Variation to the Composition of the Anglian (Northern) 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 the proposed option for the Anglian (Northern) Regional Flood & Coastal Committee Composition.

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 of the Anglian (Northern) 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 (Northern) Regional Flood and Coastal Committee as a result of the proposed local government reorganisation in Northamptonshire. 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.

1.3. We want your views
Interested parties will likely include the Anglian (Northern) 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 proposal as outlined above. Section 2 provides more information on the background for the proposal. 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 (Northern) RFCC covers the Environment Agency's Lincolnshire and Northamptonshire Area's water management catchments, which includes; South Humber and East Coast, Witham, Welland and Nene river catchments. (Please see following map of the Anglian (Northern) Regional Flood and Coastal Committee catchment area).
The following local government reorganisation means a change to the Constituent Authority Membership of the Anglian (Northern) 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.

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 (Northern) Regional Flood and Coast Committee.

The Anglian (Northern) Regional Flood and Coastal Committee membership currently includes representation from Northamptonshire County Council. This membership was signed off by the Secretary of State in 2011. Due to the changes in Northamptonshire, 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.
In 2011 the following composition was signed off by the Secretary of State:

- A Chair appointed by the Minister.
- Eight 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 (Northern) RFCC to be appointed by, or on behalf of, each Constituent Authority or Group of Constituent Authorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cambridgeshire County Council</td>
<td>One member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Peterborough City Council</td>
<td></td>
</tr>
<tr>
<td>Rutland County Council</td>
<td>One member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Leicestershire County Council</td>
<td></td>
</tr>
<tr>
<td>Lincolnshire County Council</td>
<td>Three</td>
</tr>
<tr>
<td>Northamptonshire County Council</td>
<td>Three</td>
</tr>
<tr>
<td>North East Lincolnshire Council</td>
<td>One</td>
</tr>
<tr>
<td>North Lincolnshire Council Lincolnshire County Council</td>
<td>One member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
</tbody>
</table>

The proposal is for the public consultation to consider the following option for the Variation to the Composition of the Anglian (Northern) Regional Flood and Coastal Committee.

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.
Proposal

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

Given the near 50:50 split of tax base across two new unitary authorities within Anglian (Northern) RFCC area, the existing three seats for Northamptonshire are proposed to be split. Each new authority will have their own seat and they will also share a third seat between themselves.

Given the wider composition of the RFCC no further options have been considered for consultation.

Within the composition there is the ability for the LLFAs involved to adjust their approach to the shared seats. For example, either the voting seat rotates between LLFAs on an annual basis, or a partnership approach, whereby one LLFA permanently represents multiple LLFAs.

Proposal - Composition to the Anglian (Northern) 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 (Northern) RFCC to be appointed by, or on behalf of, each Constituent Authority or Group of Constituent Authorities</th>
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<td>Lincolnshire County Council</td>
<td>Three</td>
</tr>
<tr>
<td>North Northamptonshire Council</td>
<td>One</td>
</tr>
<tr>
<td>West Northamptonshire Council</td>
<td>One</td>
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<tr>
<td>North Northamptonshire Council</td>
<td>One member appointed by, or on behalf of, this group of Constituent Authorities</td>
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<td></td>
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<td>One</td>
</tr>
<tr>
<td>North Lincolnshire Council</td>
<td>One member appointed by, or on behalf of, this group of Constituent Authorities</td>
</tr>
<tr>
<td>Lincolnshire County Council</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Ten</strong></td>
</tr>
</tbody>
</table>
3. Consultation Questions

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

Q1. Should the Anglian (Northern) Regional Flood and Coastal Committee divide the allocation of the three voting seats in Northamptonshire as follows: Each new unitary authority to have their own voting seat and they will share a third voting seat between themselves?

Q2. Which option is your preference for how the third voting seat is allocated between the two new unitary authorities?

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

4. Responding to this Consultation

4.1. Important Dates
Opening date: 7 May 2019
Closing date: 18 June 2019
Anglian (Northern) RFCC: 12 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-northern-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 3494, or email AnglianNorthernRFCC@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:
Lianne Chamberlain, Anglian (Northern) RFCC Secretariat,
Environment Agency,
Ceres House, 2 Searby Road, Lincoln LN2 4DW.
4.3. What will the responses be used for
The responses to the Consultation will be reviewed by the Anglian (Northern) 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 (Northern) 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 (Northern) 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)

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