

HAMPSHIRE COUNTY COUNCIL**Report**

Committee:	Economy, Transport and Environment Select Committee
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Title:	Flood Risk Management Update
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Report From:	Director of Economy, Transport and Environment

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1. Purpose of Report

- 1.1. This report provides an update to the Economy, Transport and Environment Select Committee on Hampshire-related flood risk management activity undertaken since the Committee last scrutinised this topic in July 2014.
- 1.2. The report highlights the progress made in key areas as well as changes to legislation and new duties placed on the County Council as the Lead Local Flood Authority (LLFA).

2. Summary

- 2.1. In addition to its responsibilities as the LLFA, the County Council also has a duty to work with other “flood risk management” authorities, including the Environment Agency, water companies and Hampshire’s district councils.
- 2.2. The County Council’s approach to multi-agency partnership working continues to be one of collaboration at all levels. Hampshire’s Strategic Flood Risk Management Board meets twice a year to discuss the general direction of flood risk management in the county and this is supported by flood risk management technical group. On a day to day, project-led basis, the County Council works with local partners across Hampshire encouraging all relevant parties to engage in the process so that the most appropriate options for managing local flood risk are identified and developed. This work has been improved by a better shared understanding of responsibilities and active on-going communications. By considering flooding ‘in the whole’, the county is in a better position to identify potential funding streams across organisations and thus further embed its strong approach to multi-agency working.
- 2.3. Throughout 2014 and into 2015 continual efforts have been made to help ensure Hampshire’s communities are better prepared for any future risk of flooding. A number of communities identified through the Section 19 (flooding

incident) investigations, such as Buckskin and Romsey, have been encouraged to develop their own community flood plans. Further communities have put community flood plans in place after attending a community resilience training event last October, which was co-hosted by the County Council and Hampshire Fire and Rescue Service. Communications between the County Council and its strategic partners has been further improved by the use of an online information tool, known as 'ResilienceDirect', from where partners can view a variety of information, including local community flood plans.

- 2.4. The County Council has also made further effort to make riparian landowners more aware of their duties in relation to watercourses for which they are responsible. This has included communicating the findings of the four Section 19 (flooding incident) investigations carried out in Hampshire. Further information is set out in section 3 of this report.
- 2.5. The outcome of Hampshire's 33 bids to DEFRA for Flood and Coastal Erosion Risk Management Grant in Aid (FCERM GiA) funding was made known in December last year, when Government confirmed that nine County Council led projects are included in the Government's six year programme (2015 – 2021). The details were [reported to Cabinet](#) on 15th December. Further information is set out in section 4 of this report, together with details about Local Levy funding which has been allocated to a number of Hampshire flood alleviation projects.
- 2.6. Since last July, and in view of the fact the current national funding regime for flood defences does not adequately recognise Hampshire's complex flood risks, the County Council undertook to develop a 'Groundwater Pathfinder' for the Government's consideration. The Government's response has been to launch a less ambitious 'Small Schemes' Pathfinder.
- 2.7. Details about the progress the County Council has made in developing flood alleviation schemes, including at Hambledon, Romsey and Winchester, is set out in section 6 of this report.
- 2.8. Since last summer the Government has carried out several consultations about Sustainable Drainage Systems (SuDs) and the future of the role of SuDS Approving Body (SABs). It has now proposed that LLFA's should be statutory consultees within the planning process – further information is set out in section 7 of the report.

3. Investigations and Riparian Owner Engagement

- 3.1. Following the flooding of 2013 / 14, four Section 19 investigations, as well as a number of more minor investigations, were undertaken across Hampshire. These formed the subject of a report to the Committee on 8th July 2014. A summary of current position is set out below:
 - a) Romsey:
 1. Work to understand the potential flood alleviation options, particularly at the Causeway and Mainstone has been undertaken. This has highlighted a number of options to be taken forward through a more detailed study.

Additionally some small scale works, such as the raising of kerbs and maintenance of the existing infrastructure, have been undertaken as part of the early actions programme.

2. Engagement with flood action groups at the Causeway & Mainstone, Budds Lane Industrial Estate and at Winchester Road is ongoing.
 3. Work with riparian landowners to ensure proper maintenance regimes are put in place for watercourses throughout Romsey
 4. Close working with the Environment Agency, Southern Water and Test Valley Borough Council to ensure work programmes are complimentary and prevent any duplication of effort.
 5. Delivery of the agreed action plan following the Section 19 report has been undertaken.
- b) Buckskin, Basingstoke:
1. A multi-agency technical group has been established to progress actions, following the Section 19 report. A Member-led panel, including representatives from the local community, has also been established to help oversee the work.
 2. Initial recommendations of Section 19 report are now complete, and further medium-term work to establish options for a potential future alleviation scheme has commenced. This is due to be finalised by August 2015.
- c) North Gorley:
1. Work to undertake the required maintenance identified by Section 19 report was completed in February 2015, following discussions with Natural England given the environmental sensitivities of the area concerned.
- d) Stubbings Meadow Caravan Park:
1. Actions were identified and carried out by New Forest District Council, following multi-agency discussions. Future emergency response actions identified to be implemented in the event of future flooding.
- 3.2. More generally across Hampshire a number of other minor investigations have taken place. At their peak there were in the region of 200 cases reported, however these have now fallen to an average of between one or two per week, enabling officers to be more proactive in tackling enforcement issues and providing advice about riparian duties.

4. Funding

- 4.1. Flood and Coastal Erosion Risk Management Grant in Aid (FCERM GiA) is the main source of funding for flood alleviation capital works and is administered by the Environment Agency on behalf of Department of Environment, Food and Rural Affairs (DEFRA) and allocated via the Regional Flood and Coastal Committees (RFCCs). Last year £1.399m FCERM GiA funding was confirmed towards the County Council's flood alleviation scheme at Hambledon, which will involve the provision of floodwater culverts within the village, and re-profiling and resurfacing the highway to enhance carrying

capacity. This funding will be in addition to the £2.1m that is being provided by the County Council.

- 4.2. A further £155,000 FCERM GiA underspend was also made available towards some early actions at Winchester, Bramdean and Preston Candover and to the study at the Causeway, Romsey, mentioned above.
- 4.3. Early in 2014, whilst the flooding was still ongoing, the County Council prepared 33 bids for FCERM GiA. This included 15 bids for the six year Flood Defence Capital Programme (2015/16 – 2020/21) and 18 for inclusion in the seven year plus pipeline programme to develop schemes for future flood defence and alleviation measures. The bids were submitted to the three Environment Agency regions which cover Hampshire and the initial outcome of the bidding process was announced on 2nd December 2014.
- 4.4. Since the Chancellors Autumn Statement further 'strengthening' of the programme has been undertaken and the Government published the final six year programme on 18 March 2015. Within Hampshire, 10 of the projects submitted by the County Council have been included in the programme, although the release of funding will be subject to the development of schemes and approval of business cases. The total allocation now announced is just under £10m (this includes the £1.399m for Hambledon) with Hampshire's Romsey Flood Alleviation project advanced to enable earlier delivery and the County Council's Winchester Flood Mitigation Study now brought into the six year programme. A list of the projects included in the six year programme is included in Appendix 1.
- 4.5. In addition further local levy funding amounting to some £1.8m has been allocated over the next six years to support scheme development and, dependent on an approved business case in some cases, scheme implementation.

5. Groundwater Pathfinder & Small Schemes Pathfinder

- 5.1. Whilst some funding has been awarded to the County Council under the above routes, the County Council is conscious that the current national funding system doesn't favour the types of flooding problems suffered in Hampshire. In particular, the nature of groundwater flooding often means that diffuse rural communities do not reach the thresholds to trigger the release of funding. Similarly, issues such as road closures, community isolation and other socio-economic factors are not fully recognised by the current system.
- 5.2. In an attempt to address this the County Council has sought to engage Government in investigating alternative ways to assess the impacts of groundwater flooding and to look at how funding allocations can properly assess the impacts.
- 5.3. Whilst there was considerable support from Hampshire MPs for the County Council's proposed pathfinder, the Government has so far chosen not to directly support that proposition. Instead, it has developed a "Small Schemes Pathfinder" which aims to bring together small flood alleviation measures, such as those likely to be viable in a groundwater flooding situation, and

permit them to be “bundled” together to develop flood alleviation benefit and so be better able to attract funding under the current system.

- 5.4. The County Council has put forward a bid under this new Small Schemes Pathfinder. This involves a proposal for a number of locations along the Bourne Rivulet which, if successful, would draw down approximately £83k (the maximum allowed under the pathfinder) to allow this to be developed to the next stage of assessment, and to potentially enter the full FCERM GiA process in due course.

6. Scheme Progression

- 6.1. As mentioned above the County Council was successful with a number of funding allocations to schemes including; Hambledon, Winchester, Bramdean, and Romsey.
- 6.2. These schemes have all been progressed over the last few months, with some e.g. Hambledon and Bramdean resulting in works being undertaken on the ground. In other cases e.g. Romsey, County Council work has focussed on the delivery of feasibility studies in order to inform decision making on flood alleviation options, and ultimately support the release of funding for delivery.
- 6.3. Work in Winchester with the Environment Agency, Winchester City Council, The School of Art and others has resulted in funding from across these partners being combined to develop and deliver a flood alleviation scheme in the Water Lane and Park Avenue areas of the city. This work has been part funded by the FCERM GiA underspends as mentioned above. Commencement of the delivery of this scheme is expected in the quarter one of 2015/16.
- 6.4. In other areas a number of short term early actions have been undertaken where they have been feasible and funded from existing budgets. Where possible this has been combined with other works e.g. Operation Resilience works to minimise disruption and generate better value for money.

7. Sustainable Urban Drainage / Statutory Consultee Role

- 7.1. The Committee will recall from earlier reports that the SuDs role has not been enacted by the Government as originally proposed under the Flood and Water Management Act. Following further consultations, the Government has decided to pass the role of SuDS approval to local planning authorities rather than to the Lead Local Flood Authority.

This means that in two-tier areas such as Hampshire, the district councils will determine the suitability of the proposed SuDS schemes on developments, following consultation with relevant bodies, including the LLFA.

In order to facilitate the planning decision-making process the Government has decided to make LLFAs statutory consultees from 15th April 2015 for works that affect an ordinary watercourse and also for surface water drainage

for major developments¹ (those over 10 dwellings). Statutory consultees will have 21 days to respond to consultations and will be required to monitor and report performance annually.

LLFAs will be consulted on development involving the culverting or control of flow of any river or stream, the EA will be removed from this role (although they retain the consenting responsibilities in relation to main rivers).

- a) LLFAs are encouraged to agree with the local planning authority about when they wish to be consulted; they will also be able to provide standing advice.
- 7.2. Whilst the County Council has been preparing for the role of SuDS approval and adoption, recognising that would be an additional workload, the new requirements as a statutory consultee are subtly different and will require ongoing monitoring following commencement.
- 7.3. The change in the enactment of the legislation will mean that the LLFA is no longer due to become the SuDS Approval Body (SAB). Instead of the SAB role it appears that developers will be left with other options to secure the long term management and maintenance of SuDS features on future developments. For example, this could be through the utilisation of private management companies or by annual management charges placed upon householders. However, as yet, there are no strict guidelines as to how developers should discharge this responsibility.

8. Conclusions

- 8.1. Good progress continues to be made across Hampshire with respect to flood risk management within the resources available to the County Council.
- 8.2. Work in relation to the delivery of schemes on the ground and the development of business cases to unlock the funding to finance those schemes is on-going.
- 8.3. The County Council continues to pursue other options for the delivery of flood risk alleviation schemes, recognising where the impacts of groundwater flooding do not naturally lend themselves to the current funding methodology.
- 8.4. The implementation of SuDS has taken a different approach to what was originally envisaged. It is unclear as to what impact this will have on the County Council as a LLFA, or indeed in terms of general flood risk alleviation across Hampshire. This will need to be monitored accordingly, including the new burden on the County Council of becoming a statutory consultee in this matter.

¹ It is predicted that there are over 400 “major” developments in Hampshire each year. Of this over 100 are of 250 or more dwellings.

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

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):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Flood Investigations Update	5958	8 th July 2014
Flood Risk Management – Response to Recommendations	5959	8 th July 2014
Response to the Flood Investigation in Romsey and Sub-Catchment Flood Risk Management	5957	11 th July 2014
Response to the Flood Investigation in Buckskin, Basingstoke	6037	9 th September 2014
Managing Flood Risk In Hampshire Update	6243	15 th December 2014
Direct links to specific legislation or Government Directives		
<u>Title</u>		<u>Date</u>
Flood and Water Management Act		2010
Land Drainage Act		1991

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.)

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

Impact Assessments

1. Equality Duty

- 1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

This report provides information on current procedures for the select committee to consider. No changes are proposed in this report, therefore an impact assessment has not been undertaken. If any changes are recommended by the Select Committee as a result of this item, their impact will be considered when the recommendations go to the decision maker.

2. Impact on Crime and Disorder:

- 2.1. This report provides information on current procedures for the select committee to consider. No changes are proposed in this report, therefore an impact assessment has not been undertaken. If any changes are recommended by the Select Committee as a result of this item, their impact will be considered when the recommendations go to the decision maker.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

This report provides information on current procedures for the select committee to consider. No changes are proposed in this report, therefore an impact assessment has not been undertaken. If any changes are recommended by the Select Committee as a result of this item, their impact will be considered when the recommendations go to the decision maker.

Appendix 1 Summary of funding announced for Hampshire on 19th March 2015

Scheme Name	Total Value of Scheme (£)	Allocation in announcement (£)
Buckskin, Basingstoke	2,290,000	2,090,000
Middleton Gardens, Rushmoor	285,000	194,000
Sycamore Road, Rushmoor	327,000	235,000
Rectory Road, Rushmoor	233,000	140,000
Candover Brook, Basingstoke and Deane	345,000	15,000
Upper Test, Basingstoke and Deane	220,000	10,000
Monks Brook, Eastleigh	645,000	39,000
Romsey, Test Valley	3,220,000	2,870,000
Winchester	6,860,000	2,985,000
Hambledon, Winchester	3,898,000	1,399,000

Total

9,977