

POLICY STATEMENT ON FLOOD DEFENCE

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1. INTRODUCTION

Purpose

1.1 This policy statement has been prepared by Charnwood 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 Charnwood 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.

1.4 This policy statement fulfils that requirement. Copies are also available from the Council's offices at Southfields, Loughborough, LE11 2TX and on the Internet at www.charnwoodbc.gov.uk. Charnwood Borough Council is 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 Charnwood Borough Council acknowledges and supports the Government's aim and objectives for flood and coastal defence (as set out below). The 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 Council's plans for reducing or managing the risk of flooding in its area.

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

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

- ensure that its 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 its area.

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

Charnwood Borough Council will:

- provide an adequate, economically, technically and environmentally sound approach to providing the flood and coastal defence service. The Council will:
 - ◇ adopt a strategic approach to the 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, in accordance with Planning Policy Guidance Note 25*.
- ◇ ensure that appropriate maintenance regimes are in place for flood 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 defence maintenance and capital works the annual publication of Charnwood Borough Council Annual Budget.
- play a positive role in fulfilling its statutory and other responsibilities for furthering nature conservation, including achievement of the Government's and the Borough Council's environmental obligations, objectives and targets. In particular the Council will:
 - ◇ fulfil its responsibilities in relation to nationally and internationally important conservation areas and protected species, under the Wildlife and Countryside Act 1981 and as a competent authority under the terms of the Conservation (Natural Habitats &c.) Regulations 1994; and
 - ◇ have due regard to the conservation of local wildlife sites (Sites of Importance for Nature Conservation)
 - ◇ when carrying out flood defence works, aim to avoid damage to environmental interest and seek opportunities for environmental enhancement, including the implementation of the Charnwood Biodiversity Action Plan (and other relevant BAPs). The Council will monitor all losses and gains of such habitats as a result of these operations and report on them annually to Charnwood Wildlife and 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 and coastal erosion.

As the local planning authority for its area, Charnwood Borough Council will take account of flooding 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*. The Council will continue to consult the Environment Agency on all applications involving either built development or the use of buildings for work/habitable purposes within the notified flood risk areas and the Agency's responses will be treated as material considerations in the determination of such applications.

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

Flood 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 Charnwood Borough Council, are not obliged to carry out flood 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. See paragraph 4.2

3.2 Charnwood Borough Council is the relevant operating authority for flood defences on ordinary watercourses.

3.3 The flood defences that are owned or managed by the Council are detailed in its 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 relevant Highway Authority (Leicestershire County Council, the Borough Council as its agent in Loughborough or the Highways Agency).

Assessment of flood risk

3.5 There are an estimated 700km of ordinary watercourses for which Charnwood Borough Council is the relevant operating authority. These are all of the watercourses in the Council's area except the following designated 'main rivers' that are the responsibility of the Environment Agency;

Main River	Description	Length
River Soar	Northern boundary to southern boundary	25.98km
River Wreak	River Soar confluence to eastern boundary	10.04km
Black Brook	River Soar confluence to Blackbrook Reservoir	10.35km
Gaddesby Brook	Queniborough Brook confluence to eastern boundary	3.99km
Hermitage Brook	River Soar confluence to railway and Moore lane	3.30km
Queniborough Brook	River Soar confluence to St Mary's Church Bridge	3.56km
Quorn Brook	River Soar confluence to Swithland reservoir	2.30km
Rothley Brook	River Soar confluence to western boundary	9.97km
Sileby Brook	River Soar confluence to High St Sileby	1.00km
Wood Brook	River Soar confluence to Lodge Farm	5.00km
Grace Dieu Brook (South bank only)	Black Brook confluence to western boundary	2.08km
	Total	77.57km

There is no Internal Drainage Board operating in the Council's area.

3.6 The Council has agreed with the Environment Agency that within the Council's area there are 23.697 km of "critical ordinary watercourses" (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 the non-main river sections of the Ordinary Watercourses as listed below and shown on the Council's drawing number 680.31/01 Rev A.

Watercourse	U/S Description	D/S Description	Length m
Barkby Brook, Syston	St Hilda's Close	R. Wreake	2,843
Burleigh Brook, Loughborough	Shortcliffe Brook	Shortcliffe Brook	3,330
Burton Brook	Melton Road	Melton Road	564
Cossington Brook	Main Street	Platts Lane Culvert	719
Fishpool Brook, Barrow-Upon-Soar	Brook Lane	River Soar	1,288
Glenmore Park Brook, Shepshed	Glenfields	Glenfields	728
Grammar School Brook	Leicester Road A6	Leicester Road A6	981
Holywell Brook, Loughborough	Holywell way	Burleigh Brook	627
Leicester Road Culvert	The Nook	Rothley Brook	225
Moat Brook, Loughborough	Moat House	Wood Brook	269
Naseby Drive Culvert, Loughboro	Abberton Way	Shortcliffe Brook	395
Platts Lane Culvert, Cossington	Middlefield Road	Cossington Brook	867
Poultney Brook, Quorn	Sanders Road	Quorn Brook	311
Queniborough Parish Dyke	Barkby Road	Melton Road	743
Rearsby Brook	Melton Road A607	R. Wreake	1,425
River Mantle, Wymeswold	Brook Street	London Lane	902
Shepshed Brook	Sullington Rd (Storage)	Old Station Close	1,881
Shortcliffe Brook, Loughborough	Naseby Drive Culvert	Naseby Drive Culvert	980
Sileby Brook	Heathcote Drive	High Street	1,164
Thrussington Culvert	U/S of The Green	R. Wreake	440
Thurmaston Dyke	Railway	Patterdale Road	421
Willow Brook, Loughborough	Derby Road A6	River Soar	1,337
Wood Brook, Loughborough	Moat Brook	Moat Brook	1,257
			23,697

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 some of the ordinary watercourses in its area, primarily relating to those locations, which have suffered from flooding, during and since the April 1998 incident. The main areas at risk of flooding are in the villages of Sileby, Cossington and Rearsby. The town of Syston is still considered at risk, but previous Council capital projects have reduced that risk. In addition, previous Council capital projects have reduced the risk to the town of Shepshed and no recent significant flooding has been reported, however regular maintenance of flood defence assets is required. It is the Council's intention to quantify the flood risk associated with all critical ordinary watercourses identified in paragraph 3.6. The Council is satisfied that there are minimal risks to human life created by these flood risks from ordinary watercourses, but 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 12 September 2000. This makes arrangements for warnings to be provided on all reaches of the; River Soar, River Wreake, and Rothley Brook as indicated in paragraph 3.5, within this Council's area, including individual warnings to high risk properties. Charnwood 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, including the Flood Wardens Service it has initiated in Sileby, Cossington and Rearsby

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 it owns, or for which it accepts responsibility, so that they operate at optimum efficiency. Where the responsibility for maintenance rests with a landowner, the Council will aim to secure co-operation in ensuring appropriate maintenance takes place, drawing on enforcement powers if necessary.

3.11 The Council has introduced Land Drainage Byelaws, which pertain to all ordinary watercourses in the Council's operating area, by virtue of the powers and authority vested in it by Section 66 of the Land Drainage Act 1991 for the purpose of preventing flooding, remedying or mitigating any damage caused by flooding. Copies are available from the Council's offices at Southfields, Loughborough, LE11 2TX and on the Internet at www.charnwoodbc.gov.uk.

3.12 The Council's current major capital work plan is to carry out flood alleviation works;-

Sileby Brook, Sileby	Channel Improvements to Main River Section	2001/2
Syston Phase IV	Provision of Storage Pond	2001/2
Cossington	Main St/Platts Lane - Channel Improvements, Replacement Culvert & Balancing	2001/2
Rearsby	Channel Improvements & Balancing	2002/3
Swithland	Channel Improvements, replacement Culvert & Balancing	2003/4
Queniborough	Channel Improvements & Replacement Culvert	2003/4
Rothley	Channel Improvements & New Culvert	2004/5
Anstey-Leicester Rd	Replacement Culvert - Structural dereliction (flood risk)	2004/5

The Council's maintenance programme will give priority to all its flood defence assets at Syston, Shepshed and on all other critical and ordinary watercourses, where a flood risk has been identified.

3.13 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.

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. The Council asks members of the public to let it know of any problems, which might increase the risk of flooding.

4.2 The Council has produced an information guide entitled [*A Guide to the rights and responsibilities of living by a watercourse*](#), which will be made freely available to advise riparian owners of their duties and responsibilities.

4.3 Following the flooding of 1998 and subsequent events, a partnership was formed with other authorities at a local level to determine common aims and strategies to reduce the risk of flooding. This partnership, known as the Floods Task Force, comprises officers and members of the following:

Charnwood Borough Council
Leicestershire County Council
Melton Borough Council
The Environment Agency

4.4 Charnwood 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.

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 Agency's Flood Defence Supervisory Duty* MAFF, November 1999

*At the time this Statement was issued, DETR had yet to complete consultation on PPG 25, which will replace Circular 30/92 on Development and Flood Risk.