

## **Overview and Scrutiny Committee**

**9 December 2020**

### **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 undertaken by the City Council and their partner organisations to protect communities, properties, highways and education facilities from the impacts of flooding.

Under the Flood and Water Management Act 2010 (FWMA), the City Council has a statutory duty as Lead Local Flood Authority (LLFA) and the committee is asked to examine this role to determine whether the Council is meeting its responsibilities under the FWMA.

#### **Background Information**

Following the 2007 summer floods, a government review into the flooding was undertaken under Sir Michael Pitt. A number of legislative changes were recommended, resulting in the implementation of the Flood and Water Management Act 2010.

The Act outlines the responsibilities of the organisations involved in flood risk management. In Nottingham City, this includes Nottingham City Council, the Environment Agency (EA) and Severn Trent Water (STW).

Nottingham City Council has a significant role as 'Lead Local Flood Authority'.

#### **Role of Nottingham City Council**

##### *Statutory Duties*

The role of the LLFA is to facilitate a 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 FWMA places a number of specific duties on the LLFA as detailed below:

- Responsibility for managing flood risk from 'local' sources, which includes surface water, minor ('ordinary') watercourses and groundwater,
- Developing, maintaining, applying and monitoring a strategy for local flood risk management (a 'local flood risk management strategy'),
- Investigating flood incidents to identify the organisation(s) with relevant flood risk management functions, formally known as Section 19 reports,
- Developing and maintaining a register of flood risk management assets and features.

##### *Active Role within the Trent Regional Flood and Coastal Committee (RFCC)*

The Trent RFCC is established by the Environment Agency under the Flood and Water Management Act 2010 that brings together members appointed by LLFA's and independent members with relevant experience for 3 purposes:

- to ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines

- to encourage efficient, targeted and risk-based investment in flood and coastal erosion risk management that represents value for money and benefits local communities
- to provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to build understanding of flood and coastal erosion risks in its area

Nottingham City Council's representative on this committee is Cllr Sally Longford Portfolio Holder for Energy, Environment and Democratic Services, who also undertakes an active role as joint Chair of the supporting Finance Sub Committee.

### *Asset Management*

Maintenance of all flood risk and drainage assets across the authority is crucial for flood risk management. Nottingham City Council plays a key role in ensuring that key assets are maintained and monitored (such as highway gully cleansing) to ensure operation. The Flood Risk Management (FRM) team have identified key flooding hotspots as a priority, and work closely with our Highway Services colleagues to target the gullies in these locations.

The authority is responsible for maintaining a number of ordinary watercourses throughout the city. Again, the FRM team and Highway Services work closely and provide a maintenance regime for the clearance of debris from these watercourses, particularly at the numerous trash screens. Several key assets locations have monitoring equipment with level sensors, to enable the authority to respond to any potential extreme changes in water levels, which may indicate potential blockages or flooding conditions.

Improving our understanding of assets is key to flood risk management, therefore the authority have initiated a series of studies of strategic watercourse assets across the city. Starting with trash screens, analysis has been carried out to understand condition and operational performance, enabling the authority to quantify the properties at risk should these assets fail. The studies will also identify improvements that can be made to these strategic assets to reduce the associated flood and operational risk.

### **Role of the Environment Agency**

The Environment Agency (EA) have a responsibility to manage flood risk from main rivers. In Nottingham, this includes the River Trent, River Leen, Day Brook, Fairham Brook and sections of the Tottle Brook and Nethergate Stream.

The EA play a significant role in the maintenance and enforcement of these watercourses, as well as undertaking their own capital programme to better protect residents from flooding.

The EA has a strategic overview of all forms of flooding, and provides support to LLFAs.

### **Role of Severn Trent Water**

The role of Severn Trent Water (STW) is to prevent flooding from public sewers. Under the FWMA, STW have a duty to operate with the EA and LLFAs to manage flood risk in a co-ordinated way.

### **Local Flood Risk Management Strategy**

Full Council approved the Local Flood Risk Management Strategy (LFRMS) on 9 March 2015, outlining the Council's Action Plan for flood risk management across the City, with an overarching aim to reduce the impact of flooding on people, property and businesses in Nottingham.

The principal recommendation of this report is that the LFRMS should be reviewed and updated, including formal consultation by Spring 2022, followed by Full Council approval.

An update of the LFRMS is essential to highlight new flooding locations, refresh the pipeline capital programme, and to link in wider strategic actions such as the Council Plan Pledge 'Work with the Environment Agency to protect 1000 more homes from the risk of flooding', Carbon Neutral 2028 and the River Leen Strategy currently, which currently in development.

### **Strategic Flood Risk Management Board**

To facilitate working in partnership and the sharing of best practice, meetings are held twice annually to give a high-level overview of flood risk management work across Nottinghamshire. The joint City and County Strategic Flood Risk Management Board is well attended by the EA, STW as well as by guest speakers from groups such as the Local Resilience Forum.

### **Progress**

Since the last O&S meeting in 2016, the Council has completed and continued to progress the following Capital investment schemes, in support of its **4 year Council Plan Pledge to 'Work with the Environment Agency to protect 1000 more homes from the risk of flooding'**.

Completed:

- City Wide Property Level Protection Programme Phase 2

This scheme was completed in May 2019, with the installation of resilience measures such as flood doors, smart airbricks and sealing to **70 properties**.

- Daron Gardens & Edern Gardens Property Level Protection Scheme

**16 properties** were also fitted with flood resilience measures to improve resilience to properties in the Top Valley region; this was completed in May 2019.

- Woolsington Close PLP

Following the completion of a conveyance scheme in April 2016, **14 properties** were fitted with additional property level protection measures, packaged with the two schemes above for efficiencies.

- Blue Green Infrastructure – Day Brook

**160 properties** have been better protected through the operational improvements to Jubilee Ponds, in partnership with Severn Trent Water, as well as installation of property level protection. The Day Brook channel has also been naturalised through Valley Road Park and Jason Spencer Sports ground, with planting to continue into 2021.

Due for completion:

- Tinkers Leen Penstock Project

Funding has been secured through development contributions to construct an opening to the Tinkers Leen culvert, to allow over-pumping of the watercourse when the penstock is closed at its outfall (when the River Trent is high). This will prevent water backing up and flooding the City. This is being developed in partnership with Structures and the Environment Agency.

Under development:

- Mapperley Park Surface Water Management Scheme

Hydraulic modelling of the catchment has been completed by both Severn Trent Water and the City. Options have been developed for reducing flood risk to the properties at risk, however, funding is currently not guaranteed. STW and NCC are working in partnership to maximise the potential funding available.

- Broxtowe Park Flood Alleviation Scheme

A hydraulic model has been developed for the catchment to quantify flood risk, however, this modelling has revealed that the catchment is much larger than anticipated. The next step is to expand the model and develop options, working in partnership with Nottinghamshire County Council. Further funding has been secured to support this.

- Beechdale Surface Water Management Scheme

A hydraulic model has been developed for this catchment, however improvements are required to increase certainty in the model. COVID-19 has delayed necessary survey works, but this scheme is likely to progress as a property level resilience project.

- Feasibility Investment

Funding has been secured to accelerate the feasibility studies of a number of known flooding locations, to be completed by March 2021.

- River Leen

The City are working in partnership with the EA to develop a strategic programme for the River Leen.

## **Challenges**

Whilst a great deal of progress is being made, it has to be recognised that the pipeline projects are dependent on external funding, posing a significant risk to the delivery of a number of potential flood risk management schemes.

Funding asset management and operational maintenance activities is also challenging, but investment in this area is essential to reduce flood risk, improve operational performance and mitigate health and safety risks.

Another major challenge to consider is the impact of climate change, increasing the frequency and significance of flooding. The authority's resources are extremely stretched, particularly during more significant flood events, and will be difficult to manage as more and more flood events occur.

The FRM team have been faced with significant resource issues following the departure of 3 experienced officers out of a team of 4. However, the Service Manager has been supporting the remaining officer whilst a fundamental review of the service was undertaken and two updated posts have been made available for recruitment in November 2020.

Despite resource issues, the Authority has continued to carry out all of its functions and duties as required under the Flood and Water Management Act 2010.

Particularly, during recent flooding events in both June 2019 and 2020, affecting around 70 properties. Officers were on the ground in the days and weeks following the storm events, visiting affected residents, establishing the flooding mechanisms and potential causes to enable them to undertake the statutory formal flood investigations at 6 locations across the

city. These Section 19 reports are currently being developed further and are set to go out to consultation early next year.

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