

NORTH LINCOLNSHIRE COUNCIL

CABINET

**LOCAL ACTION TO MANAGE FLOOD RISK IN NORTH LINCOLNSHIRE –
PROGRESS REPORT**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider an action plan in response to the recommendations of the Safer and Stronger Communities Scrutiny Panel in relation to local action taken to manage flood risk in North Lincolnshire.

2. BACKGROUND INFORMATION

- 2.1 At its meeting on 3 February 2010, cabinet approved a report of the Safer and Stronger Communities Panel entitled "*Local Action taken to manage flood risk in North Lincolnshire*".
- 2.2 A recommendation of the cabinet report was that an action plan in response to the Safer and Stronger Communities Scrutiny Panel Report be prepared for submission to a future meeting of the cabinet.
- 2.3 The Service Director, Highways and Planning agreed on behalf of other Service Directors and Cabinet Members to assume overall ownership of preparing and implementing an action plan to address the recommendations in the scrutiny report.
- 2.4 The action plan updated to May 2010 was presented to the Safer and Stronger Communities Panel on 3 June 2010.

3. OPTIONS FOR CONSIDERATION

- 3.1 To receive the action plan report.

4 ANALYSIS OF OPTIONS

- 4.1 The action plan reflects progress made by the multi agency North Lincolnshire Flood Forum and the constructive challenge from the council's scrutiny process.

5 RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 Financial.
 - 5.1.1 There are considerable financial challenges associated with the enactment of the Flood and Water Management (FAWM) Act which is the Government response to the Pitt Report which undertook a comprehensive review of the lessons to be learned

from the summer floods of 2007. These continue to be considered.

5.2 Staffing.

- 5.2.1 The statutory requirements of the FAWM Act will have an impact on staffing skills and capacity required to deliver its obligations.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory

- 6.1.1 The Flood and Water Management Act (FAWM) received Royal Assent in April 2010 with an anticipated introduction in April 2011. The Act requires lead local flood authorities, of which North Lincolnshire Council is one, to develop, maintain and apply a strategy for local flood risk in its area. The strategy must show proposed measures to deliver objectives and how those measures are to be paid for as well as their costs and benefits.
- 6.1.2 The FAWM Act puts a responsibility on all authorities to have a regard to the scrutiny process of the lead authority to review and scrutinise the flood risk management in its area.

6.2 Environmental and Other

- 6.2.1 Under the FAWM Act, the strategy will need to show how it contributes to the achievement of wider environmental objectives.

7. OUTCOMES OF CONSULTATION.

- 7.1 The action plan was prepared for and discussed by the multi agency North Lincolnshire Flood Forum. Actions and progress by Flood Forum members has been incorporated.

8. RECOMMENDATIONS.

- 8.1 That cabinet notes the report on the scrutiny action plan;
- 8.2 And requests that all reasonable steps be taken to successfully complete actions that are currently in progress.

SERVICE DIRECTOR, HIGHWAYS AND PLANNING

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Date: 13.05.2010

Background Papers used in the preparation of this report:

Report of the Safer and Stronger Communities Scrutiny Panel dated December 2009
Cabinet Report Agenda Item 10 dated 3 February 2010

ACTION ON SCRUTINY PANEL REPORT: LOCAL ACTION TO MANAGE FLOOD RISK IN NORTH LINCOLNSHIRE SCRUTINY REPORT DATED DECEMBER 2009. ACTION PLAN DATED MAY 2010					
REC. No.	RECOMMENDATION	WHAT'S INVOLVED	WHO'S INVOLVED	TIMESCALE	PRIORITY
1.	That the Humber Local Resilience Forum be asked to review how vulnerable critical infrastructure is to flood risk, and revise risk registers and plans. The pollution and health risks should be integrated into these plans.	Critical infrastructure identified and risk from fluvial and surface water flooding assessed	Humber LRF	GIS work – As soon as practicable	Resource has been allocated and work is now in progress
May 2010 Update The Humber LRF uses the Community Risk Register and the review process in place through the LRF Risk Assessment Working Group to address risks, which includes flooding and has reaffirmed that it still remains one of the four highest risks in the Humber sub-region. The outcome of the risk assessment process is endorsed by all multi-agency partners, including North Lincolnshire Council and concerns relating to pollution and health risks will be taken into account in any future emergency planning arrangements. The identification of vulnerable infrastructure has been an ongoing process being addressed through both the water management and resilience agenda, highlighted by the Pitt Review and the NLC scrutiny process. The outcomes of the process have been identified in the compilation of the NLC Multi Agency Flood Plan. Further work to complete this recommendation is to ensure that mapping of the critical infrastructure is undertaken by NLC GIS team.					
2.	That the Humber Local Resilience Forum multi-agency emergency response plans, as identified as very high risk in the Community Risk register be reviewed to make sure that they are consistent with the Civil Contingencies Act, and that all professional partners have access to adequate resources for managing flood events.	Review response plans	Humber LFF	Elements complete Training Autumn 2010 WATERMARK 2011	As timetabled
May 2010 Update The LRF Multi-Agency Flood Plan for North Lincolnshire has recently been assessed as satisfactory (the second highest level) by DEFRA and will achieve the highest level of satisfaction when the mapping requirements are complete (see Rec1 update above). The LRF Emergency Procedures Manual has also been updated in accordance with the Humber sub-regional Flooding debrief process and the NLC scrutiny process. It is considered that resources available to multi agency partners have improved, although there are national issues relating to resources and lack of legislation, such as the Fire and Rescue Service and water rescue.					
3.	That the Humber Local Resilience Forum takes the opportunity as part of future training events to ensure that there is a full understanding of the role of its partner organisations and their relationship with each other.	LRF to consult with its partner organisations	Humber LRF and its partner organisations	Training Autumn 2010 WATERMARK 2011	As timetabled

May 2010 Update

The above mentioned contingency planning arrangements will be used to improve NLC emergency planning training in Autumn 2010 and will fully tested in the national exercise 'WATERMARK' in March 2011.

4.	That the Flood Forum consider amending their terms of reference to allow the emergency service representatives to attend a sub-group meeting specifically for emergency planning issues only.	Raise at the Flood Forum – establish term of reference for sub groups. Report to Communities Board	All Flood Forum Representative s. Communities Board	Within 3 months before June 2010 Flood Forum	Following discussions with EA, Terms of Reference to be established prior to next Flood Forum 24 June 2010
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May 2010 Update

Terms of Reference for Emergency Planning sub-group with membership from NLC and NELC and relevant LRF representatives have been prepared. With NLC and NELC emergency planning representatives to arrange meeting in May 2010.

5.	That the Flood Forum give consideration to inviting North East Lincolnshire Flood Forum to merge their meeting to create a Northern Lincolnshire Flood Forum, thereby sharing expertise and providing economies of scale for Flood Forum partners. In addition, Flood Forum partners should explore extending the invitation to flood forum partners in Lincolnshire.	Discuss at Flood Forum meeting 17.02.10. NELC to consider at their next meeting. Consult with Lincolnshire CC. To discuss a regional sub group to be represented on a Regional Strategy Group	North East Lincolnshire representative at Flood Forum 17.02.10	Urgent to resolve in order that the two Councils formulate proposals to respond to a Regional Strategy Group	Completed
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May 2010 Update

Discussions with Regional Strategy team have resulted in a proposal for a 'South Humber Bank' sub regional group to represent North and North East Lincolnshire. This framework is to be put to the Yorkshire and Humber Region Strategy Group. NE Lincolnshire to attend next Flood Forum in June 2010.

6.	That in the short term North Lincolnshire Council officers continue to attend meetings at the Government Office for Yorkshire and the Humber and consider attending meetings at the Government Office for East Midlands.	Officer attendance to be identified. Contact GOEM to determine value of attending EM	NLC officers	On-going	Completed
May 2010 Update The Flood forum confirmed that the Head of Highways and Planning would continue to attend GOYH. Discussions with the Regional Strategy Group have reviewed a revised structure for sub groups to include a 'South Humber Bank' partnership. Issues will be dealt with through GOYH.					
7.	That as the lead agency in a flood emergency, the council's Public Relations Department should be more visible early in incidents to reassure the public and make sure that Flood Forum partners provide authoritative and consistent messages to the media.	Discuss with Flood Forum Partners. Note this would be actioned if Silver Command activated.	Flood Forum Partners, Public Relations Dept	Review	Meeting to review 18.05.10 planned
May 2010 Update Recommendation has yet to be considered in detail. The Flood Forum recognised that the Council should take the lead on getting partners engaged to give a consistent message. The Community Planning and Resources emergency planning test has identified a change required to all emergency plans and in future all plans will be implicit that once an area is safe and secure, the next call will be to the council's Communications Team. This will ensure that the Public Relations Department is involved from the very beginning.					
8.	The scrutiny panel suggests that a system is developed, whereby each Category 1 Responder organisation can post relevant public information on (or linked to) a designated space on the same web-site in order that it can be more easily checked by the public and other organisations.	Discuss with Flood Forum Partners.	Flood Forum Partners	Review	Meeting to review 18.05.10 planned
May 2010 Update The Flood Forum considered that this recommendation should be consider with recommendation 7.					
9.	That once this provision is in place, members of the public, particularly those in flood risk areas, be advised of the web site address so that they can access the site during an emergency.	Establish appropriate links.	Flood Forum partners web site managers	To determine	Meeting to review 18.05.10 planned

May 2010 Update

Recommendation to be considered when recommendations 7 & 8 in place

10.	That the feasibility of introducing a system to enable the council's customer contact centre to re-direct callers be investigated. Should this recommendation be implemented, the Flood Forum should ensure that the customer contact centre has the necessary information to ensure that the member of public is redirected appropriately.	Discuss at Flood Forum. Review guidelines/scripts. Review with the Call Centre.	Flood Forum, NLC Head of Highways, Call Centre.	Within 3 months	Current call centers scripts to be reviewed by June 2010.
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May 2010 Update

Neil Laminman has reported that a process is underway to join up all contact centres. The approach has been discussed with the customer contact centre and the appropriate information is being provided. This matter has been discussed with the call center. There are already scripts in place to direct members of the public to other Agencies where appropriate.

11.	That for any emergency affecting North Lincolnshire, town and parish councils be provided with emergency contact details of Category 2 responders to enable them to report local conditions (such as road conditions) for example.	Discuss at Flood forum	Flood Forum	In place	Completed
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May 2010 Update

Contact numbers are provided within Household plans and Community Emergency Plans.

12.	That the Flood Forum actively promote the flood buddy scheme and actively promote the benefits of the initiative to the 15 remaining town and parish councils which have not signed up to the scheme.	NLC engage with Parish Councils	NLC Highways and Parish Councils	On-going	Completed
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May 2010 Update

Work to promote is on-going but it is proving a difficult task on which to make progress as there is limited interest within some town and parish councils. At the next Town and Parish Liaison meeting, an item on the agenda needs to be raised to highlight progress in some town and parishes and further encourage participation in the scheme.

13.	That the council's Emergency Planning Team formulates a plan of how they intend to assist town and parish councils with the completion of their Community Emergency Plans. In addition, the council will provide more than just a skeleton document to enable all parishes to create their own emergency plans for use in appropriate circumstances.	Emergency Planning Team review and consider mechanism and resource to support Parish Councils.	Emergency Planning Team	On-going	Completed
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May 2010 Update

The Emergency Planning Team has prepared a report for consideration by the NLC Communities Board on the continued promotion of community resilience. The report identifies that the board consider nominating Community Planning & Resources as the service area responsible for the approval of all current and future community resilience initiatives to ensure:

- they meet the councils standards,
- fit within existing community messages
- and are targeted to achieve maximum effect.
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This work will be in line with the recent Cabinet Office guidance on Community Resilience.

14.	That in addition to elected members, the council expand its Internal Drainage Board appointment network to include council officers and other appropriate representatives.	Report to Communities Board.	Officers have been identified subject to arrangements	ASAP	Completed
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May 2010 Update

A Council Officer has attended the shadow board for the new Scunthorpe and Gainsborough Drainage Board and the existing Isle of Axholme Board as an observer. An officer from Strategic Planning attends North East Lindsey Drainage Board. Future arrangements were discussed at the Communities Board and a further meeting was held to consider. An agreement was reached in principle for one Officer to take one of NLC allocations to support Members on each Board.

15.	That all council appointments to Internal Drainage Boards receive training on the role and responsibility attached to the appointment on an annual basis.	Report to Communities Board. IDBs have offered training support as required.	Elected Members, NLC Officers and IDBs	On-going	Ensure Members/Officers appointed to amalgamated boards are trained
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May 2010 Update

Discussions with the Internal Drainage Boards have confirmed the willingness to participate in providing the appropriate training.

16.	That the council engage in a dialogue with all Internal Drainage Boards to make sure that processes are in place to ensure that the Boards comments on planning applications are considered appropriately.	While some infrequent dialogue occurs a more comprehensive response needs to be discussed and implemented.	NLC Highway and Planning and IDBs	On-going	Meeting to discuss is planned with Head of Planning – June 2010
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May 2010 Update

Recommendation has yet to be addressed

17.	It is essential that the council policy on development in the floodplain, PPS25 in England is firmly applied. Where development does go ahead in areas of flood risk, the council must ensure that the developers are responsible for achieving adequate flood risk management.	Service Director Highways and Planning to consult with the Head of Strategic Planning to review Council Policy and development of the H E DPD.	Service Director Highways and Planning and Head of Strategic Planning	On-going	Meeting to discuss is planned with Head of Planning and Strategic Planning Manager – June 2010
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May 2010 Update

Recommendation has yet to be addressed

18.	That the Service Director Highways and Planning undertakes a review to determine whether the council has sufficient technical capability and if necessary ensures that a suitably qualified individual is available to advise the Planning Committee about drainage issues and flood risk implications for each development. Once completed, the review to be shared with this scrutiny panel for information.	Service Director Highways and Planning to review the impact on resources to deliver the objectives of the Flood and Water Management Bill	Service Director Highways and Planning	The anticipated implementation of the Bill is April 2011.	Completed
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May 2010 Update

A report has been prepared for the Communities Board and is to be considered 14 May 2010.

19.	That all North Lincolnshire councillors receive training on an annual basis on the impact of flooding on planning applications and the role of the Environment Agency as a statutory consultee on planning applications.	Head of Planning review with the Environment Agency and establish a training regime/programme.	Head of Planning, Environment Agency		Meeting to discuss is planned with Head of Planning – June 2010
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May 2010 Update

Recommendation yet to be addressed.

20.	That North Lincolnshire Council, along with town and parish councils, identify and inform those landowners who have responsibility for maintaining any waterway under their ownership that the council will consider proactively making use of its powers to serve enforcement orders on landowners who do not comply with requests to maintain their ditches and/or watercourses.	NLC identify critical watercourses in need of maintenance, their ownership, consulting town and parish councils. Seek cooperation of owners. Verify and determine Officer enforcement powers and serve orders as appropriate.	Service Director H&P and NS to review with Legal Officers and consult with Town and Parish Councils	On-going	Some work has already progressed. Further work on a comprehensive basis will be resource dependent.
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May 2010 Update

Resources to inspect critical watercourses and identify riparian owners responsibilities is under consideration. Specific issues arising from flooding incidents are being dealt with and enforcement notices served. A report to the Communities Board 14 May 2010 highlights the resource capacity issues and funding requirements.

21.	That the council develops a policy whereby if a riparian land owner cannot afford or is unwilling to repair water courses, then under the Local Government Act 2000, they should consider the merits of carrying out the necessary work and where possible recover in full the cost of works back from the landowners or their estate.	Service Director Highway and planning to assess the impact of the proposal and consider with other Service areas including legal and finance.	NLC Service Areas for, highway & planning, Neighbourhood Services, Legal and Finance	On-going	In place but resources required to address on a comprehensive basis
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May 2010 Update

A policy is already in place and the Constitution was amended to allow the Head of Highways and Planning along with the Head of Neighbourhood and Environment Services to enforce this policy. The requirement for enforcement is also embodied within the Flood and Water Management Act 2010. There are resource issues associated with this statutory duty.

22.	That the Flood Forum actively promote and encourage those victims of flooding to sign up to the Environment Agency's Floodline Direct Warning Service.	Flood Forum to support the Environment Agency as appropriate	Flood Forum partners and EA.	Completed	Completed
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May 2010 Update

The Flood Forum and the Council has encouraged residents to sign up to Floodline Direct where it is available. The Environment Agency has a national campaign for those in flood risk areas to sign up to Floodline. In North Lincolnshire 5487 households at risk from coastal or river flooding will receive a letter.

23.	That the Flood Forum ask the Government to consider the Environment Agency's proposals to develop surface water risk mapping and flood warning tools for their professional partners with a view to later wide scale application.	This is Pitt recommendation No. 5. The Agency has issued advice on SWMPs and is developing further advice based on UK pilot studies. Updated surface water maps are planned for Dec 2010	Environment Agency	On-going	Complete
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May 2010 Update

This work is on-going and being addressed by the Environment Agency. There is a requirement fro NLC to develop its own Flood Risk Management strategy and mapping. This has been highlighted in the report to the Communities Board dated 14 May 2010.

24	That the Flood Forum partners co-ordinate the sharing of information on GIS maps, working in collaboration and sharing information with the Environment Agency.	Work in progress with the Flood Forum	Flood Forum Partners	In place	In place with exceptions
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May 2010 Update

Data has been provided by most partners, however, Severn Trent Water will not cooperate for reasons of commercially sensitive data. This exception is national issue. Clause 13 of the FAWM states that relevant authorities may share information.

25.	That members of the Flood Forum be congratulated for the excellent proactive work they have undertaken with regard to surface water management.	Report to Flood Forum	Flood Forum Partners	None	Completed
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May 2010 Update

This was reported to the Feb 2010 Flood forum.

26.	That in the immediate future, the council maintains its annual gully cleaning schedule as a minimum, and as soon as practicable, the council undertakes a review to determine which gullies require cleaning on a more frequent basis.	This has been actioned and implemented. Review as necessary.	NLC Highways and Neighbourhood Services	On-going	Completed
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May 2010 Update

A review has identified priority areas for additional cleaning. A schedule of non-functioning gullies has been prepared for maintenance action. The Head of Better Routes has set a cross service group to look at services e.g. gully cleaning that are carried out by Neighbourhood Services. Proposals are being considered for Neighbourhood Services to be added to the Confirm asset management system to enable better and more efficient reporting and acting upon reported faults.

27.	That the Chief Executive ensures that council services work more closely together to ensure that economies of scale are achieved when flood prevention activities are a) being planned and, b) undertaken.	Consider at the Communities Board	Communities Board	On-going	Meeting planned early June 2010 to consider joint working.
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May 2010 Update

Discussions are planned with Strategic Planning to consider the implication of the Flood and Water Management Act.

28.	That as soon as is practicable, the council serve notice to all town and parish councils of its gully cleaning programme, with the aim of the town or parish council helping to disseminate this information to all local residents.	Service Director Highways and Planning to review with Service Director Neighbourhood Services to establish a schedule that can be circulated to Town and Parish Councils and can be appropriately updated	Service Director Highways and Planning to review with Service Director Neighbourhood Services	In place	Completed
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<p>May 2010 Update Town and parish councils are now advised of the forthcoming programme in their areas.</p>					
29.	That as soon as practicable, the Flood Forum should publish a single definitive set of flood prevention and mitigation advice for householders and businesses in North Lincolnshire which can be used by the media and the authorities locally.	Discuss at Flood Forum. EA publish flooding advice. Links established on NLC web site.	Flood Forum partners	In place	Completed
<p>May 2010 Update The Environment Agency publish advice and the Council's web site has established a contact link to its web site. Council officers are able to offer advice on specific queries raised by residents.</p>					
30.	That the Flood Forum and/or North Lincolnshire Council investigate the use of websites, social networking sites and text alerts in relation to warning residents of the immediate danger of flooding.	Discuss at Flood Forum, need to establish a definitive flood buddy list	Flood Forum partners, NLC	On-going	Meeting with I.T. planned early June 2010.
<p>May 2010 Update This was discussed at the Feb 2010 Flood Forum. There was no identified interest by Flood Forum partners in developing this idea and it was proposed that alternative ways of warning residents to be sought. NLC Officers already utilise text messaging to flood buddies and are investigating the feasibility of establishing an email to sms text process. The council and the Local Strategic Partnership Sub Communications Group are investigating the use of social networking sites, websites and text alerts and will consider this in the context of partnership working.</p>					
31.	That aligned with recommendation 30, householders and businesses in North Lincolnshire be informed of the unsuitability of sand bags and instead be advised of the alternatives.	Review the council's sandbag policy and publicise information on alternatives	Service Director Highways and Planning	On-going	Review the policy and alternatives by July 2010.
<p>May 2010 Update The Council's sandbag policy is available on the Council's web site. The Environment Agency's web site provides advice on alternative measures for property flood resilience and resistance. The Council is currently trialling an alternative reusable sandbag alternative for property flood defence. The policy needs to be reviewed in light of alternatives</p>					
32.	That the Flood Forum ensures that suitably qualified officers at the council are appointed and that they are able to take the lead responsibility for checking the condition of drainage assets (watercourse and ditches) and sharing information with the Forum.	Service Director establishes within a review that suitably qualified officers are appointed	Service Director Highways and Planning	The FAWM Act is likely to be implemented in April 2011. Communities Board 14 May 2010.	Completed

May 2010 Update

Proposals are to be considered by the Communities Board to address the Council's responsibilities and duties under the Flood and Water Management Act 2010 and the resources and skills required to deliver.

33.	That in line with Pitt's recommendation number 91, this scrutiny panel will, on an annual basis, invite the relevant Service Director and Cabinet Member to a public meeting of the panel to discuss 'the local action taken to manage flood risk in North Lincolnshire'.	Establish with the Chair Safer and Stronger Communities Scrutiny an annual programme.	Service Directors, Communities Board, Flood Forum Partners, Scrutiny Panel.	Dec 2010	Establish programme on the Scrutiny Panel agenda
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May 2010 Update

This recommendation needs to be discussed with the Chair of Safer and Stronger Communities Scrutiny Panel. The FAWM Act puts a responsibility on all authorities to have a regard to the scrutiny process of the lead authority to review and scrutinise the flood risk management in its area.