


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

January 2019

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1. INTRODUCTION

As Chair 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 for 2018/19. In previous years, the annual scrutiny exercise has been based around site visits where Members explored what flood management options the council had installed or was working on. This year the Task Group agreed to focus part of the 2018/19 scrutiny review on reviewing recommendations it had previously made and receive an update on the implementation of them. The other part of this year's review was a site visit to Dee Locks, in Chester which took place on 14 November 2018, Members received a demonstration on emptying the gullies and the stop locks.

The Task Group have made no new recommendations for 2018/19 but it was pleased to receive an update on the implementation of its previous recommendations. All but a few recommendations previously made have been implemented and the outstanding/pending ones will be picked up as part of the annual review scheduled for 2019/20.

Flooding is an issue that is much more prominent in the UK now. Images of flooding seem to have now become a reality, especially at certain times of the year. Fortunately in Cheshire West and Chester we are not affected too severely unlike some areas of the Country. However when flooding occurs, it can affect local business, communities, homes and the environment. Flooding is everyone's business and it is not just down to the local authority to tackle any incidents. Presentations methods are really effective to help minimise the effects of flooding: such as keeping gullies, drains and ditches clear, and local communities can work together to prepare and support each other prior to, during and after any incidents of flooding.

The Cheshire West and Chester Overview and Scrutiny Committee would like to thank the Highways Officers who have supported the scrutiny review and to the Democratic Services staff who have helped with the arrangements and for assisting with the drafting of the report.

Local councils can't stop flooding, but with the help of its partner agencies, the public, communities and neighbouring authorities, they can work together to mitigate some of the worst impacts giving local communities the support they need to get back on their feet.

Councillor Martin Barker.
Chairman of Cheshire West and Chester Council.

2. TASK GROUP DETAILS

Members

Councillor Martin Barker (Chairman)
Councillor Keith Board
Councillor Jane Mercer
Councillor John Leather
Councillor Hugo Deynem
Councillor Pat Merrick

Officers

Andy Raynor - Principal Engineer – Highways Commissioning

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3. STATUTORY REVIEW OF FLOOD MANAGEMENT

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 those 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 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

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

In addition to the specific responsibilities and functions that each Risk Management Authority 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 Lead Local Flood Authority'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 & 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.

4. 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.

5. 2018/19 SCRUTINY REVIEW

As part of this year's annual scrutiny review of Flood Management, the Task Group agreed to scrutinise what progress had been made with implementing the recommendations which had been made as a result of previous scrutiny reviews.

Annual Scrutiny Review of Flood Management – 2017/18.

Committee meeting date: 14 June 2018. Minute Reference: 10

The Cabinet Member for Environment agreed the following recommendations:

Recommendations	Progress made with implementing this recommendation – update provided on January 2019 :
The Quarterly Tactical Report which Cheshire West and Chester Council submits to be shared with Scrutiny Members in order to provide members with information on the level of flood risk management works being undertaken.	Officers to distribute on a regular basis to all members, starting with the tactical reports that have been produced since the last Overview & Scrutiny Committee meeting in June 2018. COMPLETED
Briefing note to be provided to Cheshire West and Chester Council Overview and Scrutiny on the Boroughs flood risk management works and the funding streams available to provide schemes the reduce flood risk.	Officers to provide briefing together with a copy of the presentation Steve Berry (Warrington Borough Council) and Dave Brown (Environment Agency) gave to members at the Scope meeting in spring 2018 which gave an in-depth view of the role of the Cheshire & Mid Mersey (CMM) Flood group. COMPLETED
Cheshire West and Chester Council Scrutiny Committee to be provided with an update on the Councils Gully emptying policy and be offered a demonstration of the gully machines.	The Task Group to be provided with a demonstration of the Gully Cleansing Machine at a date to be agreed 2018. ONGOING
New Flood Management website to be launched.	A new website called the North West Flood Hub is now available online at the following address. https://thefloodhub.co.uk COMPLETED

	<p>The Flood Hub is a one stop shop to help householders, businesses, communities and landowners across the North West become more flood resilient. The website has been funded by the North West Regional Flood and Coastal Committee (RFCC) and developed by Newground and other partner agencies.</p> <p>Under the “Your Local Area” section, details about the Cheshire Mid-Mersey (CMM) Partnership will sit under the “Cheshire” tile. At present this section is currently incomplete. It was the decision of the Tactical Group, with approval of the Strategic Group, in October 2018 not to complete this section until the website became live. This would enable all CMM representatives, and other members in their respective organisations, to provide feedback to both the website contents and how the partnership would like to present this section. This section is currently being developed between the partners.</p> <p>A new page on the Cheshire West And Chester Council website for flooding will give a brief overview of roles and responsibilities and a link to this website.</p>
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Scrutiny Review of Flood Management 2016/17.

Committee meeting date: 11 July 2017. Minute Reference: 9

The Cabinet Member for Environment agreed the following recommendations:

Recommendations	Progress made with implementing this recommendation – update provided on January 2019:
Provide an update on the cleaning programme for the gullies and drains at Flokersbrook in Hoole	Senior Highways Officers provided the relevant information. COMPLETED
Considers the impact which large scale housing developments have on the borough flood management and that the review scope includes an invitation to the	ONGOING AND THIS TO BE REVIEWED AS PART OF THE 2019/20 REVIEW.

Chairman of Planning Committee and a Senior Manager for Planning as witnesses	
In 2017/18 Annual Review the committee to receive an update on the progress made with the implementation of the recommendations from the 2015/16 and 2016/17 scrutiny reviews.	COMPLETED

Scrutiny Review of Flood Management 2015/16.

Committee date: 27 April 2016 Minute reference: 73

The Committee agreed that:

Recommendations	Progress made with implementing this recommendation – update provided on January 2019 :
Councillors to be made aware of who to contact and what to do in the event of flooding in their wards.	COMPLETED
Cheshire West and Chester Council reinstates the Flooding Group Forum and hold 3 monthly meetings.	Following the commencement of meetings a further one had to be cancelled due to some officer and member unavailability and has not been reinstated. PENDING
Cheshire West and Chester Council undertakes a scrutiny review of the effectiveness of local water companies foul water drainage system and scrutinise their 5 year development plans	Currently not progressed. This is within the Officers work programme for Spring 2019. PENDING. AN UPDATE TO BE PROVIDED DURING THE 2019/20 ANNUAL SCRUTINY REVIEW OF FLOOD MANAGEMENT.

<p>Cheshire West and Chester Council engage more widely with local land owners so that they can highlight their responsibilities in keeping their culverts and land drainage systems clear and working adequately</p>	<p>Officers in the Highways area office do work with land owners and are collating a database of the land owners to enable a closer working relationship with these owners.</p> <p>ONGOING</p>
<p>Encourage more community flood resilience plans</p>	<p>Officers to seek what is best practice from within the CMM Community and bring findings to this committee in 2019 to determine how this should be progressed possibly via Locality teams.</p> <p>PENDING. COMMUNITY FLOOD RESILIENCE PLANS TO BE PART OF THE 2019/20 ANNUAL SCRUTINY REVIEW OF FLOOD MANAGEMENT.</p>

MEMBERS SITE VISIT TO DEE LOCKS, CHESTER

The Task Group held its meeting on 14 November 2018 on site at the Dee Locks off Sealand Road, Chester. The purpose of the site visit was to enable David Brown of the Environment Agency to give Members an overview of the purpose of the Dee Locks and its role in providing flood defence to this area of Chester. The site visit also incorporated the flood defence measures between the River Dee and Sealand Road in this area and The Cop. The visit demonstrated that flood defence measures can be in many forms, such as the cycle path alongside the River Dee, the raised embankments with the Cop that provides a footpath through the park and the Dee Locks that provide a physical gate between the River Dee and canal system. The site visit was extremely well received and gave the members a full and informative briefing on the many differing forms in which that flood defence measure can be provided and all present thanked David Brown for facilitating the site visit.



Photographs taken during the Member visit Dee Locks, Chester.

6. CONCLUSION

The Task Group found that there was a good sense of partnership working for flood management in the borough and that flood management projects can encompass many forms that also include providing sustainable transport links, such as the flood defence cycleway along the River Dee at Sealand Road near the Dee Locks site.

This multi-agency approach to flood response and management is key to ensuring the efficient and effective achievement of objectives and responsibilities shared by all risk management authorities. One partner agency cannot tackle flooding on its own. It is hoped all agencies will continue to work closely together in the future to address flooding.

The Task Group were pleased that the majority of its recommendations made during previous reviews have been implemented but several are pending and these will be picked up as part of the annual scrutiny review in 2019/20, including:

1. Encourage more community flood resilience plans
2. Cheshire West and Chester Council undertakes a scrutiny review of the effectiveness of local water companies foul water drainage system and scrutinise their 5 year development plans.
3. Cheshire West and Chester Council re-instates the Flooding Group Forum and hold 3 monthly meetings.
4. Considers the impact which large scale housing developments have on the borough flood management and that the review scope includes an invitation to the Chairman of Planning Committee and a Senior Manager for Planning as witnesses