



Cabinet

Title	Approval and adoption of Barnet’s Sustainable Drainage Strategy (SuDS) and long-term Highways SuDS programme.
Date of meeting	16 January 2024
Report of	Councillor Alan Schneiderman, Cabinet Member for Environment and Climate Change
Wards	All
Status	In Public
Key	Key Decision The SuDS strategy is applicable borough-wide, and the highways SuDS programme will be prioritised in the high flood risk areas/flooding hotspots on highway network across the borough.
Urgent	No
Appendices	Appendix A – London Borough of Barnet Sustainable Drainage Strategy
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Summary

In January 2023, the Government announced the commencement of enactment of Schedule 3 to The Flood and Water Management Act 2010 in England. When implemented (envisaged to be during 2024), this will trigger the enactment of SuDS Approval Body (SAB) within the Council. Barnet SuDS strategy sets out the Councils’ long-term vision to encourage the delivery of SuDS throughout the borough, ahead of the implementation of Schedule 3 in England.

Schedule 3 provides a framework for the approval and adoption of drainage systems, by an approving body (SAB), and national standards on the design, construction, operation, and maintenance of SuDS.

Also, it makes the right to connect surface water runoff to public sewers conditional upon the drainage system being approved by the Authority before any construction work can start. It is expected that the SAB will replace the delivery of SuDS through the planning process and will empower the Council as Lead Local Flood Authority (LLFA) to ensure that the delivery of SuDS is mandatory in comparison to their current statutory consultee role.

This report seeks approval and adoption of the proposed Barnet's Sustainable Drainage Strategy (SuDS) to encourage the delivery of SuDS within public and private developments borough wide. The strategy aligns with [Barnet Corporate Plan 2023 to 2026](#), [Barnet's Sustainability Strategy](#) and the recently published [Local Flood Risk Management Strategy](#). The strategy aims to release technical guidance for delivery of SuDS in the borough and should be used by internal Council teams and developers. Moreover, it sets out a long-term programme for delivery of SuDS on Barnet's highway network. These highway SuDS opportunities are presented on [Barnet Highway SuDS opportunity mapping](#).

Recommendations

- 1. That the Cabinet notes the pending enactment of Schedule 3 to The Flood and Water Management Act 2010 with the additional responsibilities placed upon the Authority to administer.**
- 2. That the Cabinet approves, subject to recommendation 4, the proposed Barnet Sustainable Drainage (SuDS) Strategy (Appendix A) and its associated vision to encourage the implementation of SuDS throughout the borough.**
- 3. That the Cabinet, subject to recommendation 4, adopts the long-term highway SuDS programme developed across seven priority bands over more than ten years to progress into feasibility studies.**
- 4. That the Cabinet Member for Environment and Climate Change, in consultation with the Director of Highways and Transportation, be authorised to progress a public consultation with regards the proposed Barnet Sustainable Drainage (SuDS) Strategy and consider the consultation responses before finalising and implementing the Barnet Sustainable Drainage (SuDS) Strategy with any material changes reported back to Cabinet.**

1. Reasons for the Recommendations

1.1 Background

- The Flood and Water Management Act 2010 designates London Borough of Barnet (LBB) as the Lead Local Flood Authority (LLFA) and as such has a statutory responsibility of local flood risk management within the borough. This includes ensuring that flood risks from local sources, including surface water runoff, groundwater and ordinary watercourses and their interactions, are identified and managed.
- The Flood and Water Management Act 2010 proposed that Sustainable Drainage Systems (SuDS) should be approved before development commences, by a SuDS Approval Body (SAB), set up by local authorities to ensure that SuDS are designed according to national standards. However, in December 2014 the Department for Communities and Local Government (DCLG) and Department for Environment, Food and Rural Affairs (DEFRA) issued Written Statement which announced that SuDS will not be delivered as described in Schedule 3 of the Flood and Water Management Act, 2010, but will be delivered through the planning system. As part of this announcement the use of

SuDS Approval Bodies (SABs) as the primary mechanism for SuDS review, approval and management was dropped.

- The Town and Country Planning (Development Management Procedure) (England) Order 2015 further made the Council as LLFA as statutory consultees on planning applications relating to major development (developments of 10 dwellings or more; or equivalent non-residential or mixed development). As part of this responsibility, LBB as LLFA was required to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate. Subsequently, in March 2015, the DEFRA published Non-Statutory Technical Standards for Sustainable Drainage Systems, currently used as a reference by Local Authorities to undertake their SuDS responsibilities.
- In January 2023, the Government announced the commencement of enactment of Schedule 3 to The Flood and Water Management Act 2010 in England subject to final decisions on scope, threshold, and process once a full regulatory impact assessment has been consulted on which will trigger the enactment of SAB within LBB.
- Moreover, the flood risk within Barnet is expected to exacerbate with rapid urbanisation, unprecedented population growth, and evident impacts of climate change. Barnet's need for a robust strategy to manage flood risk and increase the community's flood resilience has never been greater.
- Sustainable drainage systems, or 'SuDS', aim to manage surface water locally (closest to the source where generated) and are a natural alternative to traditional drainage networks like pipes and sewers. They encourage urban greening and the utilisation of more permeable surfaces to reduce the risk of surface water flooding, reduce pollution from urban runoff and deliver wider benefits as enhancing biodiversity, improving aesthetics, and creating recreational space.

1.2 SuDS strategy-An overview

The SuDS strategy, set out at Appendix A of this report, considers existing Barnet policies in lines with the [Local Flood Risk Management Strategy](#) and SuDS best practices to set out the long-term vision to implement SuDS throughout the borough.

Barnet's proposed Sustainable Drainage Strategy is comprised of the following Sections:

- Introduction to the Strategy
- Background of SuDS
- SuDS Specific Guidance for Developers
- Barnet specific requirements for SuDS
- Common constraints
- Guidance with SuDS on Highways
- Adoption of SuDS
- Maintenance of SuDS
- Planting

The strategy (in Section 3 of this report) sets out the technical guidance for developers when designing SuDS for the development and what requirements need to be met at different stages for planning application. The Section 4 of the strategy sets out some of the Barnet specific requirements for the SuDS

design, not only for the developers but internal Council teams like Town Centres and Highways, where SuDS are being proposed.

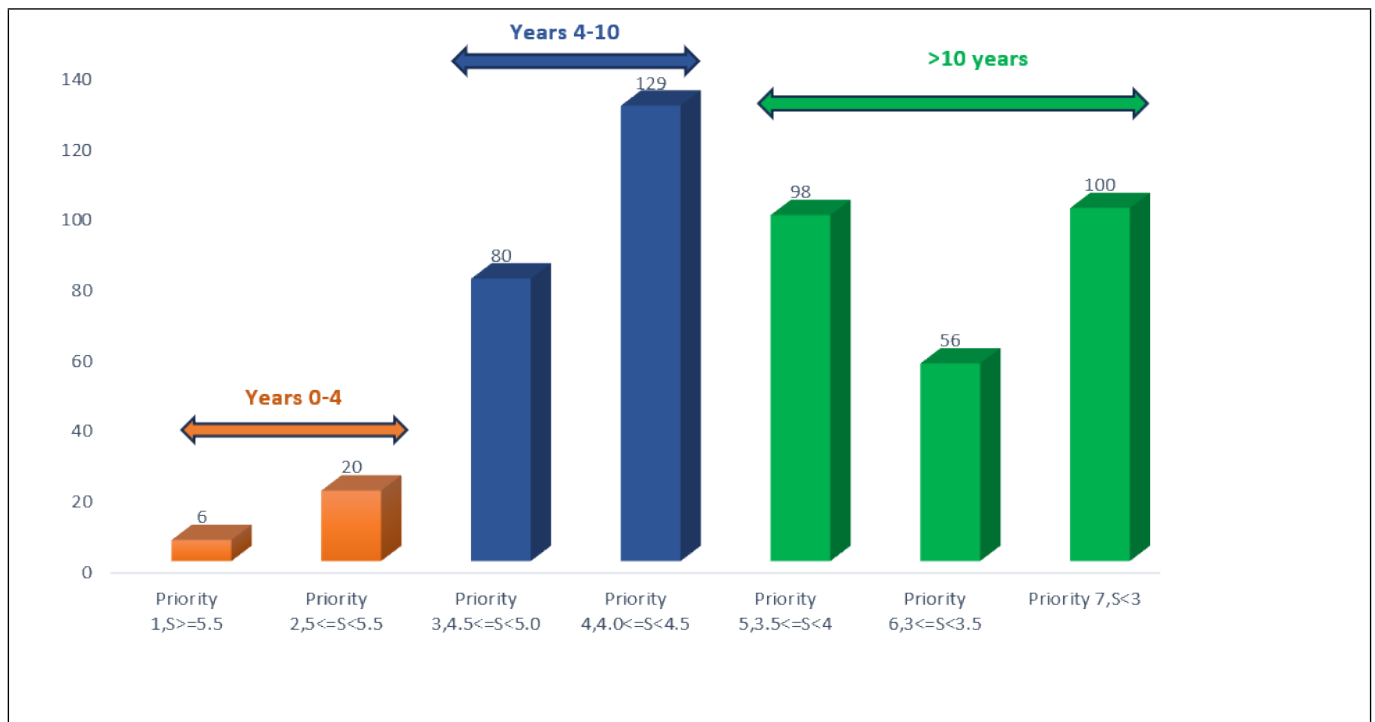
The strategy states that SuDS should be considered in all major and minor developments. Rainwater harvesting is recommended as the first level of the drainage hierarchy and residents are encouraged to consider water butts in single residential properties in new developments or as retrofits. The strategy further emphasises on prioritisation of above ground green infrastructure over underground / attenuation features, specially on major developments with site area greater than a hectare.

In addition, the strategy sets out a long-term programme for delivery of SuDS on highways within the borough. Detailed modelling exercise was undertaken to identify borough-wide SuDS opportunities, including basins and wetlands in the greenspaces, as well as highway SuDS prospects throughout the borough highway network. The modelling identified 38 locations very suitable for large storage features and 507 locations for highway SuDS based on the predicted risk of surface water flooding. These highway SuDS opportunities are presented on [Barnet Highway SuDS opportunity mapping](#).

Furthermore, the 507 highway SuDS opportunities underwent additional prioritization into seven priority bands 1-7 to be progressed further for feasibility analysis and develop a detailed programme for implementation across Barnet highway network. Please refer to the table and figures below.

Highway SuDS opportunities-priority bands

TIME FRAME	PRIORITY BAND	WEIGHTED SCORE	No. OF HIGHWAY SuDS OPPORTUNITIES
Years 0-4	1	$S \geq 5.5$	6
	2	$5.0 \leq S < 5.5$	20
Years 4-10	3	$4.5 \leq S < 5.0$	80
	4	$4.0 \leq S < 4.5$	129
>10 years	5	$3.5 \leq S < 4.0$	98
	6	$3 \leq S < 3.5$	56
	7	$S < 3$	100



2. Alternative Options Considered and Not Recommended

2.1 No alternative options were considered, as the Council, as a Lead Local Flood Authority, has a statutory responsibility of local flood risk management within the borough including surface water flooding.

3. Post Decision Implementation

3.1 Upon Cabinet approval of the recommendation to adopt the SuDS strategy subject to the public consultation, officers will publish the strategy on the Council's website and the seven priority bands of the highways SuDS opportunities will be progressed into feasibility assessments to be developed further.

4. Corporate Priorities, Performance and Other Considerations

4.1 Corporate Plan

This strategy aligns with the Barnet Corporate Plan 2023 to 2026, specifically with the strategic objectives within the plan of **Caring for our Places and Caring for the Planet**. The Caring for our Places objective sets out a vision to make neighbourhoods into welcoming hubs for communities to enjoy their unique characteristics.

Encouraging the implementation of SuDS within the borough will help achieve this vision as SuDS can bring unique aesthetic appeal and amenity to urban environments. The Caring for the Planet objective sets the vision to improve the local environment, so that residents can enjoy clean air and waterways as well as reduced flooding from extreme weather. These are goals that can all be achieved through the use of SuDS.

4.2 Corporate Performance / Outcome Measures

The proposed SuDS strategy will be published on the Council's website and the highways SuDS programme will be progressed into further feasibility assessments.

4.3 Sustainability

The SuDS strategy proposes to use sustainable flood risk management practices and Sustainable Drainage Systems (SuDS) aiming to look for opportunities to implement such practices.

4.4 Corporate Parenting

As the SuDS strategy proposes to adopt sustainable and natural approaches to flood risk management and implement schemes of this nature, it tends to provide not only flood risk benefits but wider environmental, health, social and educational benefits. Such schemes, where possible, could be used to have school trips to educate the pupils on flood risk management, water quality, ecology, and biodiversity.

4.5 Risk Management

The Council has an established approach to risk management, which is set out in the Corporate Risk Management Framework. Any individual capital schemes will develop their respective risk registers.

4.6 Insight

Not applicable.

4.7 Social value

The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This report does not relate to the procurement of service contracts.

5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)

Finance

- 5.1 The strategy itself and the proposed highway SuDS priority bands doesn't pose any immediate capital or revenue financial impacts.
- 5.2 The Council's Community Infrastructure Levy (CIL) - Flooding and Drainage capital funding of £350k has been allocated to progress year 0 opportunities (six in number-included within Priority Band 1) for progressing into feasibility, detailed design and delivery and also undertake feasibility analysis for Year 1 (also included within Priority band 1) opportunities.

Potential future financial implications

- 5.3 Beyond Priority Band 1, the detailed programme will be developed and presented in the future for each priority band. Further capital budget and external funding will be sought for to support the implementation of the long-term delivery programme.
- 5.4 The maintenance of these schemes (being put forward as part of highways SuDS programme) may have potential future revenue funding requirements, however the intention is to the ongoing maintenance to a minimum through careful design. The cost of the maintenance of the SuDS scheme, the drainage elements will be adopted by the LBB Highways Service/ LLFA while the planting and general grass cutting, landscaping is envisaged to be undertaken by the Authorities Streetscene service.

Resourcing

- 5.5 The workload is currently delivered by the Flood and Water Management within Asset Management team in Highways Service. There is one full time dedicated Lead Local Flood

Authority (LLFA) resource along with a part-time graduate support. Support from resources within wider Asset and Highways team is sought as and when needed.

- 5.6 Two approved permanent full-time positions are currently being recruited to support the LLFA service delivery.

Potential future resource implications

- 5.7 Additional highways drainage inspectors/front-line staff may potentially need to be recruited for.
- 5.8 The staff in Ground Maintenance team would have to be trained/upskilled for maintaining such schemes although majority of the maintenance can be covered under the existing skill sets. A service level agreement between Highways and Street scene service would have to be established to agree any revenue impacts for undertaking the maintenance of these schemes.
- 5.9 Any resourcing requirements may be supplemented by enactment of Schedule 3. The Schedule 3 implementation would tend to provide new duties to LLFA's. The net additional cost of all new burdens placed on local authorities by central government would be assessed and funded.
- 5.10 Any procurement of services or capital delivery will be undertaken in lines with Barnet's Contract Procedure Rules.
- 5.11 No impact on IT and property matters envisaged.

6. Legal Implications and Constitution References

- 6.1 The Council is identified as Lead Local Flood Authority under Flood and Water Management Act (2010) and Flood Risk Regulations (2009).
- 6.2 Schedule 3 of the Flood and Water Management Act 2010 establishes SABS in Local Authorities.
- 6.3 Schedule 3 will make the incorporation of sustainable drainage systems (SuDS) into new developments mandatory when the legislation is enacted which the Government have advised will be later this year, 2024.
- 6.4 Otherwise, the legal implications are as set out within the context of this report.
- 6.5 Under the Council's Constitution, Part 2D the terms of reference of Cabinet includes the following responsibilities:
- Development of proposals for the budget (including the capital and revenue budgets, the fixing of the Council Tax Base, and the level of Council Tax) and the financial strategy for the Council;
 - Monitoring the implementation of the budget and financial strategy;
 - Recommending major new policies (and amendments to existing policies) to the Council for approval as part of the Council's Policy Framework and implementing those approved by Council;
 - Approving policies that are not part of the policy framework;
 - Management of the Council's Capital Programme;
- and All key decisions
- 6.6 Part 2E of the Council Constitution states that the responsibilities of the Cabinet Member for Environment and Climate Change include; leading on the Sustainability Strategy.

7. Consultation

- 7.1 Due to the technical nature of the document, the SuDS strategy was consulted internally within various Council teams including Planning, Street scene, Highways, Greenspaces, Trees etc. and was presented to the Council Flooding and Drainage Board.
- 7.2 The Council will further hold a public consultation that will follow the Council's usual consultation process.

8. Equalities and Diversity

- 8.1 Currently, the SuDS strategy identifies no foreseeable equality impact but any equalities concerns raised in the consultation referred to at part 7.2 above will be addressed at that time.
- 8.2 The SuDS strategy would have a positive impact for all Barnet communities.

9. Background Papers

- 9.1 [Barnet Local Flood Risk Management Strategy](#)
- 9.2 [The review for implementation of Schedule 3 to The Flood and Water Management Act 2010 \(publishing.service.gov.uk\)](#), January 2023.
- 9.3 [Barnet Highway SuDS opportunity mapping](#)