

REPORT OF SERVICE DIRECTOR, HIGHWAYS

FLOOD RISK MANAGEMENT UPDATE FEBRUARY 2015

Purpose of the Report

1. To provide an update on the latest position in relation to the Council's duties and responsibilities under the Flood Risk Regulations (2009) and the Flood and Water Management Act 2010.
2. To provide an update on current major flood investigations and progress on major flood protection schemes.

Information and Advice

3. Following the severe flooding during the summer of 2007, the government commissioned an independent review (the 'Pitt Review') which in 2008 recommended that local authorities should lead on the management of local flood risk, working in partnership with other organisations. Two key pieces of legislation have brought this forward; the Flood Risk Regulations (2009) which transpose the EU Floods Directive into UK Law and the Flood and Water Management Act (2010).
4. The Council is now a Lead Local Flood Authority (LLFA) and has new powers and statutory duties to manage and co-ordinate local flood risk management activities. The County Council does this by working together with other organisations including the Environment Agency, who manage flooding from generally larger rivers (known as Main Rivers, such as the River Trent), Internal Drainage Boards managing low lying areas, District, Borough, Parish and Town Councils and infrastructure/ utility providers, such as Severn Trent Water and the Highways Agency. Partnership work is overseen by a joint Strategic Flood Risk Management Board with Nottingham City Council that meets every six months.
5. Local flood risk means flooding from surface water (overland runoff), groundwater and smaller watercourses (known as Ordinary Watercourses).

General update

6. Most parts of the Flood and Water Management Act 2010 have now been implemented. The major exception to this is the establishment of a Sustainable Drainage Approval Body (SAB) responsible for approving SUDS (Sustainable Drainage Systems) and it appears that this Approving Body will never be implemented. On December 19th 2014 the

government published the results of the latest consultation on SUDS and it is now suggested that the approval of drainage systems would form part of the planning process and approval would rest with the local planning authorities. For SUDS this would mean that the present system where no public body has to adopt and maintain SUDS would remain, and the current adhoc arrangements where many SUDS are maintained by private maintenance companies would remain.

7. In December 2014 a new consultation was issued by government on proposals. If implemented they will make the County Council in its role as a Lead Local Flood Authority a statutory consultee in the planning process initially for major developments. This consultation closed on the 29 January 2015 and I have responded to this consultation (in consultation with the Chair of Transport and Highways Committee) supporting the principle of the County Council becoming a statutory consultee in the planning process. The statutory consultee role is vital to allow the County Council to perform its role as a Lead Local Flood Authority managing local flood risk.
8. It is expected that the new consultee role will be implemented in April 2015, and we are currently awaiting information from Government on how they will fund this new role. The County Council as a Lead Local Flood Authority is also actively engaging with all local planning authorities to develop procedures to support the planning process. It is also expected that local planning authorities who all lack expertise in flooding and drainage will seek advice from the County Council on drainage, SUDS and flooding implications of drainage proposals.
9. The County Council has developed a draft Local Flood Risk Management Strategy which it is required to under the Flood and Water Management Act 2010. The Strategy will pick up flood risk locations across the County, prioritise these and put forward appropriate actions, which will include Surface Water Management Plans (SWMPs) for high risk locations with complex flood risk issues. Longer-term schemes will be developed as a result of SWMPs. For areas where the risk is lower, working with communities to improve resilience will be critical.

National flood risk management update and Grant in Aid

10. On 24 April 2014 Transport and Highways Committee approved bids for Flood and Coastal; Risk Management Grant in Aid (GIA) from central government. Nottinghamshire County submitted 3 bids to form part of the 6 year national programme. Potential financial contributions to bids led by other risk management authorities were also agreed on this date
11. Flood Risk Management Authorities (RMAs), including Nottinghamshire County Council, can submit bids for GIA. Traditionally, the Environment Agency has invited bids on an annual basis each June/ July. Last year, a six year programme of bids was required. This change was in response to the flooding of recent years and Defra's desire to develop a more robust Medium Term Plan (MTP) of investment.
12. The government's approach to Partnership Funding means that the more external funds that can be found, the better a scheme 'scores' and the more likely it is to be delivered and prioritised against other schemes nationally. Officers liaised intensively with relevant District Councils, Severn Trent Water, the Environment Agency, local communities and Trent Valley Internal Drainage Board to pull together a programme of schemes for the County and obtain an initial 'in principle' contribution where suitable. The potential

Nottinghamshire County Council financial contributions to any of the schemes that were bid for will come from the flood risk management capital programme (£600k per annum). This includes contributions toward schemes led by other RMAs.

13. The River Trent Regional Flood and Coastal Committee (RFCC) of which the Vice Chair Cllr Calvert is a member, agreed in 2014 to allocate regional Local Levy funding to schemes submitted by Nottinghamshire County Council. The allocation of the Local Levy increased the Partnership Funding 'score' of a scheme and national priority. Local Levy is funded by an annual levy on upper tier local authorities. In 2014/15 the County Council contributed £273,000.
14. I am pleased to report that in Dec 2014 the 3 bids for Funding (Southwell and 2 Hucknall schemes) were successful in attracting GIA from government and now form part of the agreed national scheme programme.
15. The Hucknall and Southwell schemes are only a small part of a wider range of flood risk management actions and schemes being taken forward across the County. It is the intention that the Local Flood Risk Management Strategy (referred to in paragraph 8) due for consultation later in 2015 (subject to committee approval) will bring all the actions and schemes together in one place, including those that may be funded through means other than GIA.
16. On 27 November 2014 the government announced the extension of the Repair and Renewal grant to properties suffering flood damage to cover the complete financial year from April 2013 to March 2014. The previous scheme had only run from Dec 2013 and this extension will be of benefit to those residents of Nottinghamshire whose properties were flooded in the major floods of July 2013. The Vice Chair had previously written to the government minister at Defra requesting the extension of this scheme. The scheme is administered by District Councils and the County Council has been working with the district councils to promote the availability of grants for Nottinghamshire residents affected by flooding. Residents can access details of this scheme via the County Council or District Council websites.

Update on Flood Investigations and Schemes

17. Walkeringham

A scheme to protect the village from flooding is expected to start on site in spring 2015.

18. Egmanton

The proposals to protect the village are still under development by the Trent Valley Internal Drainage Board and the County Council is supporting this work.

19. Southwell

The County Council is working closely with key partners including the Southwell Flood Forum to develop details of schemes to protect both the Potwell Dyke and Halam Hill Brook catchments of the town and it is intended to consult on possible options in summer 2015.

20. Hucknall - Town Centre Scheme and Titchfield Park Brook Scheme

Hydraulic modelling has been carried out on both catchment areas and the development of the flood reduction schemes is underway. It is proposed that the Town Centre

(Thoresby Dale) scheme is carried out in conjunction with the proposed Hucknall Town Centre Improvement scheme which is currently programmed to start work in summer 2015. Whilst the Titchfield Park Brook scheme is currently programmed to start in 2017 consideration is being given to see if this flood reduction scheme can be carried out at the same time as the Town Centre Scheme.

21. Lowdham

The Environment Agency (EA) are completing technical flood study work to reassess the risk of flooding from the Cocker Beck in order to develop a future scheme. Joint work to explore surface water flooding issues alongside the Cocker Beck will also be undertaken to define the scheme to be taken forward in the village. The County Council has been working with the EA in developing proposals to reduce flood risk in the village and is pleased to report that the EA have now bid to bring Lowdham forward in the national 6 year programme with a possible start of works in 2016/17.

22. Boundary Brook, Stapleford

The Environment Agency is now proposing that this scheme is brought forward in the national programme with a start of works in 2016.

23. Thurgarton

To inform the flood investigation the Trent Valley Internal Drainage Board (TVIDB) commissioned an initial data collection and analysis study. Further technical study work is being carried out which will revisit and revise previous technical flood modelling work and put forward a preferred option for the village that will be used to refine the bid for funding.

24. Gunthorpe

Again the County Council is working with the EA (who have the lead role) to develop proposals to protect the village from flooding.

25. Calverton

The County Council is working with the parish council, Gedling Borough Council and Severn Trent Water to develop a series of small scale proposals to reduce flooding in the village.

26. Arnold

An Arnold Town Centre group has been set up with Gedling Borough Council, Severn Trent Water and traders to look at potential flood mitigation measures to reduce the flooding of the town centre commercial properties.

27. Cropwell Butler

Consultants working for the County Council are well advanced in the development of a hydraulic model for the village, and this will allow a better understanding of the flooding mechanisms as well as allowing the development of a future bid for flood mitigation measures.

28. Newthorpe

The County Council is working with Severn Trent water to identify if there are any schemes that can protect a number of low lying properties from the risk of surface water flooding.

29. Girton

The County Council is working with the local parish council to examine the possibility of developing a scheme to protect this village which suffers from main river flooding.

Conclusions

30. Flood investigations following floods in 2012 and 2013 are ongoing in a number of locations although there are no significant investigations from 2014. The purpose of the investigations is to identify those Risk Management Authorities who are best placed to resolve flooding issues at a particular location and to develop schemes in partnership to reduce flood risk to affected communities where these can be proved to be a feasible solution. This will often involve a partnership funding approach. These investigations and the development of flood prevention schemes together with getting funding is a complex process, and may take several years. The County Council is taking a very proactive role across all partner organisations in pushing forward flood investigations, and developing flood reduction schemes and has been successful in getting financial support from government to protect a number of communities.
31. It is suggested that a further progress report is brought to this committee in 6 months to provide information on the latest position on flood investigations listed together with scheme development.

Statutory and Policy Implications

32. The County Council has a number of new statutory duties and powers under the Flood and Water Management Act (2010) and Flood Risk Regulations (2009). Flooding investigations are legally required under the Flood and Water Management Act.
33. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

34. The costs of these studies and contributions to flood risk management schemes will be contained within existing budgets.

RECOMMENDATION/S

It is RECOMMENDED that the Committee note the update on flood risk management.

Andrew Warrington
Service Director Highways

For any enquiries about this report please contact:
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Constitutional Comments

Because the report is for noting no Constitutional Comments are required.

Financial Comments TMR 22/01/2015

The financial implications are set out in paragraph 34 of the report.

Background Papers

Appendix 1: Tables of flood alleviation schemes

Electoral Division(s) and Member(s) Affected

All

APPENDIX 1 Table 1 Ongoing schemes

Lead RMA	District	Location	About	Properties protected	Bid costs	Agreed NCC contribution	Other funders
BDC	Bassetlaw	Walkeringham	Flood relief channel to alleviate watercourse flooding	45	£598k	£50k	Grant in Aid BDC Local Levy A1 Homes
TVIDB	Newark and Sherwood	Egmanton	Channel improvements	20	£135k	£40k	TVIDB Parish meeting Local Levy

Table 2 Schemes in Years 1 to 6 (2015-2021) National Programme

Lead RMA	District	Location	About	Properties protected	Bid costs	Potential NCC contribution	Other potential funders
NCC	Newark and Sherwood	Southwell	Scheme to manage flooding from the Potwell Dyke, Halam Hill watercourse and surface water	236	£1,875k	£600k	Grant in Aid Local community via Flood Forum NSDC Town Council Local Levy
NCC	Ashfield	Hucknall (Town Centre)	Scheme to manage flooding from the Baker Lane Brook, Ordinary Watercourses, sewers and surface water linked to opportunities provided through the Hucknall Town Centre Improvement Scheme	36	£760k	£310k	Grant in Aid ADC Severn Trent Water Local Levy
NCC	Ashfield	Hucknall (Titchfield Park Brook)	Scheme to manage flooding from Titchfield Park Brook and surface water	90	£500k	£100k	Grant in Aid ADC
EA	Gedling	Day Brook catchment	Scheme to manage flooding from the Day	233	£2,350k	£100k	Grant in Aid D2N2 Local Enterprise

Lead RMA	District	Location	About	Properties protected	Bid costs	Potential NCC contribution	Other potential funders
		(extending into Nottingham City)	Brook and surface water (most properties at risk are in the City but a catchment wide approach is needed)				Partnership £1,166,609 (bid)
EA	Newark and Sherwood	Lowdham	Scheme to manage flooding from the Cocker Beck and surface water	286	£2,100k	£500k	Grant in Aid Local Levy NSDC
EA	Broxtowe	Boundary Brook	Scheme to manage flooding from the Boundary Brook and a tributary	340	£1,489k	£275k	Grant in Aid Parish Local Levy
EA	Bassetlaw	Isle of Axholme Catchment Strategy (Idle)	Strategy to identify opportunities to reduce flood risk by taking a catchment based approach	28,000 ^s	£150k	£10k	Local Levy
EA	Ashfield, Gedling and Newark and Sherwood	East Nottinghamshire Tributaries Catchment Strategy	Strategy to identify opportunities to reduce flood risk by taking a catchment based approach	3,000 ^s	£100k	£10k	Local Levy
BDC	Bassetlaw	Retford	Scheme to reduce flood risk from the Retford Beck at Grove Lane and Blackstope Lane	111	£1,000k	£150k	Grant in Aid Local Levy (confirmed) BDC A1 Homes STW
BDC	Bassetlaw	Clarbrough	Scheme to manage flooding from the Clarbrough Beck	23	£336k	£100k	Grant in Aid BDC A1 homes

Table 3 Longer term schemes or where no contribution is sought from NCC at this time

Lead RMA	District	Location	About	Properties protected	Bid costs	Potential NCC contribution	Other potential funders
TVIDB	Newark and Sherwood	Thurgarton	Ordinary Watercourse, surface water	20-30	£330k	£65k Includes £15k in 2014/15 for study work	Grant in Aid TVIDB District Council
EA	Newark and Sherwood	Carlton-on-Trent (Property Level Protection)	Property level protection scheme	43	£137.5k	£27.4k	Grant in Aid Local Levy
EA	Newark and Sherwood	Gunthorpe	Scheme to reduce flood risk from the River Trent/tributaries	82	£1,200k	£240k	Grant in Aid Local Levy

Acronyms used: ADC (Ashfield District Council), BDC (Bassetlaw District Council), EA (Environment Agency), NCC (Nottinghamshire County Council), NSDC (Newark and Sherwood District Council), STW (Severn Trent Water), TVIDB (Trent Valley Internal Drainage Board)