

WEALDEN DISTRICT COUNCIL

POLICY STATEMENT ON FLOOD AND COASTAL DEFENCE - 2004

1. INTRODUCTION

1.1 This policy statement has been prepared by Wealden District Council (WDC) to provide a public statement of its approach to flood and coastal defence in its area.

1.2 The Department for Environment, Food and Rural Affairs (DEFRA) 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 and Internal Drainage Boards (IDB’s). Responsibilities differ according to the type of operating authority and WDC’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 available on request from WDC’s offices at Pine Grove, Crowborough, East Sussex TN6 1DH or by email to works@wealden.gov.uk. WDC is also providing a copy to:

- DEFRA;
- Office of the Deputy Prime Minister
- the EA
- The Upper Medway IDB

2. HOW WDC WILL SUPPORT THE GOVERNMENT’S POLICY AIM AND OBJECTIVES

2.1 WDC acknowledges and supports the Government’s aim and objectives for flood and coastal defence (as set out below). WDC’s 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 WDC's plans for reducing or managing the risk of flooding and coastal erosion risk in its area.

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

Provision of flood warning systems is the responsibility of the EA. However, WDC recognises it has a related and important role in emergency planning and response. WDC will therefore:

- ensure that its emergency response plans include appropriate arrangements for flooding emergencies and that such plans are regularly reviewed, in consultation with the EA and that in particular WDC will respond within its available resources to avert, alleviate or eradicate the effects or potential effects of any flooding emergency by the provision of sandbags or other related action;
- maintain an awareness of the EA's flood warning dissemination plan for WDC's area and contribute to its implementation; and
- play an agreed role in flood warning emergency exercises organised by the EA covering WDC's area.

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

In respect of its responsibilities as an operating authority WDC will:

- provide an adequate, economically, technically and environmentally sound approach to providing the flood and coastal defence service. WDC 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 WDC will continue to play a full role in the Shoreline Management Plans, and Local EA Plans, for its area;
 - ◇ within available resources 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 DEFRA guidance, other Government publications and relevant technical manuals; (b) consulting the EA 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(PPG25);
 - ◇ ensure that appropriate maintenance regimes are in place for flood and coastal defences for which WDC takes responsibility;
 - ◇ within its available resources, carry out inspections of land drainage within its district; investigate drainage and flooding problems, provide advice in order to seek to resolve such problems and where considered appropriate, carry out onsite investigation works, minor remedial drainage works, preventative maintenance works and flood alleviation works.
 - ◇ inform landowners and householders of their responsibilities for maintenance (see paragraphs 3.1 & 3.13 below) not least by publishing and making freely available an advisory leaflet for inland drainage and flooding;
 - ◇ make publicly available its expenditure plans for any 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 WDC 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;
 - ◇ where possible, and subject to resources being available assist English Nature and the EA in completing and implementing Coastal Habitat Management Plans (CHaMPs) covering its area, drawing on English Nature/EA 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 loss to habitats covered by Biodiversity Action Plans.

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

As the local planning authority, WDC will take account of flooding and coastal erosion risks in all matters relating to Planning, in accordance with PPG Notes 20 and 25 and the Local Plan. WDC will carry out the duty to consider land drainage implications of planning applications.

3. WDC'S ASSESSMENT OF THE RISK OF FLOODING AND COASTAL EROSION IN ITS AREA AND WHAT IT 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 WDC, are not obliged to carry out flood and coastal defence works. It is also important to note that WDC does not accept responsibility for maintenance of flood defences on private land; this is the responsibility of the landowner.

3.2 WDC is a relevant operating authority for:

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

and the relevant operating authority for:

- coast protection (i.e. measures against coastal erosion) on the frontage between Birling Gap to Cuckmere Haven (5km).

3.3 The flood and coastal defences that are owned or managed by WDC are detailed in its return for inclusion on the database maintained by the EA.

3.4 The EA is the relevant operating authority at Cuckmere Haven and the whole of Pevensey Bay frontage(3½km) and for flood defences on designated main rivers, including the Rivers Uck, Ouse, Cuckmere, Rother and Medway.

3.5 There are four IDB's in WDC's area, three are operated by the EA and one by the Upper Medway Internal Drainage Board. The IDB's are the relevant operating authorities for ordinary watercourses in each IDB area.

3.6 Road drainage, culverts under roads and road bridges are generally the responsibility of the relevant Highways Authority, either East Sussex County Council(ESCC) or the Highways Agency. ESCC is also a relevant operating authority for ordinary watercourses.

Assessment of flood risk

3.7 WDC holds some information regarding the system of ordinary watercourses and culverts within its district and a record of the flooding problems reported to it. This information is regularly updated. There are ordinary watercourses within the district that are known to put some people and property at risk from flooding.

3.8 Based on the record of flooding problems held, coupled with the EA's indicative flood plain maps, WDC has carried out an assessment of the risk of flooding from ordinary watercourses in its district. Details of a number of watercourses associated with flooding problems have been provided to the EA for consideration to be re-classified as critical ordinary watercourses and then transferred to the EA in accordance with the national review of flood defences.

3.9 WDC is satisfied that there are minimal risks to human life created by these flood risks from ordinary watercourses, but emphasises the need for the EA's flood warnings to be heeded, where these are provided (see below).

Action to reduce or manage flood risks

3.10 The main means by which flood risks will be managed is through the EA's flood warning dissemination plan of September 2000, the Pevensy Bay Inter agency Flood Plan November 2000 and the Uckfield Flood Plan July 2002. These plans make arrangements for warnings to be provided in Coastal and Main River areas within WDC's district, including individual warnings to high risk properties. The EA hold plans and can advise on areas at risk. WDC 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 EA to relevant Council services.

3.11 WDC has a policy in place to inspect the state of ordinary watercourses and culverts that have known flooding problems subject to available resources.

3.12 WDC will ensure that regular inspection and appropriate maintenance is carried out on the flood defences, channels and balancing ponds which it owns, or for which it accepts responsibility, so that they operate at optimum efficiency.

3.13 WDC will offer advice on drainage and flooding problems and make available its advisory guidance notes for property owners. Where responsibility for maintenance rests with a landowner, WDC will aim to secure co-operation in ensuring that any maintenance considered essential takes place, drawing on enforcement powers if considered necessary.

3.14 WDC will undertake investigations, inspections and flood alleviation works at various locations subject to available resources. Works are normally only undertaken where no-one has clear responsibility and no other authority is likely to take action.

3.15 By following Government guidance in PPG 25 on development in flood risk areas, WDC, acting as a local planning authority, will seek to ensure that risks are minimised. This includes measures for promoting sustainable urban drainage systems to control surface water run off.

Assessment of coastal erosion risks

3.16 As identified in the 1997 Shoreline Management Plan, the 5 km of the shoreline that is WDC's responsibility is natural cliff and is undefended.

3.17 There is ongoing risk of local instability in the cliffs with erosion rates of 0.7m average per year (see SMPs for details).

Action to reduce or manage coastal erosion risks

3.18 Although the coastline is undefended it is actively managed to allow the public to enjoy the beach.

4. PARTNERSHIPS AND REVIEW OF THIS POLICY STATEMENT

4.1 WDC has set out its policy and approach to flood and coastal defence. WDC recognises the need to work in partnership with central Government and other operating authorities including the EA, IDB's and ESCC.

4.2 The public also have an important part to play, in recognising the vital importance of watercourses and culverts in controlling flood risk and the need to avoid blockages, whether caused by dumping rubbish or obstructing flows in other ways and by reporting problems that might increase the risk of flooding or coastal erosion to WDC.

4.3 WDC intend to review this policy statement in three years time and meanwhile welcomes any comments on the approach and policies set out in this statement.

REFERENCES

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

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

PPG 20 Coastal Planning

PPG 25 Development and Flood Risk

Local Plan WDC

Shoreline Management Plan for Coastal Area 11 Sub-Area B, 1997

Birling Gap Management Plan

EA Flood Warning Dissemination Plan Sept 2000

Pevensey Bay Inter agency Flood Plan Nov 2000

Uckfield Flood Plan July 2002

Emergency Plan WDC, July 2003

Drainage and Flooding – Guidance for Property owners WDC