

# Public Document Pack



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PUBLIC

To: Members of Cabinet Member meeting - Highways, Transport and Infrastructure

Thursday, 27 August 2020

Dear Councillor,

Please attend a meeting of the **Cabinet Member meeting - Highways, Transport and Infrastructure** to be held at **10.00 am** on **Thursday, 10 September 2020**

This meeting will be held virtually. As a member of the public you can view the virtual meeting via the County Council's website. The website will provide details of how to access the meeting, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S Hobbs', written over a white background.

**Simon Hobbs**  
**Director of Legal and Democratic Services**

## **A G E N D A**

### **PART I - NON-EXEMPT ITEMS**

1. Declarations of Interest  
To receive declarations of interest (if any)
2. To receive Petitions (Pages 1 - 2)

3. Minutes (Pages 3 - 8)

To confirm the non-exempt minutes of the meeting of the Cabinet Member – Highways, Transport and Infrastructure held on 30 July 2020

To consider the non-exempt reports of the Director for Economy, Transport and Environment on:

- 4 (a) Petition - Request that the Council Offers Companion Passes for Disabled Gold Card Holders (Pages 9 - 28)
  - 4 (b) Petition – Request that the County Council Keeps B\_Line Cards and Travel Discounts for Young People in Derbyshire (Pages 29 - 34)
  - 4 (c) Report on the Completion of a Flood and Water Management Act 2010 Section19 Flooding Investigation (Pages 35 - 82)
  - 4 (d) Request for Creation of Temporary Post of Engineer in the Flood Risk Management Team (Pages 83 - 86)
5. To consider the non-exempt Joint Report of the Director – Economy, Transport and Environment and Director of Finance and ICT on Budget Monitoring 2020-21 Period 2. (Pages 87 - 92)
6. Exclusion of the Public

To move “That under Regulation 21 (1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph(s)... of Part 1 of Schedule 12A to the Local Government Act 1972”

## **PART II - EXEMPT ITEMS**

7. Declarations of Interest

To receive declarations of interest (if any)

8. Minutes (Pages 93 - 94)

To confirm the exempt minutes of the meeting of the Cabinet Member – Highways, Transport and Infrastructure held on 30 July 2020

**DERBYSHIRE COUNTY COUNCIL**

**CABINET MEMBER MEETING – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**10 SEPTEMBER 2020**

**Report of the Director of Legal and Democratic Services**

**REPORT ON PETITIONS TO BE RECEIVED**

**1. Purpose of the Report** To receive petitions forwarded to the County Council relating to matters contained within the portfolio of the Cabinet Member for Highways, Transport and Infrastructure.

**2. Information and Analysis** In compliance with the Council’s Petition Scheme, the following petitions are presented for receipt, investigation and formal response by the Director – Economy, Transport and Environment:-

<b><u>LOCATION/SUBJECT</u></b>	<b><u>SIGNATURES</u></b>	<b><u>LOCAL MEMBER</u></b>
Chesterfield, Walton Road – Request for Programme of Tree Pruning	75	Councillor R Mihaly
Swanwick, Nether Close – Parking Issues	12	Councillors S Marshall-Clarke and P Smith

**3. Considerations (to be specified individually where appropriate)**  
In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, social values, property and transport considerations.

**4. Key Decision** No

**5. Call-in** Is it required that call-in be waived in respect of the decisions proposed in the report? No

## **6. Background Papers**

Petition held on file 124.0 in Democratic Services.

## **7. OFFICER'S RECOMMENDATION**

- (1) that the petition listed above be received and noted; and
- (2) that the Director – Economy, Transport and Environment be asked to investigate and consider the matters raised.

**Simon Hobbs**  
**Director of Legal and Democratic Services**

**MINUTES** of a meeting of the **CABINET MEMBER FOR HIGHWAYS, TRANSPORT AND INFRASTRUCTURE** held at County Hall, Matlock on 30 July 2020

**PRESENT**

Cabinet Member - Councillor S Spencer

Also in attendance – Councillors T Ainsworth, G Hickton and M Wall

**36/20**      **PETITION**      **RESOLVED** (1) to receive the under-mentioned petition:-

<b>Location/Subject</b>	<b>Signatures</b>	<b>Local Member</b>
Glapwell, Park Avenue - Request for Village Green status	455	Councillor C Moesby

(2) that the organiser of the Glapwell petition listed in the report be informed by letter that:- no action can be taken by the Council to meet the request in the petition, because (i) it has no power to create a new village green, and (ii) it is not allowed to add any land to the Register of Village Greens (which it keeps as the Commons Registration Authority for Derbyshire) unless that is required by any determination from an application for registration which has been submitted to it in accordance with the Commons Registration Act 1965.

**37/20**      **MINUTES**      **RESOLVED** that the Minutes of the meeting of the Cabinet Member for Highways, Transport and Infrastructure held on 9 July 2020 be confirmed as a correct record.

**38/20**      **PETITION – HADY LANE, CHESTERFIELD**      Following receipt of a petition requesting the provision of a car parking area adjacent to Hady Primary and Nursery school with a surfaced footpath leading from Hady Lane to this car parking area the matter has been investigated. The petitioners also reported excessive vehicular speed and obstructive parking on Hady Lane as safety concerns.

A system of vertical traffic calming features is in place either side of the school entrance in the form of two bus friendly style road humps. One of the raised areas also forms an uncontrolled crossing point for the school patrol to operate at. Either side of the school patrol crossing site are school safety zone warning signs with flashing amber warning lights.

Hady Lane suffers from a parking problem caused by staff and visitors to the Chesterfield Royal Hospital and together with school parking could, on occasion, pose an obstruction issue for the bus service and emergency service vehicles. This contravenes parking rules found within the Highway Code and obstructions of the highway of this nature were enforced by the Police who should be contacted when this situation occurs.

The Council received many requests for speed reduction and safety measures from across the County and available resources were directed to those locations where there was a history of reported injury collisions and where a highway improvement scheme can effectively reduce the number of collisions. The Council's collision database showed one reported injury collision having occurred in the last three year period up to 31 December 2019 on Hady Lane. A speed survey undertaken on Hady Lane in June 2019 gave an 85 percentile speed of 26mph. The collision record and the recorded vehicular speed on Hady Lane did not meet the criteria required in the County Council's Speed Management Plan to justify the installation of further traffic calming features or any other speed reducing measures at this time.

It was not standard practice to provide car parking and drop-off facilities for parents, but to work alongside schools to adopt active School Travel Plans and reflects the national guidance from the Department for Education and such facilities were not listed as a statutory requirement. The request for a car parking area and link footpath must therefore be declined.

**RESOLVED** that (1) the request for the provision of a car parking area, a footpath link and additional engineering or safety measures on Hady Lane, Chesterfield be refused; and

(2) the Local Member and petitioner be informed of the decision.

**39/20 PEDESTRIAN CROSSING FACILITIES – ELDER WAY, CHESTERFIELD**

The County Council's Signals Team has been contacted by Chesterfield Borough Council requesting a price for services associated with the supply of detailed design drawings associated with the replacement of three existing pedestrians light controlled crossing facilities at Elder Way, Chesterfield. A costing of £3,149.75 has been submitted, which was in line with the County Council's 2020-21 fees and charges. The design fee for supply of detailed signal drawings would be recharged to Chesterfield Borough Council.

The Borough Council required formal permission from the County Council's, as Highway Authority, for works to be undertaken in the public highway using an Agreement under Section 278 of the Highways Act 1980.

**RESOLVED** to approve the addition of a traffic signal design scheme in the 2020-21 Capital Programme with regard to proposed works at Elder Way,

Chesterfield, undertaken by Chesterfield Borough Council under a Section 278 Agreement of the Highways Act 1980.

**40/20**      **NATIONAL PROPERTY RESILIENCE FRAMEWORK**      The Department for Environment, Food and Rural Affairs (DEFRA) has made funding available, through the Property Flood Resilience Recovery Support Scheme, to install flood resilience and mitigation measures to properties and businesses affected by the floods in November 2019 and February 2020.

The County Council, as Lead Local Flood Authority, was best placed to manage the scheme, given its previous experience in managing other grant schemes, along with its expertise in flood mitigation. Derbyshire District and Borough Councils have confirmed the numbers of properties eligible for the scheme and this has been reported back to DEFRA.

Through the scheme, up to £5,000 per property or business was available. This included £500 to undertake a survey of the building, which was an obligatory requirement, to determine the measures required. The Council's Flood Risk Management Team was managing the scheme, which involves the processing of applications, liaising with applicants, conducting surveys and arranging payment for successful applications.

It was proposed that the Council utilises the Environment Agency's National Property Flood Resilience Framework, to procure a Contractor to deliver the survey work for the Property Flood Resilience Recovery Support Scheme, which would ensure that the Contractor was fit for purpose and reduce the timescales for procurement and award of contract.

In accordance with the County Council's Financial Regulations a business case for the use of the Environment Agency's National Property Resilience Framework has been approved by the Director of Finance & ICT and the Director of Legal Services. The award of contract from the Framework was delegated to the Executive Director - Economy, Transport and Environment, in accordance with Financial Regulations.

**RESOLVED** to approve the use of the Environment Agency's National Property Flood Resilience Framework to procure a Contractor to deliver survey work for the Property Flood Resilience Recovery Support Scheme, as detailed in the report.

**41/20**      **MINERALS LOCAL PLAN – SAND AND GRAVEL CONSULTATION**  
Derbyshire County Council and Derby City Council (the Councils) were working together to prepare a joint Minerals Local Plan, the Derbyshire and Derby Minerals Local Plan, which will cover the geographical area of Derbyshire and Derby, excluding the Peak District National Park. A revision to national planning policy in 2019 stipulated that local plans should cover a 15 year period from the time of adoption. This has required the councils to extend the Plan period to 2036.

The situation regarding the supply of sand and gravel has had to be re-examined and, as part of this, the sand and gravel operators within the County have

been asked if they wished to promote additional sites for minerals working. Three further sites for the extraction of sand and gravel have been suggested by mineral companies and along with the other five sites that were suggested previously, have been assessed against the same methodology to determine which sites have the greatest potential for working and which should therefore be included as allocations in the Minerals Local Plan.

Before publication of the full Proposed Draft Minerals Local Plan later this year, an interim public consultation was proposed to enable the public to comment on the proposed strategy for sand and gravel provision for this extended Plan period. The main consultation document and two supporting documents, the Site Assessment Methodology and Site Assessments, were attached to the report.

Consultation would run for 8 weeks and details would be determined following further guidance from Government and COVID-19 advice, relating to safe conduct of public drop-ins and meetings. Documents would be made widely available to interested parties and members of the public, including via the Councils' websites.

**RESOLVED** that approval be given for Derbyshire County Council to carry out the consultation on sand and gravel provision in Derbyshire.

#### **42/20 PLANNING SERVICES - STATEMENT OF COMMUNITY INVOLVEMENT**

Section 18 of the Planning and Compulsory Purchase Act 2004 introduced a requirement for all local planning authorities (LPA) to prepare a Statement of Community Involvement (SCI) setting out how the LPA would involve the community in matters relating to spatial development and town and country planning in its area. The purpose of a SCI was to be the first means for stakeholders and the community to find out when and how they could become effectively involved in all aspects of the planning process from the earliest stage.

Derbyshire County Council adopted its first SCI in December 2006 and there have been a number of legislative changes which need to be reflected in the updating of the content to ensure that it was legally compliant and fit-for-purpose. The SCI has been revised to include legislative changes and to bring it in line with the Council's current corporate approach to community engagement.

Whilst there was no legal requirement for LPAs to consult when reviewing and updating their SCI, in the spirit of encouraging meaningful community engagement, it was considered appropriate in this instance. It was anticipated that following completion of the consultation exercise a further report would be made to the Cabinet Member to seek approval for adoption of a revised and updated SCI.

**RESOLVED** that approval be given for the Planning Service to carry out a consultation on a revised and updated Statement of Community Involvement.

**43/20 REVENUE OUTTURN 2019-20** The net controllable expenditure in 2019-2020 for the Highways, Transport and Infrastructure Portfolio,



detailed in the report, was £78.148m against a net controllable budget of £79.967m, resulting in a controllable year-end underspend of £1.819m.

The Portfolio incurred additional costs of £0.547m due to the Toddbrook Reservoir Whaley Bridge incident and £0.824m for costs incurred as a result of the flooding in November and Storm Ciara and Dennis, which have been funded from General Reserve.

Costs incurred in 2019-20 for Coronavirus COVID-19 were £0.011m which have also been funded from General Reserve. These costs were expected to rise significantly in 2020-21.

The Portfolio has also been supported by the use of £2.000m of Budget Management Earmarked Reserve, as agreed in the Revenue Budget report 2019-20, which was reported to Council on 6 February 2019.

Key variances included Waste Management (underspend of £3.250m), Public and Community Transport (underspend of £1.122m), Winter Maintenance (overspend £1.061m), Highway Maintenance and Land Reclamation (overspend of £0.572m), Resources and Improvement (underspend of £0.515m), Council Fleet Services (underspend £0.922m), Planning and Development (underspend of £0.666m); and Unallocated Savings (overspend of £3.234m). The underspend was to be used for offsetting the potential additional cost of the Woodville Swadlincote By-Pass.

Budget reductions totalling £2.593m were allocated for the year, with further reductions allocated in prior years totalling £3.321m, not being achieved and brought forward to the current year. Total reductions to be achieved was £5.914m. The shortfall between the total reductions expected to be achieved and the identified savings initiatives at the start of the year was £5.234m. This savings target has been reduced by £2.000m as a result of a contribution from the General Reserve for one year only to enable the Highway Maintenance budget to remain at the same level. Therefore, the unallocated savings in 2019-20 were £3.254m.

Growth items in the 2019-20 budget were Waste Management and Disposal (£1.500m ongoing); Highway Maintenance (£1.000m one-off); Public Transport (£0.500m ongoing); Water Body (£0.100m one-off), HS2 Co-ordination Officer (£0.064m one-off), and Street Lighting (£0.048m one-off).

Earmarked Reserves relating to the portfolio, totalling £17.238m, were currently held to support future expenditure. The Debt Position was also detailed in the report.

Discussion was held and comments made on the underspend, use of general reserves, future funding requests to central government and challenges being experienced over the last months. It was noted that details of the Bellwin funding would be provided to members.

Members commended all staff for their diligence during this unprecedented time.

**RESOLVED** to note the report.

**44/20**      **EXCLUSION OF THE PUBLIC**      **RESOLVED** that the public, including the press, be excluded from the meeting during consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings:-

**SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC, INCLUDING THE PRESS, WERE EXCLUDED FROM THE MEETING**

1. To confirm the exempt Minutes of the meeting held on 9 July 2020.
2. To consider the exempt Report of the Executive Director – Economy, Transport and Environment on Further Extension of Contract for Emergency Event Management Resource to Enable the Continued Opening of Household Waste Recycling Centres. (contains information relating to the Financial or Business Affairs of a Particular Person (including the Authority Holding that Information))

**Agenda Item No. 4(a)**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**10 September 2020**

Report of the Director – Economy, Transport and Environment

**PETITION – REQUEST THAT THE COUNCIL OFFERS COMPANION  
PASSES FOR DISABLED GOLD CARD HOLDERS**

- (1) **Purpose of Report** To consider a petition requesting that the County Council offers companion passes to disabled Gold Card holders.
- (2) **Information and Analysis**

**Background**

At the meeting on 8 November 2018, the Cabinet Member acknowledged receipt of a petition signed by 407 persons requesting the addition of a companion entitlement for certain categories of disabled Gold Card holders (Minute No.95/18 refers). The wording of the petition reads as follows:

*“Request to allow for a disabled person to apply for a companion bus pass in Derbyshire as is in neighbouring counties. Bus pass for disabled people with blindness, walking disability, learning disability, application form, section D, (companion)”.*

The Derbyshire Gold Card forms part of the statutory English National Concessionary Travel Scheme (ENCTS). The Scheme offers pass holders free, off-peak travel on any eligible local bus service in England. Residents qualify for a pass on application, based on either age (currently anyone who is over 66 years of age) or certain disabilities.

In addition to the statutory national ENCTS concession, Travel Concession Authorities are able to offer additional, discretionary, local concessions for use within their own scheme area. Any authority offering additional concessions must, however, meet the full funding cost of these.

Derbyshire Gold Cards do not currently offer any additional concessions above the statutory minimum ENCTS scheme.

However, for many years, the Council has offered reduced fares for young people through the separate b\_line concessionary scheme, although the Council's budget savings for 2020-21 currently includes a proposal to end the b\_line scheme. A separate petition seeking to retain the b\_line scheme will also be considered at this Cabinet Member meeting.

### **Officer Comment**

Companion passes can be offered as an additional discretionary concession to disabled pass holders who are unable to board buses without assistance. Where these passes are offered, they are typically limited to certain categories of disabilities such as those who are blind, have a severe walking disability, or a severe learning disability.

Of the nine Travel Concession Authorities in the East Midlands, only two authorities (Nottingham City Council and Nottinghamshire County Council) offer companion passes. The position of other neighbouring authorities to Derbyshire is that Staffordshire County Council and South Yorkshire do offer companion passes, but Transport for Greater Manchester and Cheshire East Council do not.

In Derbyshire, anyone travelling with a disabled pass holder is currently required to pay the appropriate fare for the journey made on all occasions. Adding a companion entitlement to the Gold Card scheme would allow both the pass holder and a travel companion to travel for free on any off-peak journey starting in Derbyshire.

As a discretionary concession, companion passes do not form part of the national scheme. This means that any such companion element would only be valid for use in Derbyshire. The travel companion would therefore still need to pay the appropriate fare at all times for all journeys starting outside Derbyshire or travelling beyond Derbyshire (including any return journeys), although the disabled pass holder themselves would remain able to use their pass for free off-peak travel anywhere in England.

The limitation of a companion element to only those journeys starting in Derbyshire would restrict the usefulness of this concession as the companion element would not, for example, be valid for use to travel back from destinations in neighbouring authority areas such as Burton, Derby, Macclesfield, Manchester, Nottingham or Sheffield, nor would it be valid for use anywhere else in England.

In view of the petition request, the potential for transport savings to offset the cost of operating a companion pass scheme has been considered. The Council provides specialised transport services for children and young people with learning difficulties and/or disabilities or other special circumstances where entitlement is deemed necessary. The Council also provides services

for Derbyshire residents with an assessed, eligible adult social care need for transport.

In most instances, use of public transport for these journeys is not suitable regardless of the availability of a companion for the journeys made, as the majority of special needs and adult care journeys commissioned by the Council are from home and are door-to-door. This is either because the specific care needs of individuals cannot be met through public transport services and require bespoke transport solutions and/or one to one support, or because there is no feasible public transport journey available that would meet the travel requirement.

It is therefore considered that there would be very limited, if any, opportunities to deliver savings from specialised transport budgets if a companion entitlement for disabled Gold Card holders was available. Public bus services are already used to provide specialised transport if possible. In most cases, the suitability of public bus services for this purpose is not dependent on the availability of a companion and, where it is, the Council already makes arrangements to provide assistance where it is not possible to arrange this through family or friends.

The cost of operating a companion entitlement would therefore need to be funded in full by the Council if it were to be implemented in Derbyshire.

The Council fully understands the positive impact that access to travel can have on personal wellbeing and independence, and is committed to maximising opportunities to achieve this. However, at this time, the benefits arising from the introduction of a companion pass scheme for the card holder and their companion must be considered within the context of significant financial constraints and against the additional, ongoing revenue cost needed to support such a scheme.

Aside from companion passes, there are also a number of other potential discretionary enhancements available for the Gold Card Scheme supplementing the statutory minimum currently offered. These include allowing weekday travel prior to 0930 hours or after 2300 hours, adding other groups of disabled persons that do not meet the statutory eligibility criteria, allowing use on other public transport services (such as national rail services, or Derbyshire Connect Active Travel services) and providing concessionary travel for older people who are below eligible pension age (the age of eligibility for ENCTS having increased from 60 years to 66 years in line with changes to pension age).

Any of these potential enhancements have their own relative merits arising from the benefits they would bring to those who would be eligible and it is therefore difficult to prioritise one potential Gold Card enhancement over

another. The additional annual costs of all the potential discretionary Gold Card concessions combined would, however, run into millions of pounds.

Rather than pursue either a companion entitlement or any of the other potential discretionary Gold Card concessions, the Council has instead prioritised maintaining existing services with its available discretionary public transport budget, including funding a countywide bus network, ensuring bus services remain available for use by both disabled Gold Card holders and other service users. This has been demonstrated throughout the COVID crisis where, despite significant challenges, the Council has continued to support contracted bus services to ensure access to jobs and learning has been maintained for Derbyshire residents.

Going forward, the Council will continue to review its approach to supported public transport – and the concessionary fare scheme – as appropriate to ensure opportunities for sustainable and accessible travel are maximised for all Derbyshire residents, particularly those with additional needs.

**(3) Financial Considerations** The additional cost of offering companion passes would depend on take up and use. Using data provided by other local authorities where companion passes are currently offered, it is estimated that around a third of disabled Gold Card holders (approximately 5,500 card holders) would qualify and take up the companion element, if this was added to the scheme.

The main cost of introducing companion passes would be the additional reimbursement costs to operators for fares revenue foregone. It is estimated that this would add an additional £130,000 per annum to the current concessionary reimbursement costs. There would also be additional costs associated with administering the companion pass as an additional concession (estimated to be at least £20,000 per annum). Other local authorities offering a companion concession report that, in particular, a significant amount of additional officer time would be required to process applications and to administer appeals, estimated at a further £11,500 per annum.

The total estimated additional cost of introducing a companion pass for those unable to board buses without assistance is, therefore, estimated to be over £160,000 per annum. There would also be a one-off cost, estimated to be around £8,000, to re-issue existing Gold Cards to include the companion element.

Reference should also be made to the separate, but related report at this meeting considering a petition requesting that the County Council maintains the existing b\_line scheme and travel discounts for young people in Derbyshire. The proposal to end the b\_line concession is part of the County

Council's budget savings proposals for 2020-21 and illustrates the difficult decisions being faced by the Council to maintain services within its finite resources. Should the b\_line scheme continue, then this would add a further £88,000 to planned expenditure. Although the ongoing cost of b\_line is less than any of the potential Gold Card discretionary options, maintaining b\_line would add further financial pressure for the Council's already stretched public transport budgets. Unfortunately, having full regard to budget pressures, the Council would not be in a position to add companion passes, or any of the other potential discretionary concessions, to the Gold Card scheme, should the b\_line scheme be maintained.

(4) **Legal Considerations** The Council is under a statutory duty to issue a travel concession permit (Gold Card) to elderly and disabled people whose sole or principal residence is in the Council's area. The permit provides confirmation to bus operators that the person is entitled to travel on an 'eligible journey' on an 'eligible service' to a concession consisting of a fee waiver of the fare. The terms 'eligible journey' and 'eligible service' are defined in full within Section 145 of the Transport Act 2000 and Section 1 of the Concessionary Bus Travel Act 2007.

That statutory duty does not extend to the provision of a travel permit to companions of disabled people. Any decision to provide a companion permit would be a discretionary addition to the statutory scheme.

The Council must have due regard to its public sector equality duty under the Equality Act 2010. With the public sector equality duty in mind, the Council must consider the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not. The Equality Impact Assessment has been completed and considered.

The Equality Impact Assessment includes a consideration as to how the mobility component of the Disabled Living Allowance (DLA) may be available to some of those disabled people who would benefit from a companion bus pass. It notes that this benefit could be utilised by that disabled person to pay for their companion's bus pass. The mobility component of the DLA must be (except in prescribed circumstances and for prescribed purposes) disregarded in applying any enactment or instrument under which regard is to be had to a person's means. As this Policy is not means tested, this exclusion would not apply here.

Consideration must also be had as to whether the provision of a companion permit, as a reasonable adjustment, is required. The bus service would remain available without a companion permit, albeit that companion would need to pay for travel. As such, it does not appear proportionate in the circumstances.

As the petition relates to a service which the Council is not under a statutory duty to provide, and is not a service which has ever been available in Derbyshire, the duty to consult has not arisen.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport.

(5) **Key Decision** No.

(6) **Call-in** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Environment Department.

(8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member agrees:

8.1 The request to offer companion bus passes be refused.

8.2 The lead petitioner be informed accordingly.

8.3 That a review of the concessionary fare scheme be undertaken at an appropriate time in the future and the findings reported to Cabinet member meeting.

**Tim Gregory**  
**Director – Economy, Transport and Environment**



**Derbyshire County Council  
Equality Impact Analysis Record Form 2018**

Department	Economy, Transport and Environment
Service Area	Economy & Regeneration - Public Transport
Title of policy/ practice/ service of function	Gold Card Scheme – Request for Companion Bus Passes for disabled people
Chair of Analysis Team	Ian Dyer

**Stage 1. Prioritising what is being analysed**

- a. Why has the policy, practice, service or function been chosen? (rationale)
- b. What, if any proposals have been made to alter the policy, service or function?

Central government provides councils with some funding so that qualifying older and disabled people can travel free of charge on local bus services after 0930 and before 2300 during the week and all day at weekends and on public holidays. This is known as the English National Concessionary Travel Scheme (the ENTCS). Derbyshire CC provide this statutory minimum in compliance with the legislation. In Derbyshire, the scheme is known as the 'Gold Card'. People qualify for the Gold Card disabled persons pass if they meet any one of the following statutory definitions:-

- blind or partially sighted
- profoundly or severely deaf
- without speech
- without arms or have the long term loss of the use of both arms
- have a long-term disability or has suffered an injury which seriously impairs their ability to walk

- have a learning disability
- are disqualified from driving on medical grounds (this may include people with a severe mental disorder)

Those who would be eligible for a companion pass, should they be offered, would be required to meet at least one of these criteria.

The offer of a companion pass would be a discretionary addition to the statutory scheme.

A petition has been presented to the Council requesting that the Council make companion bus passes available for eligible disabled persons to use with their companion. Under the Equalities Act 2010, people with an association with a disabled person must not experience discrimination due to that association.

The Council has never provided companion passes and has no plans to do so.

c. What is the purpose of the policy, practice, service or function?

The companion bus pass is intended for those pass holders who are not always able to travel independently on bus services by reason of their disability, but who could travel if they have a companion with them. The companion pass would allow the companion to travel free of charge while accompanying the pass holder. Currently anyone can act as a companion but must pay the bus fare unless they also have a Gold Card.

d. Will the proposals lead to changes in staffing resources/the organisation of staffing? If Yes, please outline.

Any local authority offering discretionary travel concession, such as companion passes, must meet the full cost of that concession. No additional funding is available from Government should such a policy be adopted.

The additional cost of offering companion passes would likely depend on take-up and use. Using data provided by authorities where companion passes are offered it is estimated that approximately one third of disabled Gold Card holders (about 5,500) could qualify and take up the companion element. However, it can be difficult to quantify usage.

The main cost of introducing companion passes would be the additional reimbursement costs to bus operators for fares forgone, estimated to be £130,000 per annum.

There would also be additional costs associated with administering a companion pass scheme estimated to be £20,000 a year. A significant amount of officer time would also be required to process applications and administer appeals, estimated to be about £11,500 a year. The total annual cost of introducing companion passes would therefore be in the region of £160,000 plus setting up costs at a time when the Council still needs to find budget savings.

## Stage 2. The team carrying out the analysis

<b>Name</b>	<b>Area of expertise/ role</b>
Ian Dyer	Senior Transport Officer – Local Bus
	Significant years experience working with local bus issues including disabled access onto buses & concessionary fares arrangements with various local authorities
Jane Brudenell	Senior Technician – Concessionary Fares
	Significant years experience of concessionary fares arrangements and needs of those with disabilities

## Stage 3. The scope of the analysis – what it covers

To consider the implications of introducing companion bus passes for eligible disabled people.  
 How many people would be expected to take up the concession.  
 To learn from the experience of other local authorities that have companion passes.

## Stage 4. Data and consultation feedback

### a. Sources of data and consultation used

<b>Source</b>	<b>Reason for using</b>
Feedback from other local authorities. Contacted by phone, email and by consideration of their policies.	Experience of other local authorities is directly relevant to Derbyshire

<b>Source</b>	<b>Reason for using</b>
Correspondence from members of the public	This indicates level of support for companion passes in the community and various individual needs.
Nationally available data	To ascertain what discretionary concessions other authorities offer, including companion passes.

## Stage 5. Analysing the impact or effects

a. What does the data tell you?

<b>Protected Group</b>	<b>Findings</b>
Age	<p>The National Travel survey shows that bus usage is highest amongst 16-24 year olds and those aged 65 and over.</p> <p>If the Council were to adopt companion passes it would need to consider whether to make these available to bus pass holders who qualify for the senior Gold Card. Currently the County Council replaces disabled persons passes with a senior pass once someone reaches retirement age. Only disabled pass holders could have a companion eligibility attached if the Council were to introduce this.</p> <p>Carer responsibilities cover all ages and can include accompanying young disabled pass holders to school as well as helping older people to travel.</p>
Disability	<p>A Companion pass would benefit disabled people by increasing their ability to travel using public transport. It could also enable poorer disabled people and their immediate family in particular where the cost of travel is a barrier.</p> <p>Companion passes could make it financially easier for those residents who need assistance to travel and therefore access key services. This could have a positive effect on other service areas like Adult Social Care and Public Health.</p> <p>Companion passes could also help people's ability to live independently and reduce the risk of social isolation.</p>
Gender (Sex)	The majority of carers who would be likely to act as companions are understood to be female, often

	unpaid in that role who would therefore benefit financially.
Gender reassignment	It is not anticipated that people who are undergoing gender- reassignment or whom have already done so would be more or less adversely affected.
Marriage and civil partnership	Marriage and civil partnership is not believed to be a key factor which affects whether or not people would benefit, if the scheme was introduced. However, it is likely that some companions would be the spouse or civil partner of the disabled person.
Pregnancy and maternity	Maternity and pregnancy are believed to be less of a determining factor. If a scheme were introduced then some companions could also be pregnant or be the parent of young children, whilst still acting as a companion.
Race	The ethnic origin would not determine whether or not a qualifying person would receive such a pass. Providing companion passes is likely to benefit people from BME communities in a similar way to non-BME communities.
Religion and belief including non-belief	Religion and belief including non-belief would not determine whether or not a qualifying person would receive such a pass. Providing companion passes is likely to benefit people regardless of religion and belief or non belief.
Sexual orientation	If a scheme were to be introduced then the sexual orientation of a disabled person and their companion would not affect access. It is anticipated that the impact would be similar for same sex households as it might be for mixed sex households, for example.

## Other

Socio-economic	Companion passes could have a positive financial impact on the companion of pass holders, particularly carers but also family, friends or others who could provide the companion support. These individuals may be unregistered carers and so not entitled to receive any Carer's Allowance. Many carers face financial hardship, therefore free travel would be especially important for unpaid or unrecognised carers not in receipt of any Carer's Allowance.
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Rural	Providing companion passes may help combat rural isolation.
Employees of the Council	Would be affected in the same way as other members of society. The extent of the benefit would depend on any restrictions on use the Council imposed. The current Gold Card can only be used for off peak travel, so the companion pass may not be available for someone travelling to work.

b. What does customer feedback, complaints or discussions with stakeholder groups tell you about the impact of the policy, practice, service or function on the protected characteristic groups?

<b>Protected Group</b>	<b>Findings</b>
Age	This analysis has been completed in response to a petition supporting the idea of companion passes. The Council is not proposing to carry out large scale consultation on the introduction of companion passes.
Disability	As Above
Gender (Sex)	As Above
Gender reassignment	As Above
Marriage and civil partnership	As Above
Pregnancy and maternity	As Above
Race	As Above
Religion and belief including non-belief	As Above
Sexual orientation	As Above

Other

Socio-economic	Companion passes would be of benefit to potential companions who are not able to afford bus fares. If free travel was available to a companion they might then be in a position to help a disabled person access services that might otherwise not be available to them. This is even more likely to be the case for
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	disabled people on low incomes and living in the county's deprived wards.
Rural	Offering companion passes may help combat rural isolation. The Council understands the importance of public transport especially within rural areas for people without their own transport, including disabled people, who may also be unable to use other modes of transport. We would anticipate that providing companion pass would be equally if not more beneficial to people living in rural areas.
Employees of the Council	Would be affected in the same way as other members of society. The extent of the benefit would depend on any restrictions on use the Council imposed. The current Gold Card can only be used for off peak travel, so the companion pass would not be available for someone travelling to work.

c. Are there any other groups of people who may experience an adverse impact because of the proposals to change a policy or service who are not listed above?

No other groups specifically impacted.
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d. Gaps in data

What are your main gaps in information and understanding of the impact of your policy and services? Please indicate whether you have identified ways of filling these gaps.

Gaps in data	Action to deal with this
In reaching a view, as outlined above, we have used public transport data, socio-economic data and looked at locations which currently provide a companion pass. We are happy that this data has provided enough evidence for our conclusions and recommendations	Not required

## **Stage 6. Ways of mitigating unlawful prohibited conduct or unwanted adverse impact, or to promote improved equality of opportunity or good relations**

As the offer of companion passes would affect disabled people, it must be considered from the perspective of the Council's public sector equality duty. There appear to be alternative provisions in place that would allow these people to access the community without having to rely on a companion bus pass.

Having considered the eligibility requirements for the Disabled Living Allowance, (DLA) the people who are eligible for a Gold Card disabled persons pass are likely to be eligible for the mobility component of DLA or the Personal Independence Payment (PIP).

A person will be entitled to the mobility component of DLA if, when using their normal aid, they:

- cannot walk
- can only walk a short distance without severe discomfort
- could become very ill if they attempt to walk

They might also be eligible if they:

- have no feet or legs
- are assessed as 100% blind and at least 80% deaf and need someone with them when outdoors
- are severely mentally impaired with severe behavioural problems and get the highest rate of care for DLA
- need supervision most of the time when walking outdoors
- are certified as severely sight impaired and aged between 3 and 64 on 11 April 2011

A person will be entitled to PIP if they have a health condition or disability where they:

- have had difficulties with daily living or getting around (or both) for 3 months
- expect these difficulties to continue for at least 9 months

If a person is eligible for these types of benefits, it appears that they could utilise this benefit to pay the bus fare for a companion, or access alternative methods of transport. It is noted however that there is no guarantee that these benefits will always be available for the people likely to be affected.

There is also the possibility that some of these people would be eligible to access Adult Care services in accordance with the Care Act 2014. Travel



assistance is a service that can be provided under the Care Act, in order to enable an adult in need, or carer, to make use of services in the local community. Where a person has eligible support needs and one of the assessed needs is to make use of services in the community, the local authority must ensure this need is met. Adult Care can arrange transport services to meet these needs in appropriate circumstances. When assessing under the Care Act, the local authority cannot assume that a person in need is able to fund these types of services themselves, even if they are in receipt of the mobility component of DLA or PIP. The fact that the person is receiving this benefit is also not a relevant consideration when determining whether a particular need exists, or the eligibility from such a need. The Council cannot however presume that Adult Care will be providing support to each individual who may benefit from a companion bus pass, as an adult must have eligible needs before the duty is triggered.

Derbyshire Connect provides a 'dial-a-bus' bespoke transport service to shopping destinations for people unable to use conventional buses because of age, disability or because they live in areas where public transport is limited.

Under this scheme the Council also provide door-to-door transport for health appointments. This service is called Derbyshire Connect Active Travel.

Derbyshire Connect services, where requested, will provide a weekly trip for every community in the county to a nearby shopping area or supermarket.

Services are door-to-door and passenger assistants are available, on request, for anyone needing extra help.

Gold Card holders can use Derbyshire Connect services free-of-charge.

## **Stage 7. Do stakeholders agree with your findings and proposed response?**

We have completed this analysis following the receipt of a petition from members of the public. As the Council was not of itself proposing to introduce such a companion pass, we have not at this time elected to complete wider consultation. We would anticipate that most people would support the provision of a pass, were the Council in a better financial position to afford such provision.

## **Stage 8. Main conclusions and recommendations**

Companion bus passes can be issued at the discretion of the local authority to those eligible for a disabled persons bus pass as an addition to the mandatory national concessionary travel scheme.

Of the 89 travel concession authorities in England, 54 offer companion passes though the conditions of use vary, for example some allow companions to travel free at any time, others only off peak, therefore if the Council decided to introduce companion passes, it would need to consider the extent of their availability. Of the East Midlands authorities, only Nottingham City Council and Nottinghamshire County Council offer a companion concession (for off peak travel only).

Offering companion passes may reduce pressure on people's personal finances or those of their carer/s and ease the demand for community and voluntary transport whose resources could be redirected.

Having a companion may allow the disabled bus pass holder to have access bus services and therefore other services including education and medical facilities that they otherwise couldn't access because their companion could not afford the bus fare. Offering companion passes may also help combat social exclusion and rural isolation.

The recommendation is that companion bus passes should not be offered. Unfortunately there is currently no budget available to fund companion bus passes in Derbyshire. Any budget to provide companion bus passes would need to be funded from cuts to other services within public transport, for example supported local bus services which would result in hardship to users of those services, including those who would be potentially eligible for a companion pass.

## Stage 9. Objectives setting/ implementation

<b><i>Objective</i></b>	<b><i>Planned action</i></b>	<b><i>Who</i></b>	<b><i>When</i></b>	<b><i>How will this be monitored?</i></b>
No change in current policy proposed	Respond to the petition with reasons. Explore whether there are voluntary schemes provided by local organisations and, with their agreement, promote awareness of these.	Public Transport Unit of the Council	When staff resources permit	Include in Service Plan

## **Stage 10. Monitoring and review/ mainstreaming into business plans**

Please indicate whether any of your objectives have been added to service or business plans and your arrangements for monitoring and reviewing progress/ future impact?

As no change to the Council's policies are proposed there is no requirement for setting objectives.
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## **Stage 11. Agreeing and publishing the completed analysis**

Completed analysis approved by \_\_\_\_\_ on \_\_\_\_\_

Where and when published?

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### **Decision-making processes**

**Where linked to decision on proposals to change, reduce or withdraw service/ financial decisions/ large-scale staffing restructures**

**Attached to report: Petition – Request to allow a disabled person to apply for a Companion Bus Pass**

**Date of report:**

**Author of report: Ian Dyer**

**Audience for report e.g. date:**

**Web location of report:**

## **Outcome from report being considered**

Rather than pursue offering companion bus passes, which is discretionary, the Council instead prioritises maintaining a countywide bus network with its available discretionary transport budget thereby ensuring bus services remain available for use by disabled Gold Card holders and other service users.

## **Details of follow-up action or monitoring of actions/decision undertaken**

Respond to the petition with reasons. Explore whether there are voluntary schemes provided by local organisations and, with their agreement, promote awareness of these. Actions to be included in the Public Transport Service Plan subject to availability of staff resources

**Updated by:**

**Date:**

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**Agenda Item No. 4(b)**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**10 September 2020**

Report of the Director – Economy, Transport and Environment

**PETITION – REQUEST THAT THE COUNTY COUNCIL KEEPS B-LINE  
CARDS AND TRAVEL DISCOUNTS FOR YOUNG PEOPLE IN  
DERBYSHIRE**

(1) **Purpose of Report** To consider a petition requesting that the County Council continues the b\_line travel discount scheme for young people in Derbyshire.

(2) **Information and Analysis**

**Background**

At the meeting on 9 July 2020, the Cabinet Member acknowledged receipt of a petition signed by 355 persons requesting the retention of the b\_line travel discount scheme for young people in Derbyshire (Minute No.29/20 refers). The wording of the petition reads as follows:

*“Request to keep b\_line cards and travel discounts for Young People in Derbyshire. Many young people in Derbyshire have to travel long distances to access education, training, work, friends and leisure. The 33% and 25% travel discounts for 11 to 19 year olds are essential for them, especially young people from poorer families. Please keep b\_line cards and substantial travel discounts for all young people in Derbyshire to help them gain the opportunities and quality of life they need”.*

The Council currently offers two concessionary travel schemes for Derbyshire residents, b\_line and Gold Card. Withdrawal of b\_line was included in the Council’s budget saving proposals for 2020-21. Since the time the budget was set, the UK has been subject to the Coronavirus (COVID-19) pandemic which has impacted significantly on the local economy and specifically, access to employment and training opportunities for young people.

The Council’s COVID-19 economic recovery work has identified 16 – 25 year olds as being specifically vulnerable to unemployment as a result of COVID-19 and within the emerging Economic Recovery Strategy, action to ensure

bus and rail services are maintained has been taken by the Council as part of the early 'rescue and recover' phase (0-6 months), including continued payments to bus operators for contracted services. As the Council moves into the 'revive' phase of the Recovery Strategy, improved access to jobs and learning has been prioritised and this includes targeted support for young people.

### **The B\_Line Scheme**

The b\_line scheme is a discretionary concessionary travel offer for young people aged 11 to 19 and has been revised a number of times in recent years. The current scheme offers proof of age cards for commercial child travel concessions from 11 years of age up to the 16<sup>th</sup> birthday and a second card providing a Council subsidised concession from age 16 up to the 19<sup>th</sup> birthday. As a discretionary scheme, there is no obligation on the Council to provide a young person's travel concession.

Gold Card forms part of the statutory English National Concessionary Travel Scheme (ENCTS) for eligible older and certain categories of disabled persons. Gold Card offers pass holders free off-peak travel on local bus services across in England. There are a number of potential discretionary enhancements to supplement the statutory minimum offer currently provided by Gold Card and a separate petition seeking to add companion passes will also be considered at this meeting.

### **Officer Comment**

b\_line is a discretionary travel scheme first introduced in 2001 to encourage greater use of public transport by young people in Derbyshire and Derby City, and as a benefit to those who decided to stay on in education after the age of 16. The original scheme offered a common minimum half fare rate on buses and trains for anyone in full time education up to their 19<sup>th</sup> birthday. Up until this point, the age when bus operators started charging young people adult fares had varied considerably.

The scheme has been modified in recent years, beginning with the minimum discount for card holders reducing from 50% to 33% in 2011. Further changes were introduced in 2015, when the current arrangements started. Since August 2015, the age at which the Council provides a subsidised concession has increased from 14 years to 16 years. To offset this change, all bus operators now offer child fares up until the 16<sup>th</sup> birthday (previously some operators only offered child fares to the 14<sup>th</sup> birthday). The subsidised concession remains from age 16 up to the 19<sup>th</sup> birthday, although the discount offered has been further reduced from 33% to 25%. The subsidised concession was retained from age 16 as there are few commercial concessions offered to this age range.



Despite these changes, the scheme has remained popular with users and the 2015 scheme amendments further boosted this by including all young people over 16 for the first time, rather than just those remaining in full time education. This was to overcome the perceived unfairness to young people who go into employment, apprenticeships or other forms of training, rather than staying in full time education.

There are currently over 60,000 b\_line cards issued to young people in Derbyshire and Derby City.

The current scheme offers the following benefits:

- All 11 to 16 year olds receive the b\_line1 card, which acts as a proof of age card, enabling the card holder to access the bus and train companies' own commercially provided child fares. All bus operators now offer at least a 33% discount for child fares, whilst all train operators, and some bus operators, offer a 50% discount.
- From age 16 up to the 19<sup>th</sup> birthday, a b\_line2 card gives a 25% discount on adult single and return bus and train fares in Derbyshire and Derby City, including cross boundary journeys where the journey starts or finishes in Derbyshire. It also gives a 25% discount on certain bus company day and period tickets such as High Peak's Adult Day Tickets and Trent Barton's Zigzag. In addition, the card also gives a 25% discount on rail fares in Derbyshire and Derby City and for certain journeys into adjacent areas, such as Manchester and Sheffield.
- All b\_line cards act as a library card for young people at Derbyshire and Derby City libraries.
- More than 500 businesses in and around Derbyshire and Derby City, also provide discounts for b\_line card holders, including certain shops, gyms, cinemas and restaurants.

Before 2019, the b\_line card administration and distribution system consisted of a photography service capturing students' images in local schools. This took place twice a year, with cards distributed by the photography company through schools. Any students attending colleges, out of County schools or colleges, or those who needed replacements for lost cards, applied by posting an application to the Council supplying their own passport style photograph.

In 2019, the b\_line card administration was completely overhauled and modernised. Cards are now issued through applications either made online or by post utilising the same software and Card Management System used by the Gold Card scheme. B\_line cards have also been migrated to a smart card

platform and are produced and posted out by the same company who produce Gold Cards for the Council.

These changes have reduced the cost of producing b\_line cards by nearly half and will further reduce waste by ensuring that, in future, b\_line cards are only issued to those who want one.

Although the smart card functionality of the new cards is not currently utilised, this functionality will be enabled once all the older b\_line cards produced by the previous method, which are not capable of being used as a smart card, expire in 2022. This will further improve the efficiency and cost effectiveness of the b\_line scheme as, for example, it will enable the blocking of lost or stolen cards to prevent their use. It also offers the potential for season tickets or other ticketing products to be electronically stored on the b\_line card, enabling fully cashless transactions to take place.

Due to the impact of COVID-19 and the restrictions placed on use of public transport, overall use of bus services fell to a low point of around 10% of normal use (March/April/May/June) and currently ranges between 30% and 50% of normal use across the County. As part of its economic recovery efforts, the Council is working closely with bus and rail operators to encourage a return to pre COVID-19 levels of public transport use in Derbyshire, and critically to help support 'return to learn' and return to work programmes for all residents, especially those young people who are disproportionately at risk of unemployment.

It is anticipated the recovery period for public transport, and the restoration to previous passenger numbers, will be a medium to long term (18 to 24 months) ambition, particularly whilst social distancing measures remain in place. It is, however, essential that passenger numbers are supported to return as the future viability and sustainability of all bus and rail services in the County will depend on this and sustainable transport remains a key element not only of the COVID-19 recovery plan but of the Council's climate change framework.

In view of the current circumstances, it would therefore seem counterproductive to withdraw a travel scheme primarily designed to encourage greater use of public transport by young people at a time when access to jobs and learning is paramount and when the need for sustainable travel has never been greater. Continuation of the scheme would also enable the full efficiency benefits of the changes to card administration implemented in 2019 to be realised.

**(3) Financial Considerations** The b\_line scheme in Derbyshire and Derby City is administered by the Council, with the cost of the scheme in Derby recharged to Derby City Council.

The cost of the b\_line scheme has reduced significantly in recent years, whilst still retaining scheme benefits valued by card holders. The reduction in cost is a result of the changes to the scheme implemented in 2011 and 2015, and has resulted in the annual scheme cost to Derbyshire falling from a high of £1,547,671 in 2011-12, to £125,000 in 2020-21. Due to the changes in scheme administration implemented towards the end of 2019, should the scheme continue, then the ongoing full year cost is anticipated to fall further to around £88,000 per annum.

Whilst the cost of b\_line is significantly lower than the cost of providing many other public transport services (for example, the cost of providing the statutory Gold Card scheme for Derbyshire is over £9 million per annum), should b\_line be retained, this would add further financial pressure for the Council's already stretched public transport budgets.

The Council receives ongoing requests for additional transport services and support, as demonstrated by the separate petition also being considered at this meeting, seeking to introduce companion pass entitlement as an additional discretionary concession to the Gold Card scheme. Given the higher cost of discretionary Gold Card concessions, it would be extremely difficult to finance any of these, regardless of any decision on the continuation of the b\_line scheme. Should b\_line continue, it would certainly be the case that the Council would not be in a position to fund companion passes, or any other potential discretionary Gold Card concession from within existing budgets and this should be taken into account when reaching a decision.

(4) **Legal Considerations** As the Travel Concession Authority for Derbyshire, the Council has discretionary powers to establish a concessionary travel scheme for young persons through the 1985 Transport Act.

Although there is no statutory duty to provide the b\_line scheme, it is a long established service provided by the Council. Any proposals for significant changes to the scheme would need to be consulted on first before reaching a final decision on these.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport.

(5) **Key Decision** No.

(6) **Call-in** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(7) **Background Papers** Held on file within the Economy, Transport and Environment Department.

(8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member agrees:

8.1 The Council should not proceed with the proposed withdrawal of the b\_line scheme.

8.2 The lead petitioner be informed accordingly.

**Tim Gregory**  
**Director – Economy, Transport and Environment**

**Agenda Item No. 4(c)**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**10 September 2020**

Report of the Director – Economy, Transport and Environment

**REPORT ON THE COMPLETION OF A FLOOD AND WATER  
MANAGEMENT ACT 2010 SECTION 19 FLOODING INVESTIGATION**

(1) **Purpose of Report** To update the Cabinet Member on the completion and outcomes of the Flood and Water Management Act 2010 Section 19 Flooding Investigation, following the November 2019 flooding events which affected large areas of the County.

(2) **Information and Analysis** The flooding event between 7 and 16 November 2019, which affected large areas of the County, triggered the requirement under Section 19 of the Flood and Water Management Act 2010 for the County Council, as the “Lead Local Flood Authority” (LLFA), to undertake a Section 19 Flooding Investigation.

A report on the delivery of the Section 19 Flooding Investigation was submitted to the Cabinet Member at the meeting on 16 March 2020 (Minute No. 20/20 refers) and stated that a draft would be expected to be completed by the end of March 2020. Unfortunately, the flooding events in February 2020 (Storms Ciara and Dennis) and the Coronavirus (COVID-19) Pandemic, have meant that the delivery of this, has unfortunately been slightly delayed.

Extensive investigations have been undertaken to obtain as much information on the flooding event as possible, including questionnaires to residents and businesses affected, site visits, numerous meetings with parish and town councils and liaising with all of the relevant authorities (Environment Agency, Water Authorities, District/Borough Councils etc.), all of which have been formally consulted as part of this investigation.

The statutory requirement for flooding investigation is relatively simple, namely one of investigation by the LLFA of a flood in its area to the extent it considers it to be necessary or appropriate:

- To identify which Risk Management Authorities have relevant Flood Risk Management functions.

- To establish if those functions have been exercised or are intended to be.

The flooding investigation provides the opportunity to identify and engage with communities who have been affected, ascertain if further support and advice can be offered in the immediate aftermath of the flooding event, and also identify opportunities to develop flood mitigation projects to reduce the risk of these properties flooding during future events.

This Section 19 Flooding Investigation has concluded that all Risk Management Authorities (Environment Agency, Water Authorities, Canals and Rivers Trust and District/Borough Councils) have exercised, or are proposing to exercise, their respective functions, in response to this flood event. A copy of the report with the results of the investigation, which is being published by the Council as LLFA, is attached to this report.

The LLFA will continue to work with all of the Risk Management Authorities, to try and reduce the flood risk to properties and infrastructure, together with trying to ensure that the community is even more resilient and prepared, should there be further events of this nature in future years. Some post-November 2019 flood event work, which has already begun, includes setting up of new flood warden schemes for affected communities and implementing the property flood resilience recovery support scheme. It should be noted that some districts/boroughs within the County unfortunately did not qualify for the property flood resilience recovery support scheme, as the threshold set by the Department for Environment, Food and Rural Affairs (DEFRA) was 25 or more flooded properties in any one district/borough. This was despite rigorous lobbying to DEFRA by Derbyshire County Council, to try and get them to amend this.

Derbyshire County Council, as the LLFA, will strive to implement and monitor the recommended actions within the report, to reduce the impacts of future flood events.

The Section 19 Flooding Investigation has concluded that all Risk Management Authorities have exercised, or are proposing to exercise, their respective functions, in response to this flood event (before, during and after).

(3) **Financial Considerations** The Section 19 Flooding Investigation has been undertaken by the County Council's Flood Risk Management Team, including a temporary additional resource referred to below. No further funding has been required to undertake this work.

(4) **Legal Considerations** Under Section 19 of the Flood and Water Management Act 2010, the County Council, as LLFA, on becoming aware of flooding in its area must, to the extent that it considers it necessary or appropriate, investigate which Risk Management Authorities have relevant

flood risk management functions and, whether each of those Risk Management Authorities have exercised, or are proposing to exercise, those functions in response to the flood.

The results of any investigations will be published on the Council's website and notified to any relevant Risk Management Authorities.

(5) **Human Resources Considerations** The Flood Risk Team has secured additional resource (a Flood Engineer) on a temporary basis to assist with the significant increase in workload, following the November 2019 and February 2020 flooding events.

(6) **Equality and Diversity Considerations** An Equality Impact Assessment (EqIA) was undertaken in support of the Local Flood Risk Management Strategy (LFRMS). The LFRMS does refer to the Section 19 requirement of Flooding Investigation and is therefore intrinsically linked to every Section 19 Flooding Investigation undertaken. The main concerns in the EqIA related to public health and the impacts of recurrent flooding on mental health and the effects of flooding on the elderly, infirm, pregnant and disabled, who may not be so able to adapt to, or be capable of making themselves resilient to the effects of flooding or deal with flooding should it enter, or confine them to, their properties. The LFRMS takes on board these issues and seeks to address them through strong emphasis on preparation and development of personal resilience.

(7) **Environmental Considerations** The flooding event would have had a significant environmental impact in terms of pollution and damage to flora and fauna. Through the delivery of the Section 19 Flooding Investigation there will be opportunities to identify areas where the environmental impact can be mitigated for future flooding events.

(8) **Social Value Considerations** The principal aim of the Flooding Investigation was to identify the Risk Management Authorities involved and determine whether they have exercised their required functions. It also included engaging with the flood affected communities to ascertain who was affected and if further support and advice could be offered in the immediate aftermath of the flooding event. All of these actions produce an intangible social value to health and well-being, simply by reducing fear of flooding, of loss of property and long term misery caused by the invasion of the home or business.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, health, property and transport considerations.

(9) **Key Decision** No.

(10) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(11) **Background Papers** Derbyshire Section 19 Flooding Investigation Report attached and Section 19 Guidance document on Section 19 Flood Investigations, held on file within the Economy Transport and Environment Department.

(12) **OFFICER'S RECOMMENDATION** That the Cabinet Member notes and welcomes the delivery of the completed Flood and Water Management Act 2010 Section 19 Flooding Investigation, including the outcomes and recommendations, following the November 2019 events.

**Tim Gregory**  
**Director – Economy, Transport and Environment**





# Flood Investigation Report

Investigative report into the flooding across  
Derbyshire between 7<sup>th</sup> and 20<sup>th</sup> November 2019

Final Report  
7<sup>th</sup> July 2020

Document Information

Title Flood Investigation Report – Derbyshire  
Author: Alex Back  
Reviewed: Richard Ward

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<b>TABLE OF AMENDMENTS</b>					
<b>NO</b>	<b>APPROVAL DATE</b>	<b>SECTION</b>	<b>PARAGRAPH</b>	<b>DETAILS</b>	<b>AUTHOR</b>
1	12/06/2020	All	All	Final Draft for Review	A. Back
2	07/07/2020	All	All	Final for Publication	A Back

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## Executive Summary

This Flood Investigation Report has been produced by Derbyshire County Council (the Council) fulfilling duties under the Flood and Water Management Act (FWMA, 2010) as the Lead Local Flood Authority (LLFA) for Derbyshire.

Section 19 of the FWMA states that on becoming aware of a flood within their local area the LLFA should investigate the flooding event to an extent considered necessary or appropriate.

The Council has produced a LLFA policy which stipulates locally agreed thresholds for undertaking a Section 19 flood investigation in Derbyshire. The LLFA has deemed it necessary to carry out a formal investigation into the flood incident which occurred across Derbyshire between 7<sup>th</sup> and 20<sup>th</sup> November 2019, as it met locally agreed criteria.

The flooding occurrences were predominately split into 2 major events between this period, namely the 8<sup>th</sup> November 2019 and the 14<sup>th</sup> November 2019.

The rainfall, during the first two weeks of November 2019, was very intense and the subsequent surface water and fluvial flooding overwhelmed the highway drainage systems, public sewers and river capacities, causing widespread flooding across the County, including flooding to numerous properties, businesses and critical infrastructure (both road and rail). Approximately 325 residential properties and 59 commercial properties all flooded internally during this period.

Following the event there are some actions that are outlined in the recommendations section for all the risk management authorities involved in flood risk management to potentially progress.

---

## 1. Introduction

## 1.1 Section 19 Investigations – Duty to Investigate

Section 19 of the FWMA states:

- (1) On becoming aware of a flood in its area, a LLFA must, to the extent that it considers it necessary or appropriate, investigate :
  - a. Which RMAs (Risk Management Authority) have relevant flood risk management functions, and
  - b. Whether each of those RMAs has exercised, or is proposing to exercise, those functions in response to a flood event.
- (2) Where an authority carries out an investigation under section 1 (above) it must:
  - a. Publish the results of its investigation, and
  - b. Notify any relevant RMAs.

## 1.2 Derbyshire's Locally Agreed Criteria for Formal Investigation

The Council identified local thresholds for formally investigating flood incidents across Derbyshire within LLFA policy. Within this policy each characteristic of flooding has had a threshold pre-determined as to when a formal flood investigation will be triggered within Derbyshire.

- **Number of properties internally flooded** - An event where records or anecdotal evidence shows that five or more residential properties, or two or more non-residential properties (industrial/commercial) affecting employment, have been internally flooded.
- **Critical infrastructure impacted by the flood** - An event which leads to a protracted impact on a key utility service (water, sewage treatment, electricity distribution, gas distribution, telecommunications, rail network, strategic road network) in excess of 12 hours before restoration of the service.

More information regarding the LLFA policy and local thresholds can be found online at <http://www.derbyshire.gov.uk/environment/flooding/default.asp>.

A formal investigation into the flood incident across Derbyshire between 7<sup>th</sup> and 20<sup>th</sup> November 2019 has been undertaken, because the event triggered the locally agreed flooding 'characteristics' as follows:

- According to anecdotal evidence, confirmed by flood investigation questionnaires, photographic records and other methods demonstrated the threshold for greater than two commercial properties internally flooded was exceeded.
- According to anecdotal evidence, confirmed by flood investigation questionnaires, photographic records and other methods demonstrated the threshold for greater than five residential properties internally flooded was exceeded.

Critical infrastructure was also impacted by the flood, there was widespread highway flooding across the county that disrupted travel by car, coach and bus across the whole area. The A6 was closed for long periods of time and the rail network was also closed near Draycott for a few days causing severe disruption and delays.

### ***1.3 Purpose of this report***

This report summaries the extent, flood mechanism and impact of the flooding across Derbyshire between 7<sup>th</sup> and 20<sup>th</sup> November 2019. It is not intended to identify which individual properties flooded, nor to provide an exhaustive hydraulic analysis of the event. The recommendations are there to help the RMA's learn lessons from the event and to move forward with management of the flood risk in the future.

A list of recommendations is included in the report which is intended to try and ensure that the flood management, warning and response to events are all continually improved going forward. All the RMAs will be involved in taking forward these recommendations.

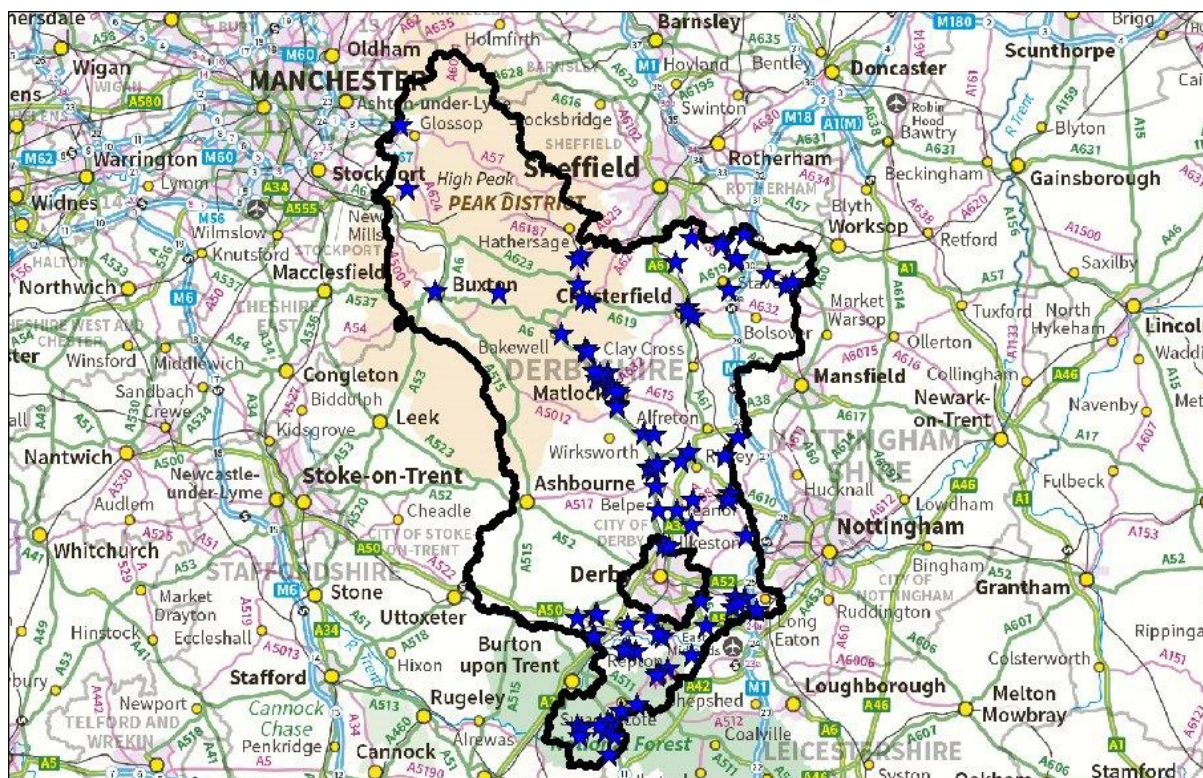
## **2. Background**

### ***2.1 Location***

Derbyshire has a very varied topography, geology and land characteristics, from the rural, rolling hills and uplands extending north of Derby throughout the Peak District, to the south and east of the county, which are much lower and flat, around the valley of the River Trent.

Although a good proportion of Derbyshire is predominately rural, it is also has a number of large towns (e.g. Chesterfield/Matlock/Belper etc.) smaller settlements and urban conurbations, and a good proportion of the flooding was centred around these areas. However it should also be noted, that large areas of rural and farmland were also flooded, which had a significant impact on landowners and farmers across the County.

Figure 1 indicates where the main areas of urban flooding were located, which confirms that the flooding was widespread throughout the County.



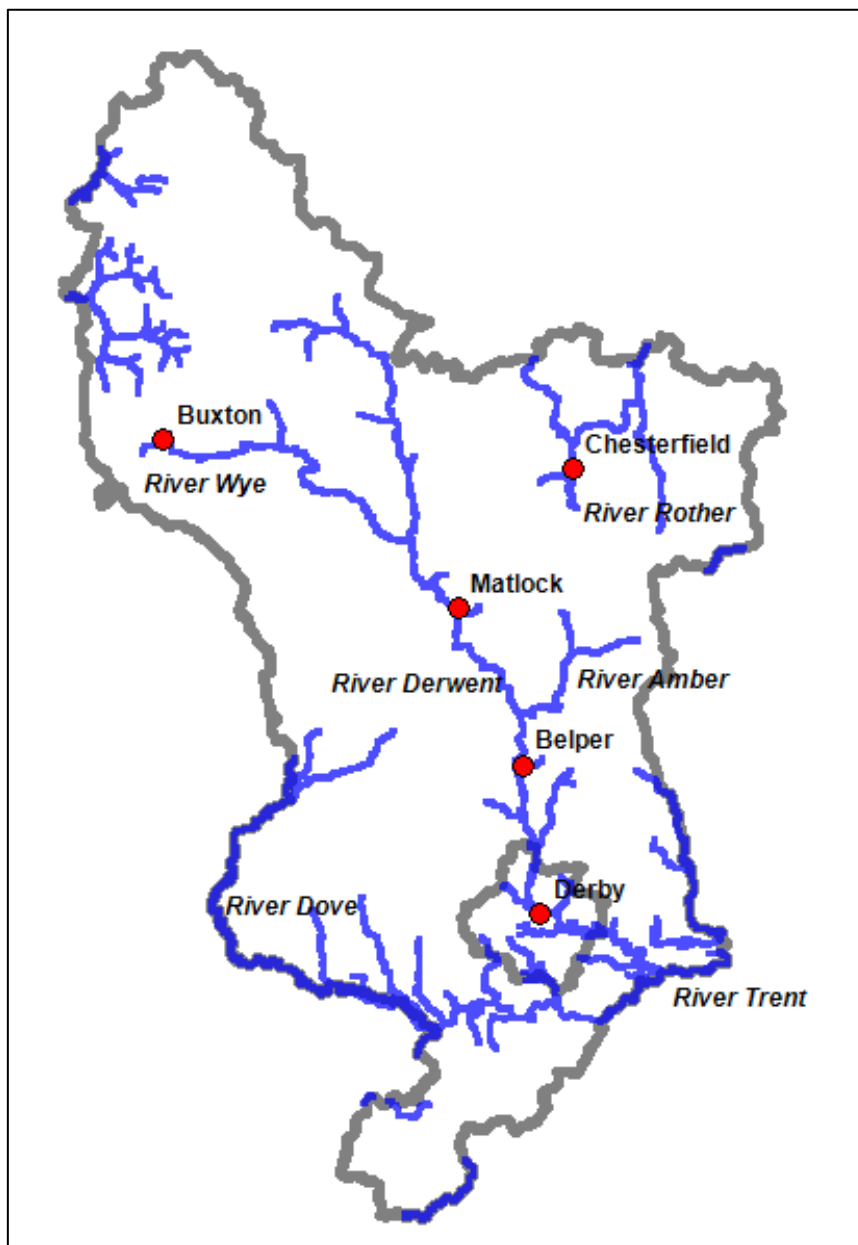
**Figure 1:** Location plan of flooding across Derbyshire between 7th and 20th November 2019

## 2.2 Local Drainage/River System

The river network in Derbyshire is made up of a number of different river catchments, with the Derwent and Rother catchments, which were predominantly affected by the flooding event in November 2019. The River Derwent flows from North to South, discharging into the River Trent, and the River Rother flows from South to North, discharging into the River Don.

Each of the main rivers indicated in Figure 2 also has several other minor tributaries and ordinary watercourses, all of which were affected by the flooding event as well.





**Figure 2:** Map showing the main rivers of Derbyshire

The public sewer network which carries both the foul and surface water flows across the county, is managed by 3 different water companies, namely Severn Trent Water, United Utilities and Yorkshire Water. Severn Trent Water covers the largest proportion of Derbyshire covering all central and southern parts, with Yorkshire Water covering North East Derbyshire and United Utilities covering a small part in the north-west of the county.

The remaining drainage networks which include highway drainage, private drainage (culverted watercourses, etc.) and underground soughs (to drain old mine-workings) are also present throughout the county, and again were all affected to varying degrees by the storm events in November 2019.

## 2.3 Historical Flood Information

Derbyshire has a long history of flooding across the whole of the County, and to list all of the previous individual occurrences would unduly lengthy. However, it is worth noting that events of this nature which affect large parts of the county remain fairly infrequent. The most recent notable flooding events, which did affect large parts of the county was back in 2007 and 2000. This is reflected in some of the highest recorded River levels on some of the Rivers during both of these flood events (River Derwent, River Trent, River Rother, River Amber, River Erewash).

## 3. Flooding between 7<sup>th</sup> and 20<sup>th</sup> November 2019

### 3.1 Information Prior to the Event

We received numerous Flood Warnings from the Environment Agency and these are shown in Figure 3 below.

FROM	SUBJECT	RECEIVED
<b>lder</b>		
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Catton, Barton under Needwood and Branston Water Park	Sat 16/11/2019 15:09
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Cavendish Bridge	Sat 16/11/2019 11:42
floodline@environment-agency.gov.uk	Flood Warning: River Dove and Egginton Brook at Egginton	Fri 15/11/2019 01:18
floodline@environment-agency.gov.uk	Flood Warning: River Amber at Ambergate	Thu 14/11/2019 22:06
floodline@environment-agency.gov.uk	Flood Warning: River Mease at Clifton Campville, Harlaston and Croxall	Thu 14/11/2019 21:40
floodline@environment-agency.gov.uk	Flood Warning: River Doe Lea at Bolsover Coking Works and Netherthorpe	Thu 14/11/2019 20:01
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Church Wilne and Wilne Lane	Thu 14/11/2019 19:49
floodline@environment-agency.gov.uk	Flood Warning: River Erewash at Langley Mill	Thu 14/11/2019 16:32
floodline@environment-agency.gov.uk	Flood Warning: River Erewash at Ilkeston	Thu 14/11/2019 16:28
floodline@environment-agency.gov.uk	Flood Warning: Bottle Brook at Lower Kilburn and Coxbench	Thu 14/11/2019 15:57
floodline@environment-agency.gov.uk	Flood Warning: River Mease at Measham and Netherseal	Thu 14/11/2019 14:43

FROM	SUBJECT	RECEIVED
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Cavendish Bridge	Wed 13/11/2019 03:46
floodline@environment-agency.gov.uk	Flood Warning: River Wye at Ashford in the Water, Church Street area	Tue 12/11/2019 12:58
floodline@environment-agency.gov.uk	Flood Warning: River Wye at Ashford in the Water	Mon 11/11/2019 21:17
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Swarkestone	Sun 10/11/2019 23:37
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Willington, Repton Road area	Sun 10/11/2019 23:36
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Barrow upon Trent	Sun 10/11/2019 23:32
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Twyford	Sat 09/11/2019 19:40
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Barrow upon Trent	Sat 09/11/2019 10:26
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Willington, Repton Road area	Sat 09/11/2019 10:25
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Swarkestone	Sat 09/11/2019 10:25
floodline@environment-agency.gov.uk	Flood Warning: River Trent at Cavendish Bridge	Sat 09/11/2019 07:59
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Little Chester, Eastgate and Cattle Market	Fri 08/11/2019 16:48
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Derby City Water Treatment Works	Fri 08/11/2019 16:33
floodline@environment-agency.gov.uk	Flood Warning: Rivers Trent and Derwent at Shardlow and Great Wilne	Fri 08/11/2019 16:14
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Draycott	Fri 08/11/2019 16:09
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Ambaston	Fri 08/11/2019 16:04
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Elvaston Castle Country Park	Fri 08/11/2019 14:08
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Duffield Church and Village Hall	Fri 08/11/2019 08:31
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Belper	Fri 08/11/2019 08:22
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Whatstandwell including Cromford and Lea Wood	Fri 08/11/2019 08:07
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Raynesway	Fri 08/11/2019 07:13
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Allestree Ford Lane Bridge and Darley Abbey Park	Fri 08/11/2019 06:47
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Ambaston Lane	Fri 08/11/2019 06:41
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Matlock Bath	Fri 08/11/2019 03:01
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Church Wilne and Wilne Lane	Fri 08/11/2019 02:05
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Ambergate	Fri 08/11/2019 01:09
floodline@environment-agency.gov.uk	Flood Warning: River Amber at Ambergate	Thu 07/11/2019 21:52
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Ambergate	Thu 07/11/2019 21:10
floodline@environment-agency.gov.uk	Flood Warning: River Wye at Wye Bank and Milford at Bakewell	Thu 07/11/2019 19:23
floodline@environment-agency.gov.uk	Flood Warning: River Wye at Ashford in the Water, Church Street area	Thu 07/11/2019 19:23
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Darley Bridge	Thu 07/11/2019 18:34
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Bamford including Mytham Bridge	Thu 07/11/2019 18:32
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Baslow and Bubnell	Thu 07/11/2019 17:04
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Hathersage	Thu 07/11/2019 16:58
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Churchtown and Northwood	Thu 07/11/2019 16:53
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Calver	Thu 07/11/2019 16:42
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Grindleford	Thu 07/11/2019 16:42
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Chatsworth	Thu 07/11/2019 16:42
floodline@environment-agency.gov.uk	Flood Warning: Rivers Wye and Derwent at Rowsley	Thu 07/11/2019 16:39
floodline@environment-agency.gov.uk	Flood Warning: River Derwent at Darley Dale	Thu 07/11/2019 16:19
floodline@environment-agency.gov.uk	Flood Warning: River Rother at Staveley Business Centre	Thu 07/11/2019 15:27
floodline@environment-agency.gov.uk	Flood Warning: River Rother at Renishaw	Thu 07/11/2019 15:24
floodline@environment-agency.gov.uk	Flood Warning: River Doe Lea at Bolsover Coking Works and Netherthorpe	Thu 07/11/2019 14:26
floodline@environment-agency.gov.uk	Flood Warning: River Rother at Tapton	Thu 07/11/2019 13:11

**Figure 3:** Flood Warnings issued by the Environment Agency for Derbyshire during November 2019

Weather warnings and Flood guidance statements prior to both events are shown below in Figures 4 and 5.

FROM	SUBJECT	RECEIVED
Unread		
Search Flood Guidance Statements (Ctrl+E)		
Current F		
Date: Older		
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - YELLOW: Surface Water, River - 10:30hrs Friday 22 November 2019		Fri 22/11/2019 12:13
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River - 15:00hrs Friday 15 November 2019		Fri 15/11/2019 15:15
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River - 10:30hrs Friday 15 November 2019		Fri 15/11/2019 10:58
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 14:00hrs Thursday 14 November 2019		Thu 14/11/2019 14:02
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 10:30hrs Thursday 14 November 2019		Thu 14/11/2019 12:06
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 15:00hrs Wednesday 13 November 2019		Wed 13/11/2019 15:06
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 14:00hrs Tuesday 12 November 2019		Tue 12/11/2019 15:25
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 10:30hrs Tuesday 12 November 2019		Tue 12/11/2019 10:54
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 15:30hrs Monday 11 November 2019		Mon 11/11/2019 16:22
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 10:30hrs Monday 11 November 2019		Mon 11/11/2019 13:28
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 15:30hrs Sunday 10 November 2019		Mon 11/11/2019 10:31
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 10:30hrs Saturday 09 November 2019		Sat 09/11/2019 11:00
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River. YELLOW: Surface Water - 15:30hrs Friday 08 November 2019		Fri 08/11/2019 15:39
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River - 10:30hrs Friday 08 November 2019		Fri 08/11/2019 10:42
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: River, Surface Water - 10:30hrs Thursday 07 November 2019		Thu 07/11/2019 16:14
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - AMBER: Surface Water. YELLOW: River - 00:30hrs Thursday 07 November 2019		Thu 07/11/2019 08:10
Emergency Planning (Economy Tra... FW: Flood Guidance Statement - YELLOW: River, Surface Water - 10:30hrs Wednesday 06 November 2019		Wed 06/11/2019 16:27
Emergency Planning (Economy Tra... FW: Flood Advisory Service teleconference minutes - 06 November at 1400h		Wed 06/11/2019 16:24

Figure 4: Flood Forecasting Centre Flood Guidance Statements for Derbyshire November 2019

FROM	SUBJECT	RECEIVED
Unread		
Search Weather Warnings (Ctrl+E)		
Current F		
Date: Older		
Emergency Planning (Economy Transport and Environment) FW: Message From The Met Office Advisor - East Midlands		Fri 22/11/2019 12:12
Emergency Planning (Economy Transport and Environment) FW: Updated Information from the Met Office Advisor - Medium Impacts Yellow Warni...		Thu 14/11/2019 12:04
Met Office Met Office Yellow Rain Warning Updated		Thu 14/11/2019 10:37
Met Office Met Office Yellow Rain Warning Updated		Thu 14/11/2019 10:28
Met Office Met Office Yellow Rain Warning Updated		Wed 13/11/2019 21:52
Emergency Planning (Economy Transport and Environment) FW: Updated Information from the Met Office Advisor - MEDIUM Impacts Possible Acro...		Wed 13/11/2019 13:12
Met Office Met Office Yellow Rain Warning Updated		Wed 13/11/2019 10:55
Emergency Planning (Economy Transport and Environment) FW: Updated Information from the Met Office Advisor - Yellow Warnings for Wet Weat...		Tue 12/11/2019 12:37
Met Office Met Office Yellow Rain Warning Updated		Tue 12/11/2019 10:31
Emergency Planning (Economy Transport and Environment) FW: Message from the Met Office Advisor - Updated Yellow Warning of Rain Today an...		Mon 11/11/2019 13:23
Met Office Met Office Yellow Rain Warning Updated		Mon 11/11/2019 11:31
Emergency Planning (Economy Transport and Environment) FW: Message from the Met Office Advisor (EAST MIDLANDS) - Renewed concerns regar...		Sun 10/11/2019 14:44
Met Office Yellow warning of rain affecting East Midlands		Sun 10/11/2019 11:28
Met Office Met Office Yellow Rain Warning Issued		Sun 10/11/2019 11:28
Met Office Yellow warning of rain affecting East Midlands		Sat 09/11/2019 05:26
Emergency Planning (Economy Transport and Environment) FW: Updated Information from the Met Office Advisor - Weather Outlook Over the We...		Fri 08/11/2019 11:24
Met Office Met Office Amber Rain Warning Updated		Thu 07/11/2019 15:10
Emergency Planning (Economy Transport and Environment) FW: Updated Information from the Met Office Advisor - Amber and Yellow Warnings A...		Thu 07/11/2019 11:48
Met Office Met Office Amber Rain Warning Updated		Thu 07/11/2019 10:33
Met Office Met Office Yellow Rain Warning Updated		Thu 07/11/2019 10:31
Emergency Planning (Economy Transport and Environment) FW: Update from the Met Office Advisor (EAST MIDLANDS) - Escalation of the yellow w...		Thu 07/11/2019 08:02

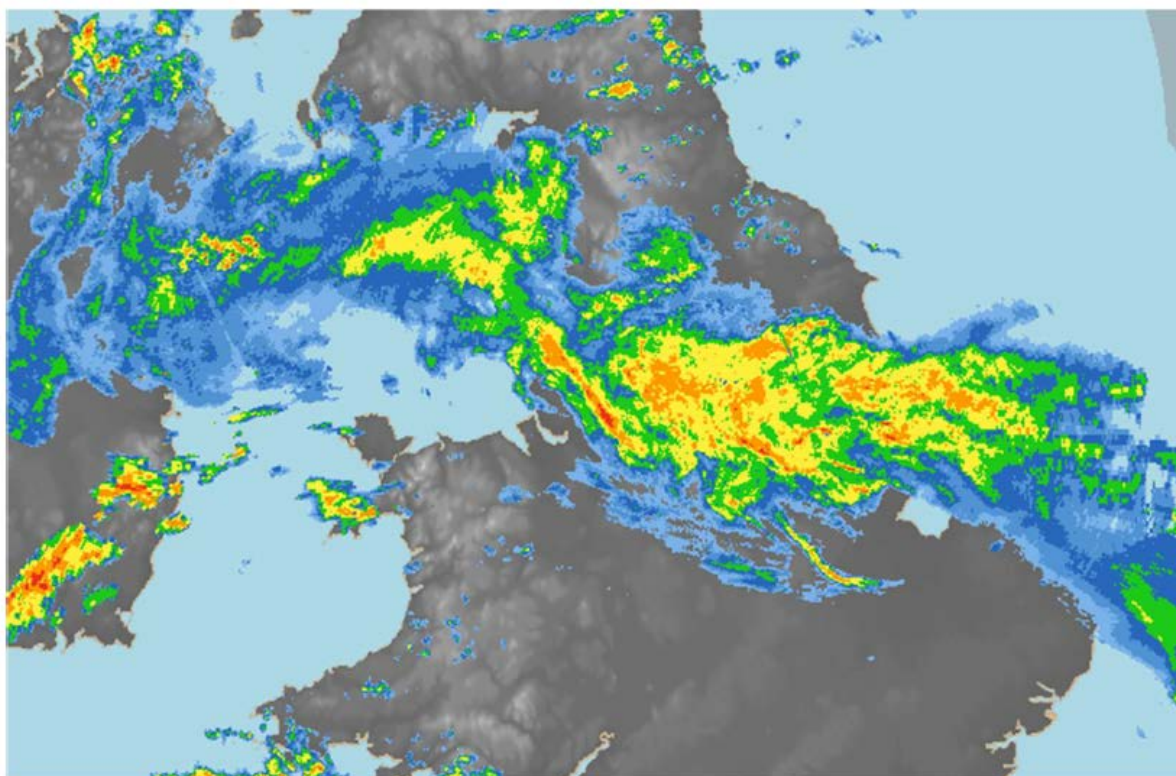
Figure 5: Met Office Weather Warnings for Derbyshire November 2019

Details for the Flood Guidance Statement can be found at this website;  
<http://www.fcc-environment-agency.metoffice.gov.uk/services/guidance.html>

Details for Met Office Weather warnings can be found at this website;  
<https://www.metoffice.gov.uk/weather/warnings-and-advice/uk-warnings/#?date=2020-06-03>

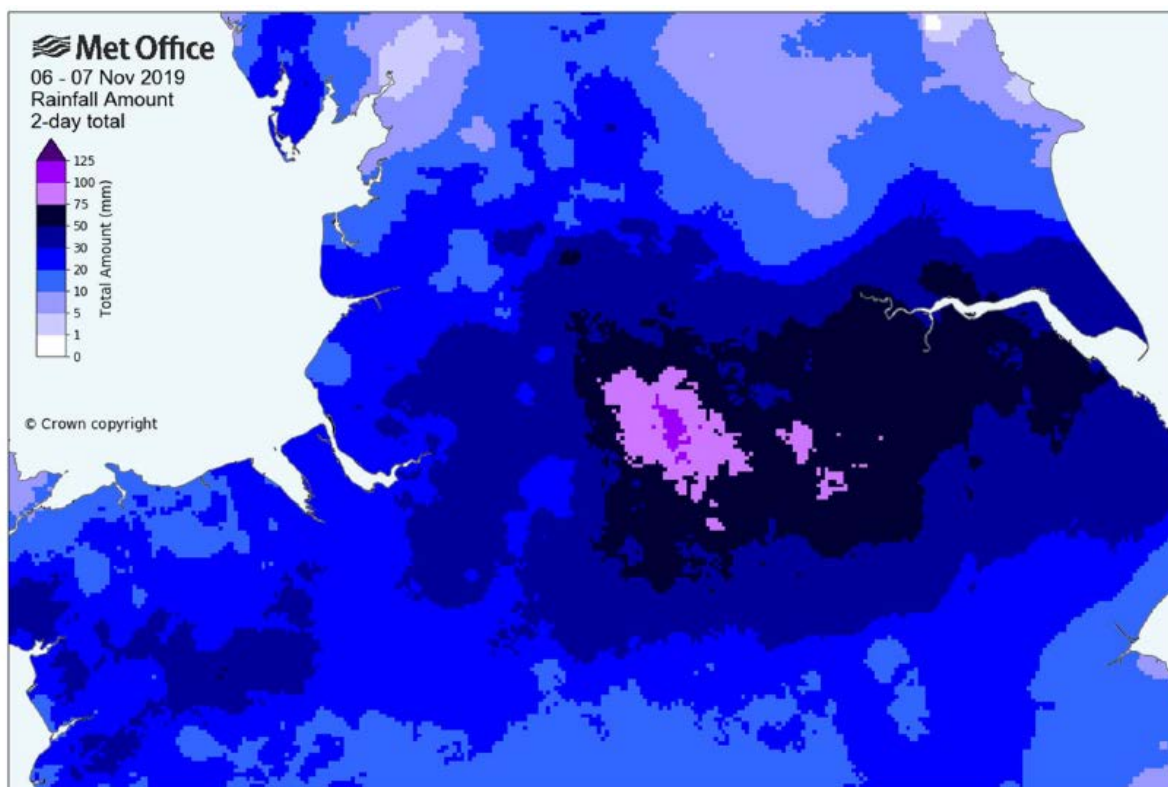
Details for Environment Agency Flood Warnings can be found at this website;  
<https://flood-warning-information.service.gov.uk/warnings>

Figure 6 below shows the rain-radar image at 1200 UTC 7 November 2019 which depicts the persistent heavy rainfall across the midlands. The front remained largely stationary from around 0300 UTC 7th to 0300 UTC 8th November in this location.



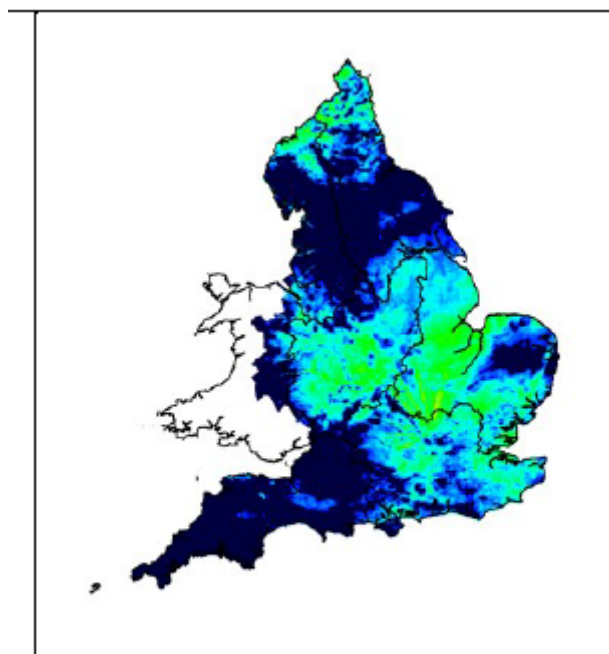
**Figure 6:** Rain-radar image at 1200 UTC 7 November 2019 (Met Office, 2020)

Below Figure 7 shows the two day total rainfall for 6<sup>th</sup> and 7<sup>th</sup> November before the first wave of flooding on 8<sup>th</sup> November 2019.



**Figure 7:** Rainfall total for 6th and 7th November 2019 (Met Office, 2020)

“The summer and autumn so far (June-September 2019) have been exceptionally wet in northern, central and eastern England, resulting in widespread and severe flooding. In the summer, localised but severe flooding occurred in the western Peak District from late July to early August. In October, the jet stream adopted an anomalous southern track propelling a series of cyclonic systems across the UK. The prolonged and persistent rainfall contributed to substantial rainfall totals in many regions and, in conjunction with saturated soils, many catchments were susceptible to flooding. Notable rainfall on 7th November prompted exceptionally high river flows in central and northern England, with a number of catchments in Derbyshire recording their highest ever peak flows.” (Centre for Ecology and Hydrology (CEH), December 2019)



October 2019

**Figure 8:** UK Rainfall, June 2019 (Black and blue is largest rainfall total)

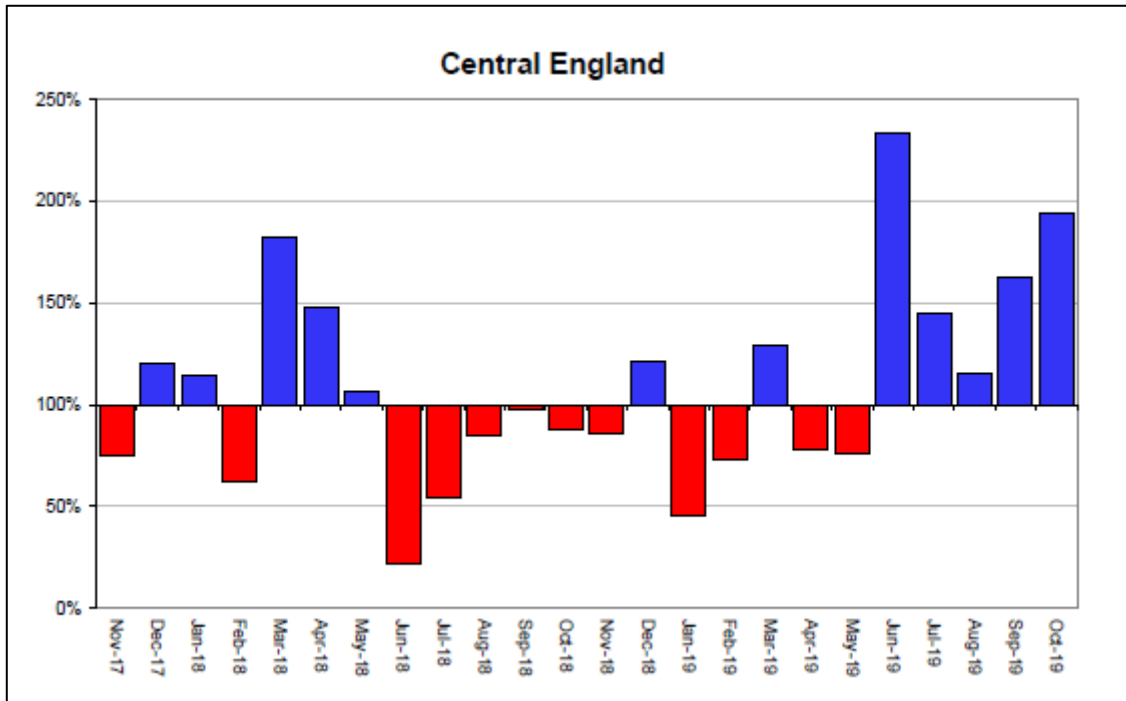


Figure 9: Rainfall compared to long term average blue is above and red is below (EA, 2020)

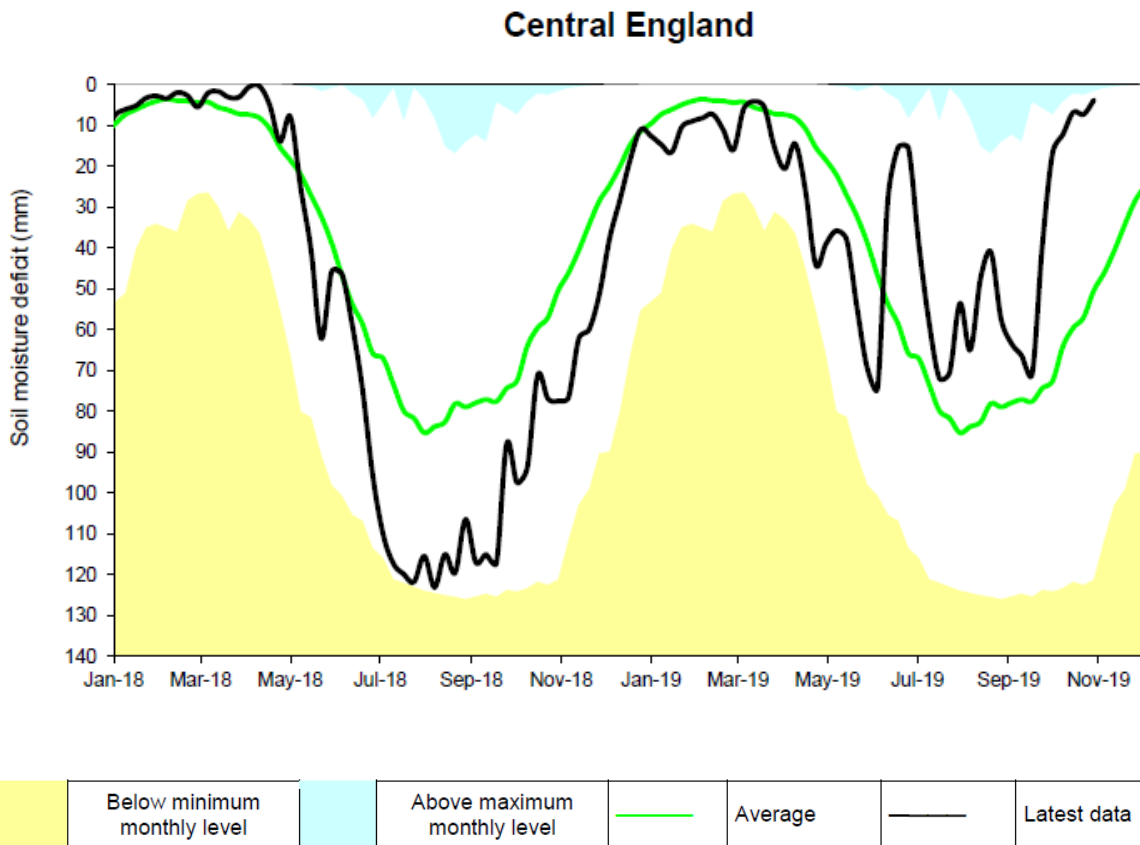


Figure 10: Soil moisture deficit compared to long term average (Environment Agency 2020)

Central England received 194% of long term average rainfall in October 2019. (EA Water Situation Report, October 2019) Autumn 2019 recorded as the 5<sup>th</sup> wettest on record in the UK. (EA, 2020)

From the above graphs and maps it can clearly be seen that the antecedent (prior to the main events in the weeks or months preceding it) conditions before November and including November itself were well above the long term average for both rainfall and soil moisture deficit. These figures especially the soil moisture deficit being 0mm in November 2019, explain the magnitude of the flooding that occurred across Derbyshire and the surrounding counties in November. The 0 mm of soil moisture deficit means that the soil was completely saturated with water in November 2019, which in turn means that it had no capacity to absorb any water, so any further rain that fell, would run straight off the surface of the soil and into watercourses or create surface water flooding in the locality.

### ***3.2 Description of the Events***

Between 7<sup>th</sup> and 20<sup>th</sup> November 2019 approximately 325 residential properties and 59 commercial properties all flooded internally.

The autumn of 2019 was the wettest since records began in England. This was then followed by rainfall throughout October which was above or close to average across the whole of Derbyshire, which meant that before the heavy rainfall events that fell during the first half of November arrived, most of the catchments in the county were close to fully saturated. This meant that when the rainfall fell in November, most of it, if not all of it, ran straight off the land surface and directly into the rivers and watercourses.

The two sub sections, that follow, describe the two separate flood events that caused wide spread flooding in Derbyshire on and around the 7<sup>th</sup> and 14<sup>th</sup> November 2019 with some locations being unfortunate to flood twice during November 2019.

To help communities and businesses prepare for flooding, the Environment Agency provides a robust nationally consistent Flood Warning Service. The Environment Agency monitor river levels 24 hours a days and issue flood alerts and warnings in line with detailed procedures for the areas forecasted to be effected, as well as undertaking operational activities to minimise the impact of heavy rainfall. From 7 to 16 November 2019, the Environment Agency issued 13 flood alerts and 43 warnings to areas within the Derbyshire County Council boundary (see Figure 9 below). During the period from 7-16 November 2019 approximately 1900 properties were protected by flood defences across Derbyshire.



<b>Table 3. Flood Alerts and Warnings issued within Derbyshire County Council boundary: 7-16 November 2019</b>	<b>Number or Percentage</b>
<b>Flood ALERTS Issued</b>	13
People Registered to Receive these Flood ALERTS	1822
People within these ALERTS Successfully Warned	1678
% Customers Successfully Warned within these ALERTS	92%
<b>Flood WARNINGS Issued</b>	43
People Registered to Receive these Flood WARNINGS	5810
People within these WARNINGS Successfully Warned	4431
% Customers Successfully Warned within these WARNINGS	76%

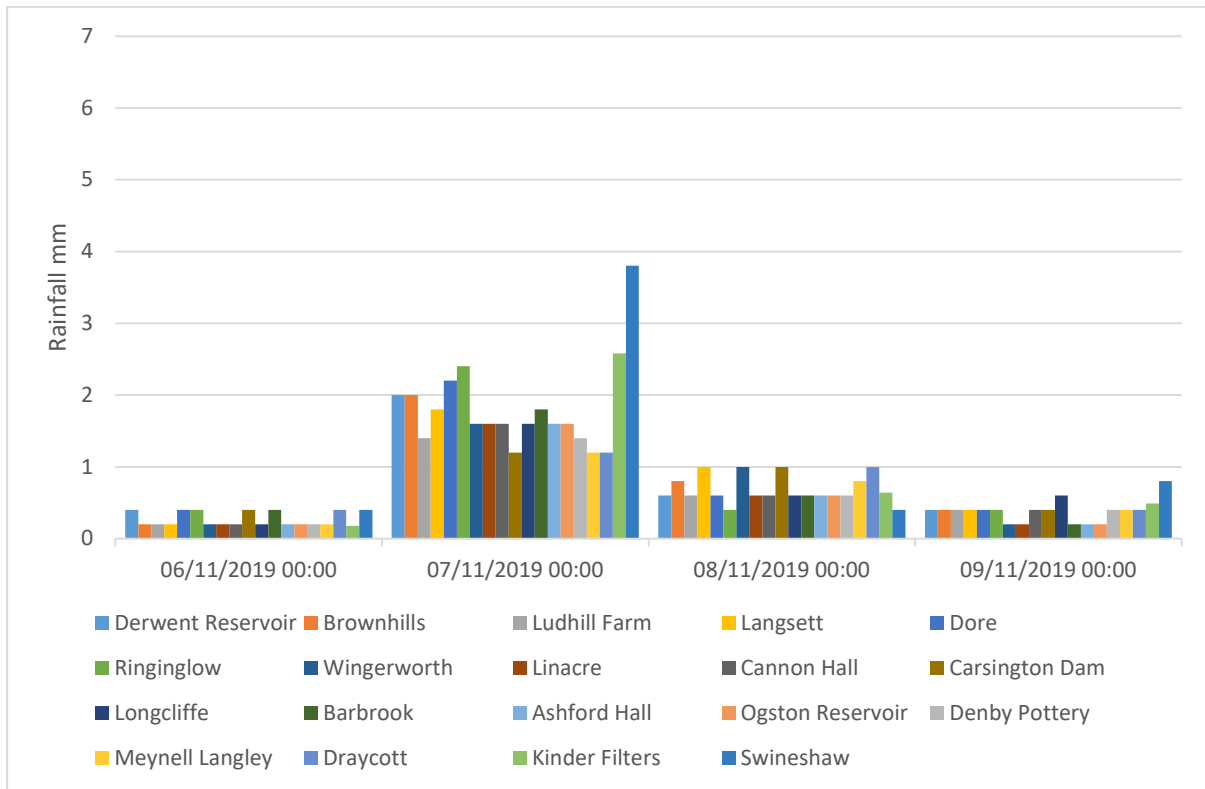
**Figure 11:** Flood Alerts and Warnings (EA, 2020)

The Environment Agency's flood defences along the River Derwent provide protection to 297 houses and businesses in Matlock and 1100 in Derby City. So if these were not in place and well managed and maintained this incident could have been much worse.

### 3.21 7<sup>th</sup>/8<sup>th</sup> November 2019

On 7 November 2019, a month's worth of rain fell over the upper Derwent catchment in Derbyshire. With the ground already saturated following one of the wettest autumns on record, this resulted in extensive flooding across the Derbyshire area. Consequently, Derbyshire Police declared a major incident at 05:25 hrs on 8 November 2019. In the following days, further intense rainfall caused additional surface water and fluvial (river) flooding.

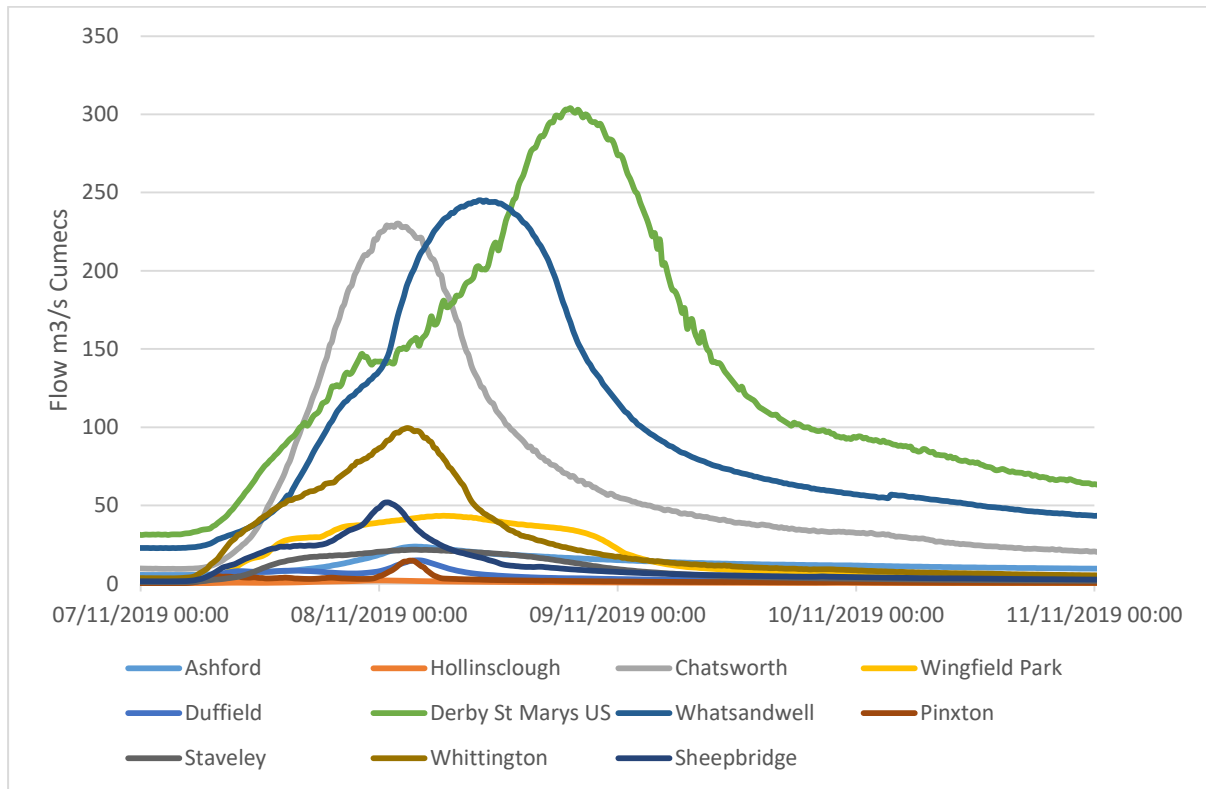
Figure 12 shows the rainfall recorded at all the Environment Agency rain gauges across Derbyshire from 6<sup>th</sup> to 9<sup>th</sup> November 2019.



**Figure 12:** Rainfall at Environment Agency rain gauges across Derbyshire 6th to 9th November 2019 (mm per hour)

The majority of the flooding on 7<sup>th</sup> and 8<sup>th</sup> was as a direct result of fluvial flooding. Fluvial flooding is where a watercourse floods as it cannot contain the water flowing along within its banks and so it floods the land around it.

The river gauged flows and levels across Derbyshire are shown in Figure 13 for 7<sup>th</sup> to 11<sup>th</sup> November.



**Figure 13:** River flows across Derbyshire 7th to 11th November 2019

The River Derwent was the largest river that caused the most flooding issues on 7<sup>th</sup> and 8<sup>th</sup> and below in Figures 14 to 27 are some photos of the flooding. The river levels across the county created new records, some of which were the highest for 60 years as a result of the exceptional rainfall.



**Figure 14:** Matlock Park Flooded 8th November 2019



**Figure 15:** Boris Johnson PM mops out Specsavers in Matlock November 2019



**Figure 16:** Matlock shopping area flooded 8th November 2019



**Figure 17:** Matlock flooded 8th November 2019



**Figure 18:** Swadlincote Flooded



**Figure 19:** Main Street Rosliston Flooded



**Figure 20:** Belper Town Football Club, Club House Flooded



**Figure 21:** Chisworth Flooded



**Figure 22:** All Saints Church South Wingfield



**Figure 23:** Ambergate Flooded



**Figure 24:** Eckington Road, Staveley Flooded





**Figure 25:** Derby Road, Chesterfield Flooded



**Figure 26:** Horns Bridge, Chesterfield Flooded



**Figure 27:** Matlock after the flood 9th November 2019

Summary of river level information from Environment Agency post flood event;

- 08/11/2019 @ Chatsworth river gauge saw 5.16m. This is the highest we have on record (dating back to 1969)
- 08/11/2019 @ Matlock river gauge reached 4.8m, slightly higher than what it reached in 2000. This is the highest since 1965 when it reached 5.18m (bearing in mind land use and presence of defences would have been different back then)
- 08/11/2019 @ Derby St Marys reached 3.35m, again slightly higher than 2000. This is the highest we have on record (dating back to 1983)
- 08/11/2019 @ Church Wilne reached 2.51m. Records go back to 1973 and only 2000 beat that level in this period – it reached 2.52m

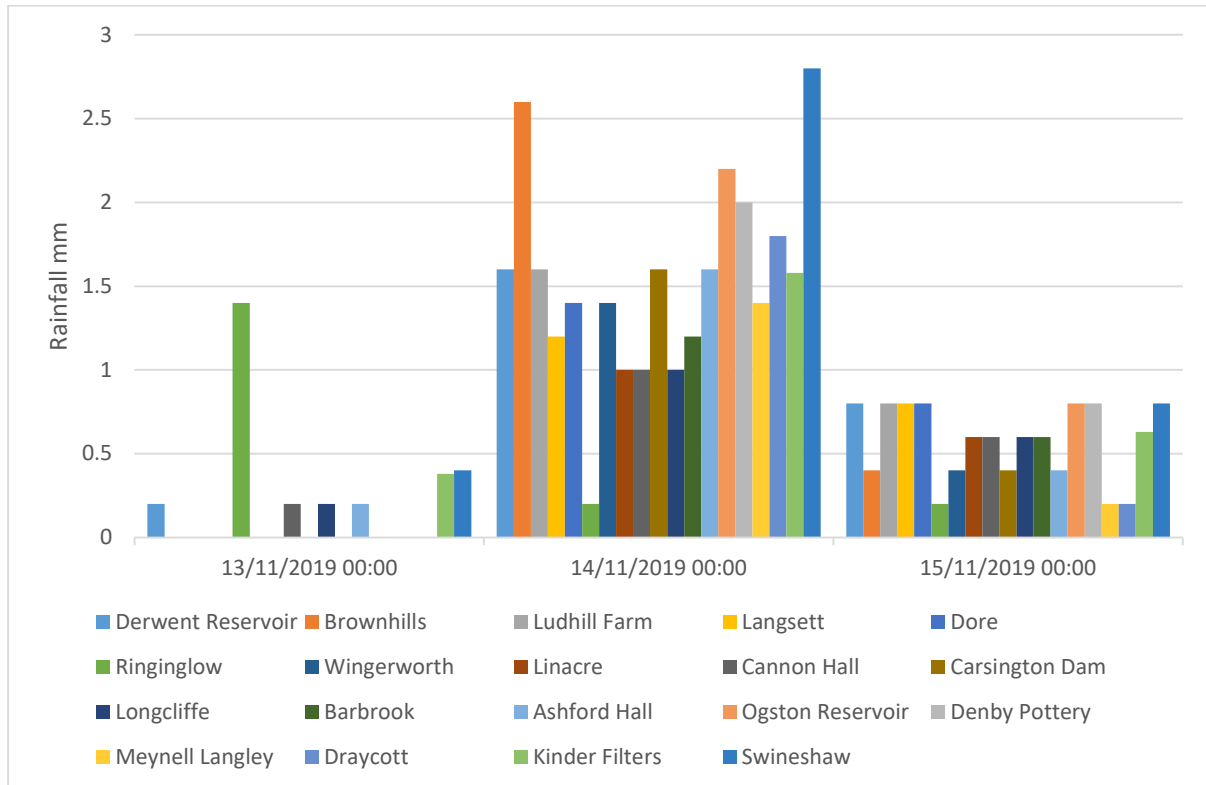
The water levels in the main rivers throughout the county remained high for about a week, which is why when a second band of exceptionally heavy rain arrived on 14<sup>th</sup> November in the south of Derbyshire further flooding occurred.

### **3.22 14<sup>th</sup> November 2019**

The flooding on 14<sup>th</sup> November mainly impacted the southern part of the county with surface water flooding as the rainfall was intense but the water levels in the main rivers had all receded (Figures 28 and 29).

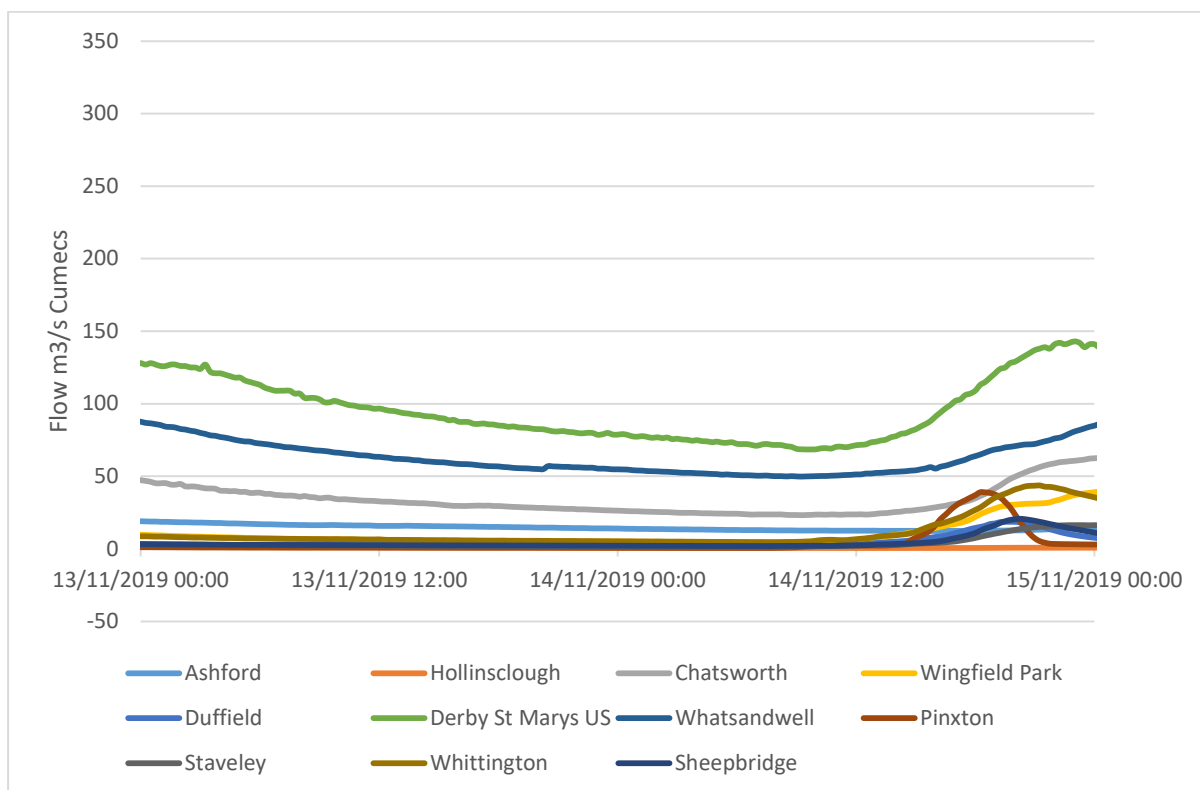
Other parts of the county including Matlock also flooded on the 14th November 2019, because the river levels were still very high, following the floods on 7<sup>th</sup> and 8<sup>th</sup>. The drainage outfalls were surcharged and therefore surface water could not get away and so water backed up the drainage systems and flooded the town centre. This was also exacerbated by the surface water run-off from the extensive impermeable areas in the town.

The water that caused the flooding on 14<sup>th</sup> flowed and drained away as soon as the rain stopped and therefore it was only around for a matter of hours rather than the week that the fluvial flooding was after the 7<sup>th</sup> November floods.



**Figure 28:** Rainfall at Environment Agency rain gauges across Derbyshire 13th to 15th November 2019 (mm per hour)

Figure 28 shows the rain fall recorded at all the Environment Agency rain gauges across Derbyshire from 13<sup>th</sup> to 15<sup>th</sup> November 2019.



**Figure 29:** River flows across Derbyshire 13th to 15th November 2019

Figure 29 shows the river flows gauged by the Environment Agency river gauges across Derbyshire from 13<sup>th</sup> to 15<sup>th</sup> November 2019.

### 3.3 Event Response

The emergency planning team at Derbyshire County Council have summarised the multi-agency response to the flood incident below with both the Tactical and Strategic groups. Details of the objectives of these groups and the key points and actions are included in Appendix 2.

#### Tactical Co-ordinating Group

Agencies represented;

- Derbyshire County Council
- Emergency Planning (Chair)
- Countryside Service
- Communications
- Finance
- Highways
- Flood Risk Team

- Derbyshire Fire and Rescue Service (DFRS)
- East Midlands Ambulance Service (EMAS)
- Derbyshire Constabulary

Amber Valley Borough Council  
Bolsover District Council  
Chesterfield Borough Council  
Derbyshire Dales District Council  
Derby City  
Erewash Borough Council  
High Peak Borough Council  
North East Derbyshire District Council  
South Derbyshire District Council

Chesterfield Royal Hospital  
Met Office  
Environment Agency  
Ministry of Housing Communities & Local Government (MHCLG)

First Tactical Co-ordinating Group called at 2100 on 07-11-2019 and continued to run until the end of the incident on the 15-11-2019

### **Strategic Co-ordinating Group**

Agencies represented;

Derbyshire Constabulary (Chair)  
Derbyshire Fire and Rescue Service (DFRS)  
East Midlands Ambulance Service (EMAS)

Amber Valley Borough Council  
Bolsover District Council  
Chesterfield Borough Council  
Derbyshire County Council  
Derbyshire Dales District Council  
Derby City  
Erewash Borough Council  
High Peak Borough Council  
North East Derbyshire District Council  
South Derbyshire District Council

Public Health England (East Midlands)  
NHS England (NHSE)  
University Hospitals of Derby and Burton NHS Foundation Trust (UHDB)  
Chesterfield Royal Hospital  
Derbyshire Clinical Commissioning Group  
Derbyshire Community Health (DCHS)  
Derbyshire Healthcare NHS Foundation Trust  
Met Office  
Environment Agency  
Highways England  
Ministry of Housing Communities & Local Government (MHCLG)

Ministry of Defence  
Western Power  
Severn Trent Water

First Strategic Co-ordinating Group called at 1230 on 8-11-2019 and continued to run until the end of the incident on the 14-11-2019

The District/Borough and County Council all delivered sandbags to residents and commercial premises that required them during the flood events. The fire service assisted in rescuing people in danger and also pumping out properties which were displaced from their property due to flooding.

### 3.4 Post Event

District and Borough councils provided alternative accommodation to local residents who were displaced due to their properties being flooded

Parish/Town Councils helped local businesses and residents with clean-up operations after the flood events.

The following grants were and are being made available to those who flooded during this flood event.

**Flood Recovery Grant** – up to £2,500 for businesses – in progress now – deadline 30<sup>th</sup> June – 3 Districts eligible – Derbyshire Dales, Amber Valley, South Derbyshire

**Flood Resilience Grants** – up to £5,000 for residential and business – To be opened to applications August 2020 – 4 Districts eligible – Derbyshire Dales Amber Valley, South Derbyshire and Chesterfield

**Emergency Flood Hardship Fund** – up to £300 per business – All affected businesses

Community Hardship Fund

## 4. Summary of Findings

The flooding that occurred across Derbyshire during November 2019 can be summarised as follows.

- The wettest autumn on record coupled with exceptional heavy rainfall in the first half of November, triggered some of the highest recorded river levels in recent times.
- The flooding to both land property and infrastructure was extensive across the whole of Derbyshire in November 2019.
- The main factors that lead to the flooding, was exceptional rainfall between the 7<sup>th</sup> and 20<sup>th</sup> November 2019, falling onto already saturated land across the county, which meant that rivers, watercourses and drainage systems were overwhelmed, beyond their capacity.

- Between 7<sup>th</sup> and 20<sup>th</sup> November 2019 approximately 354 residential properties and 74 commercial properties all flooded internally. This gives a combined total of 428 properties flooded in Derbyshire during this two week period in November 2019.
- Although numerous properties and businesses flooded, 100's more were protected by the Environment Agencies strategic flood defences along the main rivers in Derbyshire, along with other flood mitigation measures and emergency works undertaken by all of the Risk Management Authorities during this incident.

## 5. Responsibilities and Future Actions

There are different responsibilities for flood management depending on the type of flooding. Organisations responsible for flooding are known as Risk Management Authorities (RMAs) and their responsibilities are detailed below. Riparian landowners also have responsibilities for watercourses across their land.

### 5.1 *Derbyshire County Council the Lead Local Flood Authority for Derbyshire*

As an LLFA, the Council has the responsibility to coordinate the management of local flood risk from surface water, ground water and ordinary watercourses in the county.

As stated within the Introduction section, the Council as the LLFA has a duty to investigate flood incidents under Section 19 of the FWMA. Publication of this report is the conclusion of that process.

### 5.2 *Derbyshire County Council Highways*

The Highways department have a responsibility to maintain highways across Derbyshire, and for the installation, operation and maintenance of highway drainage infrastructure which falls within the adopted highway curtilage in Derbyshire.

### 5.3 *Other Risk Management Authorities (RMA)*

There are also other RMA's that have relevant flood risk management responsibilities and functions across Derbyshire as follows:

**Environment Agency** – Is responsible for taking a strategic overview of the management of all sources of flooding, and also has an operational responsibility for managing the risk of flooding from Main Rivers.

**Water Companies (Severn Trent Water, United Utilities and Yorkshire Water)** - Responsible for maintaining public sewers and managing the risk of flooding from the public sewer network.

**Canals and Rivers Trust** - Responsible for managing and maintaining navigable inland waterways (canals and rivers) along with other associated assets (eg reservoirs, locks etc)

**District and Borough Council's** - The district and borough councils have responsibilities to inspect and maintain watercourses on their land, respond to requests for assistance during flood events and have the power, if instructed by Derbyshire County Council, to carry out flood risk management work which will benefit management of surface runoff, groundwater and ordinary water courses.

#### 5.4 Recommended actions

These recommended actions have been written up to help all the risk management authorities to work together to reduce the likely impacts of future flood events. Derbyshire County Council as LLFA will monitor these actions and complete its own actions where resources allow in a timely manner.

Theme	Action By	Recommended Action	Timescale
Flood Mitigation Schemes	LLFA and Environment Agency	Continue to promote and implement flood mitigation schemes across the County. Derbyshire County Council have a number of Flood Mitigation Schemes which are being delivered at present, and also a number of pipeline schemes, which will be taken forward into the Environment Agencies next programme (2021- 2027)	Ongoing
Plans and Strategies	LLFA	Review and update the LLFA's Local Flood Risk Management Strategy	End of 2020
Resilience, Local Resilience Forum and Emergency Planning	LLFA, DCC and Environment Agency	Continue to support the community in the instigation and training of a community-based flood wardens.	Ongoing
Resilience, Local Resilience Forum and Emergency Planning	LLFA, DCC and Environment Agency	Continue to support the community in the production of a community flood plan and provide advice to residents on how to make their properties more resilient. DCC are currently managing the Property Flood Resilience recovery Support Scheme, which can provide grant funding up to £5k towards resilience measures for properties who were flooded in November 2019 and February 2020.	Ongoing
Riparian Owner Responsibilities	LLFA and Environment Agency	Continue to provide advice to owners of drainage systems and watercourses within the catchment area, of their legal	Ongoing



		responsibilities; and recommend appropriate maintenance regimes.	
Highway Maintenance	DCC Highways	Continued routine highway drainage inspection and cleansing of highway drainage assets, including targeting areas of high flood risk	Ongoing
Highway Capital Schemes	DCC Highways	Investigate the possibility of upgrading the highway drainage assets in the areas impacted by flooding by assessing the capacity of the drainage assets, identify any areas with insufficient capacity for draining runoff from the highway and, where this leads to flood risk to properties, consider improvement works.	Ongoing
Water Companies (Maintenance or Capital Schemes)	Severn Trent Water, Yorkshire Water and United Utilities	Continue to work with all RMA's to reduce the risk of flooding from water company	Ongoing
New Developments	Developers	Continue to work with all RMA's to ensure all development is completed in accordance with both Local and National Planning Policy and Technical standards, to ensure no development increases the flood risk.	Ongoing

## 6. Next steps

The recommendations outlined in Section 6 will be followed up by the Flood Management team at Derbyshire County Council on an annual basis and we will continue to work in partnership with all other Risk Management Authorities and Local Communities to try and manage and mitigate the ongoing flood risk across the County, to try and minimise the impact for any future events.

## 7. Conclusion

The Lead Local Flood Authority (Derbyshire County Council) is satisfied that all Risk Management Authorities have exercised, or are proposing to exercise, their respective functions, in response to this flood event (before, during and after).

The LLFA will continue to work with all of the Risk Management Authorities, to try and reduce the flood risk to properties and infrastructure, along with trying to ensure that the community is even more resilient and prepared, should there be further events of this nature in future years.

Communities should be prepared for more similar extreme weather events in the future, and although both the County Council and all other Risk Management Authorities will continue to support Communities and Business, it is also an opportunity for residents and Business, to look at how they can improve their own resilience to flooding in the future.

## 8. Sources of Information

The following documents, reports, records or sources of information have contributed to this report and are available on request:

- Flood Forecasting Centre and Met Office statements and warnings.
- Reports from affected residents.
- Environment Agency data for river levels, river flows and rain gauge data.
- The Met Office for county wide rainfall radar data.

### 8.1 Links to other information on flooding

#### Derbyshire County Council

Flooding Pages

<https://www.derbyshire.gov.uk/environment/flooding/flooding.aspx>

#### National Flood Forum

National Flood Forum website: <https://nationalfloodforum.org.uk/>

#### Gov UK Flood Warning Information Service

Website: <https://flood-warning-information.service.gov.uk/>

Sign up to flood warnings here: <https://www.gov.uk/sign-up-for-flood-warnings>

#### The Flood Hub

Website: <https://thefloodhub.co.uk/>

## 9. Status of Report and Disclaimer Information

This report has been prepared as part of the Council's responsibilities under the Flood and Water Management Act 2010.

The findings of the report are based on a subjective assessment of the information available by those undertaking the investigation and therefore may not include all relevant information. As such it should not be considered as a definitive assessment of all factors that may have triggered or contributed to the flood event.

The opinions, conclusions and any recommendations in this report are based on assumptions made by the Council when preparing this report, including, but not limited to those key assumptions noted in the report, including reliance on information provided by others.

The Council expressly disclaims responsibility for any error in, or omission from, this report arising from or in connection with any of the assumptions being incorrect.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the time of preparation and the Council expressly disclaims responsibility for any error in, or omission from, this report arising from or in connection with those opinions, conclusions and any recommendations.

The Council does not accept any liability for the use of this report or its contents by any third party.

## Appendix 1. Case Studies

### 1.1 Residential property, 7<sup>th</sup> November 2019

The young couple with a small child who had only recently moved in and were planning their wedding when the entire ground floor of their property flooded to a depth of 20cm. The flooding resulted from the intense rainfall and the over land flow that this generated across the neighbouring arable farm into the property through the side and back doors. The residents had to move into temporary accommodation whilst their home was gutted, allowed to dry out and then be refurbished. To date, beginning of May 2020, they are still in temporary accommodation, as the coronavirus has now meant that the contractors cannot complete the work on their property. The Derbyshire County Council Flood Team have been working with the neighbouring farmer to improve his land and water management hopefully reducing the risk of flooding to the cottage from future flood events. We are keeping in touch with the residents and we are always available to the residents of Derbyshire to help with flood related matters.

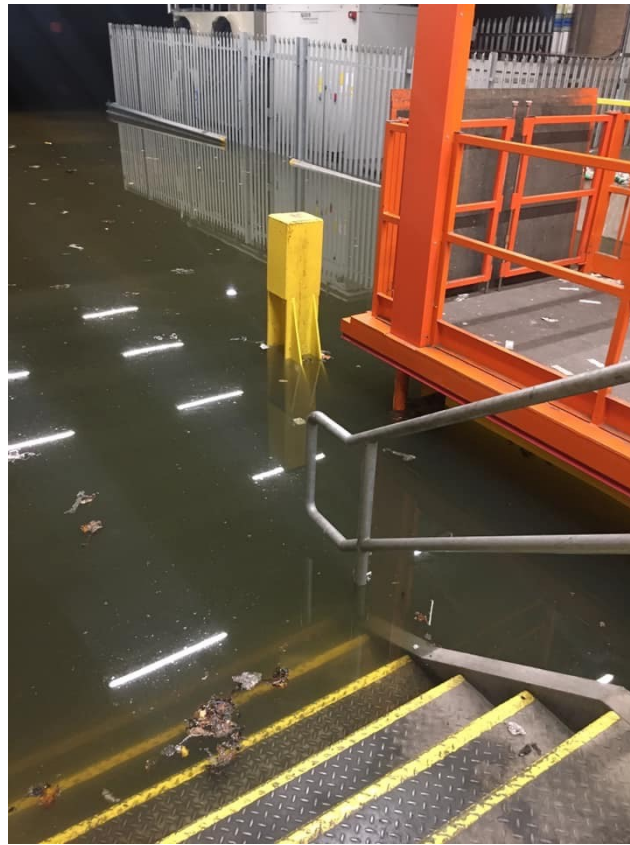




**1.2 Marks and Spencer, Simply Food, Matlock 14<sup>th</sup> November 2019**

The store was flooded from the stock entrance as a result of surface water flooding on 14<sup>th</sup> November 2020. The rainfall was so intense that it overwhelmed the surface water and highway drains and flooded the stores chilling equipment, in the loading area at the back of the store on the Friday morning. Western Power had to turn off the power to the store for safety as the chilling equipment was submerged. The store had to get rid of all of its stock in chillers and freezers as the flood destroyed all the chilling equipment which is located outside at the back of the store. The store closed on Friday lunchtime and did not open again until Sunday morning therefore losing 1 and half days trading. The costs to Marks and Spencer as a result of this flood incident are roughly £231,000 (this is the best estimate) although this will rise as they are currently investigating how best to protect the new chilling equipment from future flood incidents. Please see below a few photographs taken during the event by Marks and Spencer staff, first two are of the flooded chilling equipment and the last is taken from the roof of the store of the street. After the flood event the Derbyshire County Council Flood Team meet with the manager for this store to gather evidence for this report and also to advise on potential ideas for how to protect the cooling equipment from flooding again in the future. We will remain in touch and are always here to help advise businesses on flood related matters.





## Appendix 2: Derbyshire County Council's Emergency Planning Response to the November Flood Events

### **STRATEGIC AIMS AND OBJECTIVES** **Strategic Coordination Group**

#### **Derbyshire Flooding November 2019**

##### **OVERALL AIM:**

**To deliver a multi-agency approach which saves lives, minimises the risk of harm, provides relief and facilitates a new normality, maintaining public confidence in the LRF and partners.**

- To take all reasonable steps to save life, minimise damage to property, minimise risk of disruption to roads, transport and key national infrastructures
- Facilitate evacuation ahead of emergency where possible (NB especially relevant to Ambaston).
- To take all reasonable steps to maximise the safety of all emergency and first responder staff
- To minimise the impact that the flooding will present to Derbyshire (and beyond)
- To plan and prioritise all agencies' activities to enable Derbyshire to recover from the flooding and return to a new normality
- To minimise the potential environmental and health risk from the flooding
- Secure business continuity plans for emergency responders
- Inform the public and maintain confidence by developing shared situational awareness through a common recognised information picture and joint communications plans, which includes the provision of information, advice and, where necessary, warnings to the public
- Facilitate judicial public, technical and other enquiries by ensuring that the rationale for decisions and actions are recorded in line with JESIP (Joint Emergency Services Interoperability Principles)
- Evaluate response and identify lessons to be learned through a review of the strategy and tactical plans and through debrief post-recovery

#### **Summary of Key Points (redacted) taken from TCG meetings**

##### **7<sup>th</sup> November**

EA update 80mm already fallen today, further 10-20mm expected overnight.

Ladybower reservoir full and spilling.

Flood warnings to be issued along the River Derwent through Matlock into Derby.

Chatsworth may reach record levels.



## FLOOD INVESTIGATION REPORT – JULY 2020

Identified issues with road access/egress for all agencies. Comprehensive list to be drawn up. Also concerns for bridges safety, need checking.

Districts/boroughs including Derby City – operational responses including temporary flood barriers and sandbags deployed.

Rolls Royce in Derby carrying out controlled shutdown.

### **7<sup>th</sup> into 8<sup>th</sup> November**

Upper Derwent peaking higher than ever previously – off the scale  
9 flood warnings on Derwent and 3 on Wye

Police reporting 78 incidents so far.

Hady Hill closed, ambulances are still able to access Chesterfield Royal Hospital

Concerns for Grindleford Bridge (Closed)  
21 road closures currently in place

### **8<sup>th</sup> November 0300**

6 more flood warnings on the Derwent  
Square and Compass pub at Darley bridge flooded to window level  
Hady Hill, Chesterfield closed – not passable now. Ambulances can only access from Calow.

Derwent at Matlock Bath nearly overtopping

30 road closures in place

Matlock premises being sandbagged

Western Power may need assistance with sandbagging key assets

### **8<sup>th</sup> November 0900**

Expected peaks on Derwent at Matlock, Derby and Church Wilne between midday and evening.

Concern about Ambaston village being cut-off, surrounded and the defence bund being overtopped. Liaison took place with flood wardens in the village.

40 road closures now in place. Main A6 flooded in places all along Derwent Valley.  
Hady Hill route to hospital now accessible.  
Hornsbridge at Chesterfield flooded.

SCG to take place following this TCG. Request for a Warning and Informing Sub-Group to be set up to manage Communications.

DFRS very little motor boat capacity, requesting assistance from other agencies.

Evacuation taking place of caravan Home Park at Whatstandwell. DFRS involved with DCC emergency planning and social care re temporary accommodation, working with site owners. Some went to family/friends rest were put up in hotels overnight. Some stayed on site but with no power. One needed social care support.

EMAS road closures are causing issues with response times. Possibility may need to relocate ambulance station at Raynesway due to flooding.

Police dealing with incident at Darley Bridge where a body has been found.

Derbyshire Dales busy with sandbags along the Derwent corridor.

North East Derbyshire depot at Eckington flooded.

Rolls Royce have evacuated non-essential personnel.

### **8<sup>th</sup> November 1200**

Concerns on peak levels at Derby City and also at Ambaston.  
Potential for approx. 870 properties at risk.

Looking at specifics re vulnerable people in Ambaston. Liaising with SDDC and flood wardens.

Raynesway Derby, waste treatment centre being sandbagged.

Ambulance station being relocated.

5 bridges across Derwent all shut. Can the bridges be checked and opened to make sandbag distribution easier.

Highways England signage on Motorway advising of travel disruption in Derbyshire.

Babbington Hospital, Belper flooded.

Prime Minister due in Matlock this afternoon. DCC to coordinate with Police.

### **8<sup>th</sup> November 1800**

A52 closed westbound from M1. Derby city Pentagon closed, vehicles stranded.

Major concern re Derby City flooding, if levels rise to 3.5m then existing flood barriers will be overtopped. Need a clear picture of predictions as potentially 1900 properties at risk. Multi-agency teams on the ground to assess.

Flood barriers behind Derby City council house breached.

Need to evacuate Exeter Place.

Decision also needs to be made on evacuation of Ambaston. Would need mountain rescue / water rescue boats / Tractors/JCBs etc. Bund/defence needs monitoring through the evening. People in single storey premises could re locate to 2 storey houses in village. If evacuated could use Days Inn on standby.

**8<sup>th</sup> November 2200**

No overtopping at Ambaston – 12-14 inches of freeboard.

Elvaston flooding. Shardlow and Draycott not expecting flooding.

Agreed City threat level has passed.

**9<sup>th</sup> November 0830**

Ambaston cut off but ok. Potential further rain to come Sun/Mon  
Derbyshire Dales looking at Recovery  
Issues of debris in river, bridges, dead animals etc.

Flood warnings to be issued on River Trent now.

**11<sup>th</sup> November 0900**

Return to business as usual.

**14<sup>th</sup> November 1100**

Yellow rainfall warning for Derbyshire in place.

1 Flood Warning = Cavendish Bridge, River Derwent

EA forecast worst case scenario (based on rainfall) could be 10 Flood Warnings in place in Derbyshire.

Flood Guidance Statement is Amber for 15<sup>th</sup> November in Derbyshire

A623 at Stoney Middleton is closed due to rock fall.

Possibility of flooding in Pinxton noted.

Property flooding in Baslow and Grindleford has been reported.

**14<sup>th</sup> November 1600**

Flood warning issued for Lower Kilburn, Duffield.

East Midlands Railway all three routes through Derbyshire will be suspended for at least 24 hours.

**14<sup>th</sup> November 2000**

All river levels are still rising across the county.

Too many road closures now in place for Derbyshire County Council to list them on their website

**15<sup>th</sup> November 1000**

All the rivers have now peaked and the levels are dropping.

Highways teams are clearing debris from flooded roads across the county.

Properties flooded in Lower Kilburn.

8 properties flooded in Erewash.

30 properties flooded in South Derbyshire.

**Agenda Item No. 4(d)**

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**10 September 2020**

Report of the Director – Economy, Transport and Environment

**REQUEST FOR CREATION OF TEMPORARY POST OF ENGINEER IN  
THE FLOOD RISK MANAGEMENT TEAM**

(1) **Purpose of Report** To seek approval to utilise grant funding which is currently under the Sustainable Drainage Budget, transfer this funding into an existing reserve fund, and to use this fund to pay for an additional temporary post of Engineer within the Flood Risk Management Team.

(2) **Information and Analysis** In 2013-15, the Department for Environment, Food and Rural Affairs (DEFRA) awarded £169,904.90 to the Council in respect of its lead Local Flood Authority function, particularly to assist it in building capacity for taking on the role of statutory consultee for the planning application process, including advice on Sustainable Drainage Systems (SuDS). To date, no expenditure of these grant funds has been necessary.

The funding has been held as a contingency in the case of the Council being subject to legal challenge through the Local Lead Flood Authority role as statutory consultee for planning applications. However, to date, no legal challenge has been made and, following a review of this budget, including consultation with the Director of Legal Services and a risk assessment, it has been determined that the risk is sufficiently low to warrant this funding being utilised for another purpose.

The storms in November 2019 and storms Ciara and Dennis in February 2020, which resulted in extensive flooding across the County, has significantly increased the Flood Risk Teams workload. Government has recently announced investment of £5.2 billion to create around 2,000 new flood and coastal defences to better protect 336,000 properties in England by 2027. The Flood Risk Management Team has put forward a number of additional schemes to be delivered by this date, and in order to ensure success in both obtaining Government grant funding and delivery of these schemes, additional resource within the team is required.

It is proposed that £109,904.90 of the grant funding, which is currently held in the Sustainable Drainage revenue budget, is moved into the existing Flood Management reserve. The funding will be drawn down, to fund an additional temporary engineer within the Flood Risk Team.

The remaining £60,000 from the grant funding will remain in the Sustainable Drainage revenue budget and has already been utilised to support Agency staff within the Flood Risk Team. This additional resource has already been approved to continue until April 2021.

(3) **Financial Considerations** It is proposed to move £109,904.90 of the grant funding, which is currently held in the Flood Risk revenue budget to an existing Flood Management reserve. This will be drawn down to finance the additional temporary post required.

(4) **Legal Considerations** The Director of Legal Services has been consulted in regard to the risk of not having this budget as a contingency to use in potential legal challenges to the Council, from its role as statutory planning consultee. The Director of Legal Services has determined any potential challenges are low risk and is therefore supportive of the proposals detailed.

(5) **Environmental Considerations** The storms in November 2019 and storms Ciara and Dennis in February 2020, which resulted in extensive flooding across the County, has underlined the continued need for the County Council, as the Lead Local Flood Authority, to continue its work in delivering flood mitigation solutions for the residents and business of Derbyshire. Given the recent history of flooding across the country, it is clear that these type of flood events are increasing, and given the latest climate change projections, this will continue for many years to come. Additional resources are therefore required within the Flood Risk Management Team to enable the flood risk in Derbyshire to be managed effectively.

(6) **Human Resources Considerations** It is intended to use the funding allocated to this existing reserve, to fund an additional temporary Project Engineer within the Flood Risk Team. There is already 1 Project Engineer within the Flood Risk Team, and this role has been evaluated at Grade 11, which is salary scale points 24 to 27 (£32,032 to £35,187). Given that the post will be funded entirely from the existing reserve (£109,904.90), there is only enough funding to cover the costs for a fixed term of two years. Taking into account on-costs, this would amount to £95,000 over the two year period.

The post would be recruited to in accordance with the Council's Recruitment and Selection procedure.

## **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, health, property, social value and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Richard Ward, extension 35487.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves the transfer of funding from the Sustainable Drainage Budget to an existing Flood Management reserve, as detailed in the report, to fund an additional temporary post of Engineer within the Flood Risk Management Team at grade 11 for a period of two years.

**Tim Gregory**  
**Director – Economy, Transport and Environment**

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## Agenda Item No.5

## DERBYSHIRE COUNTY COUNCIL

MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE

10 September 2020

Joint Report of the Director - Economy, Transport and Environment  
Department and the Director of Finance & ICT

## BUDGET MONITORING 2020-21 – PERIOD 2

(1) **Purpose of Report** To provide the Cabinet Member with an update of the Revenue Budget position for 2020-21 up to the end of 31 May 2020 - Period 2.

(2) **Information and Analysis**

**Forecast Summary**

The net controllable budget for the Highways, Transport and Infrastructure Portfolio is £74.789m.

The Revenue Budget Monitoring Statement prepared at Period 2 indicates that there is a projected year-end overspend of £6.009m.

The Portfolio has, or is forecast to spend, additional costs from April 2020 to the end of June 2020 of £6.933m due to the Coronavirus (COVID-19) pandemic. These are included in the figures above and more information on these costs are provided later in this report. It is expected that these costs will be met corporately. If the Portfolio was not incurring these additional costs then the year end position would be an underspend of £0.924m.

Since the period 2 figures were produced, further information regarding COVID-19 costs has become available, and it is currently expected that any underspend on Waste Management will not be realised. This means that the forecast outturn position would be £82.598m, an overspend of £7.809m, reduced to £0.876m if the COVID-19 costs were met corporately. The position will be closely monitored throughout the year to minimise any potential overspend.

The areas which make up this projection are shown in the table below:

	<b>Controllable Budget £m</b>	<b>Projected Actuals £m</b>	<b>Forecast Over/(Under) Spend £m</b>
Waste Management	43.813	41.973	(1.840)
Public and Community Transport	14.113	14.010	(0.103)
Highways Maintenance	12.390	12.750	0.360
Winter Maintenance	1.473	2.800	1.327
Highway Management and Land Reclamation	1.891	3.046	1.155
Road Safety	0.091	0.373	0.282
Resources and Improvement	2.303	1.961	(0.342)
Countryside Services	2.364	2.846	0.482
Council Fleet Services	(0.857)	(1.104)	(0.247)
Planning and Development	0.651	0.610	(0.041)
Flood Risk Management	0.423	0.423	0.000
Digital Derbyshire	0.154	0.116	(0.038)
Management Team	0.599	0.545	(0.054)
Pension Back Funding	0.329	0.313	(0.016)
Unallocated Adjustments	0.136	0.136	0.000
Unallocated Savings	(5.084)	0.000	5.084
<b>Total</b>	<b>74.789</b>	<b>80.798</b>	<b>6.009</b>
Corporate funding for COVID 19 Costs	6.933	0.000	(6.933)
<b>Total after additional funding</b>	<b>81.722</b>	<b>80.798</b>	<b>(0.924)</b>

### Key Variances

Waste Management underspend £1.840m

The underspend is due to ongoing savings under the new service continuity arrangements, however, as noted above, is not likely to be realised due to increased costs associated with COVID-19.

Winter Maintenance overspend £1.327m.

The budget for winter maintenance is £1.473m. Much of the cost for an average winter is paid for in advance of any severe weather. Grit salt is a large part of this and the Council has to build up a stock that complies with Department of Transport recommendations, for the amount the Council is expected to hold prior to the onset of winter. Fleet is the other major cost with the gritting and associated vehicles being paid for at the beginning of the financial year.

The winter service budget does not provide for more than a mild winter so, in years where winters are more severe, it is reliant on funding these additional service costs from contingency reserves.

Highways Management and Land Reclamation overspend £1.155m. This overspend is mainly due to a reduction of work on capital schemes due to COVID-19, therefore a reduction in recharges, and also reduced productivity of staff self-isolating and shielding.

#### COVID-19 costs

The Portfolio has, or is forecast to spend, additional costs/loss of income from April 2020 to the end of June 2020 of £6.933m due to the COVID-19 pandemic. The main areas affected are:

Loss of income across a range of services	£0.580m
Waste and Recycling Centres	£1.356m
Traffic management - Covid testing sites	£0.220m
Cycle and Pedestrian Works	£0.200m
Highways - due to resources directed away from normal work	£2.015m
S38/278 loss of income	£1.272m
Other general costs	£0.122m
Savings slippage	£1.168m
<b>Total</b>	<b>£6.933m</b>

#### Budget Savings

Budget reductions totalling £1.426m were allocated for the year. Further reductions allocated in prior years, totalling £5.234m, had not been achieved and were brought forward to the current year. This has resulted in total reductions to be achieved of £6.660m at the start of the year.

It is forecast that £0.408m of savings will have been achieved by the year-end. Delivery of the Countryside, Waste and Public Transport savings has been delayed due to COVID-19. The table below shows performance against the target.

Identified Savings Initiatives	Budget Reduction Amount £m	Forecast to be Achieved by the end of 2020-21 £m	Shortfall £m
Countryside	0.400	0.000	0.400
Highways Staffing	0.258	0.258	0.000
Household Waste Recycling Centres	0.230	0.000	0.230
Public Transport	0.450	0.000	0.450
B_Line	0.088	0.000	0.088
Budget Challenge 2020-21	0.000	0.150	(0.150)
<b>Total of Identified Savings Initiatives</b>	<b>1.426</b>	<b>0.408</b>	<b>1.018</b>

Shortfall of Identified Savings	5.234	0.000	5.234
<b>Total Savings Target</b>	<b>6.660</b>	<b>0.408</b>	<b>6.252</b>

<b>Budget Reductions</b>	<b>£m</b>
Prior Year B/f	5.234
Current Year	1.426
<b>Total Savings Target</b>	<b>6.660</b>

### Growth Items and One-Off Funding

The Portfolio received the following additional budget allocations in 2020-21:

Ash Dieback - £0.270m one-off

Ash Dieback will lead to the decline and death of the majority of ash trees in Britain. The Countryside Service is to lead a corporate-level response with relevant departments, developing a corporate Ash Dieback Action Plan, initiating a programme of inspection to quantify the scale of the problem on the Council's estate including the surveying, felling and replanting of trees on Council land. It is considered likely that this funding will turn into a multi-year commitment once evaluation work has been performed.

Elvaston Castle Masterplan - £0.200m one-off

Cabinet approved the Elvaston Castle Masterplan on 20 December 2018, following a public consultation exercise. A delivery programme and business case is being prepared to identify the capital investment required and income generation opportunities involved in delivering the Masterplan which will be presented to Cabinet in due course. This one-off funding is being spent on the preparatory and design work associated mainly with the construction of the access drive and car park elements of the programme.

### Risks

There is a risk that the following issues could negatively impact on the Portfolio's forecast outturn position reported in the Forecast Summary above:

<b>Service</b>	<b>Risk</b>	<b>Sensitivity £m</b>	<b>Likelihood (1 = Low, 5 = High)</b>
Department General	Failure of assets including roads, pavements, bridges, retaining walls, street lighting columns, safety fencing, gullies, countryside assets, canals, reservoirs etc, particularly as resources have been diverted due to COVID-19.	2.500	5
COVID-19	That the costs of COVID-19 are far higher than forecast and	2.500	5

	monies to cover the costs are not forthcoming from Government		
Winter Maintenance	Impact of a severe winter	1.500	4
Street Lighting Energy and Maintenance	Further energy price increases, or further slippage in implementation of the LED programme	0.300	2
Flooding and/or extreme weather	Emergency response procedures are in place to minimise the impacts of these emergencies, however, have to deal with retrospectively	1.000	3
Waste Management	Uncertainty in the future of the Waste Treatment Plant	1.000	3

### Earmarked Reserves

Earmarked reserves totalling £17.238m are currently held to support future expenditure. Details of these reserves are as follows:

Reserve Description	Amount £m
Grants	1.266
Committed Liabilities – Revenue	1.751
Committed Liabilities – Capital	1.120
Winter Maintenance	2.000
Money Held on Behalf of Other Councils and Partnerships	0.637
Renewal Funds regarding Laboratory and Fleet Equipment	0.056
Waste Recycling Initiatives	0.598
Derby and Derbyshire Road Safety Partnership	0.632
ETE Underspend Reserve (committed to specific projects)	2.185
ETE Underspend Reserve (to assist with managing the department's savings programme)	6.993
<b>Total Earmarked Reserves</b>	<b>17.238</b>

### Debt Position

The profile of the debt raised, relating to income receivable by services within the Economy, Transport and Environment Department, is as follows:

0 – 30 Days £m	31 – 365 Days £m	1 – 2 Years £m	2 – 3 Years £m	3 – 4 Years £m	Over 4 Years £m	Total £m
1.787	2.745	1.239	0.277	0.017	0.015	6.080
29.39%	45.15%	20.38%	4.56%	0.28%	0.24%	100%

In the year up to 12 June 2020, the value of debt that has been written off totals £0.013m.

(3) **Financial Considerations** As detailed in the report.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

(4) **Key Decision** No.

(5) **Call-In** Is it required that call-in be waived in respect of decisions proposed in the report? No.

(6) **Background Papers** Held on file within the Economy, Transport and Environment Department.

(7) **OFFICER'S RECOMMENDATION** That the Cabinet Member notes the report.

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