

HAMPSHIRE COUNTY COUNCIL**Report**

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| Committee: | Economy Transport & Environment Select Committee |
| Date: | 8 July 2014 |
| Title: | Flood Risk Management – Response to Recommendations |
| Reference: | 5959 |
| Report From: | Director of Policy & Governance |

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1. Purpose of Report

- 1.1. To consider the responses received to the recommendations made by the Select Committee regarding flood risk management, and any follow up action the committee wishes to take.

2. Contextual Information

- 2.1. The Economy Transport & Environment Select Committee scrutinised flood risk management in Hampshire in Autumn 2013, culminating in a report and recommendations agreed by the Committee at their 28 April 2014 meeting.
- 2.2. Attached at Appendix one is the response of the Executive Member for Economy Transport and Environment to the recommendations directed to him, and at Appendix two is the response from the Department for Environment Food and Rural Affairs (DEFRA) to the recommendations directed there.
- 2.3. Members will note that the Committees recommendations have been accepted, and the responses from both the Executive Member and Minister are supportive of the approaches suggested by the Committee as a result of this scrutiny.
- 2.4. Below are some suggestions of what follow up the Committee may wish to undertake based on the responses received. The Committee is invited to agree next steps.

3. Proposed Next Steps

- 3.1. **Recommendation 1)** To the Executive Member for Economy Transport & Environment: That the importance of the Hampshire County Council Member representatives on Regional Flood and Coastal Committees is recognised, as an opportunity to champion Hampshire schemes when grant allocation is considered. That the appointed representatives be requested to provide feedback to the Select Committee on their experiences at RFCC meetings.
- 3.2. **Follow up:** Invite the County Councillors representing Hampshire County Council on the Regional Flood and Coastal Committees to attend the next session the

committee holds on flood risk management, to provide feedback on their experiences at RFCC meetings.

- 3.3. **Recommendation 2)** To the Department for the Environment Food and Rural Affairs: That the balance between environmental protection issues and flood risk be reviewed to ensure works such as clearance of vegetation in rivers can take place to alleviate flood risk.
- 3.4. **Follow up:** The Environment Agency support the position that environmental protection should not prevent flood risk management. The Economy Transport & Environment Department be requested to pass on this message where possible to those involved in maintenance of ordinary watercourses, using existing lines of communication.
- 3.5. **Recommendation 3)** To the Executive Member for Economy Transport & Environment: That as Lead Local Flood Authority the County Council seek to establish an agreed Memorandum of Understanding for managing flood risk issues that involve multiple authorities, to agree all parties roles and responsibilities. Once agreed to publish the Memorandum of Understanding.
- 3.6. **Follow up:** That the Economy Transport & Environment Department be requested to inform the Select Committee when the Memorandum of Understanding is available and agreed.
- 3.7. **Recommendation 4)** To the Department for the Environment Food and Rural Affairs: That guidance on sustainable drainage be published as soon as possible to support Local Authorities in taking on this responsibility in April 2014.
- 3.8. **Follow up:** The response from DEFRA indicates that the implementation of the requirements regarding sustainable drainage will now be delayed beyond October 2014. The Minister suggests secondary legislation (presumably covering further details) will be published prior to implementation. The Select Committee could revisit this issue at a further stand alone session on flood risk management when further information is available.
- 3.9. **Recommendation 5)** To the Department for the Environment Food and Rural Affairs: That suitable funding for maintenance of Sustainable urban Drainage Systems be established before this new duty is implemented, in accordance with the government's commitment to assess and fund new burdens on local authorities.
- 3.10. **Follow up:** The funding for maintenance of Sustainable urban Drainage Systems was not specifically referred to in the response from DEFRA. Officers will continue to monitor developments nationally, and this aspect could be revisited by the Committee at a future session on flood risk management.
- 3.11. **Recommendation 6)** To the Executive Member for Economy Transport & Environment: That the County Council reviews its processes for monitoring ordinary watercourses and actions, including the use of enforcement powers to improve the levels of maintenance carried out by riparian landowners in critical areas, and encourages the district councils to make proactive use of their permissive powers in relation to the maintenance of ordinary watercourses (as set out in the Flood and Water Management Act and the Land Drainage Act).
- 3.12. **Follow up:** The Select Committee could revisit maintenance of ordinary watercourses at a future session on flood risk management, to review use of

enforcement actions, and opportunities to engage communities in high risk areas to monitor local watercourses.

- 3.13. **Recommendation 7)** To the Executive Member for Economy Transport & Environment: That all County Councillors be alerted to the responsibilities of riparian owners, to champion in their areas.
- 3.14. **Follow up:** No further action required
- 3.15. **Recommendation 8)** To the Executive Member for Economy Transport & Environment: That all County Councillors be informed about the Flood Forum, and the support it can provide to communities at risk of flooding to set up community-based flood action groups.
- 3.16. **Follow up:** Suggest an item on Community Resilience Planning, covering the Flood Forum in conjunction with Emergency Planning, be added to the Members Briefing Programme.
- 3.17. **Recommendation 9)** To the Executive Member for Economy Transport & Environment: That consideration be given to the opportunity to enable Parish Councils to undertake flood risk maintenance activities, for example through the Parish Lengthsman scheme.
- 3.18. **Follow up:** That the committee seek an update on this at the next session on flood risk management.

4. **Conclusions/Recommendations**

- 4.1. That the proposed follow ups are agreed, subject to any amendments arising from discussions at the Select Committee meeting. In summary:

- 1) That a meeting of the Economy Transport & Environment Select Committee be convened as a stand alone flood risk scrutiny session, (in follow up to the session held in December 2013) to cover:

- RFCC representatives feedback on their attendance at meetings discussing flood risk grant allocation
- Sustainable urban Drainage – national guidance, latest position on funding, local preparations update
- Maintenance of ordinary watercourses – including use of enforcement powers and opportunities for community involvement including parish councils
- Lessons learned from 2013/14 flood incident investigations

(timing of this session to be determined by when further information is available on Sustainable urban Drainage implementation)

- 2) View of DEFRA regarding environmental protection not impeding flood risk management activity to be disseminated.

- 3) Committee to be updated when the memorandum of understanding has been agreed

- 4) Community Resilience Planning item be put forward for the Member Briefing Programme

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

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| Hampshire safer and more secure for all: | yes |
| Corporate Improvement plan link number (if appropriate): | |
| Maximising well-being: | yes |
| Corporate Improvement plan link number (if appropriate): | |
| Enhancing our quality of place: | yes |
| Corporate Improvement plan link number (if appropriate): | |
| OR | |
| This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because: | |

Other Significant Links

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| Links to previous Member decisions: | | |
| <u>Title</u> | <u>Reference</u> | <u>Date</u> |
| Flood Risk Management (approval of scrutiny report) | 5794 | 28 April 2014 |
| Flood Risk Management Evidence | 5453 | 9 December 2013 |
| Direct links to specific legislation or Government Directives | | |
| <u>Title</u> | <u>Date</u> | |
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Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

| | |
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| <u>Document</u> | <u>Location</u> |
| None | |

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

1.1. No impact anticipated

2. Impact on Crime and Disorder:

2.1. No impact anticipated

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

No impact anticipated

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Climate change may result in increased extreme weather, therefore it will be important to manage flood risk as effectively as possible. The scrutiny of this topic therefore supports the County Council to be resilient to the longer term impacts of climate change.