

OVERVIEW AND SCRUNTINY COMMITTEE

3 OCTOBER 2012

REPORT OF THE DIRECTOR OF DEVELOPMENT

PROGRESS TOWARDS MEETING THE RESPONSIBILITIES UNDER THE FLOOD AND WATER MANAGEMENT ACT 2010.

Purpose

The purpose of this report is to assist the committee to scrutinise the work being carried out by the City Council and partner organisations to protect citizens, buildings, schools, offices and roads from the effects of flooding. The Flood and Water Management Act 2010 (F&WMA) clarified and amended the roles of those organisations involved in flood risk management, and introduced a significant new role for the City Council as Lead Local Flood Authority (LLFA). The committee is asked to examine to what extent the Council is meeting its responsibilities under the F&WMA.

Background Information

Following the devastating floods in summer 2007, the Government instigated a review under Sir Michael Pitt. The outcome of this review was a series of 92 recommendations. In order to implement some of these recommendations, changes in legislation were required, hence the F&WMA. This legislation is being implemented in stages.

The three main organisations involved in flood risk management within the Nottingham City area are The Environment Agency (EA), Severn Trent Water (STW), and Nottingham City Council. As background information, the continuing and amended roles of the EA and STW are discussed below before an examination of the progress Nottingham City Council has made towards fulfilling this new role.

Role of the Environment Agency

For the EA their role in protecting citizens from flooding from main rivers has not changed. Within the Nottingham City area the River Trent, River Leen, Day Brook, and Fairham Brook along with parts of the Tottle Brook and Nethergate Stream are all main rivers, and hence the EA still have a major role in protecting Nottingham from flooding. They have recently made a substantial investment in improving the flood defences along both banks of the River Trent through Nottingham. In addition they are investigating potential solutions to reduce the risk of flooding from the Day Brook and the River Leen.

Improved flood defences are the most visible aspect of the EA's work to reduce flood risk, but less obvious, but still of vital importance, is the routine work carried out maintaining these watercourses, issuing flood warnings and developing flood mapping and strategies to help manage flooding.

The F&WMA introduced a new duty for the EA to perform a strategic overview of all forms of flooding. To perform this role the EA has re-organised to create

a more outward looking organisation. Further details of this overview role can be provided by representatives from the Environment Agency at the meeting.

Role of Severn Trent Water

The role of Severn Trent Water (STW) to prevent flooding from public sewers has not changed. As a commercial company they are constrained by the requirements of the water regulator regarding investment cycles and plans. However section 13 of the F&WMA has placed a new duty on STW to co-operate with the EA and LLFAs, and the company at all levels of the organisation from senior management downwards is encouraging effective communication with flood risk management partners.

Within the City area, the existing sewer network has limited capacity to deal with exceptional flooding, and in some locations it will be overwhelmed in a severe storm. The Pitt review recognised that wide spread up-sizing of the sewer network was not realistic. Hence the aim of flood risk management is to use all the tools available to manage flood water in a co-ordinated way.

Role of Nottingham City Council

The role of the LLFA is to facilitate this co-ordinated approach, working with professional partners and the public to reduce the risk and minimise the effects of flooding. In order to carry out this role the F&WMA places a number of specific duties on the LLFA as detailed below:-

Section 9, develop, maintain, apply and monitor a Local Flood Risk Management Strategy – a project is being set up to deliver this strategy, including the necessary consultation with the public and affected Risk Management Authorities. The previous work carried out to produce a Surface Water Management Plan and Preliminary Flood Risk Assessment will inform this strategy.

Section 13 Duty to Co-operate – Regular meetings are being held with the EA, STW, adjoining authorities and officers across a wide range of functions within the City Council. These meetings have facilitated the effective exchange of information, better understanding of roles and responsibilities, and sharing of mutual goals.

Section 19 Duty to Investigate flood incidents. An informal investigation is underway concerning the flooding on 28th June and 6th July 2012.

Section 21 Register of Structures and Features (assets that have a significant effect on flood risk). A significant amount of work was carried out during the preparation of the SWMP in mapping the features that have an influence on flood risk. This work now needs to be developed into a register.

Sections 22-26. Nottingham City Council is now represented by Councillor Jane Urquhart on the newly formed Trent Regional Flood and Coastal Committee. This Committee makes decisions on funding for flood schemes across the region.

Schedule 1 Designation of third party assets as flood structures – this has very recently been enacted and officers are considering which structures should be designated in the interests of the landowner and adjoining owners.

Schedule 2 Consenting for works on ordinary watercourses – no applications for works on ordinary watercourses have yet been received.

Schedule 2 Makes amendments to the Local Government Act (2000) to allow the LLFA to undertake scrutiny of other Risk Management Authorities.

Schedule 3 – Sustainable Drainage Systems Approval Body (SAB). This part of the legislation has not yet been enacted. However in advance of taking on this new role, preliminary internal officer discussions have been commenced regarding the administration and determination of SuDS applications. In addition, the use of SuDS is being encouraged in discussions with developers and for Nottingham City Council promoted schemes.

Challenges

Even though progress is being made towards achieving these new statutory duties, it has been recognised that Nottingham City Council is under-resourced in this new area of work. In order to address this, a new post of flood mitigation manager has been created, and the successful candidate is due to start work in November 2012.

Local Flood Risk Management Strategy

In addition to these individual duties contained in the legislation it is important not to overlook the main objectives which is to reduce the risk and consequences of all types of flooding for citizens, as well as improving the response of all the organisations in the event of a severe flood. The Local Flood Risk Management Strategy is a key document in achieving this objective. Consequently it is important that considerable effort is put into preparing this strategy and that it should include a realistic and achievable action plan for managing flood risk in the City Council area. This should include sustainable measures to manage flood risk that deliver multiple benefits where possible. Both structural and non-structural (including planning, emergency planning and insurance) measures should be considered, as suitable within the context of the wider River Trent catchment. This should consider maintenance and asset renewal alongside larger schemes. To do this the City Council will need to be effectively joined-up across functions as well as with other flood risk management authorities.

Working in partnership

This is being facilitated by regular meetings at all levels between those organisations involved in flood risk management work. The Joint City and County Strategic Flood Risk Management Board has met twice, and provides a high level overview of flood risk management work within Nottinghamshire. Cross departmental meetings as well as meetings with the EA and STW now take place, as well as meetings of the Local Resilience Forum Flood Planning and Warning Group.

In addition to supporting new statutory duties under the F&WMA, Nottingham City Council has reviewed its operational response to flooding events:-

- A new locality based gully cleaning regime has been implemented
- GPS cab mounted devices are now being used to record the outcome of each cleaning visit.
- Differential (highly accurate) GPS receivers have been purchased. This will enable the Council to compile an inventory of all drainage assets.
- Nottingham City Council have completed a collaborative project with Leicester and Derby City Councils. A good practice guide for the asset management of highway drainage has recently been published by the group.
- The report a problem website has been updated to receive highway flooding and blocked drainage reports.
- Joined up working with Highway Services and Street Services by cleaning debris from gully tops during storms.
- Planned future evening gully cleaning round to target gullies which are difficult to clean during the day plus reduce vehicle idle time.
- Planned future proactive watercourse maintenance (the actual watercourse lengths rather than just the grills).

Summer 2012 flooding events, 28th June and 6th July

From two of the main flooding events that occurred this summer it is possible to get a feel for how well the risk management authorities responded to these events and how well the City Council performed its role as LLFA. The two rainfall events were different, with a short intense storm on 28th June, and a longer rainfall event falling on saturated ground on 6th July. No reports of severe internal flooding were received by officers.

The following points are worth noting regarding the response of those organisations involved in flood risk management,

- Good forecasting (especially on 6th July)
- Advanced warning of LLFA's by the EA
- Nottingham City Council's operational role - delivering sandbags, gully cleaning machines clearing blockages, rapid replacement of blown manhole covers and repeated clearing of watercourse grills
- Watching role of emergency planners
- Better understanding of where the main restrictions are on the drainage network
- Effective cross boundary working with Broxtowe Borough Council regarding flooding to gardens in Wollaton. This flooding was close to causing internal flooding of houses
- The property level protection measures installed on properties on Haydn Road were effective.
- Visiting Businesses and citizens affected by flooding to identify causes, offer advice and examine ways to reduce future risk.

Further work will be taking place to review these two flooding events with STW and the EA to determine what can be learnt about flood risk in Nottingham, and what improvements can be made.

List of attached information

None.

Background papers, other than published works or those disclosing exempt or confidential information

None.

Published documents referred to in compiling this report

Nottingham City Preliminary Flood Risk Assessment (2011)

The Flood and Water Management Act 2012

Wards affected

Citywide

Contact information

Chris Capewell

Ext 65277

Email Chris.capewell@nottinghamcity.gov.uk