

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**1 February 2018**

Report of the Strategic Director – Economy, Transport and Environment

**ANNUAL REPORT OF PROGRESS OF DERBYSHIRE'S LOCAL FLOOD  
RISK MANAGEMENT STRATEGY**

(1) **Purpose of Report** To update the Cabinet Member on progress made in delivering Derbyshire's Local Flood Risk Management Strategy (LFRMS) in 2016-17.

(2) **Information and Analysis** Derbyshire's LFRMS was approved by Cabinet in August 2015 (Minute No. 271/15 refers).

In approving the report, Cabinet requested that the Strategy be subject to:

- an annual report on progress; and
- a full review every five years.

This report summarises progress made on the delivery of the Strategy. The full annual review is set out at Appendix 1 to this report.

Notable highlights, in terms of delivery since the approval of the LFRMS, include:

- the completion of over 571 planning related responses providing advice to the Local Planning Authorities on how flood risk would be better considered/mitigated through the use of recommended planning conditions;
- encouraging the use of Sustainable Drainage Systems (SuDS) in new development;
- ongoing development of an enhanced flood response policy making best use of County Council and District/Borough resources in responding to flood events. This has now been expanded to include the Highways Hub as a central point of coordination in the event of serious flooding in Derbyshire;
- working as a pilot for the Midlands Communities at Risk (C@R) project, which is now coming to end. However, the project has provided an opportunity to identify priority areas for Derbyshire by utilising local data;
- reviewing the effectiveness of the Flood Warden Schemes and developing other initiatives, including more guidance on personal resilience to support Derbyshire businesses and residents;

- ongoing development of Derbyshire's Local Standards for SuDS and planning conditions to strengthen the Council's role as a statutory consultee to the planning process;
- developing projects that make use of natural flood management to reduce the risk of flooding downstream settlements; and
- ongoing partnership working with other Risk Management Authorities to identify potential projects to reduce the risk of flooding across the County.

(3) **Financial Considerations** Funding has been secured from the Flood and Coastal Erosion Risk Management Grant in Aid (FCERM GiA) and Local Levy Grant in support of numerous schemes and projects that seek to help reduce risk to the residents and businesses of Derbyshire.

The current projected estimate of the County Council's investment programme for Flood Risk Management up to 2021 amounts to around £2.6m. This is made up of £2.2m of FCERM GiA and Local Levy, with the remaining balance from match funding. This programme will help reduce flood risk to around 240 properties/local businesses in Derbyshire.

As part of the bidding process, the Flood Risk Management Team has been required to demonstrate a joint funding approach to secure this grant and has liaised extensively with partner organisations and other relevant bodies to secure funding from other key stakeholders; these include borough, district, town and parish councils, local and national businesses, and elected members. This stakeholder funding is in addition to funding previously allocated by Cabinet.

Over the coming years, and as the Flood Risk Management Team continues to identify new areas of flood risk in Derbyshire, it will continue to submit further bids for grant funding. These new bids will also need to demonstrate a joint funding approach which will require match funding. Some of these sources have already been identified. However, additional sources will still need to be identified, these may include funding from the County Council Capital programme, earmarked reserves, external stakeholder's contributions from other providers and Local Enterprise Partnership (LEP) funding, etc.

All future acceptance of grant funding and designation of County Council match funding will be subject to the appropriate level of Member approval.

(4) **Legal Considerations** The County Council has a duty under the Flood and Water Management Act 2010 to develop, maintain, apply, monitor and publish a LFRMS for its area.

(5) **Equality and Diversity Considerations** An Equality Impact Assessment (EIA) was undertaken to support the LFRMS. The main concerns related to the impacts of recurrent flooding on mental health, and on the elderly, infirm, pregnant and disabled, who may not be so able to adapt to/or

be capable of making themselves resilient or deal with flooding should it enter or confine them to their property. The Strategy takes on board these two issues and seeks to address them through the strong emphasis on preparation and developing personal resilience. The development of the Property Level Protection Guidance Notes will help address this issue.

(6) **Environmental Considerations** The County Council has produced a Strategic Environmental Assessment alongside the Strategy. The annual report summarises the continuing work the Council is undertaking to achieve some of the wider environmental objectives in the Strategy.

(7) **Social Value Considerations** The principal aim of the Strategy is to reduce the level of flood risk to the residents of Derbyshire. It will achieve this by working collaboratively with all relevant stakeholders, progressing schemes to support and promote projects in more deprived communities, promoting personal resilience through the use of the Council's Guidance Notes and by more conscientious land and asset management through engagement with landowners. All of these actions produce an intangible social value to health and well-being simply from the reduction in fear of flooding, loss of property and the long term misery caused by the invasion of the home or business.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, human resources, health, property and transport considerations.

(8) **Key Decision** No.

(9) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(10) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Steve Mead, extension 38577.

(11) **OFFICER'S RECOMMENDATIONS** That:

- 11.1 The progress made on delivering Derbyshire's Local Flood Risk Management Strategy in 2016-17 is welcomed and noted.
- 11.2 The development of an enhanced Flood Response Policy be the subject of a future report.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**

## Appendix 1

## DERBYSHIRE'S LOCAL FLOOD RISK MANAGEMENT STRATEGY ANNUAL REPORT TO CABINET MEMBER - 2016 – 2017

### Summary Update:

Derbyshire's Local Flood Risk Management Strategy (LFRMS) was approved by Cabinet in August 2015. Cabinet requested that the strategy was subject to:

- An annual report on progress
- A full review every 5 years

There are six objectives detailed within the LFRMS and a brief summary of progress for 2016-2017 is detailed below:

Obj	Description	Summary of Progress
1	To further develop an understanding of the flood risk to Derbyshire and the impacts of climate change working collaboratively with all other Risk Management Authorities (RMAs) and relevant groups/bodies to ensure a coordinated response to flood risk management for Derbyshire.	<ul style="list-style-type: none"> <li>• The Flood Risk Management Team continues to: <ul style="list-style-type: none"> <li>- Work closely with all partner organisations, including working collaboratively with the Council's Highways Division.</li> <li>- Build internal capacity through training courses and learning from internal/external colleagues.</li> <li>- Obtain data from a wide range of sources including encouraging historical information from the public and data capture initiatives; i.e. the culvert project.</li> </ul> </li> <li>• Enhance the data held through the development of new processes, public engagement, partnership working, etc.</li> <li>• Develop an enhanced Flood Response / Adverse Weather Policy in conjunction with colleagues in the Highways Division (subject of a future Cabinet report).</li> <li>• Work with partners to access funding streams when they become available, eg. Natural Flood Management.</li> </ul>
2	To continue to work with all relevant bodies to ensure appropriate and	<ul style="list-style-type: none"> <li>• Completed 571 planning related responses between April 2016 and March 2017 as part of the role of statutory consultee to major planning applications.</li> <li>• Developed local guidance for Sustainable</li> </ul>

	sustainable development in Derbyshire.	<p>Drainage Systems (SuDS) through increased liaison with Local Planning Authorities (LPAs) to ensure the document carries sufficient weight in the planning and development arena.</p> <ul style="list-style-type: none"> <li>• The Team continues to: <ul style="list-style-type: none"> <li>- Develop relationships with developers and planners through regular engagement to inform local spatial planning policy.</li> <li>- Campaign for additional resource from National Government through networking with other organisations, etc.</li> <li>- Encourage the use of SuDS in new development and continues to provide guidance to developers who engage with the team.</li> <li>- Support and guide the public with regards to the role of statutory consultee to the planning process.</li> <li>- Promote sustainable development and flood mitigation schemes which take account of the consequences of climate change appropriately and incorporate SuDS techniques.</li> </ul> </li> </ul>
3	To aim to reduce the level of flood risk to the residents of Derbyshire.	<ul style="list-style-type: none"> <li>• The Team continues to: <ul style="list-style-type: none"> <li>- Work collaboratively with all stakeholders for flood risk management.</li> <li>- Progress schemes and seek to maximise national funding sources by working with internal and external stakeholders, with several new projects receiving funding this financial year.</li> <li>- Support and promote projects in more deprived communities including a number of projects currently identified to receive national funding.</li> <li>- Promote personal resilience through the use of Guidance Notes, Flood Wardens Schemes and community ownership of local issues.</li> <li>- Promote conscientious land and asset management through engagement with</li> </ul> </li> </ul>

		<p>landowners and the use of Guidance Notes.</p> <ul style="list-style-type: none"> <li>- Review and consent works on ordinary watercourses. In the past year 38 applications have been consented.</li> </ul>
4	To continue to prioritise limited resources effectively to support communities most at risk in Derbyshire.	<ul style="list-style-type: none"> <li>• Developing an enhanced Flood Response Policy in conjunction with colleagues in the Highways Division: <ul style="list-style-type: none"> <li>- Respond to flooding enquiries using a prioritised approach, reducing unnecessary site visits and promoting the use of the Guidance Notes where practicable.</li> <li>- Gift floodsax to affected residents/businesses as a first step support mechanism and to emergency planning for additional coverage of the County at times of need.</li> <li>- Work with Emergency Planning colleagues to promote the take up of empty sandbags.</li> <li>- Provide responses to the LPAs making use of the local flood information held and including for bespoke responses on smaller applications lying in high flood risk areas.</li> <li>- Work with other RMAs to develop projects and assist in their securing of funding to progress projects in at risk areas.</li> </ul> </li> </ul>
5	To continue to help and support the local communities of Derbyshire to manage their own risk.	Previously covered within the responses to objectives 1,2,3 and 4 above.
6	To continue to help protect and enhance the natural and historic environment.	Work with other stakeholders to look for ways to maximise benefits for the environment in any flood risk management works in Derbyshire through regular networking, bids for national funding, engagement with the public, etc.

**Proposed changes to flood risk management processes and material:**

Since publication of the Strategy, Guidance Notes and processes continue to be kept under review. As a result, some changes were made to the Guidance Notes and processes last year to improve performance and were the subject of a report to the Cabinet Member.

Changes are detailed below for information.

*Guidance Notes*

New Property Level Protection Guidance Note to support residents and businesses to become more self-resilient currently in development.

*Process Change*

The Flood Risk Management (FRM) Team is always looking for ways to become more efficient.

**Land Drainage Consents**

Over the past five (5) years, the Council has reviewed and approved a large number of consent applications under Section 23 of the Land Drainage Act (1991), which takes a significant amount of the FRM Team's resource.

The Council adopted the process and documentation established by the Environment Agency to perform this function. Recent reviews have identified that amendments to the Guidance Notes and Application Forms would be prudent to help create efficiencies. The Environment Agency has recently adopted a process for Fast Tracking Consents and an Exemptions Policy, and it is proposed that the Council adopts a similar approach.

**Responding To Flooding Enquiries**

The FRM Team is developing a new process for dealing with flooding enquiries to reduce the number of site visits required. This process includes a more detailed desk study and telephone conversation with the customer. The details of this will be presented in the amended Guidance Note.

**Key milestones for flood risk management over the next twelve (12) months:**

There are a number of key pieces of work which are being developed and will likely come to fruition over the next twelve (12) months including:

**A review of the Council's statutory consultee role to the planning process** – A full review of the first two years as a statutory consultee to the planning process was completed in 2017. As a result and following discussions with representatives of the LPAs some processes have been amended, planning conditions have been made more site specific, the initial planning application assessment process has been formalised and a guide to

planning and development for the Team has been produced. New standing advice is in draft and will be circulated to LPAs for review. Further work is needed to develop Local Standards for Planning and Sustainable Drainage and officers will be liaising with LPAs to ensure the document is appropriate for use within the planning arena.

**A review of community level initiatives and resources available from the FRM Team** – Current Flood Warden Schemes have been reviewed and grants paid where required. Further discussion with Emergency Planning is to be undertaken to continue to look for opportunities to improve Flood Warden Schemes and to further explore a robust road closure policy where vehicles driving through flood water increases the risk of flood water damaging properties.

**The development of the Local Standards for SuDS** – “Local Standards for SuDS” has now evolved into “Local Standards for SuDS and Planning” and is aimed at providing a document adopted as supplementary planning guidance to give it weight in the planning process. The document will be under continual review once complete in the event of legislative change to the planning process or the Flood and Water Management Act.

**Detailed Review of Short Term Actions:**

The following table provides a summary review of the short term (1-2 years) actions of the LFRMS.



OBJ	PRIORITY	STATUS	BREAKDOWN OF ACTION	UPDATE	LIKELIHOOD OF ACHIEVING OBJECTIVE
1.2.2	H	D	Team to undertake bespoke training to develop in house capabilities reflecting service delivery changes	<ul style="list-style-type: none"> <li>- "MicroDrainage" training due Feb 2018.</li> <li>- "Planning Process" training attended by team members.</li> <li>- Change in status from 'establish' to 'develop'.</li> </ul>	Strong BY August 2018
1.3.1	H	D	Use all data sources available to produce maps to illustrate current understanding of priority areas for flood risk	<ul style="list-style-type: none"> <li>- Working with Trent Rivers Trust in a bid for funding to identify communities that will benefit from improved rural land management.</li> <li>- Working with Environment Agency in North West area using its datasets to identify areas that may benefit from Natural Flood Management (NFM).</li> </ul>	Strong by August 2018
1.5.5	H	E	Publish a Flood Response Policy and link in with other service delivery agents' plans	<ul style="list-style-type: none"> <li>- Draft Policy is being tested by the Highways Hub in advance of adverse weather to test the robustness of the principles and processes</li> </ul>	Strong by August 2018

OBJ	PRIORITY	STATUS	BREAKDOWN OF ACTION	DELIVERY PLAN	LIKELIHOOD OF ACHIEVING OBJECTIVE
1.4.5	H	D	Continue to log all flood enquiry information and develop more efficient ways of logging information	<ul style="list-style-type: none"> <li>- New process for logging flooding enquiries in use to add record to mapping.</li> <li>- Further develop to make use of automated response with letter or guidance notes for selected enquiries.</li> </ul>	Strong by August 2018
1.3.2 Also 4.1.1	H	D	Analyse current and future flood risk using relevant datasets	<ul style="list-style-type: none"> <li>- See 1.3.1</li> </ul>	Strong by August 2018
1.3.3	H	D	Develop and implement a strategic tool for prioritisation for the County	<ul style="list-style-type: none"> <li>- See 1.3.1</li> </ul>	Strong by August 2018
1.5.7	H	D	Work with the Emergency Planning Team to ensure emergency plans and responses to flood incidents are effective	<ul style="list-style-type: none"> <li>- See 1.5.5</li> </ul>	Strong by August 2018

2.1.5	H	C	Work with internal planning teams to help support and inform County related planning activities within Derbyshire	<ul style="list-style-type: none"> <li>- Continued close working relationship with Derbyshire County Council (DCC) planning officers.</li> <li>- Continue to review LPA strategies in relation to surface water and climate change.</li> <li>- Sharing work experience placements.</li> <li>- Status changed from 'developing' to</li> </ul>	Strong by August 2018
3.3.5	H	D	Develop a clear policy for undertaking public meetings using a prioritisation approach	<ul style="list-style-type: none"> <li>- Closer work with water authorities / companies and other RMAs when planning public meetings.</li> <li>- Closer work with elected Members to ensure efficiency of meetings.</li> </ul>	Strong by August 2018
3.3.11	H	C	Promote and support local flood action groups	<ul style="list-style-type: none"> <li>- Flood Warden Schemes in place and funding distributed.</li> <li>- Working with Emergency Planning in regular briefings to Flood Wardens.</li> <li>- Continue to work more closely with National Flood Forum where possible.</li> <li>- Status changed from 'developing' to 'continuing'.</li> </ul>	Strong by August 2018

OBJ	PRIORITY	STATUS	BREAKDOWN OF ACTION	DELIVERY PLAN	LIKELIHOOD OF ACHIEVING OBJECTIVE
1.4.6	M	E	By comparing predictive data with historical records, apply a confidence rating to all data collected	<ul style="list-style-type: none"> <li>- Team to complete action in tandem with 1.3.1.</li> <li>- Where confidence rating is poor in priority areas cross reference Communities @ Risk database to determine rating.</li> <li>- Action will complement Trent Rivers Trust project 'Rural Land Management Plan' and this will identify communities at risk with a higher degree of confidence.</li> </ul>	Strong by August 2018

**KEY:**

- Priority – H = High, M=Medium
- Status – E = Establish, D = Develop, C = Continuing