Variation to the Composition of the Anglian (Central) Regional Flood and Coastal Committee

Consultation Document

7 May 2019
We are the Environment Agency. We protect and improve the environment and make it a better place for people and wildlife.

We operate at the place where environmental change has its greatest impact on people’s lives. We reduce the risks to people and properties from flooding; make sure there is enough water for people and wildlife; protect and improve air, land and water quality and apply the environmental standards within which industry can operate.

Acting to reduce climate change and helping people and wildlife adapt to its consequences are at the heart of all that we do.

We cannot do this alone. We work closely with a wide range of partners including government, business, local authorities, other agencies, civil society groups and the communities we serve.

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1. About this Consultation

This document explains why we are consulting and what we are consulting you on. It is designed to help you understand and comment on two proposed options for the Anglian (Central) Regional Flood & Coastal Committee Composition, as well as a name change for the Committee.

1.1. Why we’re consulting

We are consulting to get feedback from all of those individuals, groups and organisations, who are affected by, or interested in, the proposed Variation of the Composition and name of the Anglian (Central) Regional Flood & Coastal Committee (RFCC), in line with the Regional Flood and Coastal Committee (England and Wales) Regulations 2011.

1.2. What we are consulting on

Committee Composition

We are consulting on the Variation of the Composition of the Anglian (Central) Regional Flood and Coastal Committee as a result of proposed local government reorganisation in Northamptonshire and Buckinghamshire. The variation process is set out in The Regional Flood and Coastal Committee (England and Wales) Regulations 2011, Part 3 (9) and requires Ministerial approval.

The Composition Variation must be made in line with the Regional Flood and Coastal Committee (England and Wales) Regulations 2011 and subsequently there are certain limitations when proposing a new scheme. These restrictions are outlined in Section 2.

In 2011 when the transition was made from Regional Flood Defence Committees to Regional Flood and Coastal Committees, it was confirmed that Lead Local Flood Authority (LLFA) representation was a matter for individual RFCCs to propose.

Committee Shared Seats

Currently the voting seat rotates between LLFAs on an annual basis. A Partnership approach, whereby one LLFA permanently represents multiple LLFAs, is employed successfully on other RFCCs and could be employed within this Committee.

How the shared seats operate is a matter for the LLFAs involved to agree. Consultation feedback will be provided to the relevant LLFAs so they can determine how they operate within the shared seats under Option 1 or 2 of a new Composition.

Committee Name

It is proposed to change the name of the RFCC from Anglian (Central) Regional Flood & Coastal Committee to Anglian (Great Ouse) Regional Flood & Coastal Committee.

1.3. We want your views

Interested parties will likely include the Anglian (Central) Regional Flood and Coastal Committee, Lead Local Flood Authorities, Local Authorities, Internal Drainage Boards, Flood Resilience Forums/Groups, Water Company’s and Members of the Public.

We want to hear your thoughts on our proposals as outlined above. Section 2 provides more information on the background for the proposals. You will find the consultation questions in Section 3 of this document and information on how to respond in Section 4.
2. Background to the Proposals

The Regional Flood & Coastal Committees (RFCCs) are Committees established by the Environment Agency under the Flood and Water Management Act 2010 that brings together members appointed by Lead Local Flood Authorities (LLFAs) and independent members with relevant experience for 3 purposes:

- to ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines.
- to promote efficient, targeted and risk-based investment in flood and coastal erosion risk management that optimises value for money and benefits for local communities.
- to provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to bring about mutual understanding of flood and coastal erosion risks in its area.

There are 12 Committees in England and each has a Chair appointed by Defra. The Anglian (Central) RFCC covers the River Great Ouse catchment and the North West Norfolk coast in East Anglia (please see following map of the Anglian (Central) Regional Flood and Coastal Committee catchment area).
The following local government reorganisations mean a change to the Constituent Authority Membership of the Anglian (Central) Regional Flood and Coastal Committee is required:

- On 31 August 2018 the Northamptonshire Local Government Reform Proposal was submitted for consideration by Government. The Proposal is for two new unitary authorities to be formed (West Northamptonshire and North Northamptonshire), coming into existence on the 1 April 2020.
- On 1 November 2018 James Brokenshire (Secretary of State for Ministry of Housing, Communities and Local Government) announced the decision to create one new unitary authority in Buckinghamshire, subject to parliamentary approval. This authority will replace the existing five councils and come into existence on the 1 April 2020.

Each new authority will deliver all local government services in their respective areas including being Lead Local Flood Authorities (LLFAs). The creation of these new authorities has implications for the composition of the Anglian (Central) Regional Flood and Coast Committee.

The Anglian (Central) Regional Flood and Coastal Committee membership currently includes representation from both Northamptonshire and Buckinghamshire County Councils. This membership was signed off by the Secretary of State in 2011. Due to the changes in Northamptonshire and Buckinghamshire, the Committee membership will need to be varied before 1 December 2019 to represent the new councils on 1 April 2020.

**Legislative Restrictions**

Any Variation to the Composition of the Committee must be made in line with the Regional Flood and Coastal Committee (England and Wales) Regulations 2011.

These Regulations require the total number of members to be at least 11 and no more than 25 (unless approved by the Minister). There can be no more than 11 Environment Agency appointed members (unless approved by the Minister) and the number of members appointed by constituent authorities must be at least one more than the sum of Environment Agency appointed members and the Chair.

A Variation takes effect when the Environment Agency publishes a document specifying the Region for which the Committee is established and the Composition of the Committee.

The variation does not take effect unless the Environment Agency has consulted with interested persons for a period of not less than 6 weeks in relation to the Variation to the Composition of the Committee; taken account of any representations; and the varied composition has been approved by the Minister. The Minister may require a change to the proposed varied composition of a Committee before approving the varied composition.

The new Composition must be published before the 1 December 2019 to come into force on the 1 April 2020.
Anglian (Central) Regional Flood and Coastal Committee Composition on formation in 2011

In 2011 the following composition was signed off by the Secretary of State:

- A Chair appointed by the Minister.
- Six persons appointed by the Environment Agency (EA).
- The members appointed by, or on behalf of, each Constituent Authority or Groups of Constituent Authorities as set out below.

<table>
<thead>
<tr>
<th>Constituent Authority</th>
<th>Number of Members of the Anglian (Central) RFCC to be appointed by, or on behalf of, each Constituent Authority or Group of Constituent Authorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedford Borough Council</td>
<td>One</td>
</tr>
<tr>
<td>Central Bedfordshire Council</td>
<td>One</td>
</tr>
<tr>
<td>Buckinghamshire County Council</td>
<td>One Member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Hertfordshire County Council</td>
<td></td>
</tr>
<tr>
<td>Northamptonshire County Council</td>
<td></td>
</tr>
<tr>
<td>Cambridgeshire County Council</td>
<td>Two</td>
</tr>
<tr>
<td>Essex County Council</td>
<td>One Member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Suffolk County Council</td>
<td></td>
</tr>
<tr>
<td>Milton Keynes Council</td>
<td>One</td>
</tr>
<tr>
<td>Norfolk County Council</td>
<td>One</td>
</tr>
</tbody>
</table>

The proposal is for the public consultation to consider two options for the Variation to the Composition of the Anglian (Central) Regional Flood and Coastal Committee:

- **Option 1 – Do Minimum**
- **Option 2 – Better reflecting spread of Tax Base across LLFAs (Constituent Authorities)**

Consultation feedback will then be presented to the Committee to decide the final Variation to submit to the Environment Agency Board and to the Minister for their approval.
**Option 1 – Do Minimum**

No changes to the number of EA or LLFA Members or to the LLFA's sharing seats.

The existing LLFA shared seat position for Buckinghamshire County Council would be transferred to the new proposed Buckinghamshire Council.

The existing LLFA shared seat position for Northamptonshire County Council would be transferred to the new proposed West Northamptonshire Council. The proposed North Northamptonshire Council has a lesser tax base within the Committee’s area than Oxfordshire County Council does, so given Oxfordshire does not have a seat then neither would North Northamptonshire.

**Option 1 - Composition to the Anglian (Central) Regional Flood and Coastal Committee:**

Changes from current position highlighted in yellow.

- A Chair appointed by the Minister.
- Six persons appointed by the Environment Agency (EA).
- The eight members appointed by, or on behalf of, each Constituent Authority or Groups of Constituent Authorities as set out below.

<table>
<thead>
<tr>
<th>Constituent Authority</th>
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</tr>
<tr>
<td>Central Bedfordshire Council</td>
<td>One</td>
</tr>
<tr>
<td><strong>Buckinghamshire Council</strong></td>
<td><strong>One</strong> Member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Hertfordshire County Council</td>
<td></td>
</tr>
<tr>
<td><strong>West Northamptonshire Council</strong></td>
<td>Two</td>
</tr>
<tr>
<td>Cambridgeshire County Council</td>
<td></td>
</tr>
<tr>
<td>Essex County Council</td>
<td><strong>One</strong> Member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Suffolk County Council</td>
<td></td>
</tr>
<tr>
<td>Milton Keynes Council</td>
<td>One</td>
</tr>
<tr>
<td>Norfolk County Council</td>
<td>One</td>
</tr>
</tbody>
</table>
Option 2 – Better reflecting spread of Tax Base across LLFAs (Constituent Authorities)

This option increases the number of the seats within the Committee to enable a more equitable representation of LLFAs when looking at the spread of the tax base across the Committee’s area. The number of seats increases to ten to ensure that no LLFA is detrimentally affected by loss of existing seats.

The number of Environment Agency appointee seats would increase to eight. These will not necessarily all be recruited to but the composition would retain the flexibility to do so in future.

Option 2 – Composition to the Anglian (Central) Regional Flood and Coastal Committee:

Changes from current position highlighted in yellow.

- A Chair appointed by the Minister.
- **Eight persons** appointed by the Environment Agency (EA).
- The **ten members** appointed by, or on behalf of, each Constituent Authority or Groups of Constituent Authorities as set out below.

<table>
<thead>
<tr>
<th>Constituent Authority</th>
<th>Number of Members of the Anglian (Central) RFCC to be appointed by, or on behalf of, each Constituent Authority or Group of Constituent Authorities</th>
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</thead>
<tbody>
<tr>
<td>Bedford Borough Council</td>
<td>One</td>
</tr>
<tr>
<td>Central Bedfordshire Council</td>
<td>One</td>
</tr>
<tr>
<td>Buckinghamshire Council</td>
<td><strong>One</strong> Member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Milton Keynes Council</td>
<td></td>
</tr>
<tr>
<td>West Northamptonshire Council</td>
<td></td>
</tr>
<tr>
<td>Cambridgeshire County Council</td>
<td><strong>Three</strong></td>
</tr>
<tr>
<td>Essex County Council</td>
<td><strong>One</strong> Member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Suffolk County Council</td>
<td></td>
</tr>
<tr>
<td>Hertfordshire County Council</td>
<td><strong>One</strong> Member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Central Bedfordshire Council</td>
<td></td>
</tr>
<tr>
<td>Milton Keynes Council</td>
<td>One</td>
</tr>
<tr>
<td>Norfolk County Council</td>
<td>One</td>
</tr>
</tbody>
</table>

Table 1 shows the calculations & breakdown of the proposed ten LLFA Voting Seats and the proposed sharing of seats where applicable.
<table>
<thead>
<tr>
<th>LEAD LOCAL FLOOD AUTHORITY</th>
<th>Council Tax base</th>
<th>Percentage of overall Tax Base</th>
<th>Present Voting Seats</th>
<th>Seats based on Tax Base (10 in total)</th>
<th>+/- to nearest 1/3</th>
<th>Proposed Shared Voting Seats, based on +/-1/3 option</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedford Borough Council</td>
<td>58,040</td>
<td>8.69%</td>
<td>1.00</td>
<td>0.87</td>
<td>1.00</td>
<td></td>
</tr>
<tr>
<td>Proposed Buckinghamshire Council</td>
<td>22,253</td>
<td>3.33%</td>
<td>0.33</td>
<td>0.33</td>
<td>0.33</td>
<td>Combine Buckinghamshire, West Northamptonshire and Milton Keynes Councils</td>
</tr>
<tr>
<td>Cambridgeshire County Council</td>
<td>208,628</td>
<td>31.24%</td>
<td>2.00</td>
<td>3.12</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>Central Bedfordshire Council</td>
<td>95,575</td>
<td>14.31%</td>
<td>1.00</td>
<td>1.43</td>
<td>1.33</td>
<td>Combine part Central Bedfordshire with Hertfordshire Council</td>
</tr>
<tr>
<td>Essex County Council</td>
<td>13,162</td>
<td>1.97%</td>
<td>0.50</td>
<td>0.20</td>
<td>0.33</td>
<td>Combine Essex and Suffolk Council</td>
</tr>
<tr>
<td>Hertfordshire County Council</td>
<td>39,417</td>
<td>5.90%</td>
<td>0.33</td>
<td>0.59</td>
<td>0.66</td>
<td>Combine Hertfordshire and Central Bedfordshire Council</td>
</tr>
<tr>
<td>Milton Keynes Council</td>
<td>82,950</td>
<td>12.42%</td>
<td>1.00</td>
<td>1.24</td>
<td>1.33</td>
<td>Combine part Milton Keynes Seat with Buckinghamshire and West Northamptonshire Councils</td>
</tr>
<tr>
<td>Norfolk County Council</td>
<td>76,375</td>
<td>11.44%</td>
<td>1.00</td>
<td>1.14</td>
<td>1.00</td>
<td></td>
</tr>
<tr>
<td>Proposed West Northamptonshire Council</td>
<td>19,955</td>
<td>2.99%</td>
<td>0.33</td>
<td>0.30</td>
<td>0.33</td>
<td>Combine West Northamptonshire with Buckinghamshire and Milton Keynes Councils</td>
</tr>
<tr>
<td>Proposed North Northamptonshire Council</td>
<td>531</td>
<td>0.08%</td>
<td>0.00</td>
<td>0.01</td>
<td>0.00</td>
<td>No voting seat</td>
</tr>
<tr>
<td>Oxfordshire County Council</td>
<td>1,865</td>
<td>0.28%</td>
<td>0.00</td>
<td>0.03</td>
<td>0.00</td>
<td>No voting seat</td>
</tr>
<tr>
<td>Suffolk County Council</td>
<td>49,022</td>
<td>7.34%</td>
<td>0.50</td>
<td>0.73</td>
<td>0.66</td>
<td>Combine Suffolk with Essex Council</td>
</tr>
<tr>
<td>Totals</td>
<td>667,771</td>
<td>100%</td>
<td>8.00</td>
<td>10.00</td>
<td>10.00</td>
<td></td>
</tr>
</tbody>
</table>
Within both options there is the ability for the LLFAs involved to adjust their approach to the shared seats. Currently the voting seat rotates between LLFAs on an annual basis. A Partnership approach, whereby one LLFA permanently represents multiple LLFAs, is employed successfully on other RFCCs and could be employed within this Committee.

Proposal – Committee Name

It is proposed to change the name of the RFCC from Anglian (Central) Regional Flood & Coastal Committee to **Anglian (Great Ouse) Regional Flood & Coastal Committee**.

The Great Ouse featured proudly with the names of predecessor Committees between 1920 to 2005. This will retain alignment with the other two ‘Anglian’ RFCCs but reintegrates a river catchment relevance and removes the now outdated link with previous Environment Agency operational Regional/Area naming.
3. Consultation Questions

We welcome your comments on our proposals and in particular would value your views on the questions listed below:

Q1. Which Option is your preference for the Composition of the Anglian (Central) Regional Flood and Coastal Committee?

Q2. Should the Anglian (Central) Regional Flood and Coastal Committee change the shared seats to a Partnership approach?

Q3. Please let us know if you think there is anything else we should be considering?

Q4. Do you agree with the new title for the Regional Flood and Coastal Committee?

4. Responding to this Consultation

4.1. Important Dates

Opening date: 7 May 2019
Closing date: 18 June 2019
Anglian (Central) RFCC: July 2019
Published Responses: November 2019

4.2. How to Respond

You can view the consultation documents and questions online at https://consult.environment-agency.gov.uk/lincolnshire-and-northamptonshire/variation-to-composition-of-anglian-central-rfcc. Here you can submit your response using our online tool which will enable you to manage your comments more effectively. It will also help us to gather and summarise responses quickly and accurately as well as reduce the costs of the consultation.

If you would prefer to submit your response by email or letter, or if you would like to ask for a printed version of the document to be posted to you, please contact 0203 025 7499, or email AnglianRFCCs@environment-agency.gov.uk.

However, if you would like to send your response by post, please send your completed response form by Tuesday 18 June 2019 to:

Nigel Wood, Anglian (Central) RFCC Development Officer
Environment Agency
Bromholme Lane
Brampton
PE28 4NE
4.3. What will the responses be used for
The responses to the Consultation will be reviewed by the Anglian (Central) Regional Flood and Coastal Committee at their Meeting to be held in July 2019 and subsequently recommend a revised Composition to go to the Agency Board and Minister. Environment Agency staff dealing with this consultation will see all responses in full.

4.4. How we will use your information
We will not respond individually to responses. After the consultation has closed the Anglian (Central) RFCC will produce a consultation response document and this will be published on this consultation’s web page by the end of November 2019.

We will not publish names of individuals who respond. We will publish the name of the organisation for those responses made on behalf of an organisation.

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation, but will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it.

4.5. Privacy Notice
By providing us with your email address you consent for us to email you for any further clarification of your feedback or with details on the Anglian (Central) RFCC Variation, until the process is completed by 1 December 2019.

We will not share your details with any other third party without your explicit consent unless required to by law.

You can withdraw your consent to receive these emails at any time by contacting us at standard-rules@environment-agency.gov.uk

The Environment Agency is the data controller for the personal data you provide. For further information on how we deal with your personal data please see our Personal Information Charter on gov.uk (search ‘Environment Agency personal information charter’) or contact our Data Protection Team.

Address: Data Protection Team, Environment Agency, Horizon House, Deanery Road, Bristol, BS1 5AH

4.6. Consultation Principles
Government is improving the way it consults by adopting a more proportionate and targeted approach. We are running this consultation in accordance with their Consultation Principles.

If you have any queries or complaints about the way this consultation has been carried out, please contact:
Lucy Payne, Consultation Coordinator
Environment Agency
Orchard House
Endeavour Park
London Road
Addington, ME19 5SH
Email: lucy.payne@environment-agency.gov.uk
Would you like to find out more about us or about your environment?

Then call us on
03708 506 506 (Monday to Friday, 8am to 6pm)

email
enquiries@environment-agency.gov.uk

or visit our website
www.gov.uk/environment-agency

incident hotline 0800 807060 (24 hours)
floodline 0345 988 1188 (24 hours)

Find out about call charges: www.gov.uk/call-charges

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