

REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES

FLOOD RISK MANAGEMENT UPDATE

Purpose of the Report

1. To provide an update for Members on the latest position in relation to the Councils 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

3. Following 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). Currently 78,700 properties are estimated as being at risk of flooding across the County.
4. Since April 2015 the Council has been a Lead Local Flood Authority (LLFA) having 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. As a Lead Local Flood Authority, the County Council is delivering all its statutory duties and obligations under the Flood and Water Management Act 2010 which include:
- ❖ Developing, maintaining, applying and monitoring of our Flood Risk Management (FRM) Strategy and action plan for local flood risk covering Nottinghamshire which was published in January 2016. This suite of documents supports our Preliminary Flood Risk Assessment which was published in 2011 and updated in 2017. This report is an assessment of floods that have taken place in the past floods that could take place in the future It considers flooding from surface water runoff, groundwater and ordinary watercourses. This document is reviewed and approved at a National level.
 - ❖ Co-ordinating views and activity with other local bodies and communities through public consultation, scrutiny and delivery planning.
 - ❖ Carrying out works to manage local flood risks in Nottinghamshire.
 - ❖ Maintaining a register of assets – these are physical features that have a significant effect on flood risk across the county. Currently our register holds around 2000 records relating to bridges, culverts, historic structures, retaining walls and other draining structures. This information is publically available on the County Council's flood risk web pages.
 - ❖ Investigating significant local flooding incidents and publishing the results of such investigations in a Section 19 report. Significant for NCC equates to 5 or more properties suffering internal flooding. To date we have produced and published 16 bespoke reports and have no outstanding investigations.
 - ❖ Using the powers under the Land Drainage Act 1991 to regulate our 1600 miles of ordinary watercourses (outside of internal drainage districts) to maintain a proper flow. By means of issuing Consents for altering, removing or replacing certain structures or features on ordinary watercourses; and enforcing obligations to maintain flow in a watercourse and repair watercourses, bridges and other structures in a watercourse. During the last four years over 300 applications have been considered for consenting works on an ordinary watercourse. Our processes have recently been updated and streamlined to be more efficient and cost effective. Online applications and payment systems are now available to applicants and we are exploring opportunities to implement a fast track service and compliance checking charges for the larger developments. Current legislation restricts the charge £50 per consenting application.
 - ❖ Undertaking a statutory consultee role providing technical advice and comment on surface water drainage to local planning authorities on major and sensitive developments. Over 2500 planning application consultations have been responded to since April 2015 with almost 2000 bespoke responses on major applications. Last year the service responded to 97% of applications in the required 21 days. The County Council is committed to ensuring new developments adopt sustainable approaches to surface water management. To this end, the flood risk service are integrating local flood risk management into the planning process and supporting sustainable growth at every opportunity. We encourage and promote the use of Sustainable Drainage Systems in all new developments and retrofit wherever possible.

- ❖ Co-operating with other Risk Management Authorities to improve effectiveness, delivery and efficiencies.
- ❖ Playing a lead role with emergency planning and with recovery after a flood event. (Local authorities are 'category one responders' under the Civil Contingencies Act and must have plans to respond to emergencies, and control or reduce the impact of an emergency.
- ❖ Utilising the power to designate specific features as flood risk management assets, which give a degree of protection from damage and removal.
- ❖ Managing flood risk from surface runoff, ordinary watercourses and groundwater. Over 480 localised reports of flooding have been investigated in the last eighteen months. The service has developed a robust approach to the prioritisation of schemes to manage flood risk. We have identified areas at greatest risk from local flood sources and make the best use of available information to develop, resource and prioritise.

Village Resilience Project

7. FRM provides a service for all residents within the County, both domestic and commercial, with an aim to educate, support, influence and empower. This project looks to empower communities through flood resilience intelligence that is site specific and bespoke workshops the help communities understand how to proactively manage flood risk and resilience measures which will assist them to become more resilient.
8. We are committed to reducing the risk of flooding across the County. In pursuit of new solutions, partnerships and alleviation schemes to manage future flood risks and adapt to climate change in Nottinghamshire we have initiated a Village Resilience project.
9. This project works with communities to enable them to become more resilient to flooding and to understand their land drainage responsibilities. The project sets out with the ambition to enable some 199 communities to 'Prepare not Repair' and engage with decision making across the 10 Risk Management Authorities. Utilising knowledge sharing, community participation, actions and leadership to reduce economic impacts of flooding and protect our customers quality of life. Currently we are focusing on the communities of Clarborough, Bleasby, Jacksdale, Papplewick and Gotham. Colleagues in Via, Emergency Planning, Design and Print and Health and Safety have all played a vital role in the development and delivery of this initiative.
10. This initiative has been shortlisted for the Flood and Coast Project Excellence Awards which takes place in Telford. The award recognises those individuals or groups that inspire others to bring about long-term change. NCC's bid, 'Power to the People' is down to the last 3 from 135 submissions and is based on excellent local partnerships that enhance community level action in flood risk management. Members of the submission team have been invited to attend the awards on the 9th June 2019.

Update on Flood Investigations and Schemes

11. The current flood risk investment programme is facilitating the delivery of 18 significant schemes across the county with a total value of £15m. This year FRM has secured external funding of over £900k towards flood alleviation schemes, which complements the £5m brought in last year. We will continue as ever to seek external funding opportunities wherever possible.

12. **Southwell** - In December 2017 two Business Cases were submitted to The Department for Environment, Food and Rural Affairs, one for Natural Flood Management (NFM) and the other a more traditional engineering proposal to construct new flood defences for the town. NCC successfully negotiated the rigorous Environment Agency approval process and in February 2018 secured £4.4 million Flood Defence Grant-in-Aid from Central Government for the engineering scheme and £350k of Local Levy funding for the Natural Flood Management scheme.
13. As part of securing the Flood Defence Grant-in-Aid and Local Levy further partnership contributions were secured including £600k investment from the County Council, £220k from Newark and Sherwood District Council, £120K Southwell Town Council, £25k Southwell Flood Forum, an additional £300k Local Levy for the flood mitigation scheme and £233k Renew and Repair grant funds. Project management is overseen by the Project Board, chaired by the Service Director for Place Communities. The Board consists of representatives from NCC, Via and the Southwell Flood Action Group. A communications strategy has been agreed to ensure a cohesive and structured approach to communicating key messages to all affected parties.
14. The flood defence proposals have two key elements: hard engineering solutions and Property Flood Resilience (PFR) measures. Development of detailed design for the hard engineering proposals is currently progressing with Via and has a scheduled construction start date of Autumn 19 with completion in 20/21. A contract to deliver the PFR works has been awarded to Whitehouse Construction using the Environment Agency's PFR Framework. The contract covers customer engagement, PFR survey, design and installation. Two well attended drop in session for affected residents were undertaken in May. Survey appointments are being made and the works are scheduled for completion by December 2019.
15. The NFM proposals look to enhance the level of flood protection to the catchment utilising measures such as the installation of leaky dams, changing of farming techniques and re-naturalisation of watercourses. Part of this work includes the retrofitting of sustainable drainage features at Lowes Wong School. In addition to protecting properties affected by flooding from the site we will work with the school to educate the children on this sustainable approach to water management and their understanding of the environment.
16. The preliminary design is being finalised for the Lowes Wong site and the Schools are both happy with the proposed layout and excited to see the proposals progress. Site works are due to start during the school summer holidays with an aim to complete the works by September 2019.
17. **Walkeringham** - This scheme with a value of £900k to protect the village from flooding completed in 2018, safeguarding around 50 properties, including the local school and village store. Delivered jointly by JBA, Bassetlaw District Council and Via and funded jointly by NCC, Bassetlaw District Council, Local Levy and Flood Defence Grant-in-Aid.
18. **Egmanton** – The first part of this scheme concerning the village centre was completed in 2017, however proposals to protect the village further are still in negotiations with Landowners and are being led by the Trent Valley Internal Drainage Board. The County Council is supporting this work.

19. **Hucknall Town Centre Scheme and Titchfield Park Brook Scheme** - The Hucknall Town Centre scheme was successfully completed in 2018 and has delivered an increased level of protection against flooding to 11 properties that had suffered from flooding on numerous occasions. The project was delivered within budget and compliments the flood alleviation works carried out as part of the Town Centre Improvements. A project to protect 86 properties from flooding along the Titchfield Park Brook catchment has been allocated £912k of and Flood Defence Grant-in-Aid funding for delivery in 19/20 with support from NCC capital. The business case was submitted for processing through the EA's assurance process in May and once approved we will move into detailed design ready for the scheduled construction in late 2019.
20. **Lowdham** - The Environment Agency are continuing to develop the outline business case for a flood alleviation scheme to protect Lowdham with a view to submitting their business case in spring 2019. They are working with NCC Local Transport Plan colleagues to seek opportunities for collaborative working with the A614 corridor improvements. Severn Trent Water are due to start work on their network improvements later this year and will be carrying out improvements to the highway and surface water drainage assets whilst on site on our behalf. This approach delivers many benefits including financial and reduced inconvenience to residents. NCC, the Environment Agency and Severn Trent Water are working closely together to ensure all elements of the proposals are approached effectively and without duplication or detrimental impacts on one another.
21. **Thurgarton** - The Internal Drainage Board are continuing to pursue cost effective options for the catchment prior to seeking funding.
22. **Gunthorpe** - The County Council is working with the Environment Agency (who have the lead role) to develop proposals to protect the village from flooding. A technical report into the options is expected in Spring 2019, however the economic benefits that would be achieved by reducing flood risk in the village, means that there is an expected shortfall, between scheme costs and available Flood Defence Grant-in-Aid funding.
23. **Calverton** - The early partnership working between NCC and Severn Trent Water in this catchment has led to Severn Trent securing significant investment to deliver a capital improvement project in the catchment. The project is currently in detailed feasibility stage and once options are identified we will work with Severn Trent Water to identify ways of delivering mutually beneficial outputs in the catchment.
24. **Arnold** - Investigations into localised flooding in Arnold Town centre have been completed and some minor maintenance works carried out. The investigations helped clarify the various responsibilities within the area to ensure any future issues were approached effectively.
25. **Cropwell Butler** - The investigations were completed in 2017 and summarised in a Section 19 report. NCC worked closely with the Parish Council and carried out some routine watercourse maintenance in the centre of the village to assist in reducing the risk of flooding.
26. **Newthorpe** - Severn Trent Water have taken over as lead authority and are carrying out detailed feasibility on the catchment. NCC have contributed to the feasibility study to allow a cohesive study into all sources of flood risk in the area. Outputs from the study are expected late 2019
27. **Girton** - The County Council is working with the Environment Agency to explore the possibility of developing a deliverable scheme to protect this village which suffers from main river flooding.

A funding shortfall is being explored and will need to be overcome before a scheme is progressed.

28. **Sutton on Trent** - Following severe flooding in 2018 NCC worked closely with the Internal Drainage Board to understand the causes of the flooding and ways to reduce the risk of future occurrences. A Section 19 report was published earlier this year that summarises the issues. The Internal Drainage Board and NCC Highways have carried out some repairs and improvements to their assets and both are currently looking at ways of improving the performance of their assets to further reduce the risk of future events. NCC, the Parish Council and the Internal Drainage Board are working together on progressing all options.
29. **Daybrook Upper Catchment Study** - In order to understand the complex interaction between surface water assets in the upper Daybrook (Arnold) catchment NCC secured £99k of Local Levy to carry out a detailed study. The study has been carried out by Severn Trent Water and their specialist contractors and the final report is expected in June 19. The works were complemented by financial support from the water company which allowed the scope of the study to widen and cover interaction with the sewerage system as well. It is expected that the report may identify areas of the catchment where further capital investment is required and if this is the case the options will be pursued by the relevant authority. It is hoped that information from this work can help link into the Nottingham City Council led project for the Day Brook Blue Green Infrastructure, helping to reduce flood risk to approximately 160 properties.
30. **Normanton on Soar** - Work is progressing to identify ways of reducing flooding to a section of highway adjacent to the flood plain in Normanton on Soar. The work is being carried out in conjunction with Severn Trent Water, NCC Highways and the Environment Agency. Once a solution is identified it will be necessary to identify ways of financing the proposals.
31. **Willoughby on the Wolds** - NCC are working closely with Severn Trent Water in an attempt to identify both short and long term solutions to prevent localised foul flooding and pollution of a watercourse. The water company are liaising with the Parish Council direct and NCC retain an overview of the situation.
32. **Clarborough** – Jeremy Benn Associates are currently working on behalf of Bassetlaw District Council to establish the feasibility of a shortlist of options at Clarborough. There is also ongoing work with a Village Resilience project which looks to address issues with the watercourse as it passes through the village. We are working with residents to install a monitoring system which can provide warnings to residents if the watercourse levels are likely to cause flooding at Church Lane.
33. **Gotham** - We have been working with Gotham Parish Council to address a number of local flooding issues, we will continue to work with the parish to facilitate conversations between them and Severn Trent Water and Via to investigate the residents' concerns.
34. **Newark Flood Alleviation** - Severn Trent Water will shortly be completing a £60million project to improve the water and waste network in Newark. Our close working relationship with them has allowed us to deliver significant improvements to highway and surface water drainage in Newark during the project. A contribution from NCC allowed the installation of an additional 43 gullies across Newark during the works. This approach delivered the increased benefits at a significantly reduced cost as well as reduced inconvenience to residents with the works all being carried out at the same time. This scheme has been shortlisted by the Institution of Civil Engineers East Midlands as part of the Merit Awards for 2019. The winners will be announced on the 9th June 2019.

35. **Mansfield, Bellamy Road/Gunthorpe Court Flood Alleviation** - Severn Trent Water have recently completed a flood alleviation scheme at Bellamy Road in Mansfield. During early feasibility they contacted us with a proposal to create flood storage by utilising and modifying an existing pedestrian underpass. Through working with other teams across NCC we were able to agree the decommissioning of the underpass and allow it to be used as part of the scheme. This project is another example of how a true partnership approach delivers mutually beneficial outcomes. The scheme has been successfully judged and made the shortlist for the Institution of Civil Engineers East Midlands Merit Awards for 2019.

Scheme Delivery Partners

36. NCC are actively engaged with a number of key partners to enable better scheme delivery and communication across the county. Flood Risk Management works in collaboration with multiple partners and consults with these agencies to assist in the development of pipeline schemes, new initiatives and improvements to processes. We have an influence on regional (Catchment wide) and national policy through being part of the networks below.

- The Environment Agency
- Town, District and Parish Councils and Meetings
- Flood Forums
- Local Residents and Businesses
- Severn Trent Water
- Trent Valley Internal Drainage Board
- Trent Regional Flood and Coastal Committee
- Association of Drainage Authorities
- Elected Members
- Trent Rivers Trust
- National Flood Forum
- Nottingham Trent University
- Via East Midlands Ltd.
- HS2
- Department for Food and Rural Affairs
- Association of Directors of Environment, Economy, Planning and Transport
- Midland Service Improvement Group
- Specialist Service Providers

Summary

37. We have witnessed and have experience of how flooding devastates communities. The most vulnerable in the community will be our priority. NCC will continue to work closely with partners and communities to identify ways of proactively reducing the risk, likelihood and consequences of future flooding events. We will develop scheme options and ensure our communication gives cohesive and clear messages to all.

38. FRM recognises the importance of partnership working and we will continue to take an active role in developing local flood risk management partnerships and seek to collaborate with local stakeholders to achieve common goals. We will strive to increase levels of awareness within local organisations and communities so they can become more resilient to flooding and understand their land drainage responsibilities. We are currently looking at a review of our

service, especially with regards to our approach to the Statutory Planning function, with a view to return to Committee with an update on the impact this will have on the structure of the team.

Other Options Considered

39. To do minimum works which would leave communities at a significant risk of future flooding.

Reason/s for Recommendation/s

40. The recommendations are designed to ensure the most effective and efficient route towards the management of surface water flood risk across the County.

Statutory and Policy Implications

41. The County Council has a number of statutory duties and powers under the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009 including duties to manage and co-ordinate local flood risk management activities.

42. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment 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

43. The costs of these schemes will be contained within existing budgets and externally secured funds.

Implications for Sustainability and the Environment

44. It is anticipated that the recommendations will ultimately result in delivery of a sustainable projects that reduce flood risk across the county whilst also reducing the negative impacts the flooding has on the environment, the economy and our communities.

RECOMMENDATION

- 1) That Members consider whether there are any actions they require in relation to this report.
- 2) Members approve the review of the Statutory Planning function with a view to this being brought back to Committee later this year as detailed in paragraph 38.

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Constitutional Comments (SLB 20/05/19)

45. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments (SS/GB 10/05/19)

46. The cost of schemes to be funded from revenue will be met from a combination of revenue budgets and available grant funding totalling £265,000. The Communities and Place capital programme includes flood alleviation and drainage budgets of £8.4m over the years 2019/20 to 2021/22. Capital costs in excess of this, as set out in paragraph 11, will be incurred and funded externally to the County Council.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All