

Economy Transport & Environment Select Committee Oral Evidence on Flood Risk Management: 9 December 2013

Record of Oral Evidence Questions and Answers

Abbreviations used:

EA – Environment Agency

HCC – Hampshire County Council

DC – District Council

RFCC – Regional Flood and Coastal Committee

SW – Southern Water

Defra – Department for Environment Food & Rural Affairs

LLFA – Lead Local Flood Authority

FDGiA – Flood Defence Grant in Aid

FWM Act – Flood and Water Management Act 2010

SuD – Sustainable urban Drainage systems

Funding

Q: What can we do to get investment in flood risk management in Hampshire?

EA: Funding for flood risk mitigation schemes is traditionally through bidding for grant funding to the Department for Environment Food and Rural Affairs (Defra). Local Authorities could also apply to Regional Flood and Coastal Committees for Local Levy funding to support projects. Growth funding available through Local Enterprise Partnerships is a potential additional source of funding.

DC: District Council's have small budgets available for maintenance of ordinary watercourses but not a lot of funds available beyond that.

HCC: There is a funding strategy attached to the Hampshire Local Flood Risk Management Strategy. It is difficult to secure grant funding for small schemes, and local levy available through the RFCCs is generally not sufficient to fund large capital schemes.

Q: How much budget is allocated for flood risk management at the County Council?

HCC: There is £1.5 million in the budget for the County Council to fulfil its flood risk duties as Lead Local Flood Authority. The Emergency Planning section deal with response to flooding incidents from their separate budget.

Q: Could the insurance industry contribute to flood mitigation?

EA: They could do more, including encouraging replacement equipment to be more resilient following a claim. It is a commercial decision for them whether to invest in flood mitigation or pay out for flood damage claims. To date they have chosen not to get involved in funding flood mitigation.

Q: Is there a budget at HCC on an annual basis for ongoing flood risk management?

HCC: Aim to finance flood mitigation projects through multi agency working. There is a strategic flood risk management group to help align priorities between organisations, for

example around the 'day job' maintenance each organisation undertakes (funded from existing maintenance budgets).

EA: The EA's revenue budget for maintenance is under pressure

HCC: The County Council has been investing in cleansing highway gullies.

EA: FDGiA is available to all projects – the issue is this can't fund all of a project – need to meet the gap with partnership funds

Q: If finances are under pressure, is it a waste of time attempting any large scheme? Is maintenance pro-active or reactive?

HCC: Over the last 10 years the County Council has been mapping highway assets including roadside drainage, and this has identified over 200,000 gullies. Not all are cleansed every year anymore. 72% are cleansed every other year, 18% annually, 8% twice a year, and less than 2% 4 times a year.

Q: Are there examples of success in securing private sector funding on a smaller scale than the example given in the morning of Nestle?

EA: In West Sussex the local community raised funds to contribute to flood mitigation schemes. Recommend utilising the skills of the different flood risk partners, for example Local Authorities experience in dealing with developers.

HCC: Riparian landowners are not always aware of their responsibilities. Guidance is available. It is important to use 'feet on the ground' to take this advice out to people. Consenting for works to ordinary water courses moved from the EA to HCC a year ago, this has resulted in HCC officers having face to face meetings with individuals to discuss their management of water courses.

Under the Parish Lengthsman scheme run by the Hampshire Association of Local Councils, areas are empowered to do more locally. HCC also works with the Local Flood Forum and local communities. For example, work is taking place with the community in Hambledon towards bidding for a grant including generating partnership funds, though the funding generated locally is small scale.

Q: What is the DC impression of experience 'on the ground' following the changes brought about by the FWM Act?

DC: Mixed picture. The DC receives on average 150 inquiries a year about drainage, with peaks at times of severe weather. Some of these get passed to other agencies where relevant. Investigations into causes of flood incidents is now a role of HCC. DC welcomes this as HCC may have more resources than DCs. However communications could still be improved between HCC and DCs. Impression is not worse or better so far.

DC is concerned that they used to receive a grant from the EA for maintenance of critical ordinary water courses. This programme has been scaled back due to EA resource pressures, DC is concerned this will build in problems for the future if watercourses are poorly maintained.

Q: What if the funds available don't meet assessed needs for flood risk mitigation?

HCC: HCC is the lead local flood authority and links to other agencies. We have collective responsibility to manage flood risk, all agencies have a part to play. Prioritisation is

required. An evidence base is needed to inform priorities. District level Surface Water Management Plans are being developed to look at the risks at district level.

Q: How can the RFCC and EA assist HCC to avoid wasting resources on unsuccessful grant bids?

RFCC: A clear strategy is important – to evidence priorities and identify those most at risk. The aim is to enable longer term planning to meet risks. Hampshire is in a good position now having an agreed strategy. Authorities can't rely on just government funding. Once schemes are identified, need to think more broadly about opportunities to fund them. Different options will suit different schemes. It isn't easy but there are successful examples. It is fundamental to work in partnership.

LLFAs have Member representatives on RFCCs and the RFCCs see the EA's planned grant allocation. Members on the committee can influence priorities for grant allocation in their area. This is an important lever for local authorities as the committee has influence over the programme proposed by the EA.

The Southern RFCC has the lowest level of Local Levy in the Country. However, this funding is at the discretion of the RFCC. Southern RFCC have £1million in Local Levy and are committed to spending it on schemes from across the region. It can be used to help schemes get started. Local levy is generally used for smaller projects.

The Thames RFCC has £10.5 million available in local levy so there are more opportunities to access funding for schemes in north Hampshire.

Q: Different organisations are working to different timescales in their planning, is this an impediment to effective partnership working on future schemes to manage flood risk?

EA: All organisations want to look for more stability. Defra has sought to provide some stability by giving a 6 year settlement for the capital funding available through FDGiA.

Overlapping Responsibilities

Q: Different organisations have responsibilities for different types of flooding, how do they work together for example to ensure all causes of flooding are identified?

EA: The FWM Act helps clarify responsibilities. The partnership Board HCC is running can help ensure the different agencies are working together and sharing information. In South Hampshire there is a coastal partnership involving the district councils which has funding available – they are a key group to influence priorities in that area.

Q: Wessex Water offer the potential for including SuDs and highway drains to their own geographical information system to create one source of drainage records – do other partners see value in this approach?

SW: understanding assets is important, though think LLFA better placed to coordinate such information

HCC: The County Council has a role to map assets. Can link this to other IT systems where possible. Are currently recording flood risk features, and sustainable drainage will be recorded when they are implemented.

Q: Thames RFCC suggest consistency in information to the public and access to information on all sources of flood risk in one place – do partners support this approach and how can this be put into practice?

HCC: Have made a good start on this. The Hampshire Local Flood Risk Management Strategy links to the flood risk managed by other agencies.

Q: Is the Hampshire Strategic Partnership Board sufficient to enable information sharing? How are the discussions held here disseminated to the district councils and parish councils not directly represented?

HCC: District Chief Executives are involved in the Board. There are representatives of all authorities on the delivery board. There was a parish representative on the partnership board and the emergency services are represented.

Sustainable Drainage

Q: HCC will be responsible from April 2014 for approving sustainable drainage on large new developments, is there any further update from central government to support this new duty, and how is HCC expecting to implement the requirements e.g. in terms of staff required?

HCC: The detailed statutory instruments are not expected until late December, to be discussed in parliament from January to March 2014. Supporting Guidance is not expected until the end of March. This is challenging with the duty due to commence in April. Officers have attended Defra meetings and workshops on this.

In two tier areas the County Council is the Sustainable Drainage authority and the District Councils are the Planning authorities, therefore there will need to be close working between partners to implement the duty effectively.

It is planned that applications for approval of sustainable drainage will be submitted to district councils along with planning application. The County Council wants to be involved at the pre application stage, to ensure a smooth process on application. Workshops have been held with district councils in Hampshire and there has been good support for joint working on this issue.

HCC doesn't want to invest in staffing until the capacity required is clearer. HCC will become responsible for the maintenance of sustainable drainage systems, therefore has an interest in making sure the systems given approval are up to scratch. Pilots are taking place with developers on a voluntary basis to explore the potential process.

Q: are we ready to take this on in April?

HCC: not yet

Q: Is it planned to recoup the costs of the ongoing maintenance from homeowners?

HCC: Local Government Association representatives are having weekly meetings with ministers to discuss the funding aspect, and the messages received are changing frequently. Section 106 agreements are being phased out in 2019 so opportunities to recoup funds from developers are reducing. The long term financing of maintenance of sustainable drainage remains unclear.

Q: What is the water companies experience of taking over private drainage? Should we be concerned by the build up of future liability?

SW: Southern Water have experience of taking on other drainage. It was a challenge to understand the full extent they were going to become responsible for and to predict the impact this would have. The reality was a lower level of need than anticipated. Water companies did receive support nationally for this. Taking on sustainable drainage for an organisation without prior experience will be a challenge.

Q: The Water Bill currently before parliament would allow sewerage undertakers to build and maintain sustainable drainage – what is Southern Water’s view on this? What partnership working would you envisage between water companies and sustainable drainage approval bodies?

SW: Southern Water would consider building and maintaining sustainable drainage as they see it as useful. Southern Water would take any proposal through the Sustainable Drainage Approval Body for consistency, so the same process would be applied as to systems put in by developers. It is important to forecast housing growth to plan drainage effectively. Water companies would like to work closely with district councils on this.

Q: The County Council refers to pilots of the sustainable drainage process, what has been learned so far from these?

HCC: Have learned that the pre application stage is very important. The County Council has no automatic right to be involved at this point, but is working with the District Councils to secure this. It is resource intensive, but should make the application stage smoother. Need to identify a way to fund this work. The County Council needs expertise to help influence the type of drainage selected, to ensure it is suitable for the development.

Q: Can HCC charge for pre application advice? Need to avoid designing schemes for developers

HCC: Pre application advice does not constitute designing schemes, merely guidance to developers about what they need to provide in their application. The pilots are voluntary so the developers haven’t contributed. Would expect to charge for pre application advice in some way in future.

Maintenance

Q: How are riparian landowners made aware of their responsibilities and encouraged to undertake maintenance activities? What more can be done locally to reinforce this message and support landowners to take action?

EA: The EA produce a guide called ‘living on the edge’ outlining riparian responsibilities which is publicised to landowners. Pressure can be provided from within the community for example via parish councils. There are enforcement powers if responsibilities are neglected, but they are difficult to implement and it is preferable to take a collaborative approach with landowners.

HCC: Districts still have powers to maintain ordinary watercourses. Pressure from local Members/local communities can help. Keeping this responsibility at a local level is preferable as local knowledge is vital. Members can carry the message in their area.

Raising awareness is important. The County Council is undertaking a pilot with the National Farmers Union to simplify the process for the consents required for changes to ordinary water courses.

Q: Could the County Council adopt ordinary watercourses adjacent to the highway and take on their maintenance? (as suggested by Winchester City Council in their written evidence) Might such maintenance be less costly than dealing with flooding resulting from neglected water courses?

HCC: The County Council is responsible for over 6,000km of highways. Adopting costs around £11 a metre therefore it would be very costly. See it as better to work with those that own the land or use enforcement powers if necessary.

Q: Could just target high risk areas?

HCC: would have to look into the cost effectiveness

Q: Is the balance right between environmental protection and flood risk management? There are examples where flood risk mitigation work has been prevented for environmental reasons

EA: historically there were more funds available for maintenance activity and dredging of rivers caused damage to habitats. There is now greater concern for protection of ecological features, however this needs to be balanced against flood risk.

Q: Have budgets for maintenance activities been affected by the current pressure on public sector budgets? If so what is the potential consequence and how do authorities plan to fulfil their responsibilities for maintenance in this context?

EA: The EA doesn't have a duty to maintain main rivers, but does have permissive powers which are used to undertake works when needed. Have had revenue reductions and this will have an impact on the amount of such works they are able to do. There is a need to prioritise the works undertaken.

HCC: maintenance budgets are under extreme pressure. Prioritisation is important and working together to align activities.

Evidence gathering closed