



**Resources and Public Realm
Scrutiny Committee**
10 November 2021

**Report from the Strategic Director
of Regeneration and Environment**

Topical Issue: Flood Risk Management in Brent

Wards Affected:	All Wards
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	Three Appendix A Responsibility for Water & Sewage Issues Appendix B Links to Background Documents Appendix C Current Cyclical Gully Cleansing Regime
Background Papers:	None
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1.0 Purpose of the Report

- 1.1 To inform the committee of the roles and obligations that the council has in managing flooding and drainage matters in the borough as Lead Local Flood Authority and Highway Authority, the roles and responsibilities of other organisations in flood management and the measures the council undertakes to mitigate the risk of flooding.

2.0 Recommendation

2.1 That Committee note and comment upon the content of the report

3.0 Detail

3.1 Members of the Committee will know that as the number of severe weather events has increased, so has the incidence of flooding nationwide. Brent was fortunate to avoid the serious floods that occurred elsewhere in the country of 2007 and 2012 which caused so much damage and disruption for those affected. However Brent did suffer floods in 2007 and 2010 though much of this occurred on the highway, open spaces and gardens. The probability of such events happening again is only likely to grow as climate change increases the frequency of extreme weather.

3.2 Flooding can have major economic and social impacts, with people facing significant financial hardship and being unable to return to their homes and suffering stress as a result. For this reason, reducing the long-term risk of flooding is not only a sensible investment but also an important task, not just for the council but for everyone. It's not something that any one organisation can do on its own, because it needs co-operation between public agencies, businesses and households.

3.3 The council receives a significant number of enquiries annually regarding drainage and flood risk issues. The vast majority of enquires are not within the councils remit and are often the responsibility of the utility companies, that being either Thames Water or Affinity water. So that the residents can access the correct information and resolve their query more quickly, information is available on the council website which gives clear indication of roles and responsibilities regarding flooding and drainage responsibility of the local authority and utility companies respectively. The information provided online is attached at Appendix A.

3.4 The Flood and Water Management Act 2010 aims to provide better, more comprehensive management of flood risk for people, homes and businesses. It identifies "risk management authorities"; bodies with an interest in flood risk management such as the council, water companies and the Environment Agency. Their roles and responsibilities are:

3.5 Local Lead Flood Authority (LLFA)

Under the Flood and Water Management Act 2010, the council are responsible for reducing the risk of flooding from surface water, groundwater and ordinary watercourses as a Local Lead Flood Authority (LLFA). To meet our responsibilities the council:

- ***Maintain a register of flood risk management assets (structures that have an effect on flood risk management):*** This includes all flood risk management assets such as culverts, watercourses and holding tanks. All drainage assets, including the council maintained and maintained by Thames Water and Environment Agency are logged on Flood Station.
- ***Provide overall management for highway drainage (road gullies) on designated public highway:*** As Highway Authority, we manage the 20,700 road gullies within the borough via a cyclical cleansing regime, and also respond reactively to any defect or blockages on the network. The contractor records the silt levels found in the gully pots at the time of the cyclical cleansing on the "Map 16" computer system. We are currently analysing silt level data collected over a number of years with a view to targeting better our resources towards gullies that

silt up more, and away from those than silt up less. Appendix C gives information on our current Cyclical Gully Cleansing Regime

The council implements small scale schemes to address localised flooding problems such as broken gullies or gully pipes, or localised gully capacity problems. Larger scale capacity problems are within the remit of Thames Water who are responsible for the main drainage system. Whilst maintenance helps, rainfall flows that are greater than the capacity of the network will still result in localised flooding. This flooding will normally dissipate away down the drains given time.

- ***Developing, maintaining and applying a local flood risk management strategy:*** We also provide updated flood risk management documents (Appendix B) including flood risk management strategy. The overarching aim of the strategy is to enable the long-term management of flooding arising from rivers, surface water and groundwater in the borough and to communicate the risks and consequences of flooding to our residents.
- ***Responding to planning applications:*** As LLFA, the council are statutory consultee for major developments and in accordance with the GLA plan for sustainable drainage, we ensure that a significant betterment (i.e. improved drainage arrangements) is incorporated into new developments, which in turn reduces the risk of surface water flooding on our public highways.
- ***Producing and maintaining a flood risk asset register:*** All of our drainage assets are located on an asset register, which includes all non-tributary watercourses, culverts and attenuation tanks.
- ***Issuing land drainage consents on ordinary watercourses and carrying out enforcement:*** All works undertaken non-statutory main rivers must obtain consent from the council so we are able to oversee and audit all processes to ensure sustainable measure are undertaken.
- ***Investigating significant local flooding events:*** As LLFA, we investigate all major flooding incidences and record the data. Major flooding occurrences such as property floods are recorded under the section 19 format. *(Under section 19 of the Flood and Water Management Act 2010 the council has a duty to investigate flooding when it is deemed necessary and appropriate; where internal flooding of five or more properties has been experienced during a single flood incident or where critical infrastructure has been affected by flooding).*

3.6 Utility Companies (Thames Water/Affinity Water)

The responsibilities of the relative utility companies is to;

- maintain and clear both the Foul and Surface water sewer networks
- maintain and clear any issues with the drinking water main supply and resolve water main leaks
- resolve shared supply pipes serving more than one property
- responsibility for Communication pipes carrying fresh water through the network
- find and resolve any misconnections connecting into the local watercourses.
- maintain designated public pumping stations within the borough

3.7 Environment Agency Responsibilities

The responsibilities of the Environment Agency are as follows;

- developing long-term approaches to Flood & Coastal Erosion Risk Management (FCERM). This includes developing and applying the national FCERM strategy.

- allocation of national Government funding to projects to manage flood and coastal erosion risks from all sources
- delivering projects to manage flood risks from main rivers and the sea
- working with others to prepare and deliver Flood Risk Management Plans
- provide evidence and advice to support others. This includes national flood and coastal erosion risk information, data and tools to help other Risk Management Authorities and inform Government policy, and advice on planning and development issues
- work with others to share knowledge and the best ways of working. This includes work to develop FCERM skills and resources
- management and maintenance of statutory main rivers
- frontline response to significant fluvial (river) flooding events
- overall management of water quality

3.8 Thames Regional Flood and Coastal Committee (RFCC)

There are 12 regional RFCC's in England. RFCCs play an important role in helping to protect communities from flooding and coastal erosion. They help the Environment Agency and partners to understand local issues better, and to balance local and national priorities. The Regional Flood and Coastal Committee (RFCC) is a committee established by the Environment Agency under the Flood and Water Management Act 2010 that brings together members appointed by Lead Local Flood Authorities (LLFAs) and independent members with relevant experience for 3 purposes:

- to ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines
- to encourage efficient, targeted and risk-based investment in flood and coastal erosion risk management that represents value for money and benefits local communities
- to provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to build understanding of flood and coastal erosion risks in its area.

There are also the following bodies helping to manage flood risk:

3.9 The London Drainage Engineers Group (LoDEG)

The London Drainage Engineers Group (LoDEG) is an officer lead organisation that represents the interests of those within the 33 London Councils with a responsibility for highway drainage and general flood risk related matters. The Objectives of LoDEG are:

- act in an advisory capacity to the London Technical Advisors Group on any matters of drainage engineering and/or flood risk with the objective of promoting best practice within the Engineering Community.
- respond to specific requirements from LoTAG in carrying out their role as advisor to other associations or bodies.
- promote and discuss any matter of mutual interest especially within a drainage engineering or flood risk subject area.
- encourage and facilitate the exchange of information and experience of drainage, flood risk and related engineering matters.

3.10 North West Flood Risk Strategic Partnership

The North West Flood Risk Strategic Partnership co-ordinates flooding and drainage matters across the North West London boroughs of Brent, Hillingdon, Ealing, Harrow, Barnet and Hounslow. It manages and distributes funding via Capital Flood and Coastal Erosion Risk Management (FCERM Programme). It receives updates from partner organisations such as the Thames Regional Flood and Coastal Committee, the Environment Agency, Thames Water and Thames Flood Advisors.

4.0 Financial Implications

4.1 Cyclical and reactive gully cleansing, and the implementation of small scale schemes to address localised flooding problems are funded via general revenue funding. Were there to be any requirements for a scheme involving highway drainage, the annual highways capital maintenance programme, current base funding level £3.5m, would be the first port of call. This funding is also used for resurfacing of carriageways and footways, as well as highway structures. Another source of funding for e.g. Studies is the North West Flood Risk Strategic Partnership.

5.0 Legal Implications

5.1 The Flood Risk Regulations 2009 introduced the following duties onto Local Lead Flood Authorities (LLFAs);

- the duty to prepare preliminary assessment reports;
- the duty to identify Flood Risk Areas and,
- the duty to prepare a Flood Risk Strategy

5.2 The Flood and Water Management Act 2010 aims to provide better, more comprehensive management of flood risk for people, homes and businesses. The Act identifies risk management authorities, which are bodies with an interest in flood risk management.

5.3 Brent council takes on the role of Lead Local Flood Authority, and has the 'lead' role in managing local flood risk from surface water, groundwater and ordinary watercourses across Brent. The Act outlines the responsibility of the lead local flood authority to "develop, maintain, apply and monitor" a strategy for local flood risk management.

5.4 Section 41 of the Highways Act 1980 places a duty on the council as highways authority to maintain the public highway. The Highways Maintenance Scheme Programme (annual capital maintenance programme, currently £3.5m base funding) must make sufficient provision for the council to comply with this duty. Breach of this duty can render the council liable to pay compensation if anyone is injured as a result of failure to maintain the highway. There is also a general power under section 62 of the Highways Act 1980 to improve highways.

5.5 A fuller discussion of the legislation involved in flooding and drainage is contained in the Flood Risk Management Strategy.

6.0 Equality Implications

6.1 There are considered to be no equalities implications for this report.

7.0 Consultation with Ward Members and Stakeholders

7.1 None required as a result of this report.

8.0 Human Resources/Property Implications (if appropriate)

8.1 None as a result of this report

Related Documents:

Flood Risk Management Strategy
Surface Water Management Plan

Strategic Flood Risk Assessments

Report sign off:

Alan Lunt
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& Environment