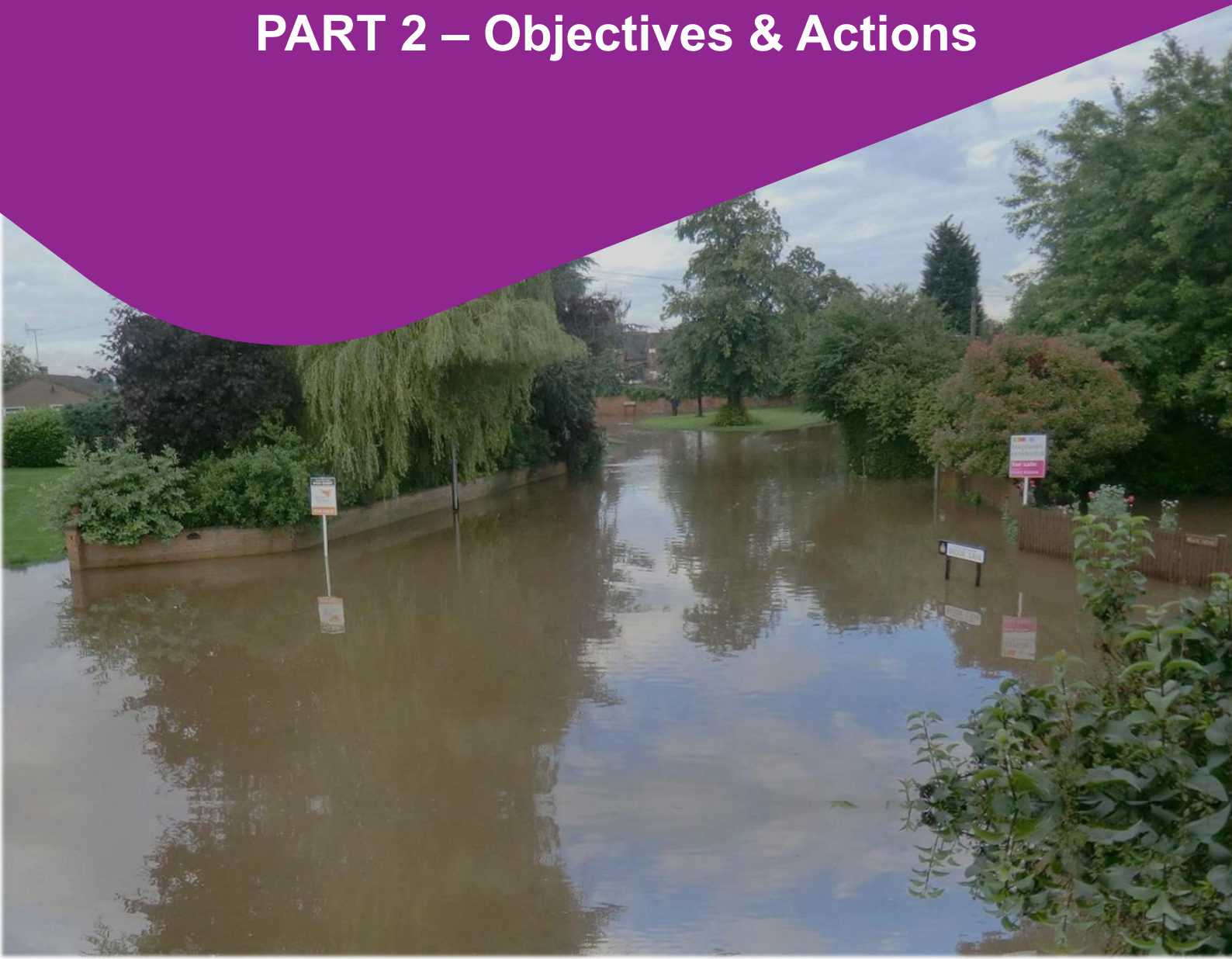


# **Derbyshire County Council's Local Flood Risk Management Strategy**

## **December 2022 Review**

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### **PART 2 – Objectives & Actions**



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# 1. INTRODUCTION

**Part 2** of Derbyshire’s Local Flood Risk Management Strategy focuses on its objectives, our action plan for how we intend work towards the objectives to manage the future risks and how we can fund our flood risk management functions and initiatives. **Part 2** also includes the County Council’s level of service.

Derbyshire is a Shire County within the East Midlands. The northern part of Derbyshire overlaps with the Pennines, a chain of hills and mountains forming the backbone of England. The county comprises an area of 2625km<sup>2</sup> with a population of approximately 800,000 and borders on Greater Manchester, Yorkshire, Nottinghamshire, Leicestershire, Staffordshire and Cheshire. The city of Derby is a unitary authority.

The county contains 30 towns with between 10,000 and 100,000 inhabitants as well as a large amount of sparsely populated agricultural land.

There are eight District / Borough Authorities encompassed within Derbyshire shown on Figure 4. The Peak District National Park encompasses parts of the High Peak Borough, Derbyshire Dales District and North East Derbyshire District. Derbyshire County is very diverse in terms of setting and natural landform.

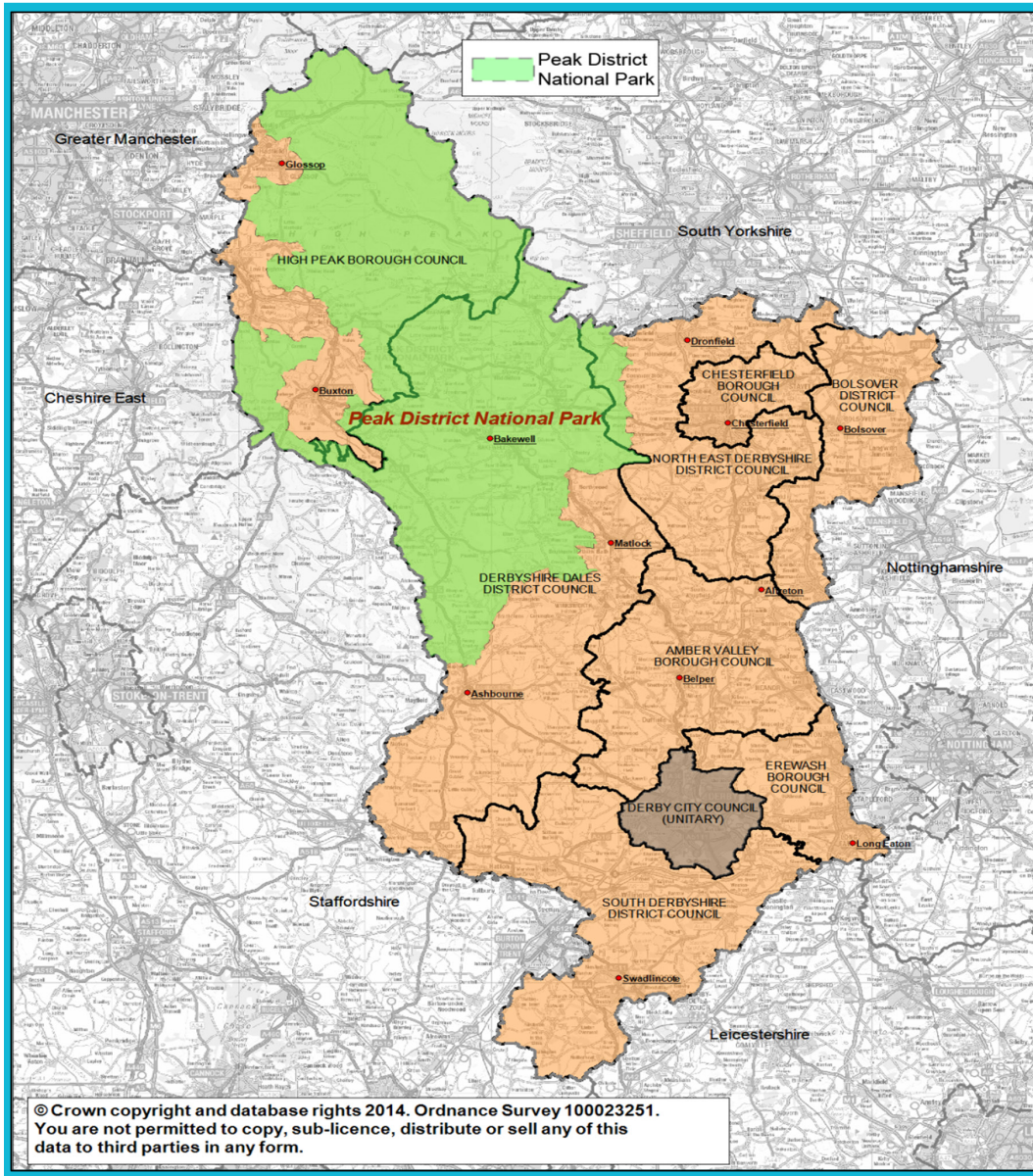


Figure 1: District and Borough Councils of Derbyshire.

## 2. PURPOSE OF THE FLOOD RISK MANAGEMENT STRATEGY

Derbyshire County Council (DCC) is the Lead Local Flood Authority (LLFA), and as such, must develop, maintain, apply, and monitor a strategy for local flood risk management.

Local flood risk is the flood risk from surface water runoff, ordinary watercourses (non 'main rivers'), and groundwater and one of the aims of the strategy is to set out several objectives to manage local flood risk. The strategy also provides actions that the LLFA will undertake to achieve these objectives.

## 3. CURRENT UNDERSTANDING OF FLOOD RISK IN DERBYSHIRE

### 3.1 HISTORICAL SETTING

The county is at risk of flooding from numerous sources and the risk will increase with the progression of the impacts of climate change. Since the establishment of the LLFA there have been a number of significant widespread flooding events having severe consequences.

DCC, since becoming the LLFA, have collated a record of historical flooding, and this has been informed by records from district and borough councils, the Environment Agency and reports of flooding made to DCC. DCC also record new flooding incidents (following verification to confirm their priority for investigation).

DCC have undertaken a number of formal flood investigations under section 19 of the Flood and Water Management Act (2010). These are completed when locally agreed thresholds are met, and are published on the DCC website. For further information regarding formal flood investigations please see the **Flood Reporting and Enquiry Investigation guidance notes**.

### 3.2 HIGHWAY DRAINAGE AND ASSET MAINTENANCE

Derbyshire contains over 5,100km of adopted Highway. Given the size and complexity of the Highway network, records of all related drainage infrastructure continue to evolve and develop over time. Due to this, the understanding of flood risk both to and from Highway can be challenging.

DCC inspect and maintain all Highway drainage assets including, but not limited to; gullies, trash screens, culverts and bridges that are within the Highway boundary or that serve the Highway. However, the relevant Water and Sewerage Company maintains public sewers and individual landowners are responsible for maintaining structures in private landownership.

DCC continue to improve their understanding of the Highway drainage network, and how it is managed and maintained. DCC's Highways Infrastructure and Asset Management Plan (Drainage) provides the technical detail that supports both this strategy and the Highway Infrastructure Management Strategy, and is a working document, that provides the processes and information, for this service to be delivered effectively and efficiently.

Further information relating to DCC's approach to asset management can be found in the **Asset Maintenance, Register and Designation Guidance Notes**. For more information about Highway network management please refer to the **Highway Statutory Duties and Vested Powers Guidance Notes**.

### 3.3 ORDINARY WATERCOURSES

An 'ordinary watercourse' is a watercourse that does not form part of a 'main river' and includes rivers, streams, all ditches, drains, cuts, culverts, dikes, sluices and passages through which water flows.

Understanding of the flood risk from ordinary watercourses is limited, as detailed hydraulic modelling which informs the risk of flooding, is not always available. However, both historical flooding events and localised knowledge of these watercourse's can aid our understanding of the current flood risk. For further information please see the **Riparian Landowners Guidance Notes**. Flooding from Ordinary watercourses can be due to multiple reasons and each case is assessed on the evidence available considering the wider catchment.

### 3.4 SURFACE WATER

The vast majority of areas of Derbyshire could be at risk of surface water flooding from extreme localised rainfall events regardless of any historical evidence of flooding.

To help to understand the scale of surface water flood risk in Derbyshire the LLFA utilise the Risk of Flooding from Surface Water Flood Maps , which have been produced by the Environment Agency with input from other LLFAs. Models were run to represent different storm severities and durations; the mapping reflects how features in the landscape influence the surface water generated by the various rainfall events and the results of this modelling provide the LLFA with a tool to assist in understanding the level of surface water flood risk across the county.

The model outputs also illustrate the likely depth of flooding and the likely motion speed of the water (velocity) at any given point. It is important for the depth and velocity of flood water to be modelled, as it can help to identify the most hazardous areas (most threatening to life and property) for surface water flooding. This predicted hazard information can also help the LLFA to quantify vulnerable areas (biggest risk to life, property, and critical infrastructure), guide future development and also help to guide local communities and improve local resilience.

The surface water flood maps, along with both local knowledge and evidence from historical flooding events, all aid in improving our understanding of the flood risk from surface water in Derbyshire.

This information can help the LLFA to quantify vulnerable areas (biggest risk to life, property and critical infrastructure), guide future development and also help to guide local communities and improve local resilience.

#### National Assessment of Flood Risk

In 2022 the National Infrastructure Commission produced the document 'Reducing the risk of surface water flooding' which identified that, in England, 325,000 residential and commercial properties are in areas at the highest risk, meaning, there is a more than 60% chance they will flood in the next 30 years. Without action up to 295,000 more properties could be put at risk

<sup>1</sup> <https://check-long-term-flood-risk.service.gov.uk/map>



### 3.5 FLOOD RISK MANAGEMENT PLANS 2021 TO 2027

Flood Risk Management Plans (FRMP) cover the 10 river basin districts in England, of which the Humber River Basin is the largest basin that Derbyshire drains into, with a small area in the North-West of Derbyshire draining into the North West River Basin.

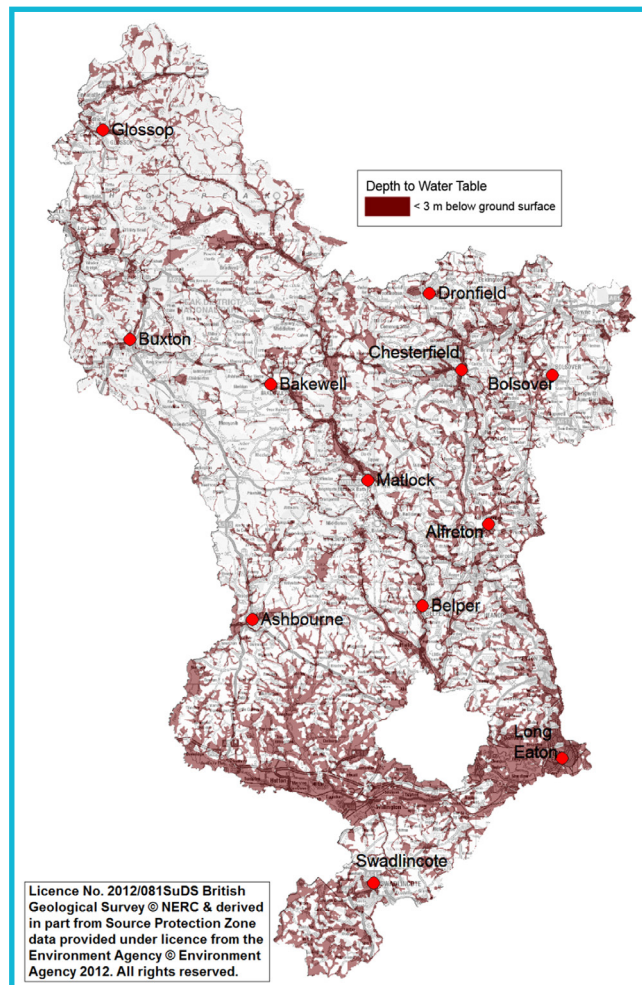
The FRMPs are strategic plans for the different River Basin Districts (RBD), which set out and explain the objectives for the RBDs and the measures (or actions) that will be taken to manage flood risk in the RBDs.

The Environment Agency and the LLFA are responsible for producing FRMPs that cover their respective sources of flooding. The preferred approach is to work together to produce one FRMP for all sources of flood risk. This approach enables better co-ordinated flood risk management.

The FRMPs are produced by the EA who work with LLFAs and other Risk Management Authorities to compile the plans which are then consulted on publicly. The results of the consultation can be seen via the referenced link below.

### 3.6 GROUNDWATER FLOOD DATA

Due to the very nature of groundwater flooding, it is often the most difficult source of flooding to predict. Groundwater flooding is a natural occurrence which is dictated by complex below-ground processes. For this reason it is difficult to identify precisely which areas are at increased risk of groundwater flooding



**Figure 2:** Indicative areas of shallow groundwater in Derbyshire according to the BGS SuDS Dataset

<sup>2</sup> <https://www.gov.uk/government/collections/flood-risk-management-plans-2021-to-2027>

However, Derbyshire has access via a licence to British Geological Survey (BGS) ground water datasets, which includes classification of groundwater depth, geological indicators of flooding and bedrock permeability. The dataset is a useful strategic tool for indicating broad groundwater conditions area-by-area, but predictive tools on a site-by-site basis still relies on site ground investigation.

For more information, please refer to the [Groundwater Guidance Notes](#).

## 4. THE STRATEGY, OBJECTIVES AND ACTIONS

### 4.1 NATIONAL STRATEGY

The Environment Agencies National Strategy has 3 long term ambitions and sets out the objectives and measures for achieving these long term ambitions.

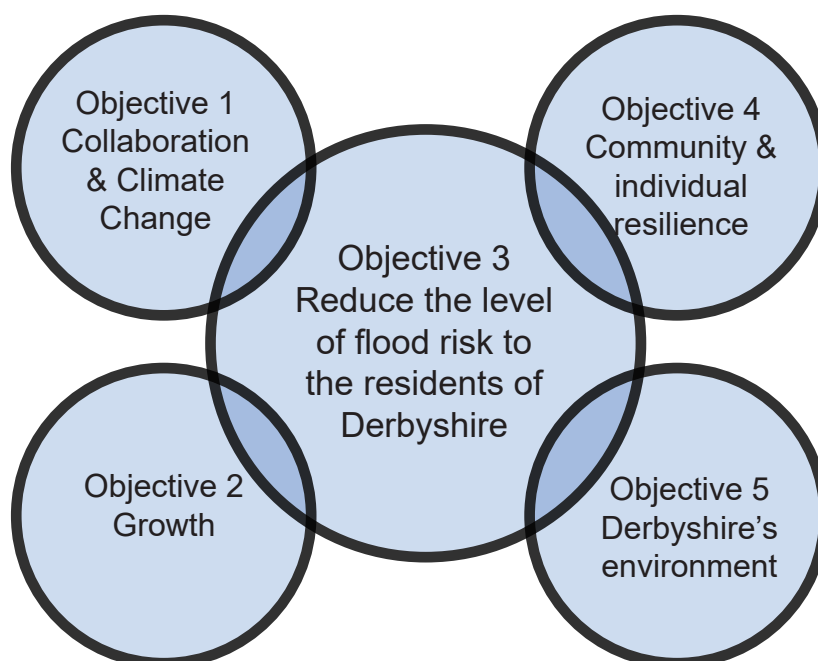
The ambitions are as follows:

1. Climate resilient places: working with partners to bolster resilience to flooding and coastal change across the nation, both now and in the face of climate change
2. Today's growth and infrastructure resilient in tomorrow's climate: making the right investment and planning decisions to secure sustainable growth and environmental improvements, as well as infrastructure resilient to flooding and coastal change
3. A nation ready to respond and adapt to flooding and coastal change: ensuring local people understand their risk to flooding and coastal change and know their responsibilities and how to take action.

### 4.2 LOCAL STRATEGY OBJECTIVES

The objectives of the Local Flood Risk Management set out how the LLFA aims to manage flood risk in Derbyshire and the associated actions describe how the LLFA hopes to achieve the objectives.

Figure 3 below illustrates how each of Derbyshire's 5 local objectives are linked to the core objective 3.



**Figure 3:** How Derbyshire objectives are all linked together

### 4.3 LOCAL OBJECTIVE 1 (*Collaboration and climate change*)

‘To understand flood risk in Derbyshire and the increasing impacts of climate change whilst working collaboratively with all other Risk Management Authorities and relevant groups.’

Through the actions below, our aim is to continually improve our knowledge of flood risk, its impacts, and how the progression of the changing climate will affect future flood risk in Derbyshire. Through working with fellow risk management authorities and internal partners, we can improve our understanding of the increasing flood risk to the county, and take a knowledge based proactive approach to managing this increasing risk.

#### Actions

1. Strengthen how Risk Management Authorities in Derbyshire and adjoining authorities share information and resources and work collaboratively in a coordinated manner for flood risk management.
2. Flood Risk Team to deliver their roles and responsibilities in line with DCC’ proposed “Derbyshire Highways Transformation Programme”.
3. Improve our understanding of flood risk in Derbyshire.
4. Collect data from all sources and utilise to inform effective decision making, for managing flood risk.
5. Work with the internal teams at Derbyshire and emergency responders to ensure that flood risk is managed effectively, both before, during and after a flood event.
6. To further understand the impacts of climate change on the future flood risk to Derbyshire.

#### Some examples of successful objective delivery to date

- Co-coordinated and successful response to a number of major county wide flooding events from November 2019 onwards
- County wide Section 19 Flood Investigation Report
- Collect and record data following any flooding event
- Flood Response Policy
- Catchment wide natural flood risk management (Derwent Connections)



## 4.4 LOCAL OBJECTIVE 2 (*Growth*)

'To work with all relevant bodies to ensure development in Derbyshire delivers Sustainable Drainage (SuDS) with multiple benefits.'

As development is brought forward across the county, (both commercial and residential), it is the LLFA's aim through the actions below, to promote, support and encourage the use of sustainable drainage. The benefits of the use of sustainable drainage are multiple and long term, we will work with all stakeholders to realise these benefits that should seek to enhance development and deliver more nature-based solutions to the management of surface water.

### Actions

1. Work with all Local Planning Authorities to encourage flood risk reduction in land use planning and encourage a strategic approach to catchment management.
2. Promote appropriate and sustainable development in Derbyshire.
3. Encourage sustainable works on or within close proximity to ordinary watercourses.
4. Develop relationships with the local people, businesses, developers and all other relevant stakeholders surrounding local planning and development.

### Some examples of successful objective delivery to date

- Numerous examples of flood risk mitigation through development
- Increase engagement of with developers
- Daylighting of existing culverts
- Increased level of engagement with all parties during the application process

NB – Sustainable drainage systems (SuDS) offer a more natural approach to managing drainage systems in and around properties and developments than traditional drainage systems. They are designed to temporarily store water during storm events, reduce peak flows and reduce surface water runoff, by mimicking the natural cycle of water management by retaining water where it lands."

## 4.5 LOCAL OBJECTIVE 3 (*Overarching theme*)

'To reduce the level of flood risk to the residents of Derbyshire.'

Objective 3 is the overarching key ambition of the Local Strategy which links all the other 4 objectives. The aim of the actions is to, through working with local and national partners, to proactively identify opportunities to develop flood risk management projects, schemes and land management practices that reduce local flood risk.

### Actions

1. Work collaboratively with all District/Borough Land Drainage Officers, Emergency Planning Teams, Local Planning Authorities, Internal Teams and other adjoining authorities to coordinate, optimise and secure resources, expertise and opportunities to reduce flood risk.
2. Bid for funding from DEFRA and other sources of funding for flood risk management projects in Derbyshire, where the cost/benefit result is sufficient to make the project viable.
3. Encourage conscientious land and asset management practice.
4. Consent for works appropriately under Section 23 of the Land Drainage Act and exercise enforcement powers appropriately under the Land Drainage Act 1991.
5. Prioritise flood risk mitigation schemes based upon risk, need and deliverability

### Some examples of successful objective delivery to date

- Flood mitigation schemes delivered in Renishaw, Lower Hartshay, Duffield, and Wirksworth.
- Working with landowners on catchment-based projects such as the "Derwent Connections Project" and Breadsall Natural Flood Management.
- Natural Flood Management delivered on Ollersett Moor, New Mills.
- Working with Rivers Trusts to identify opportunities and deliver Natural Flood Management in the river catchments of Derbyshire.

## 4.6 Local Objective 4 (*Community and individual resilience*)

'To enable and support Derbyshire communities & residents to recognise, understand and manage their own flood risk.'

It is nationally recognised that not all properties can be protected from flooding, even more so with the ongoing impacts of climate change and as LLFA we can't provide a response or protection county wide during an adverse weather event. Objective 4 is to promote resilience that will support and empower communities to recognise and manage their own flood risk and enable a state of preparedness that will allow a rapid recovery following an event.

### Actions

1. Annually review how flood risk management is communicated to the residents of Derbyshire
2. Promote personal and community resilience to flooding, before during and after an event.
3. Encourage and promote best practice for land and asset management.
4. Promote Flood Warden Schemes to assist communities in managing their own risk.
5. Undertake flood enquiries, prioritising on a risk-based approach.
6. Provide support and guidance both before during and after a flood event in line with the flood response policy.

#### Some examples of successful objective delivery to date

- A well developed and well used Multi-Agency Flood Plan
- Numerous examples of events held across the County with parishes, districts and other community groups to promote and advise on flood risk management.
- Numerous landowner engagements
- 20 communities in Derbyshire now have a flood warden or community group.
- Actively putting the Flood response Policy into action for numerous major flooding events since 2019.

## 4.7 Local Objective 5 (Derbyshire’s environment)

‘Work to restore, protect and enhance the historic and natural environments of Derbyshire’

Nature based solutions for flood risk management are recognised to not only benefit downstream communities in terms of flood risk but also provide numerous other benefits, such as water quality, carbon sequestration and improving habitats. Objective 5 is to continue to support local and national bodies/groups in their delivery of projects that deliver multi-functional benefits in addition to flood risk management. The objectives aim is to also seek further opportunities to develop more projects that take a catchment based approach whilst delivering further environmental benefits for Derbyshire and the downstream catchments.

### Actions

1. Promote sustainable and multi-benefit flood risk management activities.
2. Support the Environment Agency in implementing the objectives of the Water Environment (Water Framework Directive) Regulations 2017.
3. Support local environmental groups where there are potential benefits for local flood risk management.

Some examples of successful objective delivery to date

- Our ongoing close working relationship with the likes of the Trent River Trust, Derbyshire Wildlife Trust and other local groups.
- Daylighting and naturalisation of watercourses through Land Drainage Consenting.
- Promoting Natural Flood management activities and developing our own schemes

Table 1 below illustrates how the local objectives of Derbyshire’s Local Flood Risk Management Strategy are consistent with ambitions of the National Flood and Coastal Erosion Risk Management Strategy:

Objective No	Local Objective	National Strategy Ambitions		
		1	2	3
1	To understand flood risk in Derbyshire and the increasing impacts of climate change whilst working collaboratively with all other Risk Management Authorities and relevant groups.	✓	✓	
2	To work with all relevant bodies to ensure development in Derbyshire delivers Sustainable Drainage with multiple benefits.	✓	✓	
3	To reduce the level of flood risk to the residents of Derbyshire.	✓		✓
4	To enable and support Derbyshire communities & residents to recognise, understand and manage their own flood risk.	✓		✓
5	Work to restore, protect and enhance the historic and natural environments of Derbyshire		✓	✓

Table 1: Comparison of Local and National Objectives



## 4.8 PRIORITY, TIMESCALES AND STATUS OF KEY ACTIONS

The full Action Plan for implementation of the strategy objectives can be seen in Appendix 1. Each key action has been broken down into a series of smaller actions. These actions have each been assigned the following:

- A **priority** of the action

Action Priority	
High	H
Medium	M
Low	L

- A **timescale** for implementation of the action

Action Timescales	
Long (L)	Over 5 years
Medium (M)	2 to 5 years
Short (S)	1 to 2 years

- A **status** of action

Action Status	Description
Continue (C)	Continue to carry out existing role in the future.
Develop (D)	Develop and expand upon existing roles or increase existing service area.
Establish (E)	Establish a new role or service area.
Achieved (A)	Action is already achieved.

## 5. THE JOINT APPROACH

As flooding knows no boundaries, and often the source and flooding mechanisms are not easy to distinguish between, the County Council must work collaboratively with all Risk Management Authorities to ensure Derbyshire is as resilient to flooding as it possible can be.

The County Council has a number of local partnership arrangements/groups to support local flood risk management. These partnership arrangements/groups are intended to ensure that partnerships are managed in ways which enhance the coordination of policy and actions, and provide strong accountability and transparency i.e. a clear demonstration of cooperation and the 'added value' of partnership working. These groups also offer the opportunity for the sharing of flood risk management data and good practice. Figure 4 illustrates these partnership arrangements.

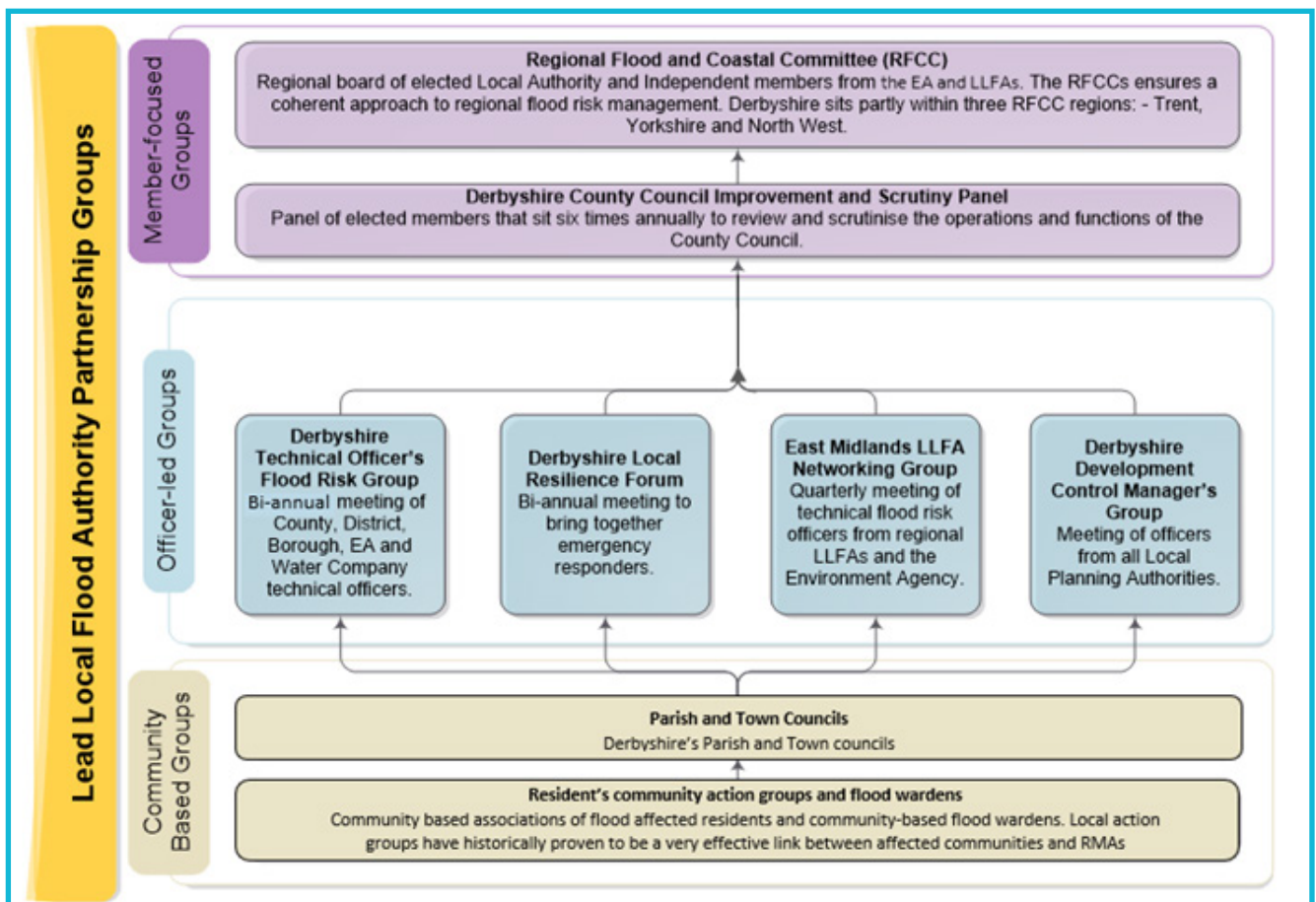


Figure 4: Derbyshire's Partnership Arrangements/Groups

## 6. PARTNERSHIP FUNDING AND BIDDING FOR MONEY

Our strategy must set out how we intend to fund proposed actions identified in our Local Objectives. There are a number of different funding sources available from national, regional and local sources for flood risk management schemes in Derbyshire which are explained further in the **Funding Guidance Notes**.



### 6.1 FLOOD AND COASTAL EROSION RISK MANAGEMENT GRANT IN AID (FCERM GiA)

The key source of national funding available for flood risk management is Flood and Coastal Erosion Risk Management Grant in Aid (FCERM GiA). However, the amount of funding available from this source is limited. DCC are able to bid towards receiving this nationally allocated money but any bid submitted is assessed against all nationally submitted bids.

The Regional Flood and Coastal Committees (a group of elected members and independent members with relevant experience for flood risk management established under the Flood and Water Management Act 2010, play an integral role in evaluating these bids at a more local catchment level. Consequently, these committees have an important bearing on which areas receive support for flood and coastal erosion risk management projects. This process is further explained in the **Funding Guidance Notes**.

### 6.2 LOCAL LEVY

DCC is 'levied' by the Environment Agency under the Environment Agency Regulations (2011) for three RFCC's (Yorkshire, Trent and North West RFCC). Local Levy can be used by the RFCC to support locally important bids for FCERM GiA money which may not attract full national funding through the FCERM GiA process or require a financial boost to be 'nationally significant'.

For more information about Local Levy please refer to the **Funding Guidance Notes**.

#### How do I obtain funding to protect my property?

Local communities and/or flood action groups can work with Risk Management Authorities to develop a scheme and a bid for National funding. For more information please contact the Flood Team at Derbyshire ([flood.team@derbyshire.gov.uk](mailto:flood.team@derbyshire.gov.uk))

## 6.3 OTHER SOURCES OF FUNDING

In order to maximise the likelihood of attracting FCERM GiA for projects in Derbyshire the LLFA will continue to work closely with all partnership organisations and bodies to attract all available sources of funding. The likelihood of securing FCERM GiA or even Local Lev funding can significantly increase when other sources of funding are secured. Therefore, the more partnership funding a scheme can attract to support a bid the better the chance of the scheme attracting FCERM GiA funding. More information regarding sources of available funding are explained further in the Funding Guidance Notes.

## 6.4 OUR INVESTMENT PLAN

DCC will continue to obtain as much money for the people of Derbyshire as possible to mitigate the risk of flooding. The LLFA will:

- Identify new projects and develop a project plan which ties into the EA's current Medium Term Plan.
- Identify all sources of partnership funding available, and
- Present all viable bids to the RFCC's.

DCC will work with other RMAs to identify studies/schemes that have multiple benefits. This will ensure that DCC will continue to develop integrated schemes that consider a range of sources of flood risk and also can deliver a range of benefits.

Although there will always be a place for traditional engineered flood mitigation schemes (ie: flood walls, embankments etc), future management of local flood risk in Derbyshire will focus more on catchment wide, nature-based solutions and resilience and recovery measures, such as:

- Community engagement to increase understanding and awareness,
- Natural Flood Management (NFM) measures,
- Working with stakeholders to introduce catchment wide NFM measures,
- Local actions by DCC and local communities, such as NFM schemes and small-scale water management schemes,
- Measures to improve personal resilience to events (Flood Warden Schemes),
- Improved maintenance, and
- The implementation of Sustainable Drainage Systems (SuDS).



## 7. PLANNING AND FLOOD RISK MANAGEMENT

### 7.1 ROLE OF THE LOCAL PLANNING AUTHORITY

The Local Planning Authority, assess all planning applications taking into account a wide variety of material considerations including flood risk. When assessing a planning application, the LPA must liaise with a number of 'statutory consultees' as set out in planning law. The role of the LPA in flood risk management is essential for:

- Directing development away from areas of highest risk of flooding towards areas that will lessen the impact on existing development,
- Mitigation of the surface water run-off impacts of new development on downstream areas,
- Incorporating Sustainable Drainage Systems (SuDS) in new developments to ensure that the multifunctional benefits of SuDS (flood risk, water quality, biodiversity and amenity) are delivered to their fullest; and
- Mitigation of adverse impacts of new development on water quality. Planning policies can focus on the impacts of development on the quantity and rate of run-off. However, given the requirements of the Water Environment Regulations, water quality also needs to be considered.

### 7.2 ROLE OF THE LEAD LOCAL FLOOD AUTHORITY (LLFA)

The LLFA are a statutory consultee for major development with surface water considerations, in this regard a Local Planning Authority (LPA) consults the LLFA when they receive a planning application that is classed as major. The purpose of this consultation is to ensure any proposals are reviewed to assess the management of flood risk, to and from the site and to establish that the sustainable drainage (SuDS) proposals meet national and local standards.

## 8. ACHIEVING WIDER ENVIRONMENTAL OBJECTIVES

To ensure that this strategy contributes to the achievement of wider environmental objectives it is important that it meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WER).

The implementation of any flood risk management options and measures in Derbyshire presents the opportunity to improve the natural environment. The Floods and Water Management Act 2010 states that the strategy should specify how it will contribute towards the achievement of wider environmental objectives consistent with the principles of sustainable development.

DCC, like all RMAs, have a responsibility to support the EA to help achieve objectives under the WER. The aim of the WER is to protect the ecological quality of all inland and coastal waters. Any changes that could occur due to flood and coastal erosion risk management activities must take account of the legal obligations to prevent deterioration of the status of water bodies and where possible should seek to improve the status. For this reason, the LLFA take seriously the environmental implications of all of its operations, including actively promoting good environmental practice in consenting in ordinary water courses and in consultation with LPAs in the planning process. The main reasons for why a waterbody is achieving or not achieving the required 'good ecological status' are set out in the River Basin Management Plans (RBMPs) . Individual environmental assessments as part of any work should consider RBMPs and should seek to identify ways to deliver measures within the RBMPs on an opportunistic basis. The Action Plan details how the LLFA will strive to achieve environmental benefits in all the team's function.

The LLFA have produced **Environmental Best Practice Guidance Notes** which promote sustainable working practice and provides guidance for incorporating environmental benefits for flood risk management.

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<sup>3</sup> <https://www.gov.uk/guidance/river-basin-management-plans-updated-2022>

## 9. DERBYSHIRE COUNTY COUNCILS LEVEL OF SERVICE FOR FLOOD RISK MANAGEMENT

### 9.1 CURRENT LEVEL OF SERVICE IN AN EMERGENCY SITUATION

In addition to the Council's role as the LLFA under the FWMA, the Authority also has duties under the Civil Contingencies Act (2004 – see **Relevant Legislation, Strategies and Plans Guidance Notes**), which are relevant in taking a joined-up and holistic approach to local flood risk management. Emergency planning and incident management are vital to reducing the consequences of flooding for the people of Derbyshire.

'Flood Emergencies' from both local flood sources and Main Rivers are rated as Very High or High risk across Derbyshire. As such, the County Council's Emergency Planning Team have developed a detailed 'Multi Agency Flood Contingency Plan' in line with Defra guide lines and approved by the Local Resilience Forum (please refer to Figure 5). Derbyshire's Community Risk Registers and the Derbyshire Flood Contingency Plan can be viewed on the DCC's Local Resilience Forum website [Derbyshire Prepared<sup>4</sup>](#). In addition, the LLFA have developed a Flood Response Policy<sup>5</sup> that outlines key responsibilities and roles during and after a flood emergency event.

As a flooding emergency becomes more serious, the Flood Contingency Plan can be implemented and all responding agencies (including the emergency services) will operate from the Council's Emergency Centre at County Hall, Matlock.

The LLFA provide support and guidance during and after a flood event which is explained further in **Part 1** of the strategy. The response actions and priorities of the LLFA during and after an emergency event are further addressed in the Council's 'Flood Response Policy' available through the LLFA.

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<sup>4</sup><https://www.derbyshireprepared.org.uk/>

<sup>5</sup><https://www.derbyshire.gov.uk/environment/flooding/strategy/local-flood-risk-management-strategy.aspx>

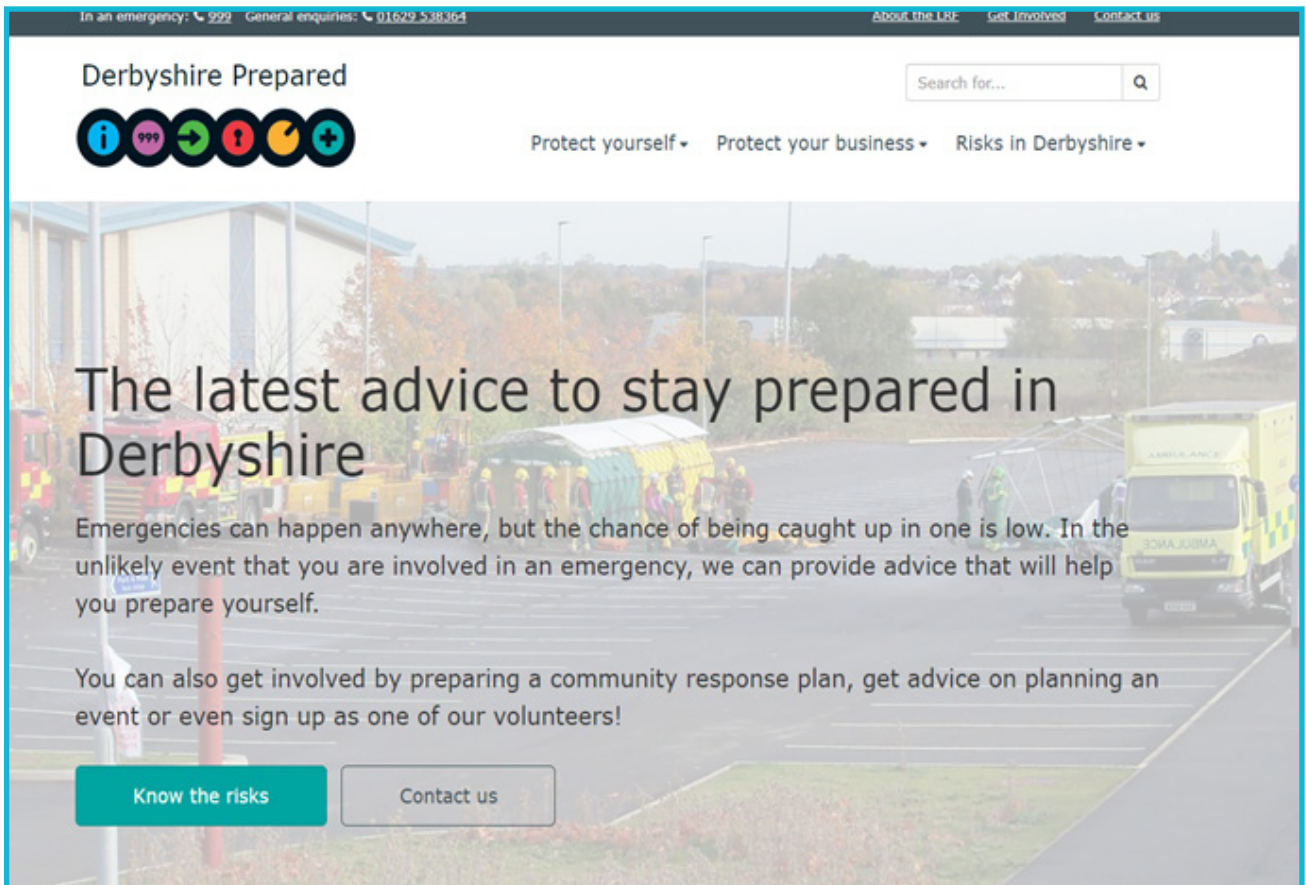


Figure 5: Derbyshire Local Resilience Forum

## 9.2 HOW WE PRIORITISE

When looking at prioritisation after adverse weather events, including, but not limited to events described above, it cannot be stressed enough that the Council is invariably placed under immense service pressure, and therefore has to prioritise its finite resources accordingly, deciding what actions to implement and where and when resources should be deployed, to not only maximise the effect, but to ensure that resources are placed where they are needed most.

Due to the finite resources of the Lead Local Flood Authority and other teams at the County Council have to be prioritised. It would be unrealistic for the Authority to attempt to assist everyone across the County all at once. Table 2 illustrates the prioritisation methodology utilised by the LLFA for flooding investigations.



Priority Level	Reporting attributes of Flooding Incident
High	A report of flooding which identifies a risk to life, critical infrastructure or a minimum of five* internal properties flooded (residential dwelling or commercial)
Medium	At risk of multiple sources of flooding Internal flooding (surface water, fluvial, Highway or public sewer)
Low	At a low risk of flooding Flooding from groundwater sources External/garden flooding

\*Although we have identified five internal properties as a locally significant number this does not mean that we feel that one property for which has internally flooded is acceptable or not important on a personal level. By setting a bench mark it enables us to have a consistent threshold for a high priority level of service when managing a large ranging and diverse county such as Derbyshire. All enquiries reported to the LLFA will be attended to and all appropriate advice and support will be provided to all customers for who report an enquiry to the LLFA.

**Table 2:** Prioritisation of flooding investigations currently utilised by the LLFA

### 9.3 LEVEL OF SERVICE FOR STATUTORY DUTIES

DCC have a number of statutory duties under the FWMA and the Land Drainage Act as highlighted in Relevant Legislation, Strategies and Plans Guidance Notes.

### 9.4 FLOODING INVESTIGATIONS

The LLFA have a statutory duty to investigate flooding incidents that meet locally agreed thresholds, these include 5 or more residential properties or two or more commercial/industrial properties flooding internally. The Guidance notes on Flood Reporting and Enquiry Investigation provide more detail.

The LLFA will continue to log any reported incidents of flooding that do not meet the above criteria to the team on to the County Council's approved computer system. The team will provide a response to a customer for every reported enquiry as quickly as feasibly possible. The time taken to provide a response will however be dependent on the level of demand the team are experiencing at the time the incident is reported. The level and type of response provided will be determined by the source of the flooding and or the risk. All responses are currently prioritised utilising the prioritisation matrix in Table 2.



The team aim to provide an initial response to a flooding enquiry within 10 working days. During a busy period (during or after a flood event and depending on the criteria of a flood report) it may be weeks before the team are able to provide an informed level of response. If your enquiry relates to groundwater flooding or garden flooding then the response time can be slower due to other enquiries being prioritised. This does not mean that any reported incidents are not important to us, it just means that due to limited resources the team focus has to be prioritised towards the local community members who are most at risk.

Where an incident has been reported which relates to a Main River or a Public Sewer the LLFA will liaise with the relevant Environment Agency or Water Company contact to ensure the enquiry is passed to the correct authority.

For further guidance on how to report flooding incidents please refer to the **Flood Reporting and Enquiries Investigation Guidance Notes**. For information relating to the Highways team please refer to the **Highway Statutory Duties and Vested Powers Guidance Notes**.

## 9.5 PLANNING APPLICATION RESPONSES

As described above the Lead Local Flood Authority are a statutory consultee on major development with surface water considerations, this means the once the Local Planning Authority receives a planning application that fits these criteria, they consult the LLFA in relation to flood risk and surface water management. Once a consultation is received the LLFA have a 21 day period in which to provide a response. As each planning application has to be assessed on its own merits and the information the applicant has provided, more time may be required, as the LLFA has to be satisfied that the proposals meet national and local standards before a final substantive response can be provided.

Planning application responses form the majority of the LLFA's work as it is important that both the flood risk to the (proposed) development and to that of the adjacent community is robustly assessed, and that any risks are appropriately mitigated and managed to ensure no increase in flood risk.

Sustainable drainage (SuDS) with multi-functional benefits are required (where possible) on new developments.

The LLFA assess these proposals as part of the planning review and work, with all stakeholders to ensure that where possible the maximum multifunctional benefits are delivered. These benefits are to not only manage runoff to a greenfield rate but improve water quality, amenity, and biodiversity.

## 9.6 LAND DRAINAGE CONSENTS

DCC are the lead consenting authority for all applications for works within or near to ordinary watercourses across Derbyshire under the Land Drainage Act 1991 (LDA). Any structure or obstruction to flow may require temporary or permanent consent and will require legal consent (requiring a statutory fee of £50 per structure or obstruction). The LLFA have a statutory eight week period in which to reach a decision to accept or reject any proposals from receipt of all correct documentation required for the application. The team try to process all applications as swiftly as possible, however, the time taken depends on the resource constraints of the team and also in some cases the level of pre-application discussion.

All applicants are encouraged to liaise with the team prior to submitting an application to reduce the need for a delay in beginning the assessment of the application process. Enforcement action (not necessarily criminal sanction) may be taken where damaging or potentially damaging works have been undertaken without consent or are in contravention to issued land drainage consent under Section 23 of the LDA. For further information please refer to the [Enforcement Powers Guidance Notes](#).

## 9.7 Environmental Information Request (EIR) and Freedom of Information Requests (FOI)

The County Council have 20 working days in which to respond to a request for information under the Environmental Information Regulations (2004) and the Freedom of Information Act (2000). The team aim to process any request for information within 10 working days of receipt of the request however this is dependent on the level of resource availability of the team at the time the request is received. Please refer the DDC website for further details and the [Data Held, Sources and Requests Guidance Notes](#).

## Glossary of Terms and Abbreviations

Term	Definition
<b>BGS</b>	<b>British Geological Survey</b>
<b>Critical asset</b>	<b>A structure or feature that is considered to have a significant effect on a flood risk in its area</b>
<b>DCC</b>	<b>Derbyshire County Council</b>
<b>DEFRA</b>	<b>Department For Environment, Food And Rural Affairs</b>
<b>EA</b>	<b>Environment Agency</b>
<b>EIR</b>	<b>Environmental Information Request</b>
<b>EU</b>	<b>European Union</b>
<b>FCERM GIA</b>	<b>Flood and Coastal Erosion Risk Management Grant In Aid</b>
<b>Flood Warden Scheme</b>	<b>An initiative to provide a community with equipment, skills and training to enable them to be more resilient to flooding</b>
<b>FOI</b>	<b>Freedom of Information</b>
<b>FRM</b>	<b>Flood Risk Management</b>
<b>FWMA</b>	<b>Flood and Water Management Act</b>
<b>LDA</b>	<b>Land Drainage Act</b>
<b>LFRMS</b>	<b>Local Flood Risk Management Strategy</b>
<b>LLFA</b>	<b>Lead Local Flood Authority</b>
<b>Local sources of flooding</b>	<b>Flooding from surface water, groundwater and ordinary watercourses</b>
<b>LPA</b>	<b>Local Planning Authorities (District/Borough Councils)</b>
<b>NPPF</b>	<b>National Planning Policy Framework</b>
<b>PFRA</b>	<b>Preliminary Flood Risk Assessment</b>
<b>RBD</b>	<b>River Basin District</b>
<b>RBMP</b>	<b>River Basin Management Plan</b>
<b>Resilience</b>	<b>The capacity to recover more effectively from difficulties</b>
<b>RFCC</b>	<b>Regional Flood and Coastal Committee</b>
<b>RMA</b>	<b>Risk Management Authority</b>
<b>SuDS</b>	<b>Sustainable Drainage Systems</b>
<b>WER</b>	<b>The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017</b>