


Overview & Scrutiny

Annual Scrutiny Review of Flood Management in Cheshire West and Chester



Cheshire West and Chester Overview and Scrutiny Committee

Cheshire West and Chester Council
June 2017

CONTENTS

Introduction	Page 3
Recommendations	Page 4
Task Group Details	Page 5
Task Group's Approach	Page 6
Findings	Page 9
Conclusions	Page 11



1. INTRODUCTION

As Chairman of the Cheshire West and Chester Overview and Scrutiny Committee responsible for the Annual Statutory Review of Flood Management in Cheshire West and Chester, I have pleasure in presenting the Task Group's scrutiny report.

Building on the success of the Annual Scrutiny Review 2015-16, it was agreed to hold this year's Annual Scrutiny Review away from the formal committee setting. Due to the recent investment in new flood defences to Northwich, it was agreed to host the Annual Scrutiny Review in Northwich Town Centre.

Flooding is an issue that is now much more prominent in the UK. Images of flooding seem to have now become a grim reality – floodwater cascading over breached defences, disintegrating bridges over swollen rivers, cars window-deep in water, quickly and suddenly abandoned with their hazard lights on. Fortunately in Cheshire West and Chester we are not as badly affected by flooding as other areas of the country, but when we are, it can badly affect local businesses, communities, homes and the environment. Flooding is everyone's business and it is not just down to the local authority to tackle any incidents. The public can do more themselves – landowners can keep their ditches and drains clear, and local communities can work together to prepare and support each other prior to, during and after any incidents of flooding.

During this year's scrutiny event, Members received a presentation from Rob Brooks, Senior Manager – Place Network and Environment Management, on recent flooding issues in the borough and the current projects to help mitigate flooding. Members also received information about the recent flood mitigation schemes in Northwich from Dave Brown, Environment Agency and an update on community resilience from Peter Bulmer, Project Manager, Climate Change.

All the Members who attended the exercise found it very informative and helpful. The Task Group learnt what the current key issues were across the borough and received an understanding of flooding in general. It is hoped that the Task Group's recommendations will contribute to improving flood management in the borough for the future.

Councils can't stop floods from happening, but with the help of partner agencies, the public, communities and neighbouring authorities, they can learn from any incidents, the aftermaths and mitigate some of the worst impacts giving local communities the support they need to get back on their feet.

The Cheshire West and Chester Overview and Scrutiny Committee would like to thank those officers involved with the exercise.

Councillor Martin Barker

2. RECOMMENDATIONS TO THE CABINET

The Cheshire West and Chester Overview and Scrutiny Committee would like to recommend to the Cabinet that:

1. the Cheshire West and Chester Overview and Scrutiny Committee review the recommendations made in the 2015-16 Annual Scrutiny Review to ensure that they have all been implemented.
2. As part of its Annual Scrutiny of Flood Management for 2017-18, the Cheshire West and Chester Scrutiny Committee scrutinises how effective the Council's new Flood Management webpages have been in term of a "self-service approach.
3. The Council publishes, more visibly, its responsibilities in terms of management of flooding and it also publishes the responsibilities of others such as landowners.
4. The Council considers its existing policy on gully cleansing with a view to adopting a more risk-based approach.
5. The Council reviews the possibility of sharing resources across neighbouring authorities.
6. The Council identifies areas within the borough, and works with local communities (Parish Council, Tenants & Housing, "Friends of" groups and neighbourhood management groups) to develop localised "Community Resilience Plans".

3. TASK GROUP DETAILS

Members:

Councillor Martin Barker (Chairman)
Councillor Alex Black
Councillor Mike Jones
Councillor Sam Naylor
Councillor Harry Tonge
Councillor Gill Watson

Officers:

Rob Brooks Senior Manager - Place Network and Environment
Peter Bulmer Project Manager, Climate Change

Partner Organisations:

Dave Brown Environment Agency

Scrutiny Team:

Laura Bootland Democracy and Elections Officer
Andrea Thwaite Democracy Programme Manager
Tel: 01244 972283
andrea.thwaite@cheshirewestandchester.gov.uk

For further details about this report or additional copies please contact:

Scrutiny Team
Cheshire West and Chester Council
2nd Floor, HQ Building
Nicholas Street
Chester
Tel: 01244 972283
www.cheshirewestandchester.gov.uk/scrutiny

4. OUR APPROACH

What we referred to

In the summer of 2007 severe flooding occurred across many areas of England. Following the flooding, Sir Michael Pitt undertook an independent review of flooding and as a result produced a report containing 92 recommendations.

Sir Michael Pitt's review stated that "the role of local authorities should be enhanced so that they take responsibility for leading the co-ordination of Flood Risk Management in their areas".

Two pieces of legislation with new responsibilities for flood risk management for local authorities came out of the Pitt Report: The Flood and Water Management Act 2010 and The Flood Risk Regulations 2009.

The Flood and Water Management Act 2010 implements many of the changes recommended in the Pitt Review. It updated previous legislation for a more comprehensive management of flood risk for people, homes and businesses. The Act aims to reduce the flood risk associated with extreme weather conditions and clarifies who is responsible for managing all sources of flood risk. It encourages more sustainable forms of drainage in new developments and gives new responsibilities and a new role for upper tier local authorities as Lead Local Flood Authorities. The Act requires effective partnerships to be formed between the Lead Local Flood Authorities and key partners (Environment Agency and water companies etc.) who are responsible for flood risk management.

The Act also provides a specific role for Overview and Scrutiny enabling Overview and Scrutiny Committees in Lead Local Flood Authorities to hold Risk Management Authorities, Lead Local Flood Authorities, Environment Agency and water companies to account. The Localism Act 2011 reinforces and strengthens the arrangements in relation to the Overview and Scrutiny function with Risk Management Authorities (RMA's) being under a duty to comply with a request made by an Overview and Scrutiny Committee for information or a response to a report in relation to its flood or coastal erosion risk management function.

Who is Responsible for Managing Flood Risk?

The Flood and Water Management Act gave county councils and unitary authorities a new leadership role (and the new title, 'lead local flood authority') in local flood risk management, designed to work closely with a new national leadership role for the Environment Agency (EA).

The Flood and Water Management Act 2010 (FWMA) defines certain organisations as 'Risk Management Authorities' with responsibility for management of flood risk.

In addition to the specific responsibilities and functions that each RMA is required to deliver, they also share:

- A duty to act consistently with the Local Flood Risk Strategy when carrying out flood risk management functions;
- A duty to work in partnership to manage flood risk in the area and to co-ordinate flood risk management activities;

- A duty to share information and data relating to their flood risk management activities; and
- A duty to be subject to the scrutiny of the LLFA's democratic processes in respect of their flood risk management activities.

Other risk management for local authorities

The Task Group learnt what flood risks local authorities and other agencies are faced with and during a presentation Members discussed the following risks:

Highway authorities	Cheshire West and Chester Council - highway drainage. The Council is responsible for cleaning of highway drainage.
Water and sewerage companies	managing the risks of flooding from sewerage and foul/combined systems
Department of Communities and Local Government	works through Local Planning Authorities to ensure flood risk is taken into account in the planning process
Environment Agencies	The Environment Agency is responsible for carrying out maintenance, improvement or construction work on main rivers to manage flood risk.

The Task Group also learnt of the different types of flooding incidents which have affected Cheshire West and Chester borough over the last 2 years:

- Internal flooding of properties;
- Run-off from fields;
- Blocked Highway drains;
- Ground water flooding;
- Flooding due to culverted watercourses;
- Flooding due to blocked or over capacity watercourse;
- Overcapacity/blocked public sewers;
- Flooding from Main Rivers;
- Inappropriate alterations by third parties; and
- Rainfall intensity.

What we did

The Task Group held its away day in Northwich where it received an update and presentation on Cheshire West and Chester Council's approach to Flood Management from Rob Brooks - Senior Manager - Place Network and Environment.

The Task Group also received an update on the recent flood defence work in Northwich from Dave Brown of the Environment Agency.

The Task Group also heard from Peter Bulmer, Project Manager, Climate Change, in relation to one of the previous year's recommendations regarding Community Resilience.

Following the presentations, the Members went on a "walk about" to explore the flood defence work in Northwich adjacent to the Barons Quay development which has been built to protect Northwich from flooding in the future.

5. Scrutiny review's aims and objectives

- To consider the Flood and Water Management Act and its implications for partners in Cheshire West and Chester Council.
- The Task Group wanted to ensure that the policies and plans that Cheshire West and Chester Council and partners have in place to deal with flooding are fit for purpose.
- To explore the roles and responsibilities with regards to drainage and flooding in Cheshire West and Chester Council.
- To make appropriate recommendations.

6. FINDINGS

FLOODING IN NORTHWICH

The Task Group was updated on the flooding in Northwich and projects to mitigate the flooding and its effects.

Northwich experienced severe flooding on numerous occasions since 1946. In 2000, 30 properties were affected and main roads were closed when the River Dane and Weaver flooded and broke their banks. In September and December 2012, flooding occurred again, with 7 properties affected.

Following the flood incidents in Northwich, the Environment Agency and Cheshire West and Chester jointly funded a £7m scheme to protect Northwich from flooding in the future. The Environment Agency secured funding to construct a sustainable flood risk management scheme in Northwich that will seek to reduce the risk of flooding from the rivers Dane and Weaver to around 700 local homes and businesses. Cheshire West and Chester Council contributed £500,000 to the overall scheme cost. The flood project will also help Northwich by protecting existing investment into the town and encourage further development that will generate employment to the town.

The Task Group learnt that the flood defences which are being installed in nine sections along the rivers Dane and Weaver are nearing completion. It is hoped that the newly installed flood defences will protect the town from a much greater flood event in the future.

RESILIENCE PLAN

Peter Bulmer updated Members on the effectiveness and creation of Community Resilience Plans. Community Resilience Plans are used to increase the short term resilience of the community during weather related emergencies. They contain a list of emergency contacts, and information on what to do in the event of an emergency. The aim of Community Resilience Plans is to encourage community participation in the safeguarding of their homes and local businesses. The Task Group was advised on the communities who have already developed their own Resilience Plan and how effective they are. During last year's scrutiny review, Members visited Parkgate and heard from local residents on their Resilience Plans. Members were also advised that other communities have developed Resilience Plans and a localised response known as "Snow Angels". Snow Angels are nominated people within communities who visit vulnerable residents when it has snowed. Following discussions the Task Group agreed that they were valuable assets to have within communities and that other communities should be encouraged to develop them through their Community Resilience Plans.

The Task Group also learnt about "Resilience Boxes" which are:

- To be used before, during or after the emergency services have been contacted;
- Lockable grit bin sized containers;
- Have dedicated key holders;
- Contain a range of resources including: High Vis' Jackets, Wind-Up Radios, Torches, Shovels, Silver Blankets, Gel Bags, Emergency Response Booklets and Advice.

COUNCIL'S HIGHWAY TERM CONTRACT – CLEANING OF GULLIES

The Task Group learnt that the Council's Highways Service is discussing with its Highways Term Contractor - Ringway, innovative cost effective initiatives, whilst importantly maintaining the network in a condition that provides the customer with safe passage. With the impact of climate change, more extreme weather conditions are expected, putting particular strain on drainage budgets. This has led to a review of the traditional annual cyclic cleanse of gullies, focusing more on the requirements of the network.

The Task Group was advised that using innovative on-site GPS data collection, over a period of time (usually a full annual cleanse cycle) allows the Council to identify specific gullies which are regularly blocked and require emptying more frequently, and those which are invariably empty – and so can be cleansed less frequently. Ringway would also use this data to determine the most practical time of day to empty gullies. For example, non-residential areas emptied at night to reduce network occupancy in the day when the roads are busier.

Moving to an 'intelligent' gully cleansing regime where each gully is assessed on a needs basis, results in an improvement to the service with those gullies that need more frequent emptying being attended to and so reducing flooding, whilst at the same time providing an overall network improvement. The Task Group discussed this new approach and agreed that the Council's existing policy relating to gully cleansing should be reviewed so that it could adopt a more risk-based approach.

The Highways Service advised that as well as the much needed approach to gully cleansing, the option of sharing resources across neighbouring authorities in relation to flood risk management needed exploring.

All Authorities face budget pressures in the current climate of austerity. Sharing resources that have specific skill sets such as flood risk management would allow those authorities to work closer together and, at the same time, reduce their revenue pressures. The sharing of resources would be in addition to the excellent work that is already taking place as part of the Mid-Mersey Flood Group. The Council is a member of this group working in partnership with Cheshire East Council, Warrington Borough Council, St Helens Borough Council and Halton Borough Council. The Environment Agency is also a key member of the group. The Task Group agreed that the option of sharing of resources was a key initiative that needed exploring and was happy to recommend the approach as part of its annual recommendations.

FUTURE DIRECTION

The Senior Manager – Place Network and Environment updated the Task Group on what work the Council has already undertaken since the previous year's scrutiny review:

WEB PAGES – Through newly developed web pages, the Council is looking to advise landowners of their responsibilities as riparian owners regarding the cleaning of ditches and drains. The intention of the website is to provide landowners with information about reporting flooding on the highway; their responsibilities and explain consenting procedures.

SUDS HANDBOOK – the Council is aiming to draft a guide for developers submitting sustainable drainage schemes as part of a planning application.

BYELAWS - under Section 66 of the Land Drainage Act 1991 the Council is looking to promote and enforce byelaws. The Land Drainage Act (LDA) has enacted certain powers in

relation to the regulation of watercourses, which have transferred from the Environment Agency to local authorities. The making of byelaws is seen as a key element to tackle flooding at a tactical level to deliver flood risk management objectives and has been approved by Council.

PRELIMINARY FLOOD RISK ASSESSMENT (PFRA) – an update of the current PFRA is required to meet the requirements of the Flood Risk Regulations (2009) and the Flood and Water Management Act (2010). This update is required by the end of June 2017 and is on programme to be delivered and submitted to the Environment Agency (EA).

FUNDING

The Task Group was advised of what funding is available to local authorities to address flooding:

- Funding from Department for the Environment, Food and Rural Affairs (DEFRA) to carry out our duties under FWMA 2010 – maintained for 4 year period of parliament – received as part of our annual settlement;
- Also covers statutory consultee requirements for for major developments with SW implications;
- Grants from DEFRA to the EA;
- LLFA's can apply for grants from the EA for specific schemes; and
- Funding via the Local Levy.

7. CONCLUSIONS

The Task Group were pleased to see a strong multi-agency approach to flood response and management within the borough and Members agreed that this approach is key to ensuring the efficient and effective achievement of objectives and responsibilities shared by all risk management authorities.

The Council cannot tackle flooding on its own. It is widely acknowledged that climate change affects local flood risk. The country is now experiencing wetter winters characterised by longer and more persistent storm periods. This increases the risk of flooding of rivers and other water courses, surface run-off, erosion and incidents of localised flooding

With the shift in climate change, flooding and its aftermath needs to be everyone's business – local authorities; Environment Agency; communities and local residents. It is hoped that neighbouring local authorities will work even closer together in the future to address flooding and that devolution may open up these opportunities to a greater extent.

Within Cheshire West and Chester there are established examples of best practice already working really well with some communities already having developed their own Community Resilience Plans.

There are a number of short, medium and long term solutions to improve flood response and flood management across the borough. As a result of their annual statutory scrutiny review of the Flood Management the Task Group has made several recommendations to the Cabinet – see section 2.