1.0 Purpose of Report

1.1 The purpose of this report is to update Members on the maintenance requirements and responsibilities for all Balancing Ponds / Flood Assets within the City.

1.2 In addition this report sets out the work that has been carried out to assess the impact of Invasive Species on our watercourses.

2.0 Recommendations

2.1 Members are asked to note the contents of this report.

2.2 Members are asked to recognise the importance of all flood assets within the City in minimising the risk and impact of flooding events.

2.3 Members are asked to note the need for compliance with the Flood & Water Management Act 2010.

3.0 Background

3.1 The Flood Recovery Task & Finish Group highlighted the need for further investigation works into the City’s Balancing Ponds. An initial report on this subject was provided to Overview & Scrutiny Committee in February 2010.

3.2 Following this report Overview & Scrutiny Committee requested that a further report be prepared identifying the budgetary implications for maintenance of those balancing ponds that the City Council has responsibility for. This report was provided to Overview & Scrutiny Committee in July 2010.

3.3 Minute 22 of the July 2010 Overview & Scrutiny report stated that a report on balancing ponds will be prepared on an annual basis and be reported to Scrutiny each September.

3.4 In addition to Balancing Ponds, work continues to identify all flood assets (including their condition and maintenance requirements) serving the City Council and to investigate the impact of invasive species on our watercourses.
3.5 The Flood and Water Management Act 2010 identifies new responsibilities for flood & coastal erosion risk management authorities, including a new duty on all relevant authorities to co-operate. Many duties that came out of this act we are already carrying out, but their co-ordination will need to be formalised as the County Council hold the position as Lead Local Flood Authority. The following is a list of key functions that came out of the act:

- Duty to investigate flooding incidents and publish the outcome of that investigation with local partners;
- Duty to maintain a register of structures or features which are considered to have an effect on flood risk within an area;
- Designation of third party assets (structure or feature likely to have an effect on flood risk) not in an authority’s ownership – but requiring an authority’s permission to modify/remove/repair;
- Sustainable Drainage Systems – Linked to the planning system this would involve an Authority assessing new drainage schemes requiring approval before they commence, and
- Assessment of works by third parties where there could be potential water flow issues (previously administered by the Environment Agency).

3.6 Further information can be found at:


4.0 Progress

4.1 Balancing Ponds in the City have previously been identified together with their location, who is responsible for their maintenance, the level of maintenance required by the City Council and the budgetary implications. The table attached as Appendix 1 provides this information.

4.2 Information on other flood assets, responsibility, their condition, their location and maintenance requirements also continues to be collected both for the City Councils own use and in order for that information to be shared with the County Council and Environment Agency.

4.3 Officers met with the County Council on 4th July to begin discussions in respect of responsibilities likely to be handed down to District Councils in order to comply with the Flood and Water Management Act 2010. Due to the many changes taking place at the County Council they are unable to commit to what they can deliver at this time and further discussions will be required.

4.4 The Invasive Species project is in its 2nd year, and it’s purpose is to investigate the impact of Himalayan Balsam which is present in significant amounts across the City’s watercourses.

4.5 Potential problems caused by Himalayan Balsam are the increased risk of bank erosion in winter, the expulsion of indigenous species which can impact on bio-diversity and the potential for watercourses to become clogged with growth.

4.6 Inspection has been carried out along the full length of watercourses owned by the City Council and where possible along sections under riparian ownership. Assessment is based on a subjective determination of the likelihood of Himalayan Balsam causing the
type of problems outlined in 4.5. 66% of inspections revealed no Himalayan Balsam present and 34% of inspections revealed Himalayan Balsam present but not requiring clearance. Further details regarding the presence of Himalayan Balsam in watercourses can be seen at Appendix 2.

4.7 Assessment has shown that there is much less of a problem this year than last and it is not necessary at this time to carry out any clearance work. Intermittent inspections will continue to be carried out in order to monitor growth patterns that will allow a pro-active clearance programme to be developed.

5.0 Future Work

5.1 Continue with the flood recovery/resilience work by carrying out targeted improvements through use of capital funding and community consultation.

5.2 Continue discussions with County Council over which responsibilities under the FWMA 2010 will be handed down to District Councils and the various options for service delivery.

5.3 Progress with identifying flood assets, riparian ownership details and maintenance/condition details with a view to transferring this data onto our own internal G Map system and sharing of this information with the County Council for their own GIS system and the Environment Agency’s National Flood Asset Database.

5.4 Further assessment of Himalayan Balsam will be carried out in August with a formal assessment to be carried out annually during the first two weeks of July.

6.0 Conclusions

6.1 With all Balancing Ponds having been identified and their condition and maintenance under regular review, work is ongoing to identify all of the City’s flood assets. Routine maintenance is currently being met out of existing budgets.

6.2 Further balancing ponds and flood structures are likely to be adopted as part of Sustainable Urban Drainage Systems approved through the Planning Process for new housing developments. Ongoing maintenance costs for these assets will be funded by Section 106 Planning Contributions and this will require strong working relationships between Planning Officers, Flood Resilience Officers and Neighbourhood Management Co-ordinators.

6.3 The Invasive Species Assessment Project has concluded that although Himalayan Balsam has the potential to obstruct our watercourses, at this present time it presents no risk and that further assessments will be carried out on a case by case basis as well as an ‘annual inspection’. Until further knowledge is gained on its growth patterns and behaviour we will continue to control on a reactive basis based on inspection and where problems are brought to our attention.

7.0 Financial Implications

7.1 Current and past costs have been met through a flood recovery budget and a watercourse budget. The flood recovery budget was removed at the end of 2010/2011 as part of the three year money plan.
7.2 The County Council as Lead Local Flood Authority have received and will continue to receive funding in order to assist them in implementing and complying with certain elements of the Flood & Water Management Act 2010. As some of these responsibilities will be handed down to District Councils it is intended to approach the County with a view to covering the costs of those responsibilities we take on.

8.0 Legal Implications

8.1 It will be imperative to fully understand those responsibilities handed down to us by the County Council as part of the Flood and Water Management Act 2010 and the legal implications in not complying with them.

8.2 Identifying ownership and responsibility for flood assets in the City is critical to flood resilience. It is important that as and when complications or non-compliances arise regarding ownership or maintenance, that robust mechanisms are in place that allow us to take formal action or formalise legally binding agreements between relevant parties.

9.0 Risk Management Implications

9.1 The key risks with regard to balancing ponds and flood assets relate to not having sufficient information regarding their condition (including impact of Himalayan Balsam) and subsequently not undertaking adequate maintenance. If structures are not adequately maintained then during a severe weather incident there is a chance they will not perform to their full potential thus placing communities, residents and businesses at greater risk.

10.0 People Impact Assessment (PIA):

Please ensure you complete this section even if a PIA is not required.

<table>
<thead>
<tr>
<th>Is a PIA required?</th>
<th>Yes</th>
<th>No</th>
<th>Explanation: The work carried out around this report minimises the risk and impact of flooding events for all.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has an initial PIA screening been completed?</td>
<td>Yes</td>
<td>No</td>
<td>Explanation:</td>
</tr>
<tr>
<td>Has a full PIA been completed?</td>
<td>Yes</td>
<td>No</td>
<td>Explanation: See above</td>
</tr>
<tr>
<td>Is the PIA available?</td>
<td>Yes</td>
<td>No</td>
<td>Explanation:</td>
</tr>
<tr>
<td>Has the PIA identified any negative impacts on any protected characteristic or community cohesion?</td>
<td>Yes*</td>
<td>No</td>
<td>*Please ensure PIA is available</td>
</tr>
</tbody>
</table>

Any Further Relevant Information:

None
11.0 Other Corporate Implications (this may include Community Safety, Environmental, Staffing, Trade Union)

Community Safety

Flood resilience and protection has a critical role to play in protecting our communities. Proper maintenance of all our flood assets and in particular our balancing ponds will reduce the risk and impact of flooding events.

Environmental

With severe weather events seemingly becoming more common it is critical that appropriate control mechanisms are put in place and maintained in respect of the City’s flood assets.

Planning

Housing developments of a certain size will need to submit plans of their proposed sustainable urban drainage system. These plans will require approval before work commences and if adopted following the scheme, Section 106 money will need to be sought in order to fund ongoing maintenance.

Neighbourhood Management

Many of our flood assets can be found within our public open spaces that are utilised by residents and visitors. Maintenance and upkeep of these assets from a flood resilience point of view can also have aesthetical benefits and both support and enhance biodiversity.

Staffing

There are no staffing implications

Trade Union

There are no trade union implications

Background Papers :
Gloucester City Council - Balancing Ponds Maintenance List
Report on Himalayan Balsam in Watercourses within Gloucester City Council

Published Papers :
Flood & Water Management Act 2010
Flood & Water Management Act 2010 Fact Sheet – ‘What does the Flood & Water Management Act mean for Local Authorities?’

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