Appendix C  Working together to deliver local flood risk management

C.1 Overview

Working in partnership with other organisations is vital if the aims and objectives of this strategy are to be delivered successfully. North Somerset Council has therefore worked with a number of organisations during the development of the strategy and will continue to do so as the measures outlined in chapter 4 of the report are implemented.

Those involved within the development and delivery of the strategy can be split into three categories:

- Risk Management Authorities (RMAs) as defined within the Flood and Water Management Act 2010;
- other groups and organisations involved in flood risk management, this includes organisations who have a responsibility for drainage and flood risk management, but are not RMAs and who may be affected by the LFRMS (e.g. Network Rail), and;
- the public, represented as individuals or local community groups including flood actions groups, parish councils and businesses. The public will primarily be engaged through the community resilience network.

C.2 Risk Management Authorities

The flood Risk Management Authorities identified under the Flood and Water Management Act 2010 (FWMA) (section 6, part 13) are:

- a lead local flood authority;
- the Environment Agency;
- a district council for an area for which there is no unitary authority;
- an internal drainage board (IDB);
- a water and sewerage company, and;
- a highway authority.

These organisations have a duty under the FWMA to act consistently with (or in the case of a water company to have regard to) the LFRMS. They are required to cooperate with each other and share information in the exercise of their flood and coastal erosion risk management functions. They are also able to delegate flood and coastal erosion functions to each other by mutual consent (except for the LFRMS which NSC cannot delegate).

Within North Somerset the Risk Management Authorities are:

- North Somerset Council (both as LLFA and as highways authority)
- Environment Agency
North Somerset Council has formed a core working partnership with these organisations, which also includes the Executive Elected Member with responsibility for flood and coastal erosion risk. This partnership was established primarily for the development of the Weston-super-Mare Surface Water Management Plan, but has since been more formally designated as North Somerset’s Strategic Flood Management Board (SFMB). The SFMB meets quarterly as a minimum to develop flood management strategies, share information and discuss progress with on-going flood risk management activities. This partnership is responsible for overseeing the development of the LFRMS. The Terms of Reference for the SFMB are provided at the end of this appendix.

Coastal erosion Risk Management Authorities are identified by the FWMA as those districts or unitary councils that have coastal erosion risk management functions. Alongside its role in managing coastal flooding, the Environment Agency is also a coastal erosion risk management authority. The functions of these authorities include those identified in the FWMA as well as the Coast Protection Act (1949). Local authorities play a fundamental role in managing and protecting the coastline by leading on coastal erosion management activities, leading and supporting coastal groups and producing shoreline management plans through the relevant coastal group. Effective partnership working between the Environment Agency and coastal local authorities is critical to successful integrated coastal zone management.

Scrutiny of flood and coastal erosion risk management activities is undertaken by the Strategic Planning & Economic Development Policy and Scrutiny Panel (SPED), which has identified a flood risk working group specifically to look at flood and coastal erosion issues.

### C.3 Functions of Risk Management Authorities

The primary flood-related roles duties and powers of the Risk Management Authorities are illustrated in Table C-1.
<table>
<thead>
<tr>
<th>Risk Management Authority</th>
<th>Key summary of role</th>
<th>Statutory flood-related duties, powers &amp; responsibilities</th>
</tr>
</thead>
</table>
| North Somerset Council    | LLFA, responsible for managing and coordinating local flood risk management; and, Coastal protection authority, responsible for leading coastal erosion risk management activities. | **Duties:**  
- develop, maintain, apply and monitor a LFRMS, which is consistent the national flood and coastal erosion management strategy;  
- act consistently with the LFRMS and national flood and coastal erosion management strategy;  
- upon becoming aware of a flood, the LLFA must, to the extent is considers necessary or appropriate, investigate which authority has flood risk management responsibilities and whether that authority has or is proposing to exercise those function;  
- co-operate with risk management authorities for the purposes of managing flood or coastal erosion risk;  
- maintain a register of structures or features which are considered to significantly affect flood risk;  
- responsible for consenting third party works on ordinary watercourses;  
- approval, adoption and maintenance of sustainable drainage systems (SuDS);  
- contribute towards achievement of sustainable development;  
- lead the co-ordination and preparation of emergency planning through the Emergency Management Unit;  
- category 1 responder to emergencies and responsible for assisting in preparation of Multi-Agency Flood Plans;  
- (as the local planning authority) prepare a Local Plan outlining proposals for growth, determine planning applications, and contribute towards achievement of sustainable development;  
- planning authority for minerals and waste;  
- lead on coastal erosion management activities;  
- lead and support coastal groups; and;  
- produce shoreline management plans through the relevant coastal group.  
**Powers:**  
- to do works to manage flood risks from surface runoff and groundwater;  
- designate structures and features that affect flooding;  
- request information from any person with respect to flood and coastal erosion;  
- sanction persons who do not provide information following a request for information;  
- enforcement where works have been completed without a necessary consent for all districts/boroughs, and;  
- enforcement to maintain a proper flow on ordinary watercourses.  
**Other:**  
- management and co-ordination of local flood risk, bringing together all relevant bodies to help manage local flood risk |
<table>
<thead>
<tr>
<th><strong>North Somerset Highways</strong></th>
<th><strong>Environment Agency</strong></th>
<th><strong>Wessex Water</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Responsible for highway drainage and roadside ditches</strong></td>
<td><strong>Strategic overview of all sources of flood risk, and operational responsibility for flooding from Main Rivers, the Sea and Reservoirs</strong></td>
<td><strong>Responsible for draining foul water, and runoff from roof and yards</strong></td>
</tr>
<tr>
<td><strong>Duties:</strong></td>
<td><strong>Duties:</strong></td>
<td><strong>Duties:</strong></td>
</tr>
<tr>
<td>- responsible for the provision and management of highway drainage and roadside ditches under the Highways Act (1980). This excludes the roads that are the responsibility of the Highways Agency;</td>
<td>- develop, maintain, apply and monitor a strategy for flood and coastal erosion risk management in England;</td>
<td>- responsible for the provision and management of highway drainage and roadside ditches under the Highways Act (1980). This excludes the roads that are the responsibility of the Highways Agency;</td>
</tr>
<tr>
<td>- contribute towards achievement of sustainable development, and;</td>
<td>- statutory consultee for the SuDS Approval Body where a drainage proposal is likely to affect a road.</td>
<td>- statutory consultee for the SuDS Approval Body where a drainage proposal is likely to affect a road.</td>
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<tr>
<td>- statutory consultee for the SuDS Approval Body where a drainage proposal is likely to affect a road.</td>
<td>- statutory consultee for the SuDS Approval Body where a drainage proposal is likely to affect a road.</td>
<td>- statutory consultee for the SuDS Approval Body where a drainage proposal is likely to interact with a public sewer, and;</td>
</tr>
<tr>
<td><strong>Environment Agency</strong></td>
<td><strong>Powers:</strong></td>
<td><strong>Other:</strong></td>
</tr>
<tr>
<td><strong>Strategic overview of all sources of flood risk, and operational responsibility for flooding from Main Rivers, the Sea and Reservoirs</strong></td>
<td>- designate structures and features that affect flooding;</td>
<td>- provides fluvial and coastal flood warnings;</td>
</tr>
<tr>
<td><strong>Duties:</strong></td>
<td>- request information from any person with respect to flood and coastal erosion;</td>
<td>- supports emergency responders when flooding occurs;</td>
</tr>
<tr>
<td>- develop, maintain, apply and monitor a strategy for flood and coastal erosion risk management in England;</td>
<td>- sanction persons who do not provide information following a request for information;</td>
<td>- allocation of flood and coastal erosion risk management capital funding (FCRM Gia(^1)), and;</td>
</tr>
<tr>
<td>- statutory consultee for the SuDS Approval Body where a drainage system directly or indirectly involves discharge of water into a watercourse;</td>
<td>- manage flood risk from Main Rivers, the Sea and Reservoirs;</td>
<td>- provides advice to local planning authorities in relation to development and flood risk.</td>
</tr>
<tr>
<td>- responsible for consenting third party works on Main Rivers;</td>
<td>- may make grants in respect of expenditure incurred or expected to be incurred in connection with flood or coastal erosion risk management in England;</td>
<td></td>
</tr>
<tr>
<td>- establish Regional Flood and Coastal Committees;</td>
<td>- may issue levies to the lead local flood authority for an area in respect of the Agency’s flood and coastal erosion risk management functions in that area, and;</td>
<td></td>
</tr>
<tr>
<td>- co-operate with risk management authorities for the purposes of managing flood or coastal erosion risk;</td>
<td>- arrange for a coastal erosion risk management function to be exercised on its behalf by a coast protection agency, LLFA or IDB.</td>
<td></td>
</tr>
<tr>
<td>- contribute towards achievement of sustainable development;</td>
<td>- must report to the Minister about flood and coastal erosion risk management, and;</td>
<td></td>
</tr>
<tr>
<td>- must report to the Minister about flood and coastal erosion risk management, and;</td>
<td>- duty to be subject to scrutiny from LLFA with respect to flood risk management functions.</td>
<td></td>
</tr>
<tr>
<td>- duty to co-operate and may share information;</td>
<td>- duty to be subject to scrutiny from LLFA with respect to flood risk management functions.</td>
<td></td>
</tr>
<tr>
<td>- adopt private sewers;</td>
<td>- duty to be subject to scrutiny from LLFA with respect to flood risk management functions;</td>
<td></td>
</tr>
<tr>
<td>- statutory consultee for the SuDS Approval Body where a drainage proposal would interact with a public sewer, and;</td>
<td>- need to have regard to the LFRMS and the national flood and coastal erosion management strategy.</td>
<td></td>
</tr>
</tbody>
</table>

\(^1\) Formally known as FDGiA
<table>
<thead>
<tr>
<th>North Somerset Levels IDB &amp; Axe Brue IDB</th>
<th>Responsible for maintaining ordinary watercourses in their area to protect properties and drain agricultural land</th>
<th>Duties</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>• act consistently with the LFRMS and national flood and coastal erosion management strategy;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• duty to be subject to scrutiny from LLFA with respect to flood risk management functions;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• duty to co-operate and may share information;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• responsible for consenting third party works on ordinary watercourses in their area;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• operate pumping stations to evacuate water to prevent permanent flooding and water logging;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• maintain open drainage channels via dredging and vegetation control;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• make byelaws to ensure and protect adequate drainage systems and works</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• require owners and occupiers of properties to remedy defects in systems, for example where flows of water are impeded through defaults of persons;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• control the erection of structures affecting watercourses and the culverting of watercourses which require their special consents;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• provide advice to planning authorities regarding new development, by considering the flood risk implications of proposals on site and downstream;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• provide advice to ensure that any flood protection works are carried out as a necessary part of the infrastructure for developments, and;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• statutory consultee for the SUDS Approval Body where a drainage system will directly or indirectly discharge water into an ordinary watercourse within their geographical boundary</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Powers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• designate structures and features that affect flooding, and;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• to do works to manage flood risks on ordinary watercourses in its area.</td>
</tr>
</tbody>
</table>

Table C-1 Flood Risk Regulations process (taken from EA guidance)
C.4 Other groups and organisations involved in flood risk management

C.4.1 Internal service delivery partners
Within NSC there are a number of internal service delivery partners with whom the Local Flood Risk Management team needs to engage effectively in order to successfully deliver the LFRMS objectives and ensuing projects. The appropriate level and type of engagement will be identified on a case-by-case basis as projects and other flood risk management activities come forward for delivery. Figure C-1 identifies these partners.

C.4.2 External stakeholders
We may also need to engage with other external partners from time to time to enable delivery of local flood risk management activities. These include:

- Network Rail
- Other utility companies (apart from water and sewerage companies)
- Natural England and English Heritage
- Forestry Commission
- National Farmers’ Union
- West of England Partnership
- Local businesses
- Private developers
The other major stakeholder in local flood risk management is the public itself, both individually and as represented by local community groups, town and parish councils. Figure C-2 illustrates the relationships between stakeholders in North Somerset’s Local Flood Risk Management Strategy.

Engaging with these various partners and stakeholders at the right time(s) and in the right way(s) will help to ensure that the LFRMS developed for North Somerset is representative of, and proportionate to, the needs and concerns of those affected by flooding and flood risk within the area. The successful delivery of the LFRMS is dependent on the support and commitment of all its stakeholders in different ways, so their buy-in is essential.

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2 NB: Solid lines indicate primary link, whereas dashed lines indicated secondary link between organisations or groups
C.5 Terms of Reference of the SFMB

An overview of the key sections of the Terms of Reference of the SFMB are outlined below.

**Aim:** The aim of the Board is to provide a forum to consider and develop a strategic approach to local flood risk management in North Somerset. The Partnership will enable the Unitary Council, as Lead Local Flood Authority, to discharge its responsibilities under the Flood and Water Management Act 2010 and Flood Risk Regulations 2009. It will also provide the opportunity to discuss current and future issues, share best practice, and direct the strategic actions required to deliver efficient and high quality flood risk management services in North Somerset.

**Membership:** Senior Officer(s) having responsibility for flood risk management within the following organisations: North Somerset Council; Environment Agency; North Somerset Internal Drainage Board; West Mendip Internal Drainage Board, and; Wessex Water.

**Meeting frequency:** Quarterly (to be diarised at least a year in advance)

**Agendas and papers:** To be circulated by the Secretary seven days prior to the meeting date.

**Role and function of the partnership:**
- To provide a forum for sharing and dissemination of information on flood risk management.
- To provide feedback from national groups and to ensure appropriate feedback from the Partnership back to the national arena.
- To task sub-groups for specific service areas.
- To identify and develop opportunities for joint initiatives, working and research so as to avoid duplication of effort thereby securing efficiencies.
- To make best use of expertise in North Somerset and the wider regional area.
- To highlight areas of legislative change and to determine the implications for Flood Risk Management Authorities.
- To share experience related to service development and the application of the legislative requirements.
- To share experience related to performance management and risk management.
- To seek development opportunities to address the skills gap in the flood and water management sector

**Partnership aims and objectives**
- To provide a forum for sharing and dissemination of information on flood risk management.
- Consistency of approach across the area
- Influence policy development
- Seek out and utilise all forms of funding opportunities
- Maximise utilisation of resources and expertise
- Awareness of roles and responsibilities
- Risk identification and management
- Action planning
- Prioritising work programmes
- Information and data sharing
- Develop a five-year forward plan to meet targets to agreed service levels
- Ensure the programme of works recognises works of other Risk Management partner organisation’s programmes
- Develop an approach for approval and adoption of sustainable drainage systems (SUDS)
- Positively seek opportunities for creation of wildlife habitats and biodiversity sites
- Develop a marketing and communication strategy that will provide a seamless reference tool for service users and stakeholders for all matters associated with local flood risk management