

HERTSMERE BOROUGH COUNCIL

POLICY STATEMENT ON FLOOD DEFENCE

NOVEMBER 2000

1. INTRODUCTION

Purpose

- 1.1 This policy statement has been prepared by Hertsmere Borough Council to provide a public statement of the Council's approach to flood defence in its area.

Background

- 1.2 The Ministry of Agriculture, Fisheries and Food has policy responsibility for flood and coastal defence in England. However, delivery is the responsibility of a number of flood and coastal defence "operating authorities" i.e. the Environment Agency, local authorities and internal drainage boards. Responsibilities differ according to the type of operating authority and Hertsmere Borough Council's responsibilities are set out in paragraphs 3.1 and 3.2 below.
- 1.3 The Government has published a policy aim and three objectives for flood and coastal defence ¹. To ensure a more certain delivery of the aim and objectives by the individual operating authorities the Government has published a series of high level targets ². The first target requires each operating authority to publish a policy statement setting out their plans for delivering the Government's policy aim and objectives in their area. This will include their assessment of flooding risk in their area and the plans for reducing or managing that risk.
- 1.4 This policy statement fulfils that requirement. Copies are available from the Council's office and Internet site. Copies have also been sent to:
- The ministry of Agriculture, Fisheries and Food;
 - The Department of the Environment, Transport and the Regions; and
 - The Environment Agency.

2. HOW THE COUNCIL WILL DELIVER THE GOVERNMENT'S POLICY AIM AND OBJECTIVES

- 2.1 Hertsmere Borough Council acknowledges and supports the Government's aim and objectives for flood and coastal defence (as set out below). Its policy and approach will be consistent with them, as follows:

Government's Policy aim: To reduce the risk to people and the developed and natural environment from flooding and -coastal erosion by encouraging the provision of technically, environmentally and economically sound and sustainable defence measures.

Section 3 below sets out the plans for reducing or managing the risk of flooding in the Council's area.

Objective (a): To encourage the provision of adequate and cost effective flood warning systems.

Provision of flood warning systems is the responsibility of the Environment Agency. However, Hertsmere Borough Council recognises its related and important role in emergency planning and response. It will therefore:

- ensure that the emergency response plans include appropriate arrangements for flooding emergencies and that such plans are reviewed regularly, in consultation with the Environment Agency;
- maintain an awareness of the Environment Agency's flood warning dissemination plan for its area and contribute to its implementation as necessary; and
- play an agreed role in any flood warning emergency exercises organised by the Environment Agency covering our area.

Objective (b): To encourage the provision of adequate, economically, technically and environmentally sound and sustainable flood defence measures.

Hertsmere Borough Council will:

- provide an adequate, economically, technically and environmentally sound approach to the flood defence service. It will:
 - ◆ adopt a strategic approach to provision of flood defences, particularly by assessing any potentially wider effects of proposed defences. To this end it will continue to play a full role in Local Environment Agency Plans, for our area;
 - ◆ aim to provide sustainable flood defences which provide social and/or economic benefits to people whilst taking account of natural processes and which avoid committing future generations to inappropriate defence options;
 - ◆ ensure work is carried out in accordance with best practice and to deliver best value for money including
 - (a) keeping up-to-date with policy and technical developments in flood defence, in particular by reference to MAFF guidance, other Government publications and relevant technical manuals;
 - (b) consulting the Environment Agency on flood defence options to ensure that best practice is adopted and shared; and (c) using appropriately qualified experts to advise on analysis and design of works or programmes of management;
 - ◆ consider alternative approaches to funding, such as Public Private Partnerships;
 - ◆ where appropriate seek contributions from developers or other direct beneficiaries of works;
 - ◆ ensure that appropriate maintenance regimes are in place for flood defences where the Council has riparian owner responsibilities and where it has exercised its discretionary land drainage powers;
 - ◆ inform landowners of what responsibilities for maintenance rest with them (see paragraph 3.1 below);
 - ◆ make publicly available by means of minutes of appropriate Committees the Council's expenditure plans for flood and coastal defence maintenance and capital works.
- play a positive role in fulfilling its statutory and other responsibilities for furthering

nature conservation, including achievement of the Government's environmental obligations and targets. In particular it will:

- ◆ fulfil its responsibilities in relation to nationally and internationally important conservation areas, under the Wildlife and Countryside Act 1981 and as a competent authority under the terms of the Conservation (Natural Habitats &c.) Regulations 1994;
- ◆ when carrying out flood defence works, seek opportunities for environmental enhancement, and aim to avoid damage to environmental interest and to ensure no net loss to habitats covered by Bio diversity Action Plans. We will monitor all losses and gains of such habitats as a result of these operations and report on them annually to the Environment Agency; and
- ◆ ensure that, for those Water Level Management Plans where it is the lead operating authority, we work in partnership with English Nature to complete, implement and review Plans in accordance with MAFF guidance on plan completion and the timetables set out in MAFF High Level Targets.

Objective (c): To discourage inappropriate development in areas at risk from flooding.

As the local planning authority for our area, Hertsmere Borough Council will take account of flooding risks in all planning matters including development plans, in particular the emerging Hertsmere Local Plan Post Inquiry Modifications version 2000, and individual planning applications, having regard to the most up-to-date Planning Policy Guidance Notes.

3. ASSESSMENT OF THE RISK OF FLOODING AND COASTAL EROSION IN HERTSMERE BOROUGH COUNCIL'S AREA AND WHAT IT WILL DO TO REDUCE OR MANAGE THAT RISK

Flood defence responsibilities

- 3.1 Apart from certain obligations (as enshrined in UK law) to protect internationally important habitats under the EU Habitats Directive, all flood defence works are undertaken under permissible powers. This means that operating authorities, such as Hertsmere Borough Council, are not obliged to carry out flood and coastal defence works. It is also important to note that the Council does not normally accept responsibility for maintenance of flood defences on private land; this is the responsibility of the landowner.
- 3.2 Hertsmere Borough Council is the relevant operating authority for flood defences on ordinary watercourses that are not within the area of an internal drainage board.
- 3.3 The flood defences that are owned or managed by the Council are detailed in its return for the database that is maintained by the Environment Agency.
- 3.4 The Environment Agency is the relevant operating authority for flood defences on designated main rivers. Culverts under roads are generally the responsibility of the relevant Highways Authority or Highways Agency.

Assessment of flood risk

- 3.5 Hertsmere Borough Council is the relevant operating authority for all of the watercourses in the Council's area except for the following Rivers which are designated as main rivers and thus the responsibility of the Environment Agency. There is no internal drainage board operating in the Council's area.

Main Rivers

| | |
|---------------------|---------------------|
| Barnet Ditches | Kendalls Brook |
| Bentley Heath Brook | Kitts End Stream |
| Borehamwood Brook | Kitwell Brook |
| Catherine Bourne | Mimmshall Brook |
| Clare Hall Brook | Potters Bar Brook |
| Colne | Salmon's Brook |
| Cressalls Ditch | Turkey Brook |
| Hilfield Brook | Tykes Water |
| Holmshill Brook | Wrotham Park Stream |

- 3.6 The Council has agreed to identify with the Environment Agency "critical ordinary watercourses" within the borough (i.e. watercourses which are not classified as "main river" but which the Council has agreed with the Environment Agency to be critical because they have the potential to put at risk from flooding large numbers of people and property). The watercourses concerned are recorded on plans located at the Hertsmere Borough Council Civic Offices and which are available for inspection by the public.
- 3.7 Based on historical flooding information, coupled with the Environment Agency's indicative flood plain maps, the Council has carried out an assessment of the risk of flooding from the ordinary watercourses in its area. The main areas at risk of flooding are shown on plans that may be viewed at the Civic Offices. These plans show where the Council has completed flood defence measures to reduce the risk of flooding. The maps will be reviewed regularly to take into account plus advice from Government funded research into flood risk, effects of climate change, additional flood defence measures as and when they are completed, changes to the built environment and any other factor that affects the criticality of a watercourse. The Council emphasises the need for the Environment Agency's flood warnings to be heeded, where these are provided (see below).

Action to reduce or manage flood risks

- 3.8 The main means by which flood risks will be managed is through the Environment Agency's flood warning dissemination plan of August 2000. This makes arrangements for warnings to be provided in the following locations within this Council's area, that relate to properties at risk from flooding from main rivers only including individual warnings to high risk properties. Flood Warnings will be issued by the Environment Agency to the main river flood risk areas at the following locations within the borough: -

Upper River Colne

Borehamwood
Bushey
Radlett

Mimmshall Brook

Borehamwood
Potters Bar
Shenley to South Mimms

Salmons Brook

Potters Bar

Hertsmere Borough Council has included plans for responding to flooding in its emergency planning procedures and has arrangements for reacting to warnings received from the Environment Agency as described below: -

- All warnings received by the Council will be relayed to the Emergency Planning Officer, his deputy and to front line service managers responsible for provision of drainage and emergency response activities including potential evacuation etc.
- The Council notifies the Environment Agency of alternative contact details to use for issue of warnings during times when the Civic Offices are closed.

3.9 The Council has a programme in place, subject to availability of funds and personnel, to inspect the state of:

- flood defences (whether or not owned by the Council) on all ordinary watercourses including those that are agreed as being critical

3.10 The Council will ensure that regular maintenance is carried out on the flood defences and channels which it owns, or for which it accepts responsibility, so that they operate at optimum efficiency. Where the responsibility for maintenance rests with a landowner, it will aim to secure co-operation in ensuring appropriate maintenance takes place, drawing on enforcement powers if necessary.

3.11 The Council's land drainage major work plan is to carry out flood alleviation works at various locations as shown in the schedule and programme contained in relevant Committee meeting minutes.

3.12 By following the most up-to-date Government guidance on development in flood risk areas, the Council, acting as a local planning authority, will ensure that risks are further minimised. This includes measures for ensuring sustainable urban drainage systems to control surface water run off.

4. PARTNERSHIPS AND REVIEW OF THIS POLICY STATEMENT

4.1 The Council has set out its policy and approach to flood defence. It recognises the need to work in partnership with central Government and other operating authorities. Its local population also has an important part to play, in recognising the vital importance of watercourses in controlling flood risk and the need to avoid blockages, whether by dumping rubbish or obstructing flows in other ways. It asks members of the public to let it know of any problems that might increase the risk of flooding.

4.2 Hertsmere Borough Council intends to review this policy statement in three years' time, when it will be revised and reissued as necessary. Meanwhile, the Council welcomes any comments on the approach and policies set out in this statement.

References

1 Strategy for Flood and Coastal Defence in England and Wales MAFF and Welsh Office, September 1993

2 High Level Targets for Flood and Coastal Defence Operating Authorities and Elaboration of the Environment A's Flood Defence Supervisory Duty MAFF, November 1999