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Sustainable Development Select Committee Supplementary Agenda

Tuesday, 15 September 2015

7.00 pm, Committee Room 1

Civic Suite

Lewisham Town Hall

London SE6 4RU

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Part 1

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Agenda Item 3

Sustainable Development Select Committee		
Report Title	Response from Mayor and Cabinet to matters referred by the Sustainable Development Select Committee – Flood and River Related Consultations	
Key Decision	No	Item No 3
Ward	All	
Contributors	Executive Director for Resources (Head of Business & Committee)	
Class	Part 1	Date: 15 September 2015

1. Summary

This report informs members of the response given at Mayor and Cabinet to a referral in respect of Flood and River Related Consultations which the Select Committee considered in May 2015.

2. Purpose of the Report

To report to members the response given at Mayor and Cabinet to recommendations made by the Select Committee on 11 May 2015.

3. Recommendation

The Select Committee is recommended to receive the Mayoral response to their consideration of Flood and River Related Consultations.

4. Background

- 4.1 The Mayor considered the attached report entitled 'Response to referral by the Sustainable Development Select Committee on Flood and River Related Consultations' at the Mayor & Cabinet meeting held on September 9 2015.

5. Mayoral Response

- 5.1 The Mayor received an officer report and a presentation from a representative of the Executive Director for Resources and Regeneration.
- 5.2 The Mayor resolved that the attached response be submitted to the Select Committee.

BACKGROUND PAPERS

Mayor & Cabinet minutes September 9 2015

If you have any queries on this report, please contact Kevin Flaherty, Head of Business & Committee, 0208 314 9327

Mayor & Cabinet		
Report Title	Response to referral by the Sustainable Development Select Committee on Flood and River Related Consultations	
Key Decision	No	Item No.
Ward	All	
Contributors	Executive Director of Resources and Regeneration	
Class	Part 1	Date: 9 September 2015

1. Purpose

- 1.1 This report sets out the Mayor's response to the referral from the Sustainable Development Select Committee on Flood and River Related Consultations.

2. Summary

- 2.1 The Sustainable Development Select Committee held a meeting on 11th May 2015 and referred a report from that meeting to the Mayor on 3rd June 2015. The committee report made a number of recommendations for the Mayor to consider. This report provides the detail of how officers have responded to these recommendations.

3. Recommendation

- 3.1 The Mayor is recommended to:
- Approve the responses from the Executive Director for Resources and Regeneration to the Sustainable Development Select Committees.
 - Agree that this report should be forwarded to the Sustainable Development Select Committee.

4. Policy Context

- 4.1 The contents of this report are consistent with the Council's policy framework.

5. Background

- 5.1 On 11th May 2015, the Sustainable Development Select Committee received a report on the preliminary results of the consultation on the Rivers Supplementary Planning Document (SPD) and the Flood Risk Management strategy. The select committee referred a report from that meeting to the Mayor and Cabinet meeting on 3rd June 2015. This report provides the response from the Mayor to the Select Committee.

6. Issues raised by the Sustainable Development Select Committee in relation to Lewisham's Local Flood Risk Management Strategy

6.1 The referral report recommended at paragraph 3.3 that the Mayor be advised of a number of matters. These are set out below together with the officer response.

a) That Mayor and Cabinet [should] support the opening of the culvert at Southend Park and naturalising the river to aid flood mitigation in the borough.

Opening the culvert at Southend Park and associated benefits including naturalising the river has been identified within the action plan for Lewisham's Flood Risk Management Strategy agreed at Mayor and Cabinet in June 2015.

The Council's ability to progress individual actions, including in relation to Southend Park, depends on accessing funding. A key priority therefore in implementing the overall strategy is to identify relevant funding opportunities. This could potentially include the European River Corridors Improvement Programme which the Council has successfully used previously.

b) That Mayor and Cabinet [should] ensure that as part of the Council's planning policy guidance on home extensions and renovations, applicants are asked to consider permeable paving for their driveways and gardens. There should also be a borough wide communications campaign that encourages the construction of permeable paving for driveways.

In October 2008, the Government introduced changes to the General Permitted Development Order, making the hard surfacing of more than five square metres of domestic front gardens permitted development where the surface in question is rendered permeable. As Permitted Development there is no need to make a planning application and as such the Council's Local Plan does not contain any policy on this matter. Where planning permission is needed the Core Strategy policy 10 'reducing the risk of flooding' does require applicants to demonstrate that their proposals will reduce the risk of flooding by for example the use of sustainable urban drainage systems (SUDS). The Planning Service is about to start work on revising the Residential Standards Supplementary Planning Document and this will provide an opportunity to put further policy guidance on permeable surface for front gardens.

The Government in collaboration with the Environment Agency has produced a leaflet titled 'Guidance on the permeable surfacing of front gardens', which provides advice on how to design and construct permeable surfaces for a front garden driveway. This advice leaflet is on the Planning Portal which is used by most applicants for planning permission. However, to improve communications on this important matter it could be added to the appropriate part of the Lewisham Development Management webpage. This would provide a borough specific link to encourage permeable paving on driveways.

c) That Mayor and Cabinet [should] investigate who has responsibility for the section of the River Quaggy that runs close to Lewisham Police Station; and whether any development is possible to keep the bus stops in that location.

The Lewisham Gateway development will result in significant changes to the highway in Lewisham Central. One of the impacts of this is the proposed relocation of the bus

stops in the vicinity of Lewisham Police Station. Following discussions with residents Transport for London is considering ways in which the impact of any changes can be minimised. Officers will continue to liaise with Transport for London on these issues as the wider scheme progresses.

d) That Mayor and Cabinet [should] publicise to the borough's residents the Council's policy on mitigating flood risk, or any other assistance/help the Council may provide.

Under the Civil Contingencies Act duties to 'put in place arrangements to make information available to the public' and 'provide advice and assistance to businesses and voluntary organisations about business continuity' the Council provides a range of general information and advice to residents and businesses on preparing for emergencies via its website.

There are also specific details on steps residents and businesses can take to prepare for flooding emergencies which have been prepared in conjunction with the Environment Agency.

<http://www.lewisham.gov.uk/inmyarea/publicsafety/emergencies/What-to-do-in-an-emergency/Pages/What-to-do-in-a-flood.aspx>

During a flood emergency, or when the risk of a flooding event is high (such as on receipt of a flood alert) these pages are promoted on the Lewisham.gov home page.

e) The Mayor and Cabinet should assure themselves and the Council that the Local Authority and key partners, such as University Hospital Lewisham and commuter networks alongside utilities, have robust action plans in place for dealing with disasters; and for higher likelihood events such as flooding the Council should actively pursue their feedback and engagement with its policies, and the Mayor should allocate resource to seek a response from all of these key stakeholders, for this strategy and others as they arise.

The Lewisham Borough Resilience Forum (BRF) is a statutory requirement under the Civil Contingencies Act with the purpose of facilitating cooperation and information sharing in relation to emergencies at the Borough level. The BRF is chaired by the Council and brings together a range of local partners including the emergency services, Environment Agency and health sector organisations.

The risk of a flooding type emergency is assessed through a local risk assessment process as a high priority. This risk-based approach ensures the Council and local partners adopt a proportionate approach to emergency planning – preparing for those risks assessed as high priority rather than every type of emergency.

The BRF has developed and maintains specific arrangements in relation to the complex and diverse nature of flooding and the consequences that could arise, which requires a comprehensive and often sustained response. These arrangements are detailed in the Lewisham Multi-Agency Flood Plan (MAFP) which aims to ensure a coordinated local multi-agency response to a flooding emergency. The MAFP was last reviewed in March 2015 and will again be reviewed following the publication of the Environment Agency lessons from the groundwater events of winter 2013/14.

In October 2015 the Council and key local partners are participating in an exercise which will rehearse our arrangements to a flooding emergency. Learning from this

event will be captured and used to inform the continuing improvement of the Council and multi-agency emergency arrangements.

f) The Mayor and Cabinet [should] investigate who is responsible for the 'ground water' issues that are affecting properties in some parts of the borough, and what the responsible authority is doing to tackle this on-going problem.

Lewisham's Flood Risk Management Strategy, agreed at Mayor and Cabinet in June 2015, includes a number of actions to investigate groundwater flooding, identify and prioritise risk and develop and implement measures to respond to this. These are at a borough-wide and across a number of specific locations.

The Council's ability to progress individual actions from the Strategy depends on accessing funding. A key priority therefore in implementing the overall strategy is to identify relevant funding opportunities.

g) The Mayor and Cabinet [should] safeguard the land adjacent to the railway to the north of Lower Sydenham Station to ensure that there will be scope for development close to the Pool River, which could include the development and/or relocation of Lower Sydenham Rail Station.

Transport Officers will need to examine the feasibility and viability of relocating Lower Sydenham Station to the north. In view of the Bakerloo Line extension proposals, it may now be appropriate to examine the possibility of relocation of the Station. If feasibility work showed a positive result the safeguarding of any land would be a legal and technical matter that could be done via a review of the Borough local plan or as part of the enabling work for the Bakerloo Line extension.

7 Legal implications

7.1 The Council's Constitution sets out the procedures relating to reports referred to the Mayor from a scrutiny committee. The Constitution sets a timescale of two months (not including recess) for a formal reply from receipt of such reports.

7.2 The Council is a Lead Local Flood Authority and Risk Management Authority under the Flood and Water Management Act 2010. As a lead Local Flood Authority it must develop, maintain, apply and monitor a strategy for local flood risk management in its area.

8. Financial Implications

8.1 There are no specific financial implications arising from this report.

8.2 The flood management budget set aside within the Regeneration & Asset Management Division for 2015/16 stands at £103k. This is not expected to fund implementation of Flood Risk Management Strategy and therefore schemes will be dependent on funding from external sources. A range of external funding sources have been highlighted in Section 5 of the strategy document from which funding can be sought in the first instance. Any

additional funding requirements with financial implications for the Council will be subject to the approval of Mayor and Cabinet or the Executive Director of Resources within delegated limits.

9 Crime and disorder implications

9.1 There are no specific crime and disorder implications arising from this report.

10 Equalities implications

10.1 Lewisham's Comprehensive Equalities Scheme (CES) 2012-16 describes the Council's commitment to equality for citizens, service users and employees. The CES is underpinned by a set of high level strategic objectives which incorporate the requirements of the Equality Act 2010 and the Public Sector Equality Duty:

- tackle victimisation, harassment and discrimination
- to improve access to services
- to close the gap in outcomes for citizens
- to increase understanding and mutual respect between communities
- to increase participation and engagement

10.2 Lewisham's Local Flood Risk Management Strategy has sought to reflect and respond to the equalities implications of flooding for the borough and includes (Appendix F) an assessment on social vulnerability on climate change.

11 Environmental implications

11.1 Reducing, mitigating and effectively managing flood risk in the Borough will contribute significantly to our multi-agency approach to climate change adaptation, given projections of increased severe weather events.

11.2 The Local Flood Risk Management Strategy has been subject to Strategic Environmental Screening Analysis and Scoping processes against sustainability objectives. The strategy is accompanied by a Strategic Environmental & Habitats Regulations Assessment which has been subject to public and statutory stakeholder consultation.

12 Conclusion

12.1 The recommendations referred to the Mayor from the Sustainable Development Select Committee have been answered in section 6 of this report and it is proposed that this response is referred back to the committee.

Background documents

Report to Mayor and Cabinet 3 June 2015 : “Local Flood Risk Management Strategy – Approval to Publish”

<http://councilmeetings.lewisham.gov.uk/documents/s36760/Local%20Flood%20Risk%20Management%20Strategy.pdf>

Report to Mayor and Cabinet 3 June 2015: “Sustainable Development Select Committee, Comments of the Committee on Flood and River Related Consultations”

<http://councilmeetings.lewisham.gov.uk/documents/s36857/SDSC%20Referral%20Flood%20and%20River%20Related%20Consultations%20-%20Preliminary%20Results.pdf>