



Sustainable Development Select Committee

Lewisham Local Flood Risk Management Strategy 2022-27

Date: 6 July 2022

Key decision: Yes

Class: Part 1

Ward(s) affected:

Contributors: Executive Director Housing, Regeneration and Public Realm. Head of Law. Head of Finance.

Outline and recommendations

Sustainable Development Select Committee is invited to review Lewisham's Local Flood Risk Management Strategy 2022-27.

1. Summary

- 1.1. Upper tier local Authorities in England and Wales are designated as Lead Local Flood Authorities with a number of statutory duties and powers in relation to local flood risk management.
- 1.2. Lead Local Flood Authority responsibilities include a duty to develop, maintain, apply and monitor a strategy setting objectives for local flood risk management and actions to meet those objectives. Lewisham Council originally published a Local Flood Risk Management Strategy in 2015. This report outlines the basis for a new updated Local Flood Risk Strategy 2022-27 and seeks Mayor and Cabinet approval to adopt the strategy in line with local, regional and national priorities.
- 1.3. There are a range of complex and inter-related roles and responsibilities in relation to the management of land, rivers and smaller waterways, for future development and for responding to flood related incidents. Part of Lewisham Council's role as a Lead Local Flood Authority is to work closely with local, regional and national partners to ensure a joined up approach to reducing the risk and impact of flooding across the borough. A key function of the strategy is to ensure clarity in relation to the different responsibilities and help local residents and businesses know what to expect of the different organisations involved.
- 1.4. The last major flooding event within Lewisham was September 1968. Due to heavy rainfall within the catchment caused the River Ravensbourne and its tributaries burst their banks, creating widespread flooding of several hundred residential and commercial properties in the borough.
- 1.5. In January 2022 the UK Climate Change Committee published its assessment of the risks faced by the UK from climate change. The Committee's recommendations to Government reaffirm that adaptation is needed alongside emission reductions to manage the risks and opportunities from climate change in the UK. The Committee reported that the UK's climate has already measurably changed and concludes that further change is inevitable. How much climate change the UK experiences after 2050 is uncertain and will depend on global emissions reductions, but the impacts will include sea level rise, more frequent and higher storm surges, increased winter rainfall, drier summers with periods of more intense summer rainfall. These impacts are likely to increase the frequency and magnitude of flooding events in Lewisham, London and the UK as a whole.
- 1.6. Lewisham's Local Flood Risk Management Strategy has been developed with the involvement of services across the Council, with members and in discussion with local groups and the public including an open public consultation process. The Strategy is intended to be a 5-year programme that will continue to be developed in response to new risks and opportunities as they emerge and in open discussion with residents and other stakeholders.
- 1.7. The strategy focuses on 4 objectives:
 - **Understanding risk** – Risk Management Authorities in Lewisham have a clear understanding of local flood risk and management opportunities and this understanding is shared with partners to create an evidence base for flood risk and how it can be managed to target resources where they are most effective;
 - **Reducing the risk of flooding** – protect the people and businesses of Lewisham from flooding through investment in flood risk management projects and programmes using new or innovative techniques where appropriate;
 - **Resilient Planning** – development and spatial planning in Lewisham takes account of flood risk issues and plans to effectively manage any impacts and through the re-development of previously developed land, reduces overall flood risk;

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- **Resilient Communities** – residents and businesses of Lewisham have access to appropriate data and information to understand flood risk in their area, how it is managed and by who. Communities are empowered to act to protect themselves from flooding through individual efforts, partnerships and joint working.

2. Recommendations

- 2.1. Mayor and Cabinet is recommended to approve Lewisham's Local Flood Risk Management Strategy (2022-2027)

3. Policy Context

- 3.1. Local authority roles and responsibilities on flooding are defined by the Flood Risk Regulations (2009), which transpose the European Union 'Floods Directive' into English and Welsh law, and the Flood and Water Management Act (2010) which implement a series of recommendations following a Government review of widespread flooding events in the first decade of the twenty-first century.
- 3.2. Under this legislation all top tier local authorities (county councils and single tier authorities including London Boroughs) became Lead Local Flood Authorities (LLFAs).
- 3.3. LLFAs were established to manage flood risk from localised sources in their local area, with a key responsibility to develop, maintain, apply, and monitor a strategy for local flood risk management. Other statutory duties and powers for LLFAs include:
 - Producing a Preliminary Flood Risk Assessment;
 - Producing a Surface Water Management Plan;
 - Co-operation with other relevant flood risk authorities;
 - Statutory consultee on planning applications;
 - Recording and investigating all 'significant' flooding incidents;
 - Establishing and maintaining a register of structures which may have a significant effect on flood risk; and
 - Administration and enforcement of consents regarding private changes to ordinary watercourses.
- 3.4. The Environment Agency has responsibility for flood risk in relation to main rivers and tidal flooding.
- 3.5. In January 2022 the UK Climate Change Committee published its assessment of the risks faced by the UK from climate change¹. The Committee's recommendations to Government reaffirm that adaptation is needed alongside emission reductions to manage the risks and opportunities from climate change in the UK. The Committee reported that the UK's climate has already measurably changed and concludes that further change is inevitable. How much climate change the UK experiences after 2050 is uncertain and will depend on global emissions reductions, but the impacts will include sea level rise, more frequent and higher storm surges, increased winter rainfall, drier summers with periods of more intense summer rainfall. These impacts are likely to increase the frequency and magnitude of flooding events in Lewisham, London and the UK as a whole.
- 3.6. The National Planning Policy Framework and accompanying Planning Policy Guidance

¹ <https://www.ukclimaterisk.org/>

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emphasise the responsibility of Local Planning Authorities in ensuring that flood risk is understood and managed effectively and sustainably throughout all stages of the planning process.

- 3.7. The Draft Lewisham Local Plan sets the Borough's planning policy position which ensures that development does not increase flood risk to people, properties and infrastructure and that all proposals proactively seek to minimise and mitigate risk wherever possible. The draft local plan can be accessed [here](#).²
- 3.8. The Level 1 Strategic Flood Risk Assessment 2019 and Level 2 Strategic Flood Risk Assessment 2020³ helps to effectively manage flood risk by identifying the spatial variation in risk across the London Borough of Lewisham (the 'Borough') thus allowing an area-wide comparison of future development sites with respect to flood risk considerations. There are several sources of flood risk across the Borough, including: fluvial, tidal, pluvial, groundwater, sewer and artificial.
- 3.9. Lewisham's Parks and Open Space Strategy 2020-25 includes priorities to enhance existing green spaces and deliver eco-systems services and flood storage within parks. This ambition is highly relevant to the Local Flood Risk Management Strategy and is highlighted both in the local context and action plan sections of the Flooding Strategy.
- 3.10. This draft Local Flood Risk Management Strategy is consistent with the 'Greener Future' strand of A Future Lewisham and is aligned with Lewisham's Climate Emergency Action Plan⁴.

4. Lewisham Local Flood Risk Management Strategy

- 4.1. This report and the draft Local Flood Risk Management Strategy are intended to present Mayor and Cabinet with the opportunity to determine the approach the Council will take in response to the threat of local flood risk.
- 4.2. The draft Local Flood Risk Management Strategy contains a wide range of activity of relevance across different Council teams. The actions have been developed with service teams and through a number of cross-cutting forums within the Council. The draft Strategy was also the subject of public consultation that ran from September to November 2021.
- 4.3. There are over 28,000 homes and businesses in Lewisham at risk of flooding. Residents in areas classed as more deprived face higher flood risks than those living in less deprived areas. In the context of an unpredictably changing climate, improving the resilience of our communities is more important than ever before. Partnerships are vital to this effort. The more we plan together, the more we can achieve together for local people, places and our environment.
- 4.4. There is a strong focus, globally and in the UK, on emissions reduction and achieving Net Zero. But Net Zero alone is not enough. Reducing climate impacts requires both emissions reduction and adaptation. The UK will face significant further changes in climate to 2050 and beyond. By 2050 the summer rainfall could fall by as much as 24% with summer downpours becoming more intense and winter rainfall increase by as

² <https://lewisham.gov.uk/myservices/planning/policy/planning/about-the-lewisham-local-plan>

³ <https://lewisham.gov.uk/myservices/planning/policy/adopted-local-plan/evidence-base/ldf-evidence-base--environment>

⁴ <https://councilmeetings.lewisham.gov.uk/documents/s81350/Climate%20Emergency%20Action%20Plan.pdf>

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much as 16%, changes that will impact our well-being, the natural environment and the economy. Unless further action on adaptation is taken, under a 2°C by 2100 warming scenario annual damages from flooding for non-residential properties across the UK is expected to increase by 27% by 2050 and 40% by 2080. At 4°C this increases to 44% and 75% respective. Adaptive measures need to be implemented to reduce vulnerability to flood risk⁵.

- 4.5. Action on adaptation remains low: under-resourced, underfunded and often ignored. The Third UK Climate Change Risk Assessment concludes that progress with adaptation policy and implementation is not keeping up with the rate of increase in climate risk. Without action on adaptation we will struggle to deliver key Government and societal goals, including Net Zero itself. We cannot rely on nature to sequester carbon unless we ensure that our peat, our trees and our wetlands are healthy, not only today but under the climatic conditions we will experience in the future.
- 4.6. The key principles underpinning Lewisham's draft Local Flood Risk Management Strategy are:
 1. Improve the borough's resilience to flooding and protect the most vulnerable:
 - Understand and respond to the impact of a changing climate through a dynamic approach to flood risk management;
 - Target investment and planning on flood risk to support the borough's most vulnerable individuals and communities;
 - Support decision-making across the Council that ensures future development across Lewisham reduces flood risk.
 2. Take an evidence-based approach when assessing investment needs and prioritising project delivery:
 - Use flood risk data and modelling to understand the risks of river, surface water and groundwater flooding;
 - Identify flood infrastructure in the borough and understand their condition and potential impact on flood risk;
 - Ensure the Council takes a strategic approach to flooding through its work as a Lead Local Flood Authority, Highways Authority, Planning Authority and in the service delivery of relevant Council functions.
 3. Work in partnership to deliver multiple benefits through coordinated action:
 - Deliver projects collaboratively with Risk Management Authorities locally, subregionally and across London securing partnership funding to achieve cost effective solutions with a range of benefits;
 - Cooperate with internal stakeholders and service teams to ensure that SuDS (sustainable drainage systems) are integrated into other programmes of works;
 - Integrate adaptation and investment in green infrastructure as part of Lewisham's response to the Climate Emergency promoting a natural and healthy environment for the benefit of residents and wildlife.
- 4.7. The Strategy sets out 4 objectives with actions and key performance indicators for each.

⁵ <https://www.theccc.org.uk>

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- **Understanding risk** – Risk Management Authorities in Lewisham have a clear understanding of local flood risk and management opportunities and this understanding is shared with partners to create an evidence base for flood risk and how it can be managed to target resources where they are most effective;
- **Reducing the risk of flooding** – protect the people and businesses of Lewisham from flooding through investment in flood risk management projects and programmes using new or innovative techniques where appropriate;
- **Resilient Planning** – development and spatial planning in Lewisham takes account of flood risk issues and plans to effectively manage any impacts and through the re-development of previously developed land, reduces overall flood risk;
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5. Financial implications

- 5.1 There are no financial implications arising directly from this report but delivery of the programme to reduce flood risk across the borough as a whole has potentially significant cost implications.
- 5.2 Agreement of funding for specific actions identified in this Strategy will be subject to the Council's existing delegations and decision-making processes.

6. Legal implications

- 6.1. The Flood Risk Regulations (2009) and The Flood and Water Management Act (2010) established the Lead Local Flood Authorities function in England and Wales, giving local authorities statutory duties and powers for local flood risk management in relation to ordinary watercourses, groundwater and surface water flooding.
- 6.2. Lead Local Flood Authority responsibilities include a duty to develop, maintain, apply and monitor a strategy for local flood risk management that sets out the objectives for managing local flood risk and outlines what actions are to be taken to meet those objectives.
- 6.3. As stated in the report and in the financial implications, this report does not commit to any specific actions. Future decisions about specific actions will need to take into consideration the specific local authority powers which are relevant to those actions, and be made in line with existing decision making and legal requirements.
- 6.4 The Council has a public sector equality duty (the equality duty or the duty - The Equality Act 2010, or the Act). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not;
 - foster good relations between people who share a protected characteristic and those who do not.
- 6.5 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster

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good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. The decision maker must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 6.6 The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found on the EHRC website.
- 6.7 The EHRC has issued five guides for public authorities in England giving advice on the equality duty. The 'Essential' guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

7. Equalities implications

- 7.1. There are no specific equalities implications arising directly from this report but it should be noted that action on flood risk is action on social equality.

8. Climate change and environmental implications

- 8.1. There is substantial evidence that climate change as a result of human activity is linked to increasing frequency and intensity of extreme weather events such as flooding, heat waves, drought and storms. There is no safe level of global temperature rise, and temperatures are already 1°C above pre-industrial levels, and forecast to rise 0.2°C a decade. This evidence is, largely, uncontested. Adaptation to a changing climate, including flood risk management, needs to be a central priority in the response to the climate emergency. The draft Local Flood Risk Management Strategy is informed by and supports the wider aims of Lewisham's Climate Emergency Action Plan.

9. Crime and disorder implications

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

10. Health and wellbeing implications

- 10.1. Reducing the risk of flooding within Lewisham will deliver a wide range of health and wellbeing benefits to residents.

11. Background papers

- 11.1. Please include a list of papers, documents and reports that relate to the report's subject matter with hyperlinks if the documents are available on our website.

Surface Water Management Plan (April 2011)

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<https://councilmeetings.lewisham.gov.uk/documents/s3731/Appendix%20%20Surface%20Water%20Management%20Plan.pdf>

Local Flood Risk Management Strategy (June 2015)

<https://lewisham.gov.uk/-/media/files/imported/lewisham-20lfrm-20strategy-20june-202015.ashx>

Strategic Flood Risk Assessment (January 2019)

<https://councilmeetings.lewisham.gov.uk/documents/s64908/Appendix%20%20-%20Strategic%20Flood%20Risk%20Assessment.pdf>

12. Report author and contact

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