

16th March 2017

Agenda Item: 6

REPORT OF CORPORATE DIRECTOR, PLACE FLOOD RISK MANAGEMENT UPDATE

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 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) and the Flood and Water Management Act (2010).
4. The Council is now a Lead Local Flood Authority (LLFA) and has 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 (EA), 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. This partnership work is overseen by a joint Strategic Flood Risk Management Board with Nottingham City Council.
5. Local flood risk means flooding from surface water (overland runoff), groundwater and smaller watercourses (known as Ordinary Watercourses).

General update

6. Since becoming an LLFA Nottinghamshire County Council has worked in collaboration with colleagues, risk management authorities, partners and local communities to help reduce the risk of flooding in Nottinghamshire. A number of significant flood mitigation measures have been delivered attracting over £2.5 million of external funding investment to support our capital programme. £1.2 million of this from the Trent

Regional Flood and Coastal Committee Local Levy (to which NCC contributes an annual sum of £276k) and £1.3 million from Flood Defence Grant in Aid (FDGiA), together with considerable investment from Districts and other agencies to facilitate mitigation measures and investigations.

7. Working with local communities to develop our understanding of flood risk within their catchments has been fundamental. The communities involved include Hucknall, Southwell, Girton, Walkeringham, Calverton, Newthorpe, Gunthorpe, Lowdham, Normanton on Soar, Egmanton and Daybrook. This work is allowing us to develop flood prevention schemes and secure third party funding to support subsequent delivery. Detailed flood studies and hydraulic modelling have been funded to help understand and inform the complicated interaction of drainage catchments. Very importantly these investigations have engaged communities, improved understanding and knowledge and assisted with resilience planning.
8. Currently our capital investment programme is facilitating the delivery of 17 schemes in the County. These include a Flood Relief Culvert under the new Hucknall Town Centre relief road, a major surface water drainage scheme in Walkeringham to protect 45 houses in the community, natural flood management works in the upper catchments in Southwell and bespoke property level protection for properties in Thoresby Dale, Hucknall. We are also supporting a number of communities that are being proactive in their desire to protect themselves from any future flooding that may occur and colleagues in delivery of highway flooding schemes such as those related to remedial works related to the NET project.
9. Recently Severn Trent Water have confirmed that they are working with Taylor Woodrow and the Highway Authority to resolve the foul flooding of Number 82 Lower Road that has occurred since the construction of the Tram track. Initial evidence suggested that additional surface water has been drained into the combined sewerage system within Lower Road and Fletcher Road and during storm conditions the system surcharges and ultimately floods from gully connections installed as part of the Tram work. Initial proposals discussed by all parties are to remove the gullies in the area of Number 82 from the combined system and connect them to an adjacent surface water system. It is also proposed to reinstate a connection between the combined system within Lower Road and the combined system within Fletcher Road. Severn Trent will be monitoring the situation and advocating the removal of any additional surface water discharges that may have been connected to the combined sewerage system in other locations.
10. 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) where there is no clear timeline for implementation.
11. Following the government consultation on LLFA's becoming a statutory consultee on planning matters which ran from Dec 2014 to the end of January 2015, NCC took on a new statutory consultee role, implemented in April 2015, The County Council as LLFA has proactively engaged with all local planning authorities to develop procedures to support the planning process. To date since we became a Statutory Consultee we have responded to 1024 planning applications, ensuring a balance between the need for new housing and mitigating for flood risk. Our performance in relation to responding to these applications within 21 days is 98% over the last three quarters of this year.

12. In December 2016 the County Council published its Local Flood Risk Management Strategy which it is required to under the Flood and Water Management Act 2010. The Strategy picks up flood risk locations across the County, prioritises these and puts forward appropriate actions for both high risk locations with complex flood risk issues, and longer-term schemes which require investigation to be developed. For areas where the risk is much lower we are working with communities to improve resilience. Over the last four years around 300 localised flooding investigations have been undertaken with colleagues from Highways, and Severn Trent Water.
13. As LLFA we deal with applications for Land Drainage Consents. If you wish to build a culvert or structure such as a weir on an ordinary watercourse which may affect flow or flood risk you need permission from NCC before starting the works. Consents are required for both permanent and temporary works. Over the last four years over 200 applications have been considered in line with the Land and Drainage Act 1991. Not all of these applications result in consents being necessary but some do require advice and investigation.
14. Another of the County Council's duties as LLFA is to report on flooding incidents under Section 19 of the Flood and Water Management Act (2010). At Transport and Highways Committee on 31 Oct 2013 it was approved that Section 19 Reports should be undertaken where the County Council is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property). As LLFA we have taken a view to bring Section 19 Reports to Committee once NCC have investigated the events and have a more mature understanding of the catchments rather than immediately after the event. The extended time period is used proactively to support communities, develop understanding and work collaboratively with other RMA's, partner organisations and local communities to progress from the event to a position of understanding and possible action.
15. All outstanding events requiring a Section 19 report have been completed and presented at Committee. These concerned flooding in Hucknall on the 23rd July 2013, Cropwell Butler on the 6 July 2012, Thurgarton on 23 July 2013, Mansfield on 10 June 2016 and Gotham on 15 June 2016.

National flood risk management

16. On 24 April 2014 Transport and Highways Committee approved bids for FDGiA from central government. Nottinghamshire County submitted 3 bids: Hucknall Town Centre, Hucknall Titchfield Park and Southwell, 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. (see Appendix 1).
17. 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 have collaborated with relevant District Councils, Severn Trent Water, the EA, local communities and Trent Valley Internal Drainage Board to pull together partnership funding to support schemes for the County and obtain an initial 'in principle' contribution where suitable. The potential Nottinghamshire County Council financial contributions to the schemes that are included in the programme will come from the County Council's flood risk management capital programme (£600k per annum). This also includes contributions toward schemes led by other RMAs.

18. Schemes in Hucknall and Southwell which were successful in attracting funding from government and now form part of the nationally agreed 6 year programme are only a small part of a wider range of flood risk management actions and schemes being taken forward across the County (see Appendix 1). It is the intention that the Local Flood Risk Management Strategy will bring all flood mitigation actions and schemes together, including those that may be funded through means other than FDGiA.

Update on Flood Investigations and Schemes

19. Walkeringham

Phase one of a major scheme to protect this community who are at risk of flooding completed in November 2016. Phase two is due to commence March 2017 and complete in the summer and will see a significant number of properties removed from the risk of flooding.

20. Egmanton

Phase one of the proposals to protect the village completed December 2016 with phase two still under development, due to difficulties concerning land ownership. This scheme is being led by the Trent Valley Internal Drainage Board with the County Council supporting the work. A substantial amount of negotiation with land owners and the community has been undertaken to enable this scheme to come to fruition.

21. Southwell

The County Council is working closely with JBA consultants and other key partners including the Southwell Flood Forum to develop flood mitigation measures to protect both the Potwell Dyke and Halam Hill catchments of the town. A number of drop in community events have been undertaken and possible options are nearing completion. Scheme consultation is programmed to be concluded by summer 2017. Working collaboratively with a number of agencies has enabled this scheme to endure the difficult processes associated with scheme development of a complex catchment and assisted with maintaining confidence in the work undertaken.

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

A flood relief culvert has been installed as part of the Hucknall Town Centre Improvement scheme. This culvert is designed to divert surcharge flows in the Baker Lane Brook away from vulnerable residential and commercial areas and reduce the risk of flooding. Detailed design is being carried out on surface water management schemes that will further reduce the risk of flooding in the catchment with delivery of the proposals currently under negotiation. Feasibility into solutions for the Titchfield Park Brook catchment is programmed to start in Q3 of 17/18 with construction in 18/19. Both the Town Centre and Titchfield Park Brook schemes attract significant external funding through Local Levy.

23. Lowdham

This EA led scheme is in the national 6 year programme and recently secured 1 million pounds of local levy funding to progress the scheme. This EA have recently appointed consultants to develop the Outline Business Case (OBC) for a future Lowdham scheme. The project team established includes RMA representatives, including NCC. The OBC will determine a preferred flood risk solution and take this to a design stage as well as costing the potential scheme. Along with contributions from NCC, local levy, the local

community and FDGiA, approximately £3.75m is available to fund a future scheme. A future scheme will need to address the primary source of flood risk from the Cocker Beck, as well as surface water flooding. Severn Trent Water are currently looking at the relationship between foul sewer flooding and fluvial flooding to identify any potential opportunities of working in partnership should a scheme become favourable.

24. Boundary Brook, Stapleford

The FDGiA allocation for this scheme has been maximised. In order for the scheme to progress, partnership contributions will be required. Potential contributions have been identified from NCC and private development and the EA are currently attempting to verify sources of funding from potential partners.

25. Thurgarton

Trent Valley Internal Drainage Board (TVIDB) are currently finalising the preferred option prior to pursuing the next (FDGiA) funding stage. Development of the preferred option has been carried out with support from NCC's Flood Risk Management (FRM) team and Thurgarton Parish Council as partners and builds on the Section 19 flood investigation report completed by NCC.

26. Gunthorpe

The County Council is working with the EA (who have the lead role) to develop proposals to protect the village from flooding. The County Council have supported the EA in taking forward the flood risk problems in Gunthorpe to an OBC. The consultants will be simultaneously developing the OBC along with the Lowdham project. The primary source of flood risk is from the River Trent and it is likely that an effective flood relief scheme will require a significant length of flood embankment. A preferred solution will be taken to design stage and costed accordingly.

27. Calverton

NCC and STW have carried out joint investigations into flooding within the Calverton catchment over the last two years and have liaised closely with the Parish Council during the investigations. The work to date has resulted in STW taking the project on as part of their AMP6 capital investment programme with feasibility programmed for completion towards the end of 2017. Further progression for the project is dependent on meeting their investment criteria which includes securing a partnership contribution from NCC. Should these criteria be met STW's current programme anticipates a construction start date in late 2018.

28. Cropwell Butler

The formal Section 19 study for this catchment is complete and was presented to Transport and Highways Committee in January 2017. It is now published as a public document. The study concluded that the majority of the issues experienced were due to the extreme nature of the rainfall. NCC worked with the Parish Council and helped clarify roles and responsibilities as well as assisting with localised watercourse maintenance issues.

29. Newthorpe

The County Council are working in partnership with the community and other RMA.s. Consultants have been appointed to develop a hydraulic model for the catchment to identify and cost a feasible solution that can protect a number of low lying properties from the risk of surface water flooding.

30. Girton

The County Council formed a partnership with the local parish council, Lincolnshire County Council, Newark and Sherwood District Council, TVIDB and the Environment Agency to produce an initial assessment report for Girton. Following on from this report consultants have been appointed to develop the detailed design for a flood defence for Girton to protect this village which suffers from Main River flooding. Significant community engagement has taken place to assist progress and understanding.

31. Arnold

Flooding in the Front Street area of Arnold has been an issue for many years with STW investing significant sums of money in upgrading their assets in the area. The area is prone to flooding primarily due to the topography of the area however in an endeavour to ensure all drainage assets are operating efficiently Gedling Borough Council are leading on a detailed, localised investigation on the interaction and ownership of the various drainage assets that serve the area. These works are being carried out with support from NCC FRM and Severn Trent Water and are due to be concluded late 2017. Outputs from this work will be included in the wider Upper Daybrook Catchment study (see below).

32. Upper Day Brook Catchment

NCC has secured £110k of local levy funding to work with Severn Trent Water and rationalise the understanding of the complex network of surface water assets in the catchment. This should help ensure the assets are maintained and operated efficiently and ultimately reduce flood risk within the catchment. An Initial Assessment has been undertaken to consider flood risk options and this work has indicated that there is no one solution that will resolve the range of flood risk issues in the catchment. To reduce the risk of flooding to property across the catchment will require an improved understanding of the Upper Day Brook catchment. This is being led by NCC and improvements to the Day Brook and its floodplain connectivity along the Valley Road. Nottingham City Council have successfully bid for ERDF on a green blue infrastructure project that includes the Valley Road section of Day Brook. These two pieces of work are vital to understanding what potential engineering requirements are required to reduce flood risk.

Conclusions

33. The County Council is taking a very proactive role across all partner organisations in pushing forward flood investigations and developing flood reduction schemes. We have been successful in gaining financial support and investment to protect a number of communities and have made a good start in delivering schemes on the ground and understanding the complexities of the catchments in Nottinghamshire.

34. The complexities of flooding are challenging but offer many opportunities to work collaboratively with others to make a real difference to Nottinghamshire residents and businesses. We are actively pursuing solutions to manage flood risk and increase levels of awareness to enable communities to become more resilient and understand their land drainage responsibilities. We are proactively engaging with developers, districts and other RMA's to better integrate local flood risk into the planning process and support sustainable growth opportunities wherever possible.

Statutory and Policy Implications

35. 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.

36. 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

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

Reason for Recommendation

It is RECOMMENDED that the contents of the report be noted.

Adrian Smith
Corporate Director - Place

For any enquiries about this report please contact:

Gary Wood – Group Manager Tel 0115 9774270

Sue Jaques – Team Manager Tel: 0115 9774368

Constitutional Comments (SJE – 02/03/2017)

As this report is for noting only by Committee, Constitutional Comments are not required.

Financial Comments (SES 03/03/2017)

The financial implications are set out in the report.

Background Papers

None

Electoral Division(s) and Member(s) Affected

All

Background Papers

None