

Reissued November 2007

# POLICY STATEMENT ON FLOOD DEFENCE



As the operating authority for flood defence together with the Environment Agency, High Peak Borough Council's Executive Committee, agreed on 18 March 2003 to adopt this policy statement on Flood Defence, the policy statement sets out the Council's approach to flood defence in its area in line with the high level target set by the Department for Environment, Food and Rural Affairs.

High Peak Borough Council

0845 129 77 77

[www.highpeak.gov.uk](http://www.highpeak.gov.uk)



**HIGH PEAK BOROUGH COUNCIL**  
**POLICY STATEMENT ON FLOOD DEFENCE**

**1. INTRODUCTION**

Purpose

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

Background

- 1.2 The Department for Environment, Food and Rural Affairs (Defra) (formally 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 (EA), local authorities (LAs) and internal drainage boards (IDBs). Responsibilities differ according to the type of operating authority and High Peak Borough Council's responsibilities are set out in paragraphs 3.1 and 3.2 below.
- 1.3 High Peak Borough Council is the Land Drainage Authority for the area within its boundaries and as such is responsible for carrying out statutory inspections relating to flood defence and land drainage works, with the exception of works required to main rivers; issuing levies or making drainage charges.
- 1.4 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 flood risk in their area, and the plans for reducing or managing that risk.
- 1.5 This policy statement fulfils that requirement. Copies are also available from the Council's offices at Environmental Health, High Peak Borough Council, Town Hall, Buxton, SK17 6EL and on the Internet at [www.highpeak.gov.uk](http://www.highpeak.gov.uk). We have also provided a copy to:
- the Department for the Environment food and Rural Affairs (Defra);
  - the Department of Transport Local Government and the Regions (DTLR);
  - and
  - the Environment Agency (EA).

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

- 2.1 High Peak 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 High Peak Borough Council's 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, High Peak Borough Council recognises its related and important role in emergency planning and response. The Borough Council's aim in relation to flood warning will be to reduce the risk to life, distress and damage to property by the provision of the best information possible. In this respect we will:

- ensure that our emergency response plans include appropriate arrangements for flooding emergencies and review such plans, 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.**

High Peak Borough Council will:

- Aim to provide an adequate, economically, technically and environmentally sound approach to providing the flood defence service. We will:
  - ∇ adopt a strategic approach to provision of flood defences, particularly by assessing any potentially wider effects of proposed defences. To this end we will continue to play a full role in Local Environment Agency Plans and Policies for our area;
  - ∇ aim to ensure that any flood defences which are provided are sustainable and provide social and/or economic benefits to people whilst taking account of natural processes and their effects on the

- natural and cultural heritage and which avoid committing future generations to inappropriate defence options;
  - ▽ ensure any 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 Defra 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 Statement 25;
  - ▽ ensure that appropriate maintenance regimes assessed on likely costs and benefits, are in place for flood defences for which the Council takes responsibility;
  - ▽ inform landowners what responsibilities for maintenance rest with them (see paragraph 3.1 below);
  - ▽ Make publicly available the Council's expenditure for flood defence maintenance from both Revenue and Capital works by including these in the financial statement issued annually. This is available from Council Offices, Chinley, and on the Councils web site at [www.highpeak.gov.uk](http://www.highpeak.gov.uk).
- 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. To this end the Council has a stated policy in High Peak Borough Council's Local Plan, adopted March 2005, policy OC8;
  - ▽ when carrying out flood defence works, seek opportunities for environmental enhancement, and aim to avoid damage to environmental interests of acknowledged importance and to ensure no net loss to key habitats covered by Biodiversity Action Plans. We will aim to monitor all losses and gains of such habitats as a result of these operations and attempt to report on them annually to the Environment Agency.

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

As the local planning authority for our area, High Peak Borough Council will take account of flood risks in all matters relating to development control, in the preparation of development plans and individual planning applications, in accordance with Planning Policy Statements 20 and 25 and implement recommended procedures

accordingly. We will also resist proposals for development where this could be harmful to the flood defences, in accordance with the Local Plan Policy GD10.

### **3 OUR ASSESSMENT OF THE RISK OF FLOODING IN OUR AREA AND WHAT WE 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 defence works are undertaken under permissive powers. This means that operating authorities, such as High Peak Borough Council, are not obliged to carry out any flood defence works. It is also important to note that the Council does not normally accept any responsibility for the provision, maintenance or up keep of any flood defences on private land, as this is the responsibility of the landowner.
- 3.2 High Peak Borough Council is the relevant operating authority for:
- flood defences on ordinary watercourses within the Borough boundaries.
- 3.3 The flood defences that are owned or managed by the Council are detailed in our flood asset 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 Highways Authority in this case Derbyshire County Council.

#### **Assessment of Flood Risk**

- 3.5 There is a widespread network of ordinary watercourses for which High Peak Borough Council is the operating authority. Some of these watercourses have been culverted during the natural course of development within the Borough. In addition there are a number of main rivers which are the responsibility of the Environment Agency. There is no internal drainage board operating within the Borough Council area. Plans showing the various watercourses and rivers are available for inspection at the Environment and Housing Section at Buxton Town Hall.
- 3.6 We have agreed with the Environment Agency that within the Council's area there are a small number 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). These watercourses have now been redesignated as "main rivers" by the EA. The Agency has assumed responsibility for flood defence on these watercourses.

3.7 Based on historical flooding information, together with the EA's indicative flood maps, plus information gathered during the events of October and November 1998 and subsequent winters, the Council has carried out a limited assessment of the risk of flooding from the ordinary watercourses within the Borough. It has concluded that flooding from these watercourses poses minimal risks to human life. However, the Council emphasises the need for the Environment Agency's flood warnings to be heeded where these are provided in order to reduce actual flooding and disruption to a minimum.

### **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 February 2001. This makes arrangements for warnings to be provided on the River Derwent from Bamford to Rowsley, on the River Wye from Buxton to Rowsley and on the River Etherow at Woolley Bridge, Glossop, including individual warnings to high-risk properties. High Peak Borough Council has included plans for responding to flooding in its emergency planning procedures and has arrangements for cascading warnings received from the Environment Agency to relevant Council services.

NB: The arrangements for dissemination of flood warnings have been upgraded by the EA. In addition, there is ongoing work to convert flood warning areas from lengths of watercourses to specific locations.

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 in the predominantly urban areas; 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 At present the Council has no capital work plan with respect to flood alleviation although this situation will be reviewed from time to time dependent on identified need.

3.12 By following Government guidance in Planning Policy Statement 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. 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 in their area.
- 4.2 High Peak Borough Council intends to review this policy statement every three years, 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