

Report of the Portfolio Holder for Environment and Climate Change

Blue Infrastructure Audits

1. Purpose of Report

To update Members on the ownership and maintenance responsibilities relating to the major brooks in Broxtowe and to present the key findings from recent blue-infrastructure audits.

2. Recommendation

Cabinet is asked to NOTE the Blue Infrastructure report.

3. Detail

Blue infrastructure is an important part of the Borough's natural environment, helping to manage surface water, support biodiversity and contribute to climate resilience. Each year, the Environment team undertakes audits of the six main brooks to review their condition (**Appendix 1 and Appendix 2**), identify any emerging issues and, where necessary, remind riparian owners of their responsibilities or address matters affecting Council-owned land.

Responsibility for managing flood risk does not rest primarily with the Borough Council. The Environment Agency holds key regulatory and enforcement powers for main rivers, while Nottinghamshire County Council, as the Lead Local Flood Authority, has the principal statutory role for local flood risk from surface water, groundwater and ordinary watercourses.

The Council's duties are more limited and relate mainly to its own landholdings, riparian interests, and routine inspections. By identifying issues early, passing them to the appropriate authority and engaging with landowners, the Council provides valuable local insight that supports the wider flood-risk management framework without assuming responsibilities that sit with the Environment Agency or Lead Local Flood Authority.

Blue Infrastructure across the Borough

Broxtowe's blue-infrastructure network is centred on six major brooks, namely Nether Green Brook, Beauvale Brook, Dairy Farm Brook, Brinsley Brook, Boundary Brook and the Moorbridge Lane–Mill Road channel, together with the River Erewash and the River Trent, which form the main receiving watercourses across the Borough.

The Nottingham Canal has also been included in the audits. Although man-made, it intercepts several minor streams, contains significant culverts (including one carrying Boundary Brook) and discharges overflow water into the

River Erewash. Its interaction with natural drainage systems means it plays an important role in local water movement and therefore forms part of the overall blue-infrastructure picture.

Annual Audits

Each year, the Council undertakes a structured audit of all six major brooks and relevant canal sections. These inspections help identify emerging issues, confirm the condition of Council-owned assets, and highlight where riparian owners may need to take action.

The Borough Council does not hold the primary statutory responsibilities for managing flood risk. These rest with Nottinghamshire County Council as Lead Local Flood Authority, and the Environment Agency, particularly for enforcement and regulation on main rivers.

The Council's role is supporting and facilitating, focused on:

- Checking the condition of the brooks and canal structures.
- Addressing any issues on land it owns.
- Notifying riparian owners when responsibilities lie with them.
- Escalating matters to the Lead Local Flood Authority or the Environment Agency where regulatory action may be required.

This work helps ensure that water courses remain unobstructed and function effectively, which is increasingly important given the higher rainfall patterns experienced in recent years.

What happens after the Audits

Following each annual audit, the Council:

- Writes to riparian owners to remind them of their responsibilities and request action where needed.
- Schedules works on Council-owned sections, such as clearing vegetation, maintaining screens, or repairing minor defects.
- Refers issues to the appropriate authority, either Nottinghamshire County Council or the Environment Agency, where enforcement intervention may be required.
- Keeps a record of actions, allowing issues to be tracked and ensuring that risk areas are monitored through subsequent inspections.

Emerging flooding risk

A growing concern is the increased surface-water run-off from new developments, which is not only placing added pressure on local watercourses but is also causing run-off to enter gardens, curtilages and in some cases properties, particularly during periods of intense and prolonged rainfall. This

trend highlights the need for robust drainage systems to be designed and installed at the very start of any new build, ensuring that water is managed properly before developments begin.

To address this, the Council is working closely with Nottinghamshire County Council, as Lead Local Flood Authority, and with Planning colleagues to ensure surface-water requirements are properly considered, that developers implement suitable drainage features, and that the cumulative impact of new development on surrounding homes and land is effectively managed.

Conclusion

In summary, the wider programme of annual audits across the Borough's brooks and the Nottingham Canal continues to provide an essential early-warning function, helping the Council identify issues quickly, notify riparian owners, carry out work on its own land and escalate concerns to the Lead Local Flood Authority LLFA or the Environment Agency where required. Given the increasingly intense rainfall the Borough has experienced, this proactive approach, combined with successful measures such as the natural flood-management works at Boundary Brook and ongoing collaboration with key stakeholders, remains vital to keeping watercourses clear and functioning effectively.

4. Key Decision

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

The comments from the Interim Chief Executive and Section 151 Officer were as follows:

There is an existing revenue budget for the maintenance of drainage ditches and watercourses. Should any works be identified through the audit process that have wider financial implications beyond the scope of this budget, a separate report would be presented to Cabinet setting out the costs and options for consideration.

7. Legal Implications

The comments from the Monitoring Officer/Head of Legal Services were as follows:

Nottinghamshire County Council, as the Lead Local Flood Authority, holds the principal statutory responsibilities for the regulation and management of local flood risk from ordinary watercourses, including consenting, enforcement and the investigation of significant flooding incidents.

Broxtowe Borough Council's role is more limited and arises primarily from its position as a landowner and riparian owner, together with its general powers to manage and maintain assets within its control. In this context, the Council may undertake inspections, maintain its own watercourse-related infrastructure, and share relevant information with the Lead Local Flood Authority and the Environment Agency, which retains regulatory and enforcement powers over main rivers.

The Council's functions in this area are therefore practical, permissive and enabling, rather than regulatory. Actions taken by the Council, such as identifying obstructions, addressing issues on Council-owned land, or notifying partner agencies of matters requiring their intervention, are undertaken within the scope of its established powers, duties and landownership responsibilities, and do not displace or diminish the statutory functions exercised by the Lead Local Flood Authority or the Environment Agency.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

Climate change is resulting in more frequent and intense rainfall, increasing surface-water run-off and placing additional pressure on the Borough's brooks, rivers, culverts and drainage channels. This elevates the risk of localised flooding and highlights the need for regular inspection, timely maintenance and coordinated management of blue-infrastructure assets.

Effective blue-infrastructure management also strengthens the Borough's climate-adaptation response by improving resilience to extreme weather, reducing flood risk and supporting ecological networks.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

Not applicable.

13. Background Papers

Nil.