

## APPENDIX 1

### SUMMARY OF RECOMMENDATIONS OF THE SCRUTINY REVIEW PANEL ON FLOODING, WITH NOTES ON ACTION TAKEN IN RESPONSE

#### Priority Recommendations for Action

- a) A day-long seminar should be hosted by the County Council involving key partners such as the Environment Agency, Severn Trent Water and district and parish councils with the aim of raising awareness for flood risk mitigation and improving communications between partners.

**On 29<sup>th</sup> March 2011 we held a Flood Fair at County Hall. This was supported by all agencies, i.e. LCC, Leicester City Council, Rutland County Council, all district councils, Environment Agency, Severn Trent, F&RS, National Flood Forum, voluntary sector etc. The event was opened by Cllr Lesley Pendleton, with more than 70 people visiting the event, including elected members.**

**The LRF Flood Working Group continues to maintain and develop relationships and communications between partners.**

- b) The Panel feels that the Council must work effectively with district councils as planning bodies to ensure that, as part of their statutory duties, flood risk is adequately taken account of and addressed as part of the planning process.
- c) That, as part of the approach outlined in (b) above, it be ensured that developers adhere to the requirements of the validation check list which highlights the need to address flood risk.

**As the arrangements for the management of flood risk have changed over the last year and some have yet to be implemented, meetings are held with district councils' planning officers to engage them in developing appropriate processes, brief them on the County Council's role, encourage joint working and prepare for the introduction of the SUDs approval process.**

- d) The Panel supports the formation of the strategic multi-agency Flood Risk Management Board on which the County Council will act as the lead body in managing flood risk and urges the Cabinet to ensure that the necessary arrangements are in place to enable the Council's statutory responsibilities to be carried out effectively.

**The Flood Risk Management Board, which also covers Leicester City and Rutland, continues to meet and fulfils a useful role in ensuring that**

**all appropriate agencies are aware of the actions of others, issues and new developments and pursues opportunities for joint working.**

**The specific statutory responsibilities imposed by the Flood and Water Management Act are primarily discharged by staff of the Environment & Transport Department. The funding mentioned under item (f) below has allowed for the appointment of two officers working full-time on flood risk management matters, augmented by specialist consultant support as required.**

#### Issues of Concern

- e) The Panel is concerned that the loss of RIEP funding to assist in managing flood risk after September 2011 may have a severe knock-on effect on the Authority's continuing ability to adequately resource such work, particularly given the current financial climate.

**The RIEP funding was used to fund two posts within the LRF: a Flood Project Manager and a Community Volunteer Co-ordinator.**

**The Project Manager has since been made Team Leader in the Resilience Partnership team, becoming the lead Emergency Management Officer for the County Council and retaining the responsibility for flood contingency planning.**

**The second post, Community Volunteer Co-ordinator, was a fixed term contract. However, the work initiated by this post will be continued by the Emergency Management Officers within the Resilience Partnership team.**

**RIEP funding was also used to purchase 6000 gel-filled 'sandbags'. This facilitated a '2 for 1' offer enabling district councils to obtain significant local stocks. We have retained a strategic stock of 2000 in county highways depots. 400 'DoorPacs' were also purchased at a significantly discounted price for sale to householders. Funds from the sale of these will be used to fund the purchase of additional DoorPacs.**

- f) Given the Authority's position as lead body in managing flood risk, the Panel, whilst recognising the financial pressures, hopes that the necessary resources will be re-directed from Government to carry out this role effectively.

**In December 2010, government announced funding of £153,100 for 2011/12, rising to £304,500 for subsequent years to meet the cost of undertaking duties under the Flood and Water Management Act. Initial indications are that this should cover the costs that will be incurred for**

**most aspects of the role, however there has yet to be an announcement of how the on-going liability for the maintenance of SUDs will be resourced.**

#### Other Recommendations

g) Whilst it is clear that much work has been undertaken by the County Council and its partners to mitigate and adapt to the effects of climate change, the Panel wishes to stress the importance of maintaining impetus to enable continuous improvement in this area and is therefore pleased to note:

- Achievement of level 2 and the plans to develop a future work programme (including the development of an Adaptation Action Plan) as part of the regional project in order for Leicestershire to reach Level 3 of NI 188;
- Progress against NI 189 and the actions in relation to Emergency Planning, in conjunction with our multi-agency partners;
- The next steps for delivery of actions against NI 37.

**Level 2 of NI188 was achieved in 2009/10 and Level 3 in 2010/11. Work aiming to achieve level 4, through a Climate Resilience Action Plan for Leicestershire is underway.**

**Since the Panel's work, we have formed various working groups, improved liaison with the Environment Agency, water companies and other partners.**

**Our engagement work has included events, publicity, recruitment and training of Flood Wardens and attendance at Community Forums and other community meetings. All of this work will continue to promote and sustain flooding awareness.**

h) The Panel is of the view that:

- Good work is being carried out by the LRF in respect of engaging the public on flooding issues, but that more can be done to capture the public's imagination on the flood risk issue, for instance via articles in County Council and district council publications;

**In addition to Leicestershire Matters, the LRF has published articles in a number of community/district publications.**

**Articles/reports have appeared in the local press and on local radio. Recent major exercises (Watermark, Kingfisher) raised the profile of flooding and facilitated useful publicity.**

- Clear communication must continue to be provided to the public in order that those considered to be 'at risk' are signposted to the appropriate agencies;

**The LRF website [www.localresilienceforum.org.uk](http://www.localresilienceforum.org.uk) contains all relevant information and is updated regularly**

**LRF staff attend a number of community events during the year, using a publicity trailer we use jointly with Charnwood BC.**

**We have around 100 Community Flood Wardens and, in 2012, LRF staff will commence an initiative to work with parish councils to recruit more volunteers and raise awareness.**

#### Issues to be Followed up by the County Council and Other Agencies

- i) The Panel believes that water companies, as experts on the water and sewerage systems, should:

- Be statutory consultees on planning applications; and
- Be represented on the SuDS approving body with the County Council.

**The section of the Flood and Water Management Act relating to SUDs is not yet applicable, but is expected to be brought in within the next 12 months, and then possibly on a phased basis. It designates the County Council as the SUDs Approval Body (SAB).**

**SUDs approval is a separate process to planning consent. The legislation states that construction cannot start unless the drainage system has been approved by the SAB (and we will be bound absolutely by the national standards in this respect). This means that proposals that affect drainage but are not subject to planning permission will still require SUDs approval. This is a similar situation to building regulations.**

**When a planning application is submitted, the planning authority will be required to consult us, inform us of their decision and inform the applicant of both bodies' decisions.**

**It is not anticipated that a separate group or body will be set up to act as the SAB. A large number of applications will be submitted and they will all require a technical check against national standards. It is envisaged that the responsibilities of the SAB should be discharged under delegated powers similar to the way that the highway and transportation aspects of planning applications are dealt with. Once the national standards have been finalised and there is a commencement date for SAB responsibilities, the appropriate delegated powers will be sought.**

**The legislation requires us to consult water companies, the Environment Agency, British Waterways, internal drainage boards and other highway authorities as appropriate. The nature of this will depend on the complexity of the SUD proposed.**