

## Briefings for Elected Members



### BRIEFING 6:

## Local Authority Responsibilities for Flooding and Risk Management

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## ■ Introduction

5.2 million properties are at risk of flooding in England, including 147,000 in the North West, mainly in densely populated urban areas<sup>1</sup>. Also, in the next 20 years 200 homes across the UK will be at risk of catastrophic damage from coastal erosion. Climate change means that flooding is likely to increase as sea levels rise and severe rainfall happens more frequently. Flood risks in the North West are predicted to rise more than any other part of the UK.

Local authorities have new and potentially onerous duties to manage flood risk. This briefing covers the impact of flooding, local authorities' responsibilities for flood risk management, your role as an Elected Member, who to involve and key questions to consider. It includes case studies and links to further information. A separate briefing looks at how you can help communities and businesses to become more resilient to extreme weather.

## ■ Why It's Important

**Costs to local authorities and the public sector:** The Environment Agency estimates that the 2007 summer floods cost the country £3.2 billion: £660 million of damage was caused to critical infrastructure and essential services (water supplies and treatment plants, roads, electricity supplies, agriculture and disruption to schools). Costs to local government were estimated at £140 million.

**Economic impact on businesses:** Damage from river and coastal flooding alone costs North West businesses on average £43 million per year. Some sectors face significant risks: most of the North West's chemical industry is located in tidal flood plains, comprising 25% of the UK sector<sup>1</sup>.

**Jobs:** Small businesses can be particularly vulnerable to the impacts of flooding: they may lose stock or be unable to return to work for an extended period, thus putting jobs at risk; some may never recover.

**Social and health impacts:** One year after the Carlisle floods of 2005, 150 flooded households had not returned to their properties and 198 people in the affected areas had sought psychological help. Flood waters can carry contaminants (sewage and 'foul' water) putting health at risk. Flooded buildings require significant work to bring back to a fit and healthy state, displacing homeowners for many months.

**Disruption to services:** During even minor floods, the disruption can cause difficulty in providing local services, particularly in health and social services. For example, a hospital in Flintshire was isolated by flood water with no access by road during the November 2012 floods. Emergency Services may be hit by flooding of their own buildings or of key access routes, limiting their response.



**Transport disruption:** The North West's transport infrastructure is particularly vulnerable to extreme weather, relying heavily on the West Coast Mainline, M6 and M62 which have potential vulnerabilities around Warrington, across the Pennines and in Cumbria. The economic cost of road disruption resulting from a 1 in 100 year flood could be as much as £11.7 million per annum.

**Impact on property values and insurance:** The North West has the highest value of residential properties outside of London at risk of being un-mortgageable and un-insurable due to climate change induced flooding, estimated at between £5.57 billion to £7.44 billion in 2080.

## ■ Managing Flood Risk

### **Flood Risk Management Responsibilities**

All local authorities have responsibilities in relation to flooding. Lead local flood authorities (LLFAs) are **county councils and unitary authorities**. Under the Flood and Water Management Act (2010), LLFAs are required to:

- Prepare and maintain a strategy for local flood risk management in their areas, coordinating views and activity with other local bodies and communities through public consultation and scrutiny, and delivery planning.
- Maintain a register of assets (such as drains, swales, culverts, etc.) and any physical features (for example earthworks or walls) that have a significant effect on flooding in their area.
- Investigate significant local flooding incidents and publish the results of such investigations.
- Establish SUDS approval bodies (often referred to as SABS) for the design, building and operation of Sustainable Urban Drainage Systems (SUDS).
- Issue consents for altering, removing or replacing certain structures or features on ordinary watercourses.
- Play a lead role in emergency planning and recovery after a flood event.

LLFAs and the Environment Agency have to work closely together and ensure that the plans they make locally link up with national plans. An essential part of managing local flood risk will be taking account of new developments in any plans or strategies.

**District councils** are considered by the Flood and Water Management Act (2010) as a risk management authority (along with internal drainage boards, highways authorities and water companies). District councils also have responsibilities (retained from the Land Drainage Act) primarily relating to watercourses and to development planning.

If a flood happens, all local authorities are '**category one responders**' under the Civil Contingencies Act. This means there must be plan in place to respond to emergencies, and to control or reduce the impact of an emergency. LLFAs also have a new duty to determine which risk management authorities have relevant powers to investigate flood incidents.





## CASE STUDY

### Reducing Flood Risk on Stonebridge Park, Liverpool

Stonebridge Park is a business park being developed in Liverpool through which the River Alt and its Sugarbrook tributary flow. The site incorporates flood storage and is split into two parts, one of which has a conventional drainage system while the other uses SUDS techniques to treat and dispose of surface runoff from highways and from development plots. The use of SUDS on the site, in the form of ponds, swales and open channels, provides wildlife 'corridors' and has extended the habitats existing prior to development. Reed beds have been used to improve water quality and wildflower mixes have been planted within swales. The project is recognised as an exemplar of good practice combining sustainable drainage to reduce flood risk and ecologically based economic development.

## CASE STUDY

### Increasing Flood Resilience in Cumbria

Sandside, Kirby-in-Furness, is recognised as one of the highest tidal flood risk areas in Cumbria with at least 40 properties being vulnerable to a combination of spring tides, tidal surges and south-westerly winds. Although the Environment Agency has examined the viability of flood defences these were considered too costly. In 2007, Sandside was selected by Defra (Department for Environment, Food and Rural Affairs) to take part in a flood resilience pilot study to identify new and improved ways in which people can be encouraged to incorporate appropriate flood resilience measures in their own homes and businesses. A grant of around £90,000 has helped householders with fitting of flood resilience measures.

## How Can Elected Members Make a Difference?

Members have a very important role in making sure their constituents understand and can respond to flood risk.

- **Communicating:** Explaining what flood risk means and which areas are most at risk, what plans are in place and how these will help people and businesses.
- **Networking:** Bringing together people and organisations with the right range of skills and incentives to deliver greater resilience to flood risk and management plans.
- **Mobilising:** Making the case for both flood risk management and for establishing clear effective plans for action to reduce risk and during and after the event.
- **Signposting and helping:** Knowing what support can be drawn on from the council and other agencies, including community groups, while acting as a bridge between key people/organisations and local residents and businesses.



## Who to Involve

There are many other organisations with a role in flood risk management that the local authority should work closely with. These include:

- **Environment Agency:** This has a strategic overview of all sources of flooding and coastal erosion and is responsible for risk management activities on main rivers and the coast, regulating reservoir safety, and working in partnership with the Met Office to provide flood forecasts and warnings.
- **Water Companies:** These manage the risk of flooding to water supply and sewerage facilities and the risk to others from the failure of their infrastructure such as flooding from sewers.
- **Internal Drainage Boards (IDBs):** These are independent public bodies responsible for managing water levels in low-lying areas, and their functions include supervising land drainage and flood defence works on ordinary watercourses. They manage water levels by improving and maintaining ordinary watercourses, drainage channels and pumping stations to reduce the risk of flooding.
- **Highways authorities:** These have the lead responsibility for providing and managing highway drainage and roadside ditches under the Highways Act 1980. The owners of land adjoining a highway also have a common-law duty to maintain ditches to prevent them causing a nuisance to road users.

## Key Questions

In recent years, a formal four step process to flood risk management has been initiated consisting of: prepare, manage, respond, and recover.

### Prepare

- Have we carried out risk assessments to understand where flooding may be anticipated, what the impacts might be and who is responsible for managing it?  
For example:
  - o Preliminary flood risk assessments (PFRA) for surface water flood risk.
  - o Strategic flood risk assessment (SFRA) mainly for coastal and fluvial flood risk.
  - o Surface water management plan (SWMP).
  - o Site-based flood risk assessments for key locations such as hospitals or schools, especially where there is a known flood risk.

### Manage

- Do we have appropriate policies and measures in place? For example:
  - o Where exceptionally, new development in lower probability flood risk areas is justified<sup>2</sup>, measures such as setting minimum ground floor levels in new properties relative to expected flood levels, installing flood barriers or allocating land such as playing fields or green space for flood alleviation.
  - o Providing space for water during times of high flows.



- o Establishing SUDS Approval Bodies (SABs) to ensure sure all new development incorporates SUDS and flood alleviation space, and adopt and maintain SUDS serving multiple properties.
- Have we talked to communities and businesses at risk, so that they can assess their risks and take appropriate action?
- Do we know where there may be challenges for homes and businesses in purchasing insurance cover and what the council can do to support them?

### Respond

- Have we planned a coordinated approach for flood relief or temporary flood protection by:
  - o Identifying where any protective measures, such as barrier systems or sand bags, may be provided and how they are deployed during an event.
  - o Identifying locations where people may be evacuated to and their route.
  - o Establishing sound communication systems for coordinating the work of stakeholders and passing information to the wider community.
  - o Establishing a system for warning those likely to be affected.
  - o Working with local flood action groups.
  - o Liaising with emergency services and insurance providers.

### Recover

- Have we planned how to manage the recovery?
- Do all organisations involved know what their role will be?
- Have we worked with communities and businesses at risk to help them plan for recovery?

## Responding to Flooding in Chorley, Lancashire

Flooding hit Chorley and Croston twice in 2012. In June, around 50 homes and businesses in Croston flooded, while in the centre of Chorley a range of businesses including a bank were closed for a number of days. Chorley Council activated its flood plan and officers spent the weekend helping those affected by the floods, distributing hundreds of sandbags, providing advice and helping with the clean up operation. In September, the Environment Agency again issued a warning on the River Yarrow and the Council's flood plan was activated again.

*Councillor Terry Brown, who oversees flooding issues for Chorley Council, said: "More than 500 sandbags were given out which helped protect people's homes from the flooding overnight, although the village centre was under two feet of water. As the flood water subsided the next day, we moved in with mechanical sweepers clearing channels along the main routes affected by flooding."*





## CASE STUDY

### Recovering from Flooding in West Cumbria

The 2009 floods hit all parts of the community. Additional staff were needed in many public sector organisations such as Flood Recovery Co-ordinators, housing and homelessness staff, and Business Link advisors. However, the floods also showed the benefits of community action: Cockermouth Chamber of Trade increased membership from 3 to 145 as a result of working together for local businesses; Keswick Flood Action Group checked on the welfare of local people, moved furniture upstairs and dealt with all kinds of trauma; the voluntary sector, such as Churches Together, Rotary and Lions clubs and the British Red Cross, were vital in underpinning the community support work.

*Six months after the floods, Councillor Eddie Martin, Leader of Cumbria County Council, said: "There's been an enormous amount of effort gone into the flood recovery operation and the fruits of our labours are there to see. Workington is reconnected, Cockermouth is open for business, many people are back in their homes and getting around the county is far easier for locals, businesses and visitors than it was six months ago. The upturn in people coming back to this beautiful county on holiday is testimony to all that hard work."*<sup>3</sup>







“Flood risk management is a new responsibility for local authorities and a good plan will save us money and hassle in the future.”

### **Resources**

#### **North West Climate Change Risk Assessment Pack**

[www.climatechangenorthwest.co.uk/resources/climate-change-risk-assessment-north-west-pack-2012](http://www.climatechangenorthwest.co.uk/resources/climate-change-risk-assessment-north-west-pack-2012)

#### **Local Authority Flood guidance**

[www.local.gov.uk/floodportal](http://www.local.gov.uk/floodportal)

#### **National Flood Forum**

[www.nationalfloodforum.org.uk](http://www.nationalfloodforum.org.uk)

#### **Environment Agency**

[www.environment-agency.gov.uk/homeandleisure/floods/default.aspx](http://www.environment-agency.gov.uk/homeandleisure/floods/default.aspx)

#### **Information on Sustainable Urban Drainage Systems**

[www.ciria.org](http://www.ciria.org)

[www.susdrain.org](http://www.susdrain.org)

#### **Climate UK: Resources and local approaches to resilience and adaptation**

[www.climateuk.net](http://www.climateuk.net)

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<sup>1</sup> Figures from NW Climate Change Risk Assessment 2012: <http://climatechangenorthwest.co.uk/resources/climate-change-risk-assessment-north-west-pack-2012>

<sup>2</sup> Following application of the sequential and exceptions tests set out in the National Planning Policy Framework <https://www.gov.uk/government/publications/national-planning-policy-framework--2> and its technical guidance

<sup>3</sup> Full details on [www.cumbria.gov.uk/news/2010/may/19\\_05\\_2010-092302.asp](http://www.cumbria.gov.uk/news/2010/may/19_05_2010-092302.asp)