

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Economy, Transport and Environment
Date:	12 May 2022
Title:	Flood and Water Catchment Management Plans
Report From:	Director of Economy, Transport and Environment

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Purpose of this Report

1. The purpose of this report is to seek approval from the Executive Lead Member for Economy, Transport and Environment to adopt the draft Hampshire Flood and Water Catchment Management Plans (FWCMPs) and to undertake public consultation on the FWCMPs to allow for input on their contents from a wider audience.

Recommendations

2. That the Executive Lead Member for Economy, Transport and Environment approves the draft Hampshire Flood and Water Catchment Management Plans (FWCMPs) (attached to this report) for public consultation for a period of 6 weeks.
3. That authority is delegated to the Director of Economy, Transport and Environment to make minor amendments to the draft Hampshire FWCMPs as required by the outcome of the public consultation, and to adopt the Hampshire FWCMPs subject to there being no unresolvable representations, in consultation with the Executive Lead Member for Economy, Transport and Environment.

Executive Summary

4. This paper sets out the County Council's strategic approach to flood and water management in Hampshire and how this is being achieved.
5. Following the adoption of the updated Hampshire Local Flood and Water Management Strategy in August 2020, the County Council has developed a suite of documents which are designed to highlight and prioritise areas within each river basin catchment which are most vulnerable to flood risk.
6. The draft Hampshire Flood and Water Catchment Management Plans (FWCMPs) identify these areas and provide specific policies that complement the Hampshire Local Flood and Water Management Strategy and strengthen

planning and consenting processes to reduce flood risk within these prioritised areas.

Contextual information

7. Under the Flood and Water Management Act (2010), Hampshire County Council became the Lead Local Flood Authority (LLFA) for Hampshire. In accordance with the legislation, all LLFAs across the country are required to produce a Local Flood Risk Management Strategy.
8. Under the act, the Strategy must specify:
 - risk management authorities within that area;
 - their flood and coastal erosion risk management functions and objectives for managing flood risk;
 - measures proposed to achieve those objectives;
 - how and when the measures are expected to be implemented;
 - costs and benefits and funding sources assessment of local flood risk;
 - how and when the strategy is to be reviewed; and
 - how the strategy contributes to the wider environmental objectives.
9. The County Council's updated Local Flood and Water Management Strategy (LFWMS)¹ was adopted in August 2020. The Strategy responds to significant local and national developments in strategy and partnership working including:
 - the emergence of the 25 Year Environment Plan and Environment Act (2021);
 - the declaration of a Climate Change emergency;
 - changes in the regulatory and long-term planning framework for water;
 - increasing concern for water quality; and
 - the impacts and implications of coastal changes.
10. The Strategy therefore marks a step change in the County Council's thinking towards flood risk management by setting this within the context of a broader approach to flood and water management. There are three key parts to that approach:
 - water stewardship;
 - nature-based solutions; and
 - catchment-based approach.
11. Water stewardship is about a concern for the whole of the water cycle recognising that there is a complex inter-relationship between flood events, drought conditions and water resource challenges. This requires an integrated management approach with the potential to provide multiple benefits across the economy, society and the environment. For example, improving capacity for

¹ [local-flood-water-management-strategy.pdf \(hants.gov.uk\)](https://www.hants.gov.uk/local-flood-water-management-strategy.pdf)

attenuation and winter storage of water particularly in groundwater flood conditions to offset increased demand in drier months.

12. This joined-up approach to the stewardship of water resources is of particular relevance to the South-east of England which is one of the most water stressed regions in Europe. The majority of Southern Water's supply comes from groundwater (70%), predominantly from the chalk aquifer which is widespread across the region. Because of the predominance of groundwater sources, rainfall during autumn and winter is critical to the recharge of the aquifer and therefore the availability of water resources across the region. It is this same seasonal pattern that drives the incidence of groundwater flooding. Reflecting its interest in this matter, the County Council has responded to water industry consultations including the Water Resources South East Regional Plan.² The Plan sets out how the water environment could be used in the most sustainable way, improves the environment and ensures greater resilience to climate change, whilst providing the water needed to supply the region's growing population. The County Council is also working closely with the regional water companies (Southern, Thames and Wessex) on the development of the Drainage and Wastewater Management Plans (DWMPs). DWMPs are new plans that set out how water and wastewater companies intend to extend, improve and maintain a robust and resilient drainage and wastewater system. The Environment Act (2021)³ has now made drainage and sewerage management planning a statutory duty.
13. The new Environment Act also drives forward an approach that places natural capital and nature as an essential part of tackling climate change through nature-based solutions such as sustainable farming, catchment delivery, and tree and woodland planting. These in turn enable broader environmental benefits. For example, carbon sequestration, nutrient cycling, flood risk management, recreation and amenity. There is growing recognition of the important role that natural systems can play in improving water services and securing better outcomes for society and the environment. Catchment and nature-based solutions featured prominently in the 2021 Review of the Water Industry National Environment Programme (WINEP)⁴, and the National Flood and Coastal Erosion Risk Management Strategy for England.⁵ The Strategy sets out the contribution they can play in achieving climate resilient places particularly at a community led, river catchment scale, and improving water supply and quality.
14. An approach to the management of the water environment based upon the river catchment, rather than one based on administrative boundaries, is known as a catchment-based approach⁶ and enables a more integrated multi-agency response, in active partnership with local communities. The approach recognises that measures in one part of the catchment could affect flood risk within another part. Many of Hampshire's rivers, including the internationally

² [Water Resources South East \(engagementhq.com\)](https://www.engagementhq.com)

³ [Environment Act 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

⁴ [Review of the water industry national environment programme \(WINEP\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

⁵ [Environment Agency – National Flood and Coastal Erosion Risk Management Strategy for England \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

⁶ [About CaBA - CaBA \(catchmentbasedapproach.org\)](https://www.catchmentbasedapproach.org)

important River Test and River Itchen, rise and fall within the county. This provides a unique opportunity to develop a holistic system management approach. The catchment-based approach also acknowledges that flooding is rarely from a single source, it is usually multi-sourced and therefore the responsibility of multiple agencies. The County Council works closely with the network of catchment partnerships across Hampshire to look at the water environment in terms of all the ecosystems services connected to a healthy catchment and aim for better integration of planning and activities to deliver multiple benefits. The partnerships are key to the catchment-based approach.

15. The principles of water stewardship, nature-based solutions and a catchment-based approach are brought together by Policy 2 of the Hampshire LFWMS. The policy sets out the County Council's intention to develop a catchment approach to flood and water management and to prepare prioritised river catchment-based flood management plans for each of the 18 catchment areas across Hampshire. The new plans will replace the existing Surface Water Management Plans (SWMPs) which follow administrative boundaries rather than catchment areas, and do not cover the whole of Hampshire. The SWMPs also do not consider water management in its widest sense and do not benefit from the information and experience gathered from recent flooding incidents including the events of winter 2013/14. The current Groundwater Management Plan will also be substantially replaced by the new plans, however, because groundwater does not conform wholly to the river catchment areas it is proposed that an overarching statement is retained.
16. The new Plans, known as Flood and Water Catchment Management Plans (FWCMPs), identify areas that are at risk of flooding, and seek to understand how and why the catchment floods, so that communities and flood risk management partners can co-ordinate flood risk reduction activities. They provide the basis for developing short-, medium-, and long-term approaches to managing flood risk. The plans sit below the overarching Strategy and help meet the County Council's requirements as a LLFA.
17. The 18 catchment areas within Hampshire are:
 - Loddon East;
 - Loddon West;
 - Meon/Wallington;
 - Itchen;
 - Lower Test;
 - Middle Test;
 - Upper Test;
 - Lavant;
 - Hamble;
 - Wey Western;
 - Wey Eastern;
 - Monks Brook;

- Rother;
 - Enbourne;
 - Lymington;
 - Avon;
 - Avon Water; and
 - Beaulieu.
18. Using known data including historic flooding, sources of flooding, number of houses at risk, presence of strategic infrastructure and vulnerability of residents, the catchment planning process has determined which sub-catchments of each river basin catchment are at most risk from flooding and therefore a priority within the relevant catchment plan.
19. The FWCMPs set out 11 new policies which identify what the County Council, working with its partners, will do to reduce flood risk in the priority areas across Hampshire. The policies relate to the County Council's powers held under the Flood and Water Management Act (2010) and the Land Drainage Act (1991) and some or all are to be applied in each priority area. In prioritised areas of each catchment Hampshire County Council will:
- lower the minimum threshold for triggering a formal flood investigation, under Section 19 of the Flood and Water Management Act 2010, from 20 flooded properties to 10;
 - implement a more stringent approval process for all Ordinary Watercourse Consent applications;
 - strengthen recommendations that a pre-application assessment is sought by the developer for the surface water management features of any proposed development;
 - ensure that the most up to date and site-specific data pertaining to the risk of groundwater flooding is used;
 - ensure that the Local Planning Authority only approve new developments that sufficiently demonstrate that a rigorous maintenance regime will be implemented for their surface water management systems;
 - ensure that the Local Planning Authority requests validation reports from developers when construction of the new drainage system is completed;
 - strengthen recommendations for a 50% betterment of surface water run-off rates is demonstrated for the surface water management features of any proposed development;
 - ensure hydraulic modelling of surface water exceedance flows movement and management is required for new development;
 - strengthen recommendations that a minimum flow rate of 2 litres per second is achieved at each outfall;
 - advise the Local Planning Authority to refuse any development on sites with no alternative demonstrable outfall; and
 - liaise with the Local Planning Authority to limit permitted development rights regarding the paving or covering of permeable surfaces with impermeable surfacing to create driveways or other hard standing.
20. Where the policies relate to the planning process, discussions will be held with the Local Planning Authorities to determine the best methods for implementing

these policies. Possible outcomes could include template planning policies to be used in the Lead Local Flood Authority responses on drainage consultations and further guidance documents where relevant.

21. Though reviewing these processes and the implementation of these new policies will require a little more staff time at the outset, it is not envisaged that the adoption of the FWCMPs will add significantly to staff workloads or require extra resource.
22. In the case of lowering the trigger level for Section 19 investigations, it is intended that a standardisation of the Section 19 process will be implemented allowing for a shorter and more comparable process to be undertaken, which will bring Hampshire County Council in line with established practices of other Local Flood Authorities across the country. Therefore, although more reports will have to be produced, the process will be significantly shortened and will therefore not require increased staff workload.

Next steps

23. It is proposed that the draft Hampshire FWCMPs be submitted for a 6-week public consultation period which is planned to start in June 2022. As the LLFA, the County Council has an important co-ordinating role for flood and water management activities. However, other organisations, individuals and authorities also have to play an active role in developing and implementing the plans, and the consultation process will seek to gather further information to develop and refine the Plans as appropriate. If the public consultation produces any significant areas of challenge or objections, a report will be brought back to the Executive Lead Member for Economy, Transport and Environment in due course. In the event that the consultation raises only minor suggested amendments, it is proposed that these are dealt with under the recommended delegation to the Director of Economy, Transport and Environment.

Consultation and Equalities

24. The County Council has undertaken informal consultation with representatives of the Environment Agency, Local Planning Authorities and internal Hampshire Highways and Emergency Planning colleagues. The responses to the early draft FWCMPs were supportive of the approach. It is intended to seek the views of these and other partner organisations as part of the formal consultation.
25. The FWCMPs will be submitted for public consultation beginning in June 2022 for a period of 6 weeks and will take place on the County Council's 'Have Your Say' consultation website.
26. Following completion of an Equalities Impact Assessment, it is considered that the proposal will have a neutral impact on groups with protected characteristics as the Catchment Plans are designed to protect and support every resident in prioritised areas regardless of protected characteristics.

Climate Change Impact Assessments

27. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.

Climate Change Adaptation

28. Climate Change adaptation is integral to the County Council's Local Flood and Water Management Strategy and the Flood and Water Catchment Management Plans (FWCMPs). The Plans are designed specifically to improve water management, including enhancing resilience to both drought and flooding. The Plans will significantly improve Hampshire's adaptation to climate change by bringing forward policies which will reduce flood risk and improve communities' resilience to and recovery from flood and drought events.

Carbon Mitigation

29. The carbon mitigation tool is not applicable as the decision does not relate to a project involving physical infrastructure. However, the policies set out in the Plans will assist with driving new standards and approaches that will help to reduce carbon, and increase opportunities for sequestration, by promoting greener, nature-based solutions working at a catchment scale.

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>
Decision - Local Flood and Water Management Strategy About the Council Hampshire County Council (hants.gov.uk)	15/11/2019

Section 100 D - Local Government Act 1972 - background documents	
<p>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.)</p>	
<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:

Following completion of an Equalities Impact Assessment, it is considered that the proposal will have a neutral impact on groups with protected characteristics as the Catchment Plans are designed to protect and support every resident in prioritised areas regardless of protected characteristics.