

North Yorkshire County Council

Transport, Economy and Environment

Overview and Scrutiny Committee

13 April 2016

Local Strategy for Flood Risk Management

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose Of Report

- 1.1 To provide a progress update on the implementation of the Local Flood Risk Management Strategy.

2.0 Background

- 2.1 North Yorkshire County Council (NYCC) is identified by the Flood and Water Management Act (FWMA) as the Lead Local Flood Authority (LLFA) for the North Yorkshire administrative area.
- 2.2 Under the FWMA, we have a duty to develop and maintain a Local Strategy for Flood Risk Management (FRM) for our administrative area. Our Strategy was published on 18 February 2015 following approval by the County Council.

3.0 Content And Structure of Our Local Strategy

- 3.1 To make the documents as accessible as possible, the strategy is divided into discreet sections, each covering a distinct element of our approach to managing flood risk in North Yorkshire, allowing the reader to quickly find and focus upon the information that they need.
- 3.2 The document is split into the following sections:-

Section 1: Overview of the North Yorkshire Local Strategy – Why we need a strategy, what it contains, and what we want to achieve

Section 2: The North Yorkshire Flood Risk Management Action Plan – The current programme of activities for managing and reducing flood risk in North Yorkshire

Section 3: The North Yorkshire Flood Risk Management Protocol – How we investigate and assess flooding and flood risk, and the actions we will take

Section 4: An Overview of Flood Risk in North Yorkshire – A summary of the geographical and economic context, and an overview of the sources of flooding

Section 5: Flooding and Drainage Legislation – A summary of the legislation and associated guidance

Section 6: Roles and Responsibilities for Flood Risk Management – Sets out the flood risk management duties and responsibilities of organisations, businesses and individuals

4.0 Review of the Strategy

- 4.1 An internal review of the Strategy has been undertaken to critically appraise the documents and way in which the documents support our approach to Flood Risk Management.
- 4.2 In addition to our internal review, feedback from partner organisations and customers has also been sought and incorporated.
- 4.3 The following themes were identified for the review:-
- a) Customer service - incident review and response
 - b) Supporting flood risk reduction initiatives
 - c) Development control and sustainable drainage
 - d) Flood Risk Asset information
 - e) Supporting community understanding of flood risk

5.0 Customer service - incident review and response

- 5.1 Our review has been carried out over two distinct periods in terms of the scale and nature of flood risk incidents.
- 5.2 The period from the adoption of the strategy in February 2015 up to November 2015 generated a relatively low number of storm events. Nevertheless, across North Yorkshire five notable flooding events did occur that resulted in internal flooding to multiple properties. The strategy and associated technical guidance was subsequently applied to determine the nature and extent of the review activity, and proved to be a valuable guide in determining our actions.
- 5.3 Using the criteria set out in Section 3 of the Strategy, the nature and extent of the review for each incident was established. This enabled the team to prioritise resources more effectively and establish a clear rationale for the procurement of specialist input where required.
- 5.4 The published strategy has also been helpful in supporting our relationships with other Risk Management Authorities, and to enable strong and constructive challenge. In particular, our relationship with Water Companies, Internal Drainage Boards, and the Environment Agency.
- 5.5 The period since December 2015, has by contrast been rather different in terms of the nature and scale of the challenge and the significant flooding associated with Storms Desmond, Eva and Frank has presented a very

significant test to our Local Strategy. Indeed, the combined impact of the three storms over a 1 month period generated more flooded properties (482) than the previous 5 year period since we became the Lead Local Flood Authority (LLFA).

- 5.6 But whilst the scale of the flooding has been altogether different, and continues to present challenges to our service delivery, the Local Strategy has nonetheless provided a strong and effective platform from which to deliver our service and enable the authority to demonstrate that we are meeting our statutory duties.
- 5.7 Alongside our ongoing support to the recovery process for flood victims, we have used the Strategy to develop a review process to determine the scale and nature of the investigations required as a result of the flooding events across the County.
- 5.8 Despite the scale of the task, our prioritisation methodology is assisting with the development of a coherent programme of activities. It is also providing a sound basis for the procurement of technical support to address the challenges posed by both the technical complexity and the quantum of the issues.

6.0 Supporting Risk Reduction Initiatives

- 6.1 The Local Strategy sets out how the County Council will contribute to the identification and delivery of Flood Alleviation projects in North Yorkshire. The strategy describes our activities such that this can include supporting and challenging the measures proposed by other Risk Management Authorities, or through the development and delivery of our own projects.
- 6.2 Since the adoption of our Strategy, and in particular the Action Plan contained in Section 2, strong progress has been made towards the realisation of key Flood and Coastal Erosion Risk Management schemes.
- 6.3 The Local Strategy is also supporting the County Council as a member of the Regional Flood and Coastal Committee, and in particular in the review of regional programme priorities.

7.0 Development Control and Sustainable Drainage

- 7.1 At the time of publication, the Government were still deliberating on the nature and extent of the Lead Local Flood Authority role in drainage development control. Consequently, our published strategy focussed only on the broad principles of sustainability in terms of drainage design, such that the resulting document could apply in the broadest possible range of potential legislative outcomes.
- 7.2 Shortly after publication, the Government opted to place the responsibility for ensuring sustainable drainage design for new development upon planning authorities, and published planning policy naming Lead Local Flood Authorities as Statutory Consultees.

7.3 In this context, our Local Strategy provides an effective response to the legislation, and has provided a sound basis upon which we have developed appropriate technical guidance.

8.0 Flood Risk Asset Information

8.1 The Flood and Water Management Act requires Lead Local Flood Authorities to develop 'a register of asset relevant to significant flood risk'. Our local strategy has again provided a suitable platform upon which to base decisions relating to the development of our asset register.

8.2 Specifically, the Local Strategy supports our current service performance plan objective to review and develop further the technical standards that underpin the development and management of our asset register.

9.0 Supporting Community Understanding of Flood Risk

9.1 Another requirement placed upon our Local Strategy by the Flood and Water Management Act is the provision of key information about the roles and responsibilities of the various parties involved in Flood Risk Management, the legislation that applies, and the context of flooding in our Local Authority area.

9.2 As set out earlier in this report (section 3), we have addressed this challenge by generating a series of documents which can either be considered in isolation in response to a particular query, or together in the context of our full Local Strategy.

9.3 The team have used and referenced the documents in a number of settings and contexts with both partner organisations and community representatives, and the response has been overwhelmingly positive in terms of the clarity of the information provided.

9.4 Whilst it is recognised that much more needs to be done to increase awareness of flood risk and the associated responsibilities, the Local Strategy is again considered to provide a sound basis upon which this activity can be based.

10.0 Financial Implications

10.1 The significant flooding events that occurred within the review period highlight the unpredictable nature of flood risk and the consequent challenges associated with resourcing our statutory duties to match such a variable demand.

10.2 However the events have also demonstrated the flexibility of our Local Strategy in the context of this challenging demand profile, such that whilst service delivery has been put under significant pressure, the delivery of our statutory duties has not been compromised.

10.3 Therefore, the review has not highlighted any financial risks associated with the Local Strategy.

11.0 Legal Implications

11.1 No legal implications have been identified during the review period, and no changes to the Local Strategy are proposed.

12.0 Equalities Implications

12.1 No equalities implications have been identified during the review period, and no changes to the Local Strategy are proposed that would require a further assessment.

13.0 Recommendation

13.1 It is recommended that Members note the contents of this report.

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Background Documents to this Report: None