

**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**IMPROVEMENT AND SCRUTINY COMMITTEE - PLACES**

**WEDNESDAY, 23 FEBRUARY 2022**

**Report of the Executive Director - Place**

**Flood Resilience/Local Flood Risk Management Strategy**

**1. Purpose**

- 1.1 To consider lessons learned from flooding incidents and customer satisfaction with flooding services responses, and to consider the review of the Derbyshire Local Flood Risk Management Strategy.

**2. Information and Analysis**

- 2.1 Lessons learned from flooding incidents – Derbyshire has experienced a number of major flooding incidents over the past three years, with the most significant ones being November 2019 (384 properties flooded), February 2020 (96 properties flooded) and January 2021 (66 properties flooded). With not only property flooding but highway flooding to 100's of roads across the County during these events, it has been a significant challenge for the Council, but a challenge that it was, and still is, well prepared for.
- 2.2 The Derbyshire Local Resilience Forum (LRF) Multi-agency flood plan (MAFP) has been developed with the support of a number of different responders, emergency services, Environment Agency and local authorities. The aim, of which, is to inform and guide those managing the response to a flooding event and that it is reviewed on an annual basis.

- 2.3 Alongside the MAFP, there are also other policies and procedures in place to assist in dealing with major flooding events, including the Flood Response Policy March 2020 and the Adverse Weather Policy 2019.
- 2.4 Given that every flooding event is different in terms of scale, geographical location and type, there are always lessons to be learnt from these, which informs how the Council can continually learn and improve from these events. The Council's Emergency Planning Team, who is responsible for the co-ordination and management of such events, always undertake post event de-briefs as a matter of course with all key personnel and organisations. From these de-briefs, changes can be considered where deemed necessary to the various documents and procedures.
- 2.5 Customer satisfaction with Flooding services responses – Since the Council became the Lead Local Flood Authority (LLFA) in 2010, following the introduction of the Flood and Water Management Act 2010, the Flood Risk Management Team continues to strive, to deliver the best possible service to the residents of Derbyshire.
- 2.6 The co-ordination of the management of flood risk from surface water, ordinary watercourses and groundwater, which is the LLFA's key responsibility, can be a very complex one, as there are a number of other different agencies responsible for different types of flooding as follows:
- Environment Agency (four regions/catchment areas in Derbyshire) – Flooding from main river.
  - Water Companies (three in Derbyshire) – Flooding from sewers and reservoirs.
  - Canals and Rivers Trust – Flooding from canals and reservoirs (e.g. Toddbrook Reservoir).
  - Highway Authority (Council) – Flooding from the public highway.
- 2.7 During and after a flood event, invariably a customer is not interested in who's responsibility the flooding is, they just want the issue resolved, and this can lead to frustration and anger. The Flood Risk Management Team does work very closely with all the agencies and organisations listed above, to try and ensure that any flooding incident is investigated in a co-ordinated way, and that any investigation, or promotion of a flood mitigation scheme, is done in a timely fashion as possible.
- 2.8 The delivery of any flood mitigation scheme, whether it is being promoted by the LLFA, the Environment Agency or other agencies, can take time, and are constrained by a number of factors as follows:

- Funding – All of the schemes the Council promotes is reliant on external grant funding, which can take considerable time and resources to obtain.
- Deliverability – Unfortunately, not all properties which flood in Derbyshire will be eligible for funding (under the current funding rules) and therefore will not get the protection the customer deems necessary.
- Climate Change – This is the single biggest factor which is affecting rainfall events both now, and in the future, and the Council simply cannot continue to try and build bigger, higher and wider flood defences to protect property, as this is not sustainable.

2.9 All the factors above can contribute to customers dissatisfaction as to how flood risk is managed and responded to by the Council. Although the Council has, and will continue to deliver flood mitigation schemes, flood investigations, partnership working with other agencies, land drainage consenting, planning consultations etc, this will become ever more challenging in the future given the impacts Climate Change, along with current resource limits of the Flood Risk Management Team, which have been constantly stretched over the past three years, with the major flooding events Derbyshire has experienced.

2.10 To try and manage customers' expectations, and more effectively manage the flood risk with the limited capacity the Flood Risk Management Team has, the Council needs to consider different ways and methods of managing flood risk in the future. Below are a few suggestions as to how this can be achieved:

- Risk Based Approach – Prioritise resources to properties and business which have flooded internally, for people and areas where it is needed most (e.g. elderly, vulnerable, areas of deprivation).
- Promote more Resilience (both for properties and customers) – Trying to protect or reduce the flood risk is sometimes unachievable, and therefore by being more resilient to flooding, customers can recover from flooding more quickly.
- Natural Flood Management – A relatively low-cost method of trying to “Slow the Flow” and reduce the flood risk to properties.
- Manage Customers expectations – The Flood Team has not got the capacity, both now and in the future, to resolve every flooding enquiry that is submitted (nor can every enquiry be resolved positively), and therefore needs to work with residents and communities, for them to not only become more resilient in dealing with flooding issues, but to manage their expectations more effectively.

- 2.11 Some of the suggestions above, along with others, are being considered in the Local Flood Risk Management Strategy review, which will be covered in the next section.
- 2.12 Review of the Local Flood Risk Management Strategy (LFRMS) – The LFRMS is a requirement of the Flood and Water Management Act 2010 and is a document that explains how the Council will co-ordinate services from across the County, with the key aim of mitigating flood risk. The LFRMS was adopted by the Council in July 2015, and although not a statutory requirement, National Guidance suggests that the document should be reviewed every five years. The Flood Risk Management Team had planned to review the Strategy in 2020-21, but a combination of ongoing major flood events and capacity issues within the Team have inhibited this from being undertaken thus far.
- 2.13 The Flood Risk Management Team has now begun the process of reviewing the Strategy, and below is an indicative programme for delivering the strategy review as follows:
- 21 January 2022 to 3 March 2022 review all LFRMS document.
  - 17 March 2022 – Final Draft completed
  - 17 March to 31 March 2022 - Consultation period
  - 7 April 2022 -Submit Cabinet Report
  - 5 May 2022 – Cabinet Meeting
- 2.14 The review will consider changes to both National and Local policies and plans, and more importantly how the Council can deliver effective flood risk management for the residents of Derbyshire, in the ever-changing landscape that is flood risk.

### **3. Consultation**

- 3.1 Both the LFRMS review and customer satisfaction with flooding services response are inextricably linked, and there will be a consultation process, for all organisations, agencies, and customers to feed into the review process.
- 3.2 Lessons learned from flooding incidents – Aside of the annual review of the MAFP, whereby consultation is carried out as a matter of course, meetings like the Derbyshire Local Resilience Forum Flooding Sub-Group and others, ensure that all partners have a platform to shape how flood risk is managed in Derbyshire.

#### **4. Alternative Options Considered**

- 4.1 Do Nothing – This will lead to the Council not recognising the ever-changing climate as to how flood risk can be managed effectively, the significant impacts of climate change in years to come.

#### **5. Implications**

- 5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

#### **6. Background Papers**

- 6.1 Structured De-brief Report for Storm Christoph.

#### **7. Appendices**

- 7.1 Appendix 1 – Implications

#### **8. Recommendations**

That the Committee:

- a) Supports any actions and lessons learned, which come out of any post flooding event de-brief.
- b) Supports the review of the Local Flood Risk Management Strategy.

#### **9. Reason for Recommendations**

- 9.1 To ensure that the Council remains effective in its management of flood risk and ensure it keeps abreast of the ever-changing landscape and climate which impacts upon how flood risk is managed.

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## **Implications**

### **Financial**

1.1 None.

### **Legal**

2.1 The Flood and Water Management Act 2010 and the Civil Contingencies Act 2004, are the two pieces of legislation that are relevant to what is being considered in this report.

### **Human Resources**

3.1 Attracting people into local authorities who have the relevant experience, skills, and qualifications in flood risk management, is becoming increasingly challenging, as the market for this is extremely competitive.

### **Information Technology**

4.1 None.

### **Equalities Impact**

5.1 None.

### **Corporate objectives and priorities for change**

6.1 One of the objectives in the Council Plan 2021-2025 is to “*Reduce the level of flood risk to the residents and businesses of Derbyshire through our planning role, the delivery of flood mitigation schemes and working with communities to develop flood resilience measures*” and also “*Adapted our services and worked with communities to help lessen the effects of climate change*”.

### **Other (for example, Health and Safety, Environmental, Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

7.1 None.