

Report of Flood Risk Manager

Report to Scrutiny Board – Sustainable Economy and Culture

Date: 23 April 2013

Subject: Inquiry into Flood Risk Management – Background Report

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. This report provides background information for the inquiry into Flood Risk Management.
2. It provides information on the common sources of flooding and services' response to flood incidents together with information on the Flood & Water Management Act 2010 (F&WM Act 2010).

Recommendations

3. Members of the Board are recommended to note the contents of this report and give due consideration to the information provided within the context of the scrutiny inquiry.

1 Purpose of this report

- 1.1 This report provides background information for the inquiry into Flood Risk Management. It provides information on the common sources of flooding and services' response to flood incidents together with information on the F&WM Act 2010.
- 1.2 This report does not specifically consider the Leeds Flood Alleviation Scheme which is being developed as a major capital project in its own right and may be subject to separate scrutiny arrangements.

2 Background information

- 2.1 Leeds has suffered from a series of floods over the last 12 years, which have caused substantial damage and hardship to communities across the District.
- 2.2 Following a series of serious floods around 2005 the Council decided to invest additional resources in Flood Risk Management (FRM), and to Cleansing for increased levels of gully emptying and street sweeping.

The FRM team undertakes:

- The role as Lead Local Flood Authority (LLFA) for Leeds City Council.
- Implementation of the LLFA duties under the Flood and Water management Act 2010.
- Development of strategies for Flood Risk Management.
- The mitigation of flood risk due to the impact of development, through the planning system.
- Inspection, maintenance and repair of watercourses.
- Inspection and Maintenance of the Local Authority owned pumping Stations.
- Reservoir Supervision and inspections.
- Design, procurement and implementation of Flood Alleviation Schemes.
- Records of the Local Authority drainage system
- Maintaining strong and close links with the Environment Agency, Yorkshire Water, other key partners, and Risk Management Authorities.

- 2.3 Around the time that this was being implemented there were major floods across the country, during the summer of 2007. The results of this were devastating in many communities and the Government set up the Pitt Review into flooding. This came up with 93 recommendations, eventually leading to the F&WM Act 2010.

3 Main issues

3.1 Sources of Flooding

- Designated Main Rivers – the powers to deal with this rest with the Environment Agency; these tend to result in the largest scale floods and can have the greatest impact on homes and businesses. Projects are usually undertaken by the Environment Agency with input from the Local Lead Flood Authority (LLFA) such as Leeds.

There are currently some new issues at the old St. Aiden's opencast site adjacent to the River Aire. The flooding here affects homeowners and highways infrastructure. Flood Risk Management is working closely with the Environment Agency in seeking a resolution to this.

Flood Risk Management also work closely with the Peace and Emergency Planning Team to ensure that when flooding occurs, or is forecast, that designated Flood Wardens are advised and appropriate sandbag distribution takes place. Emergency call-out procedures are in place for the FRM Contractors.

- Ordinary Watercourses – the powers to deal with this rest with the Local Authority. Generally these have less impact than river flood events – however they are a major source of flood risk and it is essential that preventative measures are taken to alleviate the risks. These watercourses form an extensive network within the city and can be both open channels or culverted, the capacity of which may be insufficient to accommodate water flows during heavy rainfall resulting in flooding. The main water courses within the Leeds boundary are maintained through the FRM team by a dedicated Contractor.

95 blockage 'hot spots' have been identified on the basis of detailed flooding records and the amount of debris that tends to accumulate at each one. Each 'hot spot' has been given a risk ranking, in terms of the required clearance frequency. In addition to this work, FRM have also provided individual 'Property Protection' to over 70 homes at significant risk of flooding.

- Surface Water run-off from open spaces – one of the most difficult flood issues to deal with due to the complexity of drainage law and as the 'general right' for run-off from higher ground to enter lower land. This includes boundary ditches which overflow and ditches adjacent to the highway. The Lead Local Flood Authority does have permissive powers to take action, but as these incidents are nearly always private disputes between landowners, this is rarely, if ever, undertaken.

When the ground is saturated (as in recent years) this is one of the most commonly reported form of flooding, and can be as high as 80% of the reported incidents. One of the largest landowners in the area is Leeds City Council - recreation fields, open spaces and parklands. FRM have provided advice and solutions for some of the major problems relating to these areas.

- Highway Flooding – the responsibility for draining the highway rests with the Highway Authority. Clearly the drainage infrastructure is not able to deal with every eventuality and therefore there are occasions where flooding of the highway and surrounding area occurs. This also is a very commonly reported form of flooding, which is usually via the Leeds City Council Call Centre hotline. It is significant as it can occur very quickly following a rainstorm, is very visible and therefore immediately apparent to the public. This can account for 90% of the reported forms of flooding that FRM deal with.
- Sewers – the majority of sewers are adopted by the Water and Sewerage Company (WASC) but some are private. There are three types of sewers: Foul - that should just take the foul water from inside properties and from commercial effluents; Surface Water - that take flows from roofs, yards,

drives, highways and other developed areas where rainfall lands; and Combined - which transport flows from both foul and surface water. We are concerned here with the flooding caused by rainfall, which can result in flooding of properties either because of excessive rainfall or because of blockage of the system.

Sewage flooding is highly obnoxious due to the content and the threat to human health. Yorkshire Water, or the private owner, is responsible for rectifying flooding from this source. They have threshold targets set by OFWAT to reduce the amount and frequency of flooding. Leeds Flood Risk Management always notify Yorkshire Water of reported sewage flooding, but will also respond and investigate if it is considered an emergency (out of hours) or there is an immediate threat to human health.

3.2 *The Flood and Water Management Act 2010*

3.2.1 Under the new Act the Council is now the Lead Local Flood Authority (LLFA) with the lead regarding surface water and groundwater flooding, as well as ordinary watercourses. It also included the following additional duties :

- Develop a Local Strategy for Flood Risk Management.
- Investigate local flood issues – publishing those for key floods.
- Maintain a register of structures and features that have an impact on flood risk.
- Designate third party assets – that are key to flood risk management.
- Approval of works on Ordinary Watercourses – previously an EA role.
- Set up Scrutiny of the way all Agencies are dealing with flood risk issues.

3.2.2 Roles of the Flood Risk Management Agencies:

- The Environment Agency (EA) – provides an overall control of flood risk, with a lead regarding Main Rivers and managing Grants for flood alleviation schemes. They have prepared a National Flood Risk Strategy, which has been adopted by Government. Locally the works of the EA in flood risk management are directed by the Yorkshire Regional Flood & Coastal Committee – Leeds City Council's representative on this committee is currently the Executive Member for Development & the Economy.
- Yorkshire Water – are responsible for flooding from their sewer network.
- LCC as Local Highway Authority – the draining of the highway network and issues with their systems.
- Highways Agency – The draining of motorways and issues with their systems.
- Internal Drainage Board – the maintenance of nominated watercourses within their boundary and any flood alleviation systems, such as pumping stations. Within Leeds District there is only one IDB and that is Ainsty IDB, which covers small areas in the north east of the District – around Wetherby and Thorp Arch.

- The LLFA – for Leeds CC that is FRM – see duties above. FRM also continues to carry out its ongoing roles that include commenting on Planning Applications, maintenance of Council watercourses & flood hot spots, inspection of watercourse and implementation of flood alleviation schemes.

Now, more than ever before, the above organisations need to work in partnership to address the flood issues we all face. Therefore a number of working groups have been set up to move various issues forward and to ensure the partnership arrangements are robust, these include:

- The West Yorkshire Flood Risk Partnership – that looks at a strategy for all 5 of the districts in West Yorkshire and includes representatives from the Environment Agency; Yorkshire Water and the Regional Flood & Coastal Committee
- Leeds Planning & Flood Forum – that examines how planning and flood risk work and brings together Leeds officers from Planning, Development Control, Emergency Planning and Flood Risk Management, together with representatives from the EA & YW.
- Leeds Flood Technical Forum – where detailed flood issues are discussed between representative from Flood Risk Management, Highways, YW and the EA.
- West Yorkshire Land Drainage Officers – a forum where the various officers meet to discuss where land drainage and flood risk are going - this is attended by representatives from the surrounding authorities, YW & the EA.
- Yorkshire & Humber Learning & Action Alliance – a loose grouping of various interested parties involved in Flood Risk Management, where knowledge can be exchanged and working groups are set up to attack new issues that arise.

3.2.3 The SuDS Regulations:

Included within the Act were Sustainable Drainage Regulations that would require the LLFAs to set up an approval body to consider the implication of all development on the drainage regime – as yet this hasn't been enacted but is expected to be brought in from April 2014. The main issues around this are:

- That no development would be allowed to commence without the approval of the SuDS Approval Body (SAB) – to be set up by the LLFAs, fees will be charged for this process.
- The drainage proposals for all development would have to take account of Sustainable Drainage principles – where impacts of quantity and quality are considered.
- The SAB would sit alongside the Planning and Building Control processes, its decisions would relate to National Standards.
- Once the development is completed the SAB must adopt the SuDS and maintain it – DEFRA are currently looking at the funding of this process.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.4 This report is part of a series of consultations and engagements with a number of bodies and the public on how Leeds CC should approach the risk of flooding we face.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 An Equality, Diversity, Cohesion & Integration Screening exercise has been undertaken as part of developing initial proposals for a draft Local Flood Risk Strategy. No positive or negative impacts were identified, and the screening determined that a formal Equality Impact Assessment was not required at this time.

4.3 Council policies and City Priorities

4.3.1 The approach to flood risk management is in keeping with Council Policies and City Priorities, to reduce the risk of flooding to various communities, industrial premises and the environment.

4.4 Resources and value for money

4.4.1 There are resources issues for the Council in ensuring that flood risk is managed effectively.

4.4.2 Legal Implications, Access to Information and Call In

4.4.1 The Council has statutory obligations regarding flood risk.

4.5 Risk Management

4.5.1 There are risks to the public from flooding and also risk to the Council from how we deal with these issues. This scrutiny inquiry will assist in ensuring the Council is managing risk associated with flooding correctly.

5 Conclusions

5.1 Flooding is a significant risk for the city and the consequences of flooding can be catastrophic for individuals and for communities. It is important that all the flood risk agencies work effectively in partnership in order to mitigate and manage the risks. New legislation (F&WM Act 2010) places more emphasis on agencies working together effectively to manage flood risk and it specifically allocates new statutory duties to the Council as Lead Local Flood Authority, including the duty to produce a Local Flood Risk Strategy that is subject to consultation and scrutiny.

6 Recommendations

6.1 Members of the Board are recommended to note the contents of this report and give due consideration to the information provided within the context of the scrutiny inquiry.

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.