

Name of meeting: Overview and Scrutiny Management
Committee Date: 15 January 2018

Title of report: Kirklees Local Flood Risk Management Strategy -
 Annual Review of Progress against the Action Plan

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Is it in the Council's Forward Plan ?	No
Is it eligible for "call in" by Scrutiny ?	N/A
Date signed off by <u>Director</u> & name	29/12/17 Paul Kemp
Is it signed off by the Service Director for Finance, IT and Transactional Services?	N/A
Is it signed off by the Service Director for Governance and Commissioning?	N/A
Cabinet member portfolio	Cllr Peter McBride - Economy Portfolio - Strategic Planning, Regeneration and Transport

Electoral [wards](#) affected: All
 Ward councillors consulted: None

Public or private: Public

1. Purpose of report

To consider progress against the action plan of the Kirklees Local Flood Risk Management Strategy (the Strategy), approved by Cabinet on 15 January 2013.

2. Key points

- The Council has a number of legal responsibilities in its role as Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010. One of the more significant new duties is to "*develop, apply, maintain and monitor*" a strategy for managing local flood risk. The Strategy was approved by Cabinet on 15 January 2013 and outlines the Council's approach and

priorities for the management of local flood risk (**see Section 8 for the link to the full strategy**).

- Local flood risk includes flooding from surface water (overland flows), small watercourses and groundwater. The Environment Agency continues to manage flood risk from the larger rivers in the district.
- A total of 32 measures have been identified in the Strategy but funding from both within, and outside, the Council is limited. The delivery timetable prioritises the measures, based on their ease of delivery, stakeholder preferences and affordability.
- Section 9 of the Strategy requires the Councils Scrutiny process to monitor annual progress of the measures outlined in the Strategy.
- The Strategy's action plan is summarised in **Appendix 1**. The action plan reflects a request made at a previous scrutiny review of the strategy that progress be made clearer and reasons for delays in delivering the actions should be included.
- The emphasis in the early years of the strategy has been to improve the Council's understanding of local flood risk and establish robust records of drainage infrastructure, previous flood incidents and identify areas at the highest risk of flooding. The information collected has been particularly useful in informing works programmes, securing external funding for investigations and works and providing robust advice to developers on the most appropriate drainage solutions for new sites. The current priorities are to complete the district-wide appraisal of the higher-risk areas (**Action 1.6**) and share local knowledge with stakeholders (**Actions 2.2, 3.1, 3.2 and 8.2**). Recent resource issues within the flood management team have now been resolved and the community engagement aspects of the action plan are a priority for 2018.

A summary of flood management initiatives carried out in 2017/18 and a statement on external grant funding over the lifetime of the strategy are included in **Appendix 2**. It is anticipated that similar levels of grant funding will be secured during 2018/19 and beyond, to deliver capacity improvements to the local drainage infrastructure.

3. Implications for the Council

The Council has a duty to publish, implement and monitor a local strategy.

4. Consultees and their opinions

No opinions on this progress report have been sought.

5. Next steps

To continue to progress the measures in the action plan and to consider the views expressed by Overview and Scrutiny Committee.

6. Officer recommendations and reasons

Members are asked to note the progress of the actions in the Kirklees Local Flood Risk Management Strategy.

7. Cabinet portfolio holder recommendation

Cllr Mc Bride notes and supports the report

8. Contact officer and relevant papers

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Strategy: <http://www.kirklees.gov.uk/beta/flooding-and-drainage/pdf/FloodRiskStrategy.pdf>

Appendix 1: Summarised Action Plan

Appendix 2: Overview of projects carried out in 2017/18 and external grant funding over the lifetime of the strategy.

9. Assistant Director responsible

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Appendix 1

Summarised Action Plan from the Kirklees Local Flood Risk Management Strategy (LFRMS)

Progress key: ✓ *Action complete and implemented*

■ *Action complete and monitored*

■ *Action in progress*

■ *Action not implemented*

Objective 1 - Improve the level of understanding of local flood risk within the LLFA

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
1.1	Record drainage and flood assets	Identifying the location, capacity and condition of drainage assets is key to understanding how local flood risk is managed	■	■	■	■	■	The drainage asset record continues to improve as investigations and projects are completed. Many of the pre-1900 culverted watercourses remain unrecorded (currently estimated at 60% unrecorded)
1.2	Maintain a public asset register	The Kirklees Register of Drainage Assets and Features is available as a GIS-based record on the Councils website.	■	■	■	■	■	
1.3	Designating flood/ drainage assets	The Councils current knowledge of 3 rd party drainage features or structures is limited. Work carried out to deliver Action 1.1 will allow the Council to judge the merits of designating such assets	■	■	■	■	■	Currently a low priority to actively search for private drainage features to designate.
1.4	Recording/ mapping flood incidents	The Council will investigate, to some degree, all reported flood incidents	■	■	■	■	■	
1.5	Carry out flood investigations	The Council has published its approach to carrying out formal flood investigations where significant flooding has occurred	■	■	■	■	■	
1.6	Assessment of high flood risk locations in the Surface Water Management Plan (SWMP)	Locations of higher flood risk have been identified in the Kirklees SWMP which will be investigated in detail to determine whether mitigation measures are required	■	■	■	■	■	A prioritisation tool has been developed to carry out a full assessment of flood risk across the district. A programme of studies has been identified using this process which will be completed in 2018/19.
1.7	Improve skills and knowledge of FRM officers	Develop a local centre of general FRM issues, stop shop" for residents, and developers	■	■	■	■	■	General skills are embedded within the flood management team. Specialist skills and advice are commissioned through external consultants.

1.8	Information from stakeholder engagement	Develop initiatives to “tap into” local knowledge of historic drainage systems and flood incidents							Priority for 2018/19 is to develop a full community engagement programme.
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Objective 2 - Improve the level of understanding of local flood risk amongst partners and stakeholders

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
2.1	Publish a clear strategy and communicate it	The Kirklees LFRMS provides the framework to manage local flood risk and mitigate any risks which are considered to be too high	✓	✓	✓	✓	✓	Continue with annual Scrutiny review
2.2	Develop information strategy to improve partner and stakeholder knowledge	The Council needs to translate the technical information on flood risk into simple, readily understandable terms						Priority for 2018/19 is to develop a full community engagement programme
2.3	Improve and maintain the Councils FRM web pages	The Flood Management pages on the website will be comprehensive and maintained as an up to date record of local flood risk						

Objective 3 - Ensure that local communities understand their responsibilities in relation to local flood risk management

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
3.1	Publish and distribute information explaining responsibilities, local flood risk, property protection/ resilience etc	An essential part of the work of LLFA's is to share its developing knowledge with stakeholders to allow them to take appropriate responsibility for their own land and property						Priority for 2018/19 is to develop a full community engagement programme. A pilot project has been carried out in two higher-risk areas in Cleckheaton/Liversedge which will inform the wider programme.
3.2	Involve local Communities in local initiatives and schemes	A key task for the Council is to engage with local communities to fully involve them in the process to develop affordable schemes, encourage community ownership of the scheme at inception, project development, funding and delivery						Priority for 2018/19 is to develop a full community engagement programme

Objective 4 - Maximise the benefits from partnership working with flood risk partners and our stakeholders

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
4.1	Continue to develop the Kirklees Flood Partnership and contribute to the Yorkshire LLFA Liaison Group and Yorkshire Action and Learning Alliance	The Council will continue to be an active participant in local technical groups.						Kirklees Flood Partnership has been replaced by the WY Flood Partnership and the Learning Alliance has folded. Kirklees is an active member of local groups, sharing best practice.
4.2	Ensure that policies and programmes promoted through the Strategy complement and support works across the rest of the Calder and Don catchments	A checklist will be developed to ensure that strong links between plans are developed, checked and maintained.	✓	✓	✓	✓	✓	

Objective 5 - Actively manage flood risk associated with new development proposals

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
5.1	Develop and apply a robust local policy on FRM and drainage solutions on new development sites	The Councils current advice note on flood risk and drainage for new development sites, based on the national guidance, will be reviewed against the developing legislation and strengthened to give clear and robust advice to developers.						New developer advice guide published and distributed. Kirklees is a lead partner in developing regional SuDS guidance.
5.2	Develop a process with the Planning Department to create clear advice and direction to developers on FRM and drainage	The Council will develop a procedure to ensure that appropriate and timely advice is given to planners and developers and that planning approvals and conditions are clear and enforceable.						The Statutory Consultee role for the council has been developed with Planners. Dedicated resources have been made available to allow early, influential discussions to be held with developers to deliver the best possible drainage solutions and flood risk mitigation measures for new development sites.
5.3	Establish the SuDS Approval Body (SAB)	Not implemented by Government. SuDS to be encouraged and maintained through the planning process with advice from the flood management team (see Action 5.2)	N/A	N/A	N/A	N/A	N/A	

Objective 6 - Take a sustainable approach to FRM, maximising environmental and social benefits from policies and programmes

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
6.1	Ensure the environmental consequences of implementing the LFRMS are considered against the technical, economic and social benefits	Specialist, independent advice has been sought to ensure a robust assessment of environmental effects are considered as the strategy is developed and implemented.						
6.2	Work with the Environment Agency to embed policies from local River Basin Management Plans, local environmental policies and "European" protected sites into FRM procedures and programmes	Where there are significant and predictable environmental risks from schemes and initiatives promoted by the strategy, the council will commit to carrying out formal Environmental Impact Assessments for the proposals.						Few projects are large enough to justify formal EIA's but measures are in place to carry them out when appropriate.

Objective 7 - Improve and/or maintain the capacity of existing drainage systems by targeted maintenance

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
7.1	Identify highest risk open and culverted watercourses, highway drains and other drainage/flood features	The council will carry out a comprehensive, methodical survey of all known, non-Environment Agency or Water Company assets to determine those lengths of watercourse and drains which offer a significant flood risk.						There is currently no resource to carry out a comprehensive survey but some ad hoc surveys have been carried out.
7.2	Develop an affordable cyclical maintenance regime based on risk	Cyclical maintenance plans will be developed for trash grilles protecting council-owned culverts, highway gullies and open watercourses where regular clearance would be beneficial in protecting downstream properties and infrastructure. The Councils gully emptying operation has been highlighted in previous scrutiny reviews and work is currently being undertaken to develop a more effective maintenance regime.						Trash grilles are now cleared on the basis of need. Planned clearance work to watercourses is no longer carried out due to budget reductions. Further work is ongoing to redesign gully emptying rounds to prioritise those at highest risk of blockage, using winter gritting routes as the basis for new rounds. This work will be completed in 2018/19.

7.3	Implement a responsive, reactive maintenance regime based on risk	Existing council systems for receipt of, and response to, requests for maintenance work will be reassessed to ensure a risk- based approach is followed.						
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Objective 8 - Encourage proactive, responsible maintenance of privately- owned flood defence and drainage assets

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
8.1	Identify highest risk private flood defence and drainage assets	A database of higher-risk private assets, with details of the risk and suggested maintenance regimes will be compiled						There are insufficient resources to carry out the required survey
8.2	Develop technical advice for owners to guide them in preparing local maintenance plans	A general advice note on riparian rights and responsibilities will be produced with bespoke advice produced for individual owners of assets						Priority for 2018/19 is to develop a full community engagement programme
8.3	Establish risk-based consenting and designation processes	The council does not currently propose to carry out legal consenting of such works and will manage applications for works in watercourses via an "informal" approval process						Few requests for consents received – formal process not justified.

Objective 9 - Establish a robust policy on water management and use available information on flood risk to assess the suitability of the allocation of sites for different land uses through the Local Development Framework process

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
9.1	Use available information on flood risk to identify appropriate development potential	The aspirations of this strategy, and the related plans and policies, will be embedded in the future land allocation processes required by the LDF.						Strong local flood risk and water management policies are embedded in the Local Plan. Site allocations in the Local Plan reflect recommendations from the FM team for managing flood risk.

Objective 10 - Maximise opportunities to reduce surface water run-off from the upper catchments

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
10.1	Develop proposals to engage with significant landowners to employ land management techniques and initiatives which help to reduce the rate of surface water run-off	Much of the Colne and Holme catchments are managed to provide a regular water supply to several large reservoirs, operated by Yorkshire Water, but significant areas provide opportunities through different land management practices to retain rainwater where it falls, delaying its entry to, or reducing the rate it enters, the river system.						Calderdale Council have secured national funding for a natural flood management (nfm) pilot project, following the 2015 flooding in the Upper Calder. Kirklees are working closely with Calderdale to share experiences on nfm techniques. The council is currently preparing a funding bid for nfm measures in the upper Colne/Holme.

Objective 11 - Identify projects and programmes which are affordable, maximising capital funding from external sources

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
11.1	Develop a pragmatic programme of schemes and initiatives which are likely to be funded through the National Programme or Local Levy	The strategy describes a suite of measures which can be taken to manage local flood risk. Some measures are more affordable than others with larger capital improvement schemes offering the greatest challenges for funding. The council will deliver the actions detailed in the SWMP to help identify projects for the higher priority areas in the district.						The council has prioritised a programme of work that helps it to better understand the locations and mechanisms of flood risk, which has secured significant external grant over the last 4 years. The priority in the short to medium term will be to identify drainage capacity improvement projects eg highway drainage, watercourse improvement/ maintenance, culvert upsizing etc
11.2	Develop and implement a policy on de-culverting, consistent with the LDF Core Strategy using evidence in the SWMP and RBMP to aid prioritisation	The Council will look for opportunities to de-culvert and return culverted watercourse back to open channel, reducing flood risk and re- establishing biodiversity benefits.						A de-culverting policy is included in the draft Local Plan. Opportunities are taken to persuade developers to open up culverts on development sites wherever practicable.
11.3	Determine all other funding sources, Council, partners and other external, and maximise "match- funding"	The council will develop a maintained list of funding sources applicable to the mitigation measures identified in the strategy.						

Objective 12 - Ensure local FRM knowledge is aligned with the Councils emergency planning procedures

Action	Action Proposed	Description of the Action	Progress					Comments on Progress
			2014	2015	2016	2017	2018	
12.1	Embed the LFRMS into response and recovery plans and use developing knowledge on flood risk to “tune” emergency procedures	The Council’s new responsibilities and current records will be embedded in the Major Incident Plan where appropriate and updated when necessary.						The Council has established a policy and associated operational plan to mobilise council resources to high flood risk areas in advance of predicted flooding. The plan utilises resources from Emergency Planning, Flood Management and Highways to provide a service 24/7, 365 days a year.

Appendix 2

Overview of Flood Management Initiatives and Projects carried out in 2017/18

- Flood Management advice has been provided on 390 **planning applications**
- **220 Flooding/Drainage Investigations** have been carried out
- **£385k of Environment Agency and DfT grant** has been secured during 2017/18 for the following projects
 - **Culvert Refurbishment**
 - **Mirfield Viability Study**
 - **Heckmondwike Viability Study**
 - **Dalton and Waterloo Viability Study**
 - **Mirfield Study Appraisal**
 - **DfT Challenge Fund – Highway Drainage Improvements**

External Grant Funding Secured for Flood Management Activities: 2013 – 2017

Year of Flood Strategy	External funding from Environment Agency/ DfT (£,000's)
2013/14	335
2014/15	415
2015/16	190
2016/17	495
2017/18	385