



Scrutiny Review

The Role of the Council in Flood Management

DRAFT

Scrutiny Committee
3 November 2016

Executive Summary

This Report sets out the results of a review of the flooding affecting the district which has been carried out by Ryedale District Council's Scrutiny Committee.

The scope of the review is summarised below:

- The role and responsibility regarding flooding for Ryedale DC.
- The role and responsibility of other agencies regarding flooding
- The context, extent and location of flooded properties in the whole of the Ryedale area
- Review of the North Yorkshire Malton, Norton and Old Malton recently commissioned Flood study.
- Appraisal of flood alleviation options regarding the North Yorkshire commissioned flood study and potential indicative costs of this (from NYCC) and any solutions put forward for Brawby regarding the sewage treatment works (from YWA)
- Should/how RDC propose to fund/commission technical support regarding examination of flood alleviation schemes for Malton, Norton and Brawby and/or other areas in Ryedale where flooding is of concern be considered along with community resilience.
- Understanding of Ryedale's current and future financial position regarding financial constraints on potential funding for flood alleviation measures
- To look at options to deliver community resilience in Ryedale.

The review involved:

- An assessment of all the different types of flooding affecting the district
- The production of a map to identify locations and indicate the extent of the flooding impacts across the areas
- Understanding the resource levels the Council deploys to support communities when it floods
- Understanding the roles of the various risk management authorities responsible for both flood response and flood alleviation solutions
- Several meetings with all key partners to be clear on specific objectives and responsibilities
- A presentation by NYCC Emergency Planning on the support available to communities to develop their own specific community resilience plans
- Bringing together all current flood related issues to facilitate further consideration on the level of financial support that the Council may decide to commit towards short, medium and long term solutions to improve flood management and flood response across the district

Key findings included:

- That a number of communities across the district are affected by various types of flooding with different types impact which require a range of solutions to improve future flood response and to reduce the number of properties actually flooded
- A multi-agency approach to flood response and management is key to ensuring the efficient and effective achievement of objectives and responsibilities shared by all risk management authorities and there is continued commitment to continue to work together on the Malton, Norton and Old Malton Flood Project Group
- There are established examples of best practice already working really well in some communities who have developed their own community resilience plans

- Support is available from NYCC to assist communities in working together to develop their own specific community resilience plans
- Natural flood management solutions are a key consideration in improving flooding impacts
- There is national recognition together with increased funding opportunities to support flood management improvements.
- The Malton, Norton and Old Malton £3.2m Project is included on the DEFRA Grant In Aid 6 year programme with a funding allocation of £1.2m. Bids have been submitted to the YNY&ER LEP Growth Fund and the Letwin Fund to secure funding towards the £1.8m gap
- NYCC as Lead Flood Authority is committed to engaging with stakeholders to secure additional funding towards this project and to commissioning consultants to progress with the next phase of the Project
- There are a number of short, medium and long term solutions to improve flood response and flood management across the district which have revenue and capital implications and this Committee makes the following recommendations to Council:

Recommendations:

To Council

1. That RDC commits £12,000 funding (up to a maximum of 20%) to resource a project manager to progress delivery of the Malton, Norton and Old Malton Flood Study project and drive partnership working, and seeks match funding from the partners of the Malton and Norton Project Group
2. RDC commits £2.5k (20%) funding towards a CCTV monitoring survey to understand the drainage system in Old Malton.
3. That Natural Flood Management (NFM) should be a consideration in all local flood management solutions and that RDC facilitates the link into the Derwent Catchment Plan
4. That RDC allocates a sum of £50,000 to a grant fund to support local flood solutions. Parish Councils should be eligible to apply, as should any fully constituted community group, with any grant conditional on the preparation of a Community resilience plan to ensure sustainability and linkage to NYCC and other flood risk management partner organisations.
Any contribution RDC makes towards a local solution involving equipment is on the basis that:
 - a) The community group or parish council engage with NYCC to set up a community resilience group (CSG)
 - b) The CSG undertake training and take responsibility for deploying and insuring the pump with sign off from NYCC
5. That funding be allocated from the New Homes Bonus towards the funding gap of £1.8m of the approved GiA scheme for the alleviation of flooding in Malton, Norton and Old Norton. That any contribution should be to a maximum of 20% of the funding gap.

The Task Group wishes to thank all those who gave their time in contributing to this review.

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2. Scope of the review

The terms of reference for the Review were agreed at the Overview and Scrutiny Committee on the 18 February 2016. (See Appendix A). The review followed recent flooding events in December 2015 and January 2016, and notice on motion to Council in January 2016 as follows:

"In the light of recent floods, we call upon the Council to commit reserves to install permanent pumps at Brawby, Old Malton, and Castlegate, Malton/Church Street, Norton."

The review will make recommendations to Council on the level of financial support too be committed to a range of solutions to improve flood response and flood management affecting our communities.

3. Membership of the Committee

Councillor G Acomb (Vice-Chairman)

Councillor D Cussons

Councillor K C Duncan

Councillor B Gardiner

Councillor T Jainu-Deen

Councillor E Jowitt

Councillor D E Keal (Chairman)

Councillor M Potter

Councillor J E Sanderson

Councillor CR Wainwright

Scrutiny Review Task Group supporting officers:

Clare Slater, Head of Corporate Services

Beckie Bennett, Head of Environment, Streetscene and Facilities

William Baines, Transformation Officer

4. Methodology

The Task Group approached the review initially by considering the how flooding affects the district and the responsibilities of the various agencies involved.

In considering the above the task group looked at:

- The different types of flooding affecting the district
- The roles and responsibilities of Ryedale District Council regarding flooding affecting our communities
- The roles and responsibilities of other risk management authorities regarding flooding
- The context, extent and location of flooded properties in the whole of the Ryedale area
- The Arup Flood Study commissioned by NYCC for Malton, Norton and Old Malton and an appraisal of the potential flood alleviation options and the associated funding implications
- The effectiveness of Community Resilience Planning
- The specific impacts of flooding and a range of potential solutions for communities who have experienced flooding
- Potential financial support to be allocated by Ryedale District Council to a range of solutions which will give long term benefits to all communities affected by flooding and enable an improved overall response to flooding

The task group met a number of times on the following dates:

7 April 2016
12 May 2016
21 July 2016
29 September 2016

and invited partner organisations including representatives from :

North Yorkshire County Council
Environment Agency
Yorkshire Water
Pickering Internal Drainage Board

5 Findings

The Types of Flooding Affecting Ryedale

For many years Ryedale has been affected by flooding and several large flood alleviation schemes have been delivered, supported by the Council including permanent pumps and flood defences in Malton and the Slowing the Flow project in Pickering.

On Boxing Day 2015, once again flooding affected the district and this review has considered the extent of this, what the solutions might be and how the Council may support further improvements and proposals to minimise the impacts of future flooding in the area.

Types of flooding affecting Ryedale are:

- Fluvial - Main River
- Pluvial - surface water and drains
- Ground Water - springs
- Sewer flooding - the impact of fluvial, pluvial and ground water flooding on sewerage systems

A summary of some of the flooding experienced in 2015/16 includes the following.

Pumping stations are overwhelmed by surface water flooding at:

- Chandlers Wharf/Castlegate, Malton
- Church Street/Lidl Site, Norton
- Lascelles Lane, Old Malton
- Brawby

Spring water:

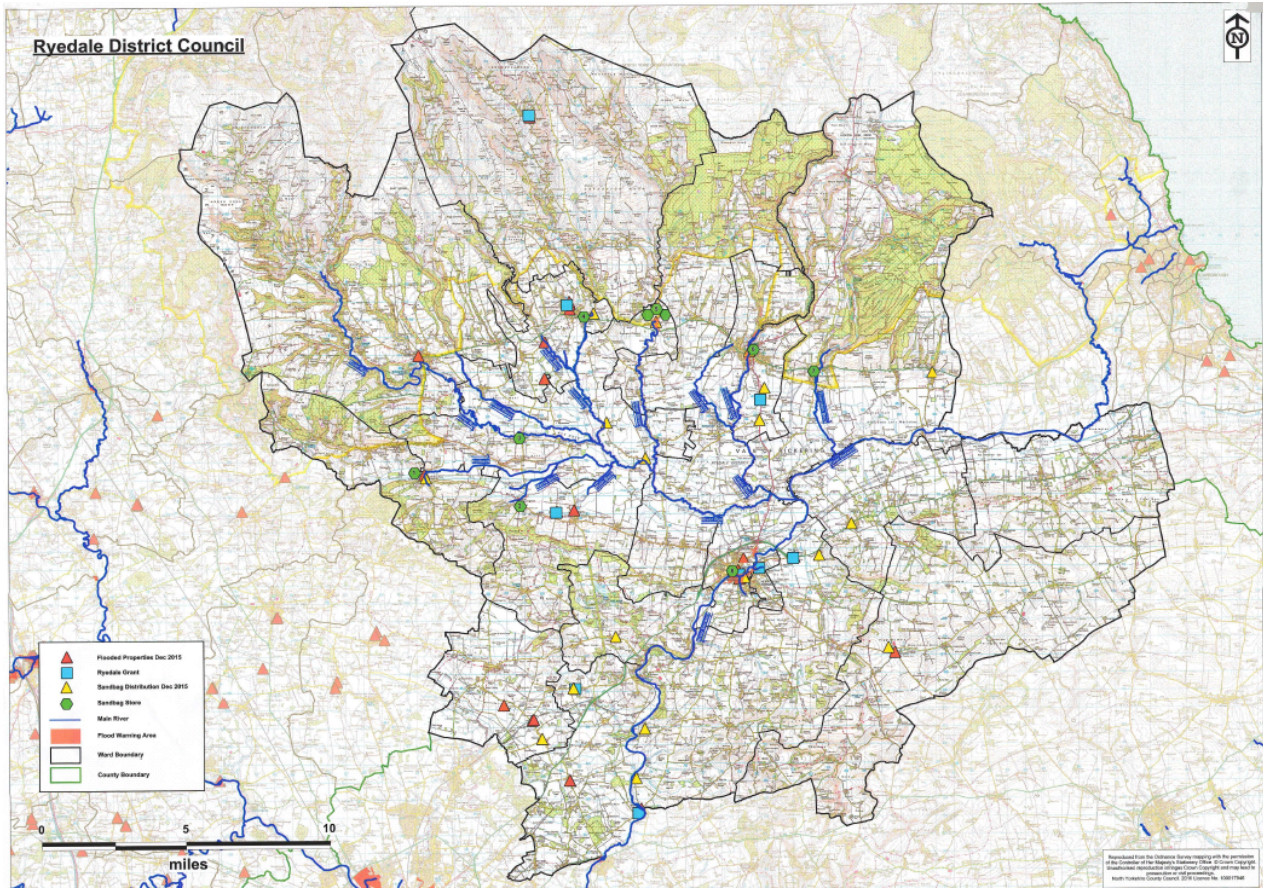
- Castlegate
- Sheepfoot Hill

Surface water from higher fields:

- Manor Vale, Kirkbymoorside
- Park Lane, Castlegate areas

Mapping was undertaken for the whole of the Ryedale District to illustrate:

- the location of affected properties in 2015, 20 residential and 4 business properties.
- areas affected by any sort of flooding and type of flooding,
- properties in receipt of funding support
- location of sandbag stores
- the Malton and Norton pump plan



A larger format PDF of this map is attached at Annex C

Who is Responsible for Managing Flood Risk?

In response to the 2008 report by Sir Michael Pitt, 'lessons learnt from the 2007 floods', the government introduced the Flood and Water Management Act (2010) (FWMA). The act gave county councils and unitary authorities a new leadership role (and the new title, 'lead local flood authority') in local flood risk management, designed to work closely with a new national leadership role for the Environment Agency (EA).

The Flood and Water Management Act 2010 (FWMA) defines certain organisations as 'Risk Management Authorities' with responsibility for management of flood risk.

In addition to the specific responsibilities and functions that each RMA is required to deliver, they also share:

- A duty to act consistently with the Local Flood Risk Strategy when carrying out flood risk management functions
- A duty to work in partnership to manage flood risk in the area and to co-ordinate flood risk management activities
- A duty to share information and data relating to their flood risk management activities
- A duty to be subject to the scrutiny of the LLFA's democratic processes in respect of their flood risk management activities

In the Yorkshire region, four sub-regional partnerships have been developed to assist with the coordination of these flood risk management activities. The North Yorkshire Flood Risk Partnership comprises representatives from North Yorkshire County Council, City of York Council, the Environment Agency, Yorkshire Water, and representation from the Internal Drainage boards, the districts and the coastal authority in the sub-region.

The relevant authorities in the North Yorkshire Authority area are identified in the table below

Risk Management Authority	Organisation responsible within North Yorkshire
Lead Local Flood Authority	North Yorkshire County Council
Environment Agency	Environment Agency (Yorkshire - North East)
District / Borough Councils	District Councils: Craven, Hambleton, Ryedale, Richmondshire and Selby Borough Councils: Harrogate and Scarborough (Scarborough are also the coastal authority for their administrative area)
Water companies	Majority of County: Yorkshire Water Small areas near the northern border: Northumbria Water and United Utilities
Highways Authority	Trunk roads: Highways Agency Non trunk roads: North Yorkshire County Council
Internal Drainage Boards	There are six Internal Drainage Boards (within consortiums) that operate across the County

The North Yorkshire County Council Local Flood Risk Strategy is available by following this link: <http://www.northyorks.gov.uk/article/29725/North-Yorkshire-local-flood-risk-strategy>

Ryedale District Council Flood Response

The following is an example of the level of response from RDC Streetscene Services, in partnership with the other responsible agencies, during a flood event in Ryedale:

- 3 vehicles - with 3 teams of 2 people
- Resources may be diverted to flood support including 5 vans and additional operatives
- sand bag stores need to be maintained, co-ordinated and managed, over 2,500 were distributed during a recent flooding event
- RDC has three pumps which need maintenance and deployment, including operatives and fuel.
- The cost of each event to the Council can vary and the costs are not recoverable.
- A further impact on the resources of the Council is the level to which resources are diverted away from service delivery during a flood event.

Community Resilience

Officers from NYCC attended a task group meeting and a number of ward meetings in Thornton le Dale and Amotherby Wards. There are examples in Ryedale of effective Community Resilience Plans in Hovingham, Sinnington and Thornton le Dale. As a result of these plans being in place, with clear roles and responsibilities, communities such as Hovingham are able to respond to local flood events without recourse to RDC for help or resources during a flooding event. This is therefore a more sustainable and responsive solution to the management of a local flood event than a requirement for RDC to provide ongoing resources.

The Council is currently developing an approach to working more closely with Ward members and Parishes through the Ward Planning and Town Team pilots. There is an appetite within the pilot areas for developing community resilience planning further.

It is clear from the discussions with NYCC officers and community representatives that there is potential within the communities affected by some types of flooding, for them to take local action to minimise the impact of the flooding in their communities. Should the Council agree to fund local solutions then a community resilience plan should be a condition of any funding support. This would ensure linkage to the lead flood authority - NYCC, clear accountability for maintaining any local solution is in place and also the longer term responsibility for resourcing this.

For some communities a local community led solution, developed with support from the responsible authorities, could resolve their flood management issues, with the leadership of the parish or town council.

- It is therefore recommended That RDC allocates a sum of £50,000 to a grant fund to support local flood solutions. Parish Councils should be eligible to apply, as should any fully constituted community group, with any grant conditional on the preparation of a Community resilience plan to ensure sustainability and linkage to NYCC and other flood risk management partner organisations.
Any contribution RDC makes towards a local solution involving equipment is on the basis that:
 - a) The community group or parish council engage with NYCC to set up a community resilience group.
 - b) The community resilience group undertake training and take responsibility for deploying and insuring the pump with sign off from NYCC

Malton, Norton and Old Malton Flood Study (Attached at Annex B)

The major issue arising from discussions about the development and delivery of the Malton Norton and Old Malton Flood Study is the need to develop the Multi Agency working and maintain the momentum towards delivery, resolving who should lead the project and identifying resources to develop the programme of projects. Funding bids have been submitted to support delivery of the project with an estimated budget of £3m. Defra Grant in Aid funding is identified for £1.2m and a bid has been submitted to the Local Growth Fund for the gap in funding. It may be that the flood risk partners will need to provide funding towards the project. Stakeholder engagement will be a vital next step in the development of the project. The timing of the delivery of the projects recommended through the study will be clarified as the programme for delivery is developed.

The monitoring of the flows of water through the drainage system below Old Malton is required to provide baseline data to ensure that any alleviation measures designed around Old Malton are adequate.

It is recommended that:

- That RDC commits £12,000 funding (up to a maximum of 20%) to resource a project manager to progress delivery of the Malton, Norton and Old Malton Flood Study project and drive partnership working, and seeks match funding from the partners of the Malton and Norton Project Group
- RDC commits £2.5k (20%) funding towards a CCTV monitoring survey to understand the drainage system in Old Malton
- That funding be allocated from the New Homes Bonus towards the funding gap of £1.8m of the approved GiA scheme for the alleviation of flooding in Malton, Norton and Old Norton. That any contribution should be to a maximum of 20% of the funding gap.

Multi Agency working and Linkages

Officers and members of RDC are engaged in the following partnerships and working groups:

- Norton and Malton Flood Project Group and flood risk management partners
- Yorkshire Derwent Partnership Board - whole catchment area approach
- Land Drainage Board
- Land Drainage Liaison Group

and it is vital that linkages are made with NYCC emergency planning and Natural England for any flood management solutions.

Officers and Members will continue to contribute the multi-agency and partnership working through these existing arrangements. However the level of involvement must be proportionate the level of responsibility the Council has for managing flood risk.

- A recommendation is that Natural Flood Management (NFM) should be a consideration in all local flood management solutions and that RDC facilitates the link into the Derwent Catchment Plan

Conclusion

The framework for whole catchment area working in place, as is that for multi agency working to manage flood risk. There is an ongoing issue with who should lead the delivery of solutions. Members are of the view that some funding may be required from the Council to move solutions forward. This is reflected in the recommendations, as is the suggested contribution level of 20%.

A wide range of solutions is available to communities across Ryedale. The recommendations reflect that range, from supporting multi-agency delivery of major projects for Malton, Norton and Old Malton, to a grant scheme to enable local communities to develop sustainable locally managed solutions.

The Council is not in a position to support flood management work indefinitely and so it is vital that sustainable solutions are supported in the community, to reduce the pressure on RDC services. It is also vital that all communities have the opportunity to access the resources to support the development of a local solution.

6 Recommendations

To Council

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2. RDC commits £2.5k (20%) funding towards a CCTV monitoring survey to understand the drainage system in Old Malton.
3. That Natural Flood Management (NFM) should be a consideration in all local flood management solutions and that RDC facilitates the link into the Derwent Catchment Plan
4. That RDC allocates a sum of £50,000 from the New Homes Bonus to a grant fund to support local flood solutions. Parish Councils should be eligible to apply, as should any fully constituted community group, with any grant conditional on the preparation of a Community resilience plan to ensure sustainability and linkage to NYCC and other flood risk management partner organisations.
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 - a) The community group or parish council engage with NYCC to set up a community resilience group.

- b) The community resilience group undertake training and take responsibility for deploying and insuring the pump with sign off from NYCC
- 5. That funding be allocated from the New Homes Bonus towards the funding gap of £1.8m of the approved GiA scheme for the alleviation of flooding in Malton, Norton and Old Norton. That any contribution should be to a maximum of 20% of the funding gap.

Background Documents:

<http://www.northyorks.gov.uk/article/29725/North-Yorkshire-local-flood-risk-strategy>

The Malton, Norton and Old Malton Flood Study

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