for flood and coastal resilience, and a national suite of tools that can be used to deliver that resilience. A national framework will help risk management authorities, people, businesses and public bodies to integrate place-based resilience standards and adaptive approaches into all their existing strategies and plans.

19. Amongst a broad range of measures requiring the involvement of risk management authorities, the draft strategy identifies a number of specific targets for the County Council as the Lead Local Flood Authority:

- by 2021 the Environment Agency will work with lead local flood authorities and other expert bodies to develop guidance setting out best practice on local flood infrastructure management and record keeping;
- by 2021 the Environment Agency will work with government and risk management authorities to clarify roles of risk management authorities in relation to surface water flooding;
- by 2026 lead local flood authorities will update their local flood risk strategies to incorporate adaptive approaches to planning for flood and coastal resilience in a place; and

- from 2025 the Environment Agency and lead local flood authorities will advise local planning authorities on how adaptive approaches should inform strategic local plans.

The draft strategy also has specific implications for the County Council as the Highway Authority and infrastructure provider, and in its emergency planning role:

- by 2021 the Environment Agency and risk management authorities will work with infrastructure providers to ensure all infrastructure investment is resilient to future flooding and coastal change.
 - by 2025 the Environment Agency will work with government to better join up the organisations involved in providing incident response and recovery to provide a consistent and coordinated service.
20. The ambition of the draft strategy is welcomed, and the strategic objectives and detailed measures, individually and in combination, address many of the issues that the County Council has raised with Defra and the Environment Agency, particularly since the damaging 2013/14 flood events in Hampshire.
 21. The commencement of work to enhance the appraisal guidance for flooding and coastal change projects has been long awaited, as has the proposal to explore new options for securing more private sector investment in future to mitigate and alleviate the impacts of flooding and coastal change. The objective to better align long term planning for flood and coastal change with water company business planning cycles to identify opportunities for managing both floods and droughts is also welcomed. The national funding arrangements for schemes, the disappointing level of private sector investment, and the difficulty of engaging water companies as partners, have proven significant challenges to the County Council in developing and delivering flood schemes such as at Romsey and Buckskin.
 22. The strategy seeks to establish a Flood and Coastal Infrastructure Task Force to better align the long-term investment planning of publicly funded infrastructure bodies. While improved coordination between the various agencies is critical to achieving place-based resilience to flooding and coastal change, the need for a further organisation in an area where there is already a multiplicity of parties as well as plans, policies and strategies, should be carefully considered.
 23. The Adaptation Sub Committee's 2018 report (Managing the coast in a changing climate) calculated that implementing the current shoreline management plans to protect the coast would, depending on the rate of climate change, cost £18 to £30 billion. It also concluded that it will not be beneficial to protect or adapt 149 to 185 kilometres of England's coastline as currently planned by coast protection authorities. The Environment Agency promises in the strategy to review the legal, policy and behavioural changes needed to 'build back better and in better places' and improve the resilience of homes and business, and, by 2021 to require that shoreline management plans are refreshed and kept under review. The clear implication is that in many areas where our coastline has previously been managed on a 'hold the line' basis there will be a move to developing adaptive approaches with coastal communities, to better involve them in the difficult decisions they'll

need to make in future. This is likely to include taking steps to permanently move communities away from the risk.

24. The strategy sets out an ambitious agenda with far reaching consequences for the County Council not only as a lead local flood authority, but as the Highway Authority, an infrastructure provider, provider of a range of services, and as a landowner. While the overall approach is welcomed, there is a need for caution in terms of:

- the additional requirements that are to be placed on the County Council in all its roles, duties and responsibilities;
- understanding what specific outcomes are to be achieved within the proposed timescales;
- the skills and resources needed to deliver these; and
- how the breadth and depth of activities will be funded against the backdrop of continuing financial constraint.

Next Steps

25. Subject to approval of the recommendation in this report, a response will be developed and submitted by the consultation deadline of 4 July 2019, in consultation with the Executive Member for Environment and Transport.

Appendix One.

Ambition 1:	Climate resilient places
Strategic objective	
1.1	Between now and 2050 the nation will be resilient to future flood and coastal risks. Over the next year the Environment Agency will work with partners to explore and develop the concept of standards for flood and coastal resilience.
1.2	Between now and 2050 risk management authorities will help places plan and adapt to flooding and coastal change across a range of climate futures.
1.3	Between now and 2030 all those involved in managing water will embrace and embed adaptive approaches to enhance the resilience of our environment to future flooding and drought.
1.4	Between now and 2030 risk management authorities will enhance the natural, built and historic environments so we leave it in a better state for the next generation.
1.5	Between now and 2030 risk management authorities will use funding and financing from new sources to invest in making the nation resilient to flooding and coastal change.
Ambition 2:	Today's growth and infrastructure – resilient to tomorrow's climate
Strategic objective	
2.1	Between now and 2030 all new development will contribute to achieving place based resilience to flooding and coastal change.
2.2	Between now and 2030 all new development will seek to support environmental net gain in local places.
2.3	Between now and 2030 all risk management authorities will contribute positively to local economic regeneration and sustainable growth through their investments in flooding and coastal change projects.
2.4	Between now and 2050 places affected by flooding and coastal change will be 'built back better' and in better places.
2.5	Between now and 2030 all flooding and coastal infrastructure owners will understand the responsibilities they have to support flood and coastal resilience in places.
2.6	Between now and 2050 the Environment Agency and risk management authorities will work with infrastructure providers to ensure all infrastructure investment is resilient to future flooding and coastal change.
Ambition 3:	A nation of climate champions, able to adapt to flooding and coastal change through innovation.
Strategic objective	
3.1	Between now and 2030 young people at 16 should understand the impact of flooding and coastal change, but also recognise the potential solutions for their place, and opportunities for career development.
3.2	Between now and 2030 people will understand the potential impact of flooding and coastal change on them and take action.
3.3	Between now and 2030 people will receive a consistent and coordinated level of support from all those involved in response and recovery from flooding and coastal change.
3.4	Between now and 2030 the nation will be recognised as world leader in managing flooding and coastal change, as well as developing and attracting talent to create resilient places.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
Flood and Water Management Act https://www.legislation.gov.uk/ukpga/2010/29/contents	<u>April 2010</u>
Understanding the risks, empowering communities, building resilience: the national flood and coastal erosion risk management strategy for England. (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/228898/9780108510366.pdf)	<u>September 2011</u>
Managing the coast in a changing climate https://www.theccc.org.uk/publication/managing-the-coast-in-a-changing-climate/	October 2018

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

This decision entails the procedure and approach for a consultation response, and does not itself have a direct impact on any service users.