

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Portfolio Holder for Sustainability, Procurement, Efficiency 23rd July 2009  
**AUTHOR/S:** Corporate Manager Health and Environmental Services / Drainage Manager

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### RESPONSE TO CONSULTATION PAPER ON DRAFT FLOODS AND WATER MANAGEMENT BILL

#### Purpose

1. To obtain approval from the Portfolio Holder for the response on the draft Floods & Water Management Bill.

#### Background

2. Following the serious floods that occurred in 2007 at various locations throughout the country, the Government commissioned Sir Michael Pitt to report on the flooding and to make recommendations for the future. The Pitt review outlined the reasons why new legislation for managing flood risk was required. These included outmoded approaches to risk management; gaps in the way risk is managed; the need to adapt to climate change; to take account of the EU Floods Directive; the enhancement of Ofwat's regulatory powers.

#### Considerations

3. The council's Drainage Manager has drawn up a response to the consultation paper and this is attached to the report as appendix 1. The response covers the broad issues of the proposed legislation and do not attempt to answer the individual questions posed by the consultation paper. Answers to these questions and comments from other drainage authorities within the Cambridgeshire County Council area will be forwarded as part of a joint response from the newly formed 'Cambridgeshire Flood Risk Management Partnership', which is being led by the County Council. The last date for a response to DEFRA is 24 July 2009.

#### Options

4. The two options available are
  - (a) To respond with the enclosed comments by the enclosed date
  - (b) To avoid sending any response

#### Implications

5. The primary implications for the Council are likely to involve additional staff time in assisting the County Council as a partner with its extensive new obligations. This is likely to involve the production of Surface Water Management Plans; more detailed investigations into flooding incidents; support for the County with its extensive new roles and responsibilities; the implications of the proposals involving Sustainable Drainage Systems.

6.	Financial	There will be considerable financial implications for the County Council with its proposed new role under the legislation. Any support required by the County is likely to take the form of Officer time and additional expenditure by this Council on the above items will be resisted.
	Legal	The primary new legal obligation on the Council will be a duty to co-operate with the County Council. Here again, this is likely to involve substantial investment in Officer time.
	Staffing	None at the moment
	Risk Management	The new legislation will not place any additional major responsibilities on the District Council other than the duty to co-operate with other drainage authorities.
	Equal Opportunities	None

### Consultations

7. Discussions have taken place with most other drainage Authorities within the County including the Internal Drainage Boards and Anglian Water. The Council's planning service has also been consulted whose comments will be provided verbally at the meeting.

### Effect on Strategic Aims

8.	<b>Commitment to being a listening council, providing first class services accessible to all.</b>
	The provision of the maintenance service along the system of award drains; planning advice and co-operation with the County Council will ensure compliance.
	<b>Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all.</b>
	As above
	<b>Commitment to making South Cambridgeshire a place in which residents can feel proud to live.</b>
	As above
	<b>Commitment to assisting provision for local jobs for all.</b>
	None
	<b>Commitment to providing a voice for rural life.</b>
	The response to the consultation directly meets this aim.

### Conclusions / Summary

9. The Council will fulfil its duty under the new legislation by continuing to undertake maintenance on the award drain system, offering advice and consideration of drainage matters within the planning process, ensuring the council can respond to flooding emergencies and by co-operation with the County Council and other drainage authorities in the District.

### Recommendations

10. To approve the response outlined in Appendix 1 attached.

**Background Papers:** the following background papers were used in the preparation of this report:

Draft Flood and Water Management Bill, Explanatory Notes and the Consultation Paper.

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