

WALSALL METROPOLITAN BOROUGH COUNCIL

POLICY STATEMENT ON FLOOD AND COASTAL DEFENCE

1. INTRODUCTION

Purpose

1.1 This policy statement has been prepared by Walsall Metropolitan Borough Council to provide a public statement of the Council's approach to flood and coastal 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" ie the Environment Agency, local authorities and internal drainage boards. Responsibilities differ according to the type of operating authority and Walsall Metropolitan 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. 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. 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 and coastal erosion risk in their area, and the plans for reducing or managing that risk.

1.4 This policy statement fulfils that requirement. Copies are also available from the Council's offices at Civic Centre, Darwall Street, Walsall, WS1 1DG and on the Internet at www.walsall.gov.uk. We are also providing a copy 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 Walsall Metropolitan Borough Council acknowledges and supports the Government's aim and objectives for flood and coastal defence (as set out below). Our 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 our plans for reducing or managing the risk of flooding and coastal erosion risk 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, Walsall Metropolitan Borough Council recognises its related and important role in emergency planning and response. We will therefore:

- ensure that our emergency response plans include appropriate arrangements for flooding emergencies and that such plans are reviewed, in consultation with the Environment Agency, at least every two years;
- maintain an awareness of the Environment Agency's flood warning dissemination plan for our 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 and coastal defence measures.

Walsall Metropolitan Borough Council will:

- provide an adequate, economically, technically and environmentally sound approach to providing the flood and coastal defence service. We will:
 - ◇ adopt a strategic approach to provision of flood and coastal defences, particularly by assessing any potentially wider effects of proposed defences. To this end we will continue to play a full role in Shoreline Management Plans, and Local Environment Agency Plans, for our area;
 - ◇ aim to provide sustainable flood and coastal 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 and coastal 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, in accordance with Planning Policy Guidance Note 25.
 - ◇ ensure that appropriate maintenance regimes are in place for flood and coastal defences for which the Council takes responsibility;
 - ◇ inform landowners of what responsibilities for maintenance rest with them (see paragraph 3.1 below);
 - ◇ make publicly available the Council's expenditure plans for flood and coastal defence maintenance and capital works
- play a positive role in fulfilling our statutory and other responsibilities for furthering nature conservation, including achievement of the Government's environmental obligations and targets. In particular we will:
 - ◇ fulfil our 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
 - ◇ co-operate with English Nature and the Environment Agency in completing and implementing Coastal Habitat Management Plans (CHaMPs) covering our area, drawing on English Nature/Environment Agency guidance for plan production;
 - ◇ when carrying out flood and coastal 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 Biodiversity 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 we are 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 and coastal erosion.

As the local planning authority for our area, Walsall Metropolitan Borough Council will take account of flooding and coastal erosion risks in all matters relating to development control, including development plans and individual planning applications, in accordance with Planning Policy Guidance Notes 20 and 25.

3. OUR ASSESSMENT OF THE RISK OF FLOODING AND COASTAL EROSION IN OUR AREA AND WHAT WE WILL DO TO REDUCE OR MANAGE THAT RISK

Flood and coastal defence responsibilities

3.1 Apart from certain obligations to protect internationally important habitats under the EU Habitats Directive, all flood and coastal defence works are undertaken under permissive powers. This means that operating authorities, such as Walsall Metropolitan 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 Walsall Metropolitan Borough Council is the relevant operating authority for:

- flood defences on ordinary watercourses which are not within the area of an internal drainage board; and

3.3 The flood and coastal defences that are owned or managed by the Council are detailed in our return for the database which 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 Walsall Metropolitan Borough Council as Highway Authority.

Assessment of flood risk

3.5 There are 39km of ordinary watercourses for which Walsall Metropolitan Borough Council is the relevant operating authority. These are all of the watercourses in the Council's area except the River Tame between The Keyway and Borough boundary which is designated as main river and thus the responsibility of the Environment Agency. There is no internal drainage board operating in the Council's area.

3.6 We have agreed with the Environment Agency that within the Council's area there are 0 km of "critical ordinary watercourses" (ie 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).

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 12th September 2000. This makes arrangements for warnings to be provided for the River Tame within this Council's area, including individual warnings to high risk properties. Walsall Metropolitan Borough Council has included plans for responding to both major and minor flooding in its emergency planning procedures and has arrangements for cascading warnings received from the Environment Agency to relevant Council services.

3.9 The Council has a programme in place to inspect the state of:

- flood defences (whether or not owned by the Council) on all ordinary watercourses; and
- all critical ordinary watercourses and related culverts.

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

3.11 In our maintenance programme we will give priority to clearing the excess silt in the watercourses in our ownership.

3.12 By following Government guidance in Planning Policy Guidance Note 25 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.

Assessment of coastal erosion risks

3.13 Non coastal.

4. PARTNERSHIPS AND REVIEW OF THIS POLICY STATEMENT

4.1 The Council has set out its policy and approach to flood and coastal defence. We recognise the need to work in partnership with central Government and other operating authorities. Our 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.

We ask members of the public to let us know of any problems which might increase the risk of flooding or coastal erosion.

4.2 Walsall Metropolitan Borough Council intend 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.