



Report of the Director of City Development

Executive Board

Date: 16 July 2008

Subject: Annual Update on Water Asset Management Working Group Progress and Pitt Inquiry Outcomes

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

Executive Summary

1. In August 2004 and May 2005 several areas of Leeds experienced significant flooding due to unusually intense rainfalls and the inability of the drainage infrastructure to cope with the increased volumes of water. The incidents highlighted several areas for improvement in terms of the resources available to maintain our assets and respond to floods. Consequently, the Council set-up the Water Asset Management Working Group to develop recommendations for improving our management of flood risk and provided an additional £1.1m of revenue to fund an Action Plan.
2. On 4 July 2007, Executive Board received a report from the Directors of City Development and Resources on the 'Impact of Flooding in June on the Leeds District'. This highlighted the consequences of the latest series of flooding incidents upon the city and further ways in which the Council and its partners should respond to the challenges highlighted. Additional funding of £100,000 was provided to progress some of these proposals.
3. This report provides an update on our progress in implementing the Action Plan in the form of a second annual report. It also sets-out some of the implications arising from the conclusions of the independent Pitt Review into the June 2007 flooding which aims to transform the face of flood risk management at the national and local levels. In particular, the Review foresees a significant increase in the responsibilities for local authorities around FRM and it is vital that the Council continues to position its services in anticipation of these changes.

1.0 Purpose of this Report

- 1.1 This report provides an update on progress by Water Asset Management Working Group (WAMWG) in implementing lessons learned from flooding incidents in Leeds between August 2004 and January 2008 and the impending outcomes from the independent Pitt Review of the national impact of flooding whose final report is due at the end of June.

2.0 Background Information

- 2.1 In August 2004 and May 2005 several areas of Leeds experienced significant flooding due to unusually intense rainfall and the inability of the drainage infrastructure to cope with the increased volumes of water. The incidents highlighted several areas for improvement in terms of the resources available to maintain our assets and respond to floods. In response to these events, the Council set-up the WAMWG comprising senior officers from various services with water or flood risk responsibilities to develop recommendations for improving our management of flood risk. The group developed a 33-point Action Plan which was approved by senior elected members and senior officers in July 2005 and led to an additional £1.1m of revenue funding being provided to implement the Action Plan's recommendations.
- 2.2 In June 2007 Leeds experienced three severe rainfall events which led to the flooding of 250 - 300 domestic properties citywide. Although the River Aire flooded a number of city centre properties, it was mainly outlying residential areas which were badly affected by flooding from watercourses and particularly surface water run-off or the surcharging of drainage systems as the ground and drainage infrastructure were unable to absorb the extreme volumes of water. The scale of this flooding necessitated a thorough analysis of what happened and how appropriate stakeholders might respond to the lessons learned. As a result, WAMWG developed a range of costed proposals for additional actions to be undertaken by Council and an additional £100,000 in revenue resources was included in the budget proposals approved by Council in February 2008.
- 2.3 Elected members have been provided with regular updates on WAMWG's progress in implementing the relevant recommendations through reports to Executive Board (17 May 2006), City Development Scrutiny Board (10 October 2006, 18 September 2007), Outer East Area Committee (24 October 2006, 6 November 2007) and a first annual report distributed to all members in April 2007. The Group has also provided the Director of City Development with quarterly progress updates.

3.0 Main Issues

- 3.1 WAMWG has continued to make good progress towards the achievement of its original objectives as well as towards additional measures which were subsequently identified as a result of further flooding events or examples of good practice elsewhere. For the benefit of elected members and other key stakeholders, the Group has prepared a second annual progress report entitled '*Learning the Lessons: Progress on Enhanced Management of Flood Risk in Leeds*' which summarises the progress services have made during 2007/8. This is attached as *Appendix 1* for the benefit of members of Executive Board and this will also be distributed to all elected members and relevant senior officers.
- 3.2 In spite of the good progress being made across relevant services areas, we are not complacent. To be clear, there remains a significant amount of work to be undertaken over the coming years in relation to flood risk management (FRM) – by the Council, its professional partners and collectively – before we can be satisfied that we have a full understanding of the drainage infrastructure, the necessary investment strategies in place to maintain and enhance this, as well as the capacity and capability to service these. Nevertheless, we consider that our work is providing many of the building blocks necessary to delivering a flood risk management capability which is fit for the challenges of climate change and which is able to meet the changes sought by the Pitt Review into last year's floods.

The Pitt Review

- 3.3 In December 2007, the Pitt Review published its interim report, 'Learning Lessons from the 2007 Floods', which contained 92 interim conclusions and 15 urgent recommendations (all of the latter were accepted by Government). This was followed by a consultation exercise in which officers from WAMWG have made written contributions and met with the Pitt Team to enable them to draw upon our experiences. It is understood that the vast majority of the Review's initial conclusions will be retained for the final report (due to be published on 25 June 2008) and it is clear that local authorities will play a major part in addressing flood risk management with far-reaching consequences for us, if implemented. The following areas are of particular note.
- 3.4 **Strategy and Ownership:** the Review envisages a 'new world' for FRM underpinned by a new statutory framework (the Floods and Water Bill announced by ministers on 17 June) that addresses all sources of flooding, clarifies responsibilities and facilitates FRM. Nationally, DEFRA would set FRM policy and the Environment Agency (EA) would provide a strategic overview for all forms of FRM providing the frameworks, tools, and modelling and mapping for local stakeholders. At the local level, local authorities (LA) would be expected to co-ordinate and deliver an ambitious new approach to FRM through:
- the management of surface water flooding and drainage with the support of all responsible organisations, including the EA, water companies, and British Waterways;
 - the assessment of the capabilities required to deliver a wide range of responsibilities in relation to flood risk management;
 - the creation and delivery of risk-based Local Surface Water Management Plans (SWMPs, as originally set-out under national planning guidance, PPS25) to provide the basis for managing surface water flood risk together with appropriate action plans developed in partnership with relevant organisations;
 - the identification and logging of all the main flood risk management and drainage assets (overland and underground) in local register, including an assessment of their condition and details of responsible owners;
 - LAs becoming the lead local organisation for multi-agency planning for severe weather emergencies responsible for triggering multi-agency arrangements in response to severe weather warnings.
- 3.5 **Role of Elected Members:** the Pitt Review has placed great emphasis on there being appropriate levels of accountability and scrutiny for FRM. To this end, it has suggested that LA scrutiny committees should review SWMPs and linked plans, such as Local Development Frameworks and Community Risk Registers, to ensure that flood risk is adequately considered and that there is greater transparency and progress in its management.
- 3.6 **Planning, Development and Building Standards:** the Review has proposed a number of measures relating to planning and development with potentially far-reaching implications, not least in terms of capacity and where permitted development can occur:
- PPS 25 should be rigorously applied by planning authorities, including giving consideration to all sources of flooding risk and ensuring that developers make a full contribution to the costs both of building and maintaining any necessary defences;
 - Householders or businesses should not be able to lay impermeable surfaces as of right;
 - The automatic right to connect to connect surface water drainage of new developments to the sewerage system should be removed;
 - No new building should be allowed in a flood risk area that is not flood-resilient and the Government, RIBA and the building industry to encourage flood resilient building and development design;

- Government should incorporate flood resistance and resilience requirements for new properties in flood risk areas and flooded properties being refurbished into Building Regulations as part of the current revisions;
- LAs and housing associations should take a more active role in increasing the uptake of flood resistance and resilience measures, leading by example by repairing their properties with appropriate materials where it is cost-effective;
- LA properties in high flood-risk areas should extend eligibility for home improvement grants and loans to encompass flood resistance and resilience products;
- As they discharge their duties under the Civil Contingencies Act to promote business continuity, LAs should encourage the uptake of property-level flood resistance and resilience measures. This should be reflected in guidance from government.

3.7 In our view, the Pitt Review has understood what needs to be done in key areas of concern. However, the Government's reception to the final recommendations will be the critical factor here and, from recent evidence, it would appear that Government is well-disposed to the broad thrust and detail of the recommendations. This is attested to by the speed in which the Floods and Water Bill has been announced as well as the swift publication in February 2008 of two related formal documents, 'Future Water: Government's Water Strategy for England' and a consultation on 'Improving Surface Water Drainage'. It is not known whether the Government will be prepared to provide the powers and funding to councils and the EA which would be necessary to make the new approach work.

Responding to the Challenges of the Pitt Review

3.8 As suggested in para. 3.2, we believe that the actions undertaken by the Council and the WAMWG have positioned it well to respond to the outcomes of the Pitt Review. There are a number of areas though where there remain gaps or which warrant drawing attention to.

3.9 **Strategic Oversight:** as part of its recommendations following the June 2007 floods, the WAMWG proposed the creation of a senior full-time post to develop and co-ordinate the existing demands of the FRM agenda. It was decided to review this proposition as part of the assessment of the Pitt Review and any subsequent obligations placed on the Council. The additional burdens for the Council deriving from the Pitt Review could make this step inevitable and it is telling that certain councils badly affected by last year's floods, notably Gloucestershire CC, have already implemented such a post to ensure there is a robust multi-agency approach to FRM across the local level.

3.10 **Better Engagement with Planning:** the widespread nature of flooding in June 2007 and the pressure to build greater numbers of houses under the Regional Spatial Strategy demonstrated the need for better engagement of the planning functions in FRM and a number of positive steps have been made in this direction. Firstly, senior officers from Development Control and Planning and Economic Policy have joined WAMWG to inform its work programme. Secondly, the city's first Strategic Flood Risk Assessment (SFRA) has been completed and is being used to inform both planning policy and the consideration of applications for development. Thirdly, a process of informing both officers and members about on flood risk and its implications for the planning process is underway and should ensure that better account is taken of this in future. Fourthly, Land Drainage is recruiting additional staff to enable it to better review the FRM aspects of planning applications for major developments.

3.11 **Emergency Response:** The Council has made a number of positive steps towards enhancing our emergency response to major flooding incidents. Firstly, we have developed a Geographical Information System application for mapping the location, source, impact and response to multiple flooding locations for use by multiple services. Secondly, we have purchased access to the Met. Office's EnviroMet rainfall tracking system for Land Drainage and the Emergency Planning Unit and Highways, so that we can identify areas being worst affected and deploy resources accordingly. Thirdly, we have installed access to the Council's CCTV networks in the Emergency Control Centre and the offices of Land

Drainage and the Emergency Planning Unit to enable the monitoring of flooding from rivers, watercourses and roads.

3.12 **Partnership Working:** the Group has already identified a range of existing forums through which the Council co-operates with partners around water and FRM (mainly Yorkshire Water, the EA, British Waterways) and proposes to transform these relationships into a more structured set of multi-lateral FRM forums. We have shared our proposals with key partners who have welcomed this rationalised, strategically-driven approach and we will be meeting with their senior officers on 31 July to launch the Leeds Strategic FRM Board. Formal meetings of a Leeds Flood Risk Technical Forum and a Leeds Planning and Flood Risk Group will also take place shortly.

3.13 **Specific Locations:** there are a number of locations around the city which are receiving attention as part of the Council's FRM work. In light of this, we are developing a new framework for capturing all at-risk locations which should enable us to better prioritise locations deserving the greatest treatment and which might not be supported by national or regional flood risk treatment resources. It is worth mentioning progress on two particular schemes. Firstly, the Council is working with the EA to develop a *Leeds Flood Alleviation Scheme* to provide up to 19km of flood defences on the River Aire between Horsforth and Woodlesford which is likely to cost in excess of £75m. To this end, officers are developing a 'Design Vision' to inform the type of defences to be implemented and an Economic Impact Study to identify the potential consequences of major flooding upon the city and inform the scheme's business case. Secondly, a 'flood resilience scheme' has now been successfully completed for flood-prone houses on the *Dunhills Estate* in Halton using funding from the Council and a DEFRA pilot study programme. As a result, householders have been provided with doorguards and air brick covers which can be rapidly installed using a deployment plan provided by the Council. The EA has also implemented flood warning and flood warden schemes for this estate.

4.0 Implications for Council Policy and Governance

4.1 WAMWG will review the policy on 'Maintaining Water Resources and Responding to Flood Incidents' in light of the Pitt Review's final report and Government's response to this.

5.0 Legal and Resource Implications

5.1 The provision of £1.2m in additional revenue resources has enabled officers to considerably reduce flood risk from Council-owned assets, as well as making significant in-roads towards identifying, mapping and assessing the condition and FRM needs of the city's built and natural drainage infrastructure. However, as it progresses, this work highlights areas where major repairs and enhancements will be required in the future and there will need to be a review of funding.

6.0 Conclusions

6.1 WAMWG has continued to make good progress in implementing existing and new actions contained and, as a result of this, the Council is much better positioned to respond to the challenges of FRM. However, if its recommendations are accepted, the Pitt Review will constitute a step-change in FRM and deliver considerable additional burdens for the Council for which there is no meaningful funding has yet been identified. Officers will therefore report back to Executive Board once the Pitt Review is published and the views of the Government regarding its recommendations are known.

7.0 Recommendations

7.1 Executive Board is requested:

- to note our progress in implementing actions previously approved;

- to receive a further report on the final contents of the Pitt Review, Government's response and the officers recommendations regarding the impact on the Council's responsibilities and activities.