

Agenda Item No. 4(f)

DERBYSHIRE COUNTY COUNCIL

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

25 October 2016

Report of the Strategic Director – Economy, Transport and Communities

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

(1) **Purpose of Report** To update the Cabinet Member on the progress made in delivering Derbyshire's Local Flood Risk Management Strategy (LFRMS) in 2015-16.

(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 sets out the 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 500 planning related responses providing advice to the local planning authorities on how flood risk would be better considered/mitigated by the use of recommended conditions in determining planning consents and encouraging the use of Sustainable Drainage Systems (SuDS) in new development;
- ongoing development of an enhanced flood response policy to make best use of County Council and District/Borough resources in responding to flood events;
- 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 utilising Derbyshire's local data; and

- reviewing the effectiveness of the Flood Warden Schemes and developing other initiatives, including more guidance on personal resilience that could support Derbyshire businesses and residents.

(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 Derbyshire 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 other sources of match funding. This money will help to 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 from the County Council.

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 more 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 and 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 and monitor a LFRMS in its area. A summary of the LFRMS must also be published.

(5) **Equality and Diversity Considerations** An Equality Impact Assessment (EIA) was undertaken in support of the LFRMS. The main concerns related to Public Health and the impacts of recurrent flooding on mental health, and the effects of flooding on the elderly, infirm, pregnant and disabled, who may not be so able to adapt to/ or be capable of making themselves resilient to the effects of flooding 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 work of the Flood Risk Management Team over the past year as detailed in the annual report, including the development of the Property Level Protection Guidance Notes will help towards addressing this issue.

(6) **Environmental Considerations** The County Council has produced a Strategic Environmental Assessment alongside the Strategy. The annual report summarises some of the continuing work that the County Council is undertaking which demonstrates contribution to the achievement of wider environmental objectives as set out 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 and the use of Guidance Notes. All of these actions produce an intangible social value to health and well-being simply from the reduction in fear of flooding, of loss of property and of the long term misery caused by the invasion of the home or business

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 Communities Department. Officer contact details – Victoria Coombes, extension 35487.

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

11.1 The progress made on delivering Derbyshire's Local Flood Risk Management Strategy in 2015-16 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 Communities

DERBYSHIRE'S LOCAL FLOOD RISK MANAGEMENT STRATEGY

ANNUAL REPORT TO CABINET MEMBER – 2015/2016

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; and
- a full review every five years.

There were six objectives detailed within the LFRMS and a brief summary of progress for 2015-16 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 and relevant groups/bodies to ensure a coordinated response to flood risk management for Derbyshire.	<ul style="list-style-type: none"> • We continue to: <ul style="list-style-type: none"> - develop close working relationships with all partner organisations. This includes working more collaboratively with our highways team. - build internal capacity through training courses and learning from internal/external colleagues. - obtain data from a wide range of sources including encouraging historical information from the public and continuing with data capture initiatives such as the culvert project. • We are enhancing our data through the development of new processes, constant public engagement, partnership working etc. • We are developing an enhanced Flood Response Policy which will be the subject of a future Cabinet report.
2	To continue to work with all relevant bodies to ensure appropriate and sustainable development in Derbyshire.	<ul style="list-style-type: none"> • We have completed 555 planning related responses between April 2015 and March 2016. 228 of these responses were bespoke and detailed. • Our local guidance for Sustainable Drainage Systems (SuDS) is in draft. • We continue to: <ul style="list-style-type: none"> - develop our relationship with developers and planners through regular engagement with a future view to help inform local spatial planning policy. - campaign for additional resource from National Government through networking with other organisations etc.

		<ul style="list-style-type: none"> - encourage the use of SuDS in new development and continue to provide guidance to developers who engage with the team. - support and guide the public with regards to our role as statutory consultee to the planning process including sharing our Guidance Notes. - promote sustainable development and flood mitigation schemes which build in the consequences of climate change appropriately and incorporate SuDS techniques.
3	To aim to reduce the level of flood risk to the residents of Derbyshire.	<ul style="list-style-type: none"> • We continue to: <ul style="list-style-type: none"> - work collaboratively with all stakeholders for flood risk management. - progress schemes and seek National Flood Risk Management funding with several new projects receiving funding this financial year. This includes maximising funding sources by working with internal and external stakeholders. - support and promote projects in more deprived communities including a number of projects currently identified to receive National funding. - promote personal resilience through the use of our Guidance Notes, developing the Flood Wardens Schemes and promotion of community ownership of local issues. - promote conscientious land and asset management through engagement with landowners and the use of our Guidance Notes. - review and consent works on ordinary watercourses. In the past year we have granted consent for 38 applications.
4	To continue to prioritise limited resources effectively to support communities most at risk in Derbyshire.	<ul style="list-style-type: none"> • We are developing an enhanced Flood Response Policy which will be the subject of a future Cabinet report. • We continue to: <ul style="list-style-type: none"> - respond to flooding enquiries using a prioritised approach through the use of our new process which reduces the need for unnecessary site visits and promotes the use of the Guidance Notes. - gift floodsax to affected residents/businesses as a first step support mechanism. In the past 12 months we have distributed around 130 floodsax to 15 communities.

		<ul style="list-style-type: none"> - work with our Emergency Planning colleagues to promote the take up of empty sandbags. - provide responses to planners utilising historic local flood information including providing bespoke responses on smaller applications lying in high flood risk areas. - prioritise our limited resources to schemes where available whilst looking to attract any other sources of partnership funding.
5	To continue to help and support the local communities of Derbyshire to manage their own risk.	<ul style="list-style-type: none"> • The update with regards to this objective are 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.	<ul style="list-style-type: none"> • We continue to 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 process continue to be kept under review. As a result it is proposed to make changes to some Guidance Notes and processes to improve performance. These will be the subject of future reports to the Cabinet Member prior to implementation.

Guidance Notes

new Property Level Protection Guidance note to support residents and businesses to become more self-resilient is currently in development.

Process Change

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

a) 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.

In the first instance, the Council adopted the process and documentation utilised by the Environment Agency to perform this function. Recent reviews at FRM Team meetings have identified that amendments to the Guidance Material 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's FRM Team adopt a similar approach.

b) 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 by the Team. This process includes more customer phone contact and detailed desk based assessments. The details of this will be presented in the amended Guidance Note.

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

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

- **A review of our role as a statutory consultee to the planning process** – The current team planning process was implemented in April 2015 and a full review of the effectiveness of this is due for completion by winter 2016.
- **The enhancement of the Flood Response Policy** – A policy has been drafted which looks to enhance the current response position to make best use of County Council and District/Borough resources.
- **A review of FRM resource prioritisation** – This will be further enhanced through the use of the Communities at Risk Dataset (an initiative set up by the Environment Agency to help prioritise resources to communities at risk of flooding).
- **The enhancement of the Guidance Notes** – This will help identify efficiencies for day to day team function.
- **A review of community level initiatives and resources available from the FRM Team** – This includes reviewing the effectiveness of the Flood Warden Schemes and looking at other initiatives that could support Derbyshire businesses and residents.
- **The development of the Local Standards for SuDS** – This will be in the form of guidance on sustainable drainage for planners when submitting planning applications.

Detailed Review of Short Term Actions:

Below provides a summary review of the short term actions of the LFRMS. Short timescales are defined as 1-2 years.

OBJ	PRIORITY	STATUS	BREAKDOWN OF ACTION	UPDATE	LIKELIHOOD OF ACHIEVING OBJECTIVE
1.2.2	H	E	Team to undertake bespoke training to develop in house capabilities reflecting service delivery changes	<ul style="list-style-type: none"> - Culvert training undertaken in July 2016. - Other training in the pipeline (including potential modelling training). - A review of this action could be to class it as a lower priority, long timescale that is developed. 	Strong by August 2017
1.3.1	H	E	Use all data sources available to produce maps to illustrate current understanding of priority areas for flood risk	<ul style="list-style-type: none"> - Working as a pilot for the Midlands Communities at Risk (C@R) project is now coming to end. - Team to now utilise C@R data to identify priority areas for Derbyshire utilising Derbyshire's local data. 	Strong by August 2017
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"> - The draft policy has been updated in combination with Emergency Planning. - Subject to Cabinet Member approval the Team will set up a stakeholder working group and progress actions further. 	Strong – Medium (August 2017)
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"> - A new process for flooding enquiries is being developed making more use of the Guidance Notes. 	Strong by August 2017

1.3.2 Also 4.1.1	H	D	Analyse current and future flood risk using relevant datasets	- See 1.3.1	Strong by August 2017
1.3.3	H	D	Develop and implement a strategic tool for prioritisation for the County	- See 1.3.1	Strong by August 2017
1.5.7	H	D	Work with the Emergency Planning team to ensure emergency plans and responses to flood incidents are effective	- See 1.5.5	Strong – Medium (August 2017)
2.1.5	H	D	Work with internal planning teams to help support and inform County related planning activities within Derbyshire	<ul style="list-style-type: none"> - Team has regular engagement with internal planning team. - Team is working on making FRM data more readily available to all teams. - Team is finishing the amendments to the Level 1 Strategic Flood Risk Assessment (SFRA) for Waste and Minerals. 	Strong by August 2017
3.3.5	H	D	Develop a clear policy for undertaking public meetings using a prioritisation approach	- See 1.3.1	Strong by August 2017
3.3.11	H	D	Promote and support local flood action groups	<ul style="list-style-type: none"> - Team to undertake a review of pilot Flood Warden Schemes. - Team to develop umbrella project for partnership community flood resilience funding - Team now work more closely with National Flood Forum where possible. 	Strong – Medium (August 2017)

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"> - Team to complete action in tandem with 1.3.1. - Where confidence in rating is poor = more a priority, cluster communities for C@R on confidence rating. 	Strong by August 2017

KEY:

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