

Lancashire County Council

External Scrutiny Committee

Minutes of the Meeting Held on Tuesday 1 March 2022 at 10.30am in Committee Room 'A' - The Tudor Room, County Hall, Preston

Present:

County Councillor Peter Britcliffe (Chair)

County Councillors

R Swarbrick	N Hennessy
L Beavers	M Salter
A Cheetham	J R Singleton JP
S Clarke	M Tomlinson

County Councillor Julia Berry replaced County Councillor Noordad Aziz for this meeting only.

1. Apologies

Apologies were received from County Councillor Azhar Ali OBE.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillor John Singleton JP declared a non-pecuniary interest in relation to item 4, Climate Change and Flood Risk in Lancashire as a member of Staining Flood Action Group.

3. Minutes of the Meeting Held on Tuesday 11 January 2022

Resolved: That the minutes of the meeting held on 11 January 2022 be confirmed as an accurate record.

4. Climate Change and Flood Risk in Lancashire

The committee received a report and a presentation from Laura Makeating and Rachel Crompton, Principal Flood Risk Officers from Lancashire County Council, that provided members with an understanding of climate change and flood risk management in Lancashire, along with an update on the previous scrutiny review on, 'Strengthening flood risk management and preparedness'.

Laura and Rachel were joined by County Councillor Shaun Turner, Cabinet Member for Environment and Climate Change, Gary Petherbridge, Highways Manager Operations, and Rebecca Makinson, Highway Asset Principal from Lancashire County Council and Andy Brown and Elizabeth Lowe from the Environment Agency.

A copy of the presentation is set out in the minutes.

Comments and queries from the committee were as follows:

- On the Flood Re scheme, it was felt there was an opportunity to raise awareness by promoting the scheme to the people of Lancashire to improve knowledge.
- On the cumulative effects of multiple development sites in a given area, the Lead Local Flood Authority (LLFA) would work with the Local Planning Authority (LPA) to consider developing a master plan or arranging a strategic meeting involving all the relevant developers in that cluster to determine a higher quality solution for how water could be managed and in a greener and sustainable way.
- Members conveyed concern about urban creep and residents not applying for planning permission when converting more than 5m² worth of grass to paving on their properties and that this matter was not being enforced.
- It was noted there was no national standard required through the National Planning Policy Framework on urban creep, like there was with the climate change allowance being incorporated into developments. The LLFA was committed to working with all LPAs in Lancashire in going through the planning making process to ensure a 10% allowance for urban creep was accounted for. Further work was needed to bring onboard United Utilities and other flood risk management authorities to develop a local policy on urban creep.
- During the current financial year, the LLFA received 834 planning consultations which was deemed to be the busiest planning consultation period since they became a statutory consultee. The Flood Risk Management team was structured to reflect those pressures.
- The culvert policy was considered an intensive exercise for officers, due to corporate implications and the number of consultations with multiple service areas throughout the county council and stakeholders which were needed. However, it was reported that the policy would be progressed as the Flood Risk Management team reviewed other policies during the next financial year. It was expected this would take in excess of 18 months.
- With regards to an annual forum for Risk Management Authorities and Flood Action Groups, it was proposed that a survey would be formulated which provided feedback to the Flood Risk Management team about what the community groups wanted from such a forum and how it could be formatted and delivered.
- Lancashire County Council issued 230 first letters to riparian landowners within the first eight-month period of routinely collating this information, none of these went to formal proceedings although six instances were close to moving to legal action if the landowners failed to comply with advice in a reasonable time period.

- In response to the government providing funding to landowners to keep their watercourses clear and free flowing, there was the creation of new arrangements for farm support payments for those who manage and operate agricultural land, in response to Britain leaving the European Union. The Environmental Land Management Scheme was based on a model of money for public goods, which included support for flood risk management.
- Members were concerned about developments on moss land. It was clarified that through the local planning making process there were site allocations identified for development and different uses and as part of the evidence base for that process district councils would have received a strategic flood risk assessment (not site specific) to enable them to rank the sites. The Environment Agency focussed resource on strategic planning rather than local, they advised that building on moss land needed to be done in a very different way than traditionally was done. Developments would need to be truly flood resilient if a property was built on land that was at flood risk. The developer should work on the presumption it would flood and how do the people living within the buildings live with that reality. It was felt that public authorities had a duty to drive that agenda when development opportunities came forward as there were less development sites available that were not at some degree of flood risk.
- In terms of preventative measures upstream, it was noted that the county council had begun partnership work on peatland restoration in remote areas to prevent erosion of moorland sites. The Environment Agency were involved with several nature-based solutions in partnership with other organisations and they offered to provide more detailed information at a future session for members.
- On the Environment Agency's National Investment Programme, around £156 million was spent between 2015-2021 in Lancashire was spread across 179 projects with approximately 30,000 properties better protected. The Environment Agency and local authorities had been successful in securing £325 million (50:50 split) for the current six-year programme (2021-2027) which would cover around 137 projects and something in the region of 34,000 properties better protected as a result of that work. It was highlighted that for the northwest as a whole around 43,000 properties would be protected from this funding and that Lancashire was substantially delivering protection for its residents by comparison.
- It was clarified that cleaning the highways after a flood was covered under the Highways Authority revenue budget and annual maintenance budgets and there was not any additional funding.
- Concerns were raised around developer's right to connect and leaving finished sites with blocked drains.
- The committee queried about coastal areas where there was an issue with local outfalls, and that there needed to be investment from the

Environment Agency in the infrastructure. It was explained that the government currently required the Environment Agency and partners to allocate funding for maintenance and asset management works in a way that prioritised places that created the greatest benefit for the greatest number of properties including homes and businesses, not agricultural land. This meant that their ability to secure funding for these types of maintenance work was limited.

- The Environment Agency confirmed that they do engage with local groups and people who may have more insight of flood risk in specific areas.

It was acknowledged that it was the role of the LLFA to look at how other authorities responded to flooding situations including the Highway Authority, the Environment Agency, and United Utilities and whilst the LLFA and the Highways Authority were both part of Lancashire County Council, there was a potential for conflict. It was suggested that the External Scrutiny Committee could review the roles of the LLFA and the Highways Authority to determine if any expertise could be shared between the two services. It was also suggested that a standing working group on climate change be established.

Members thanked Lancashire County Council officers and the Environment Agency for the presentation and information provided.

Resolved: That;

- i. An update on climate change and flood risk management be presented to the External Scrutiny Committee in twelve months to report on progress;
- ii. The Environment Agency provide a briefing to the External Scrutiny Committee on nature-based schemes;
- iii. The Lead Local Flood Authority considers developing a councillor communication programme with the county council's Communications Service; and
- iv. The External Scrutiny Committee review the roles of the Lead Local Flood Authority and the Highway Authority.

5. External Scrutiny Committee Work Programme 2021/22

The committee received a report which provided information on the work programme for the External Scrutiny Committee.

Resolved: That the External Scrutiny Committee Work Programme 2021/22 be noted.

6. Urgent Business

There were no items of urgent business.

7. Date of Next Meeting

It was noted the next meeting of the External Scrutiny Committee would take place on Tuesday 12 April 2022 at 10:30am in County Hall, Preston.

L Sales
Director of Corporate Services

County Hall
Preston

Climate Change and Flood Risk in Lancashire

External Scrutiny Committee

1 March 2022

Introductions



Laura Makeating & Rachel Crompton

LCC - Principal Flood Risk Officers

Gary Petherbridge

LCC – Highways Manager - Operations



Rebecca Makinson

LCC – Highways Asset Management

Andy Brown

EA – Strategic Overview Manager



Elizabeth Lowe

EA – Flood and Coastal Risk Management Strategic Senior Advisor



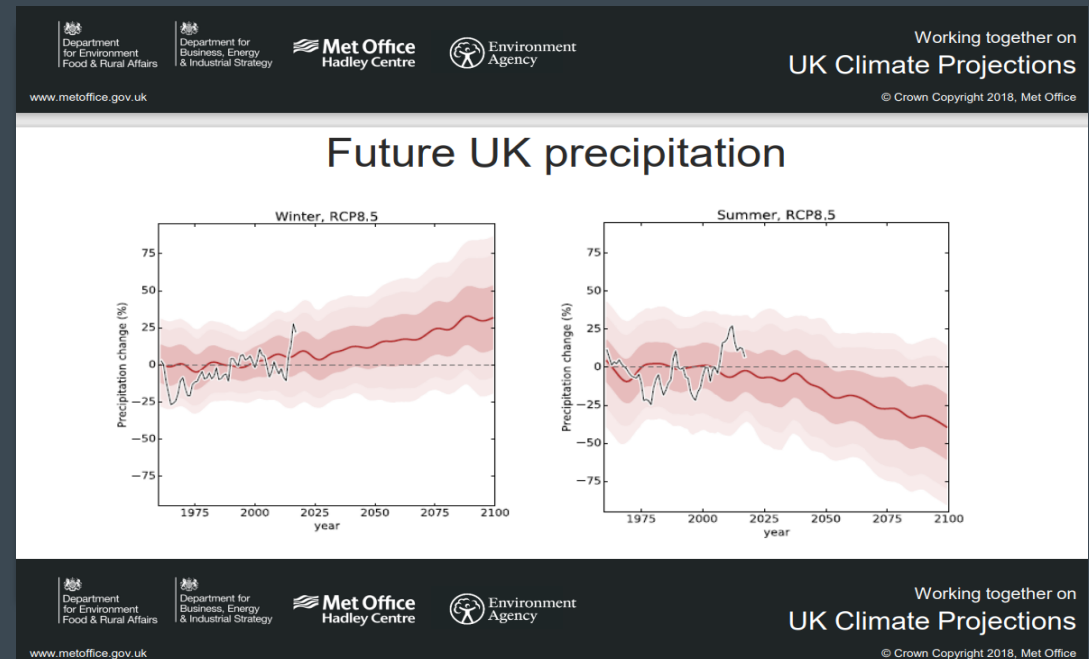
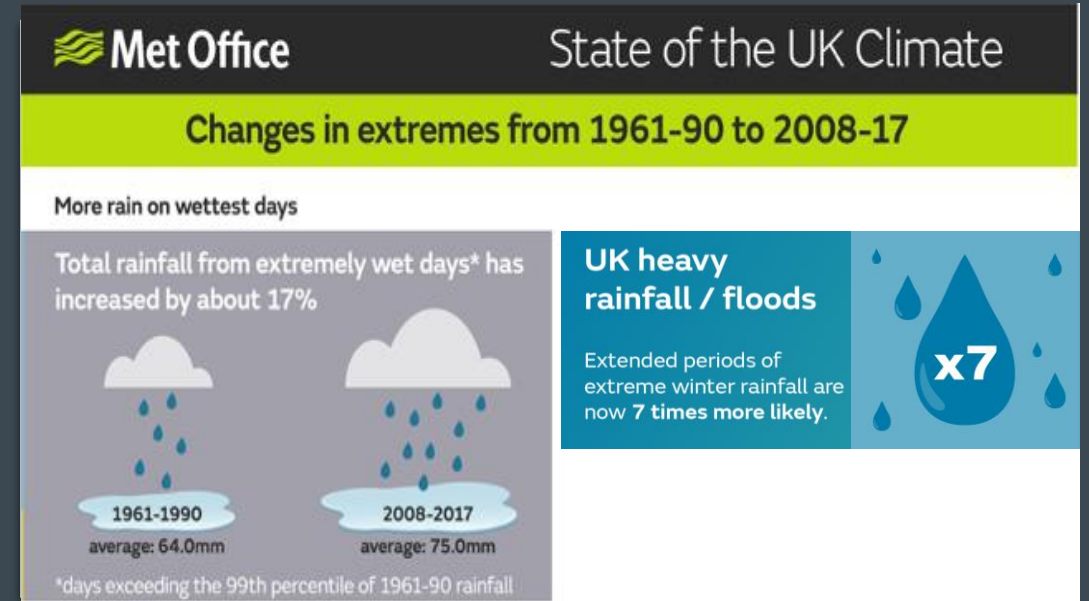
Climate Change Impacts

Appendix A

Our climate is already changing...

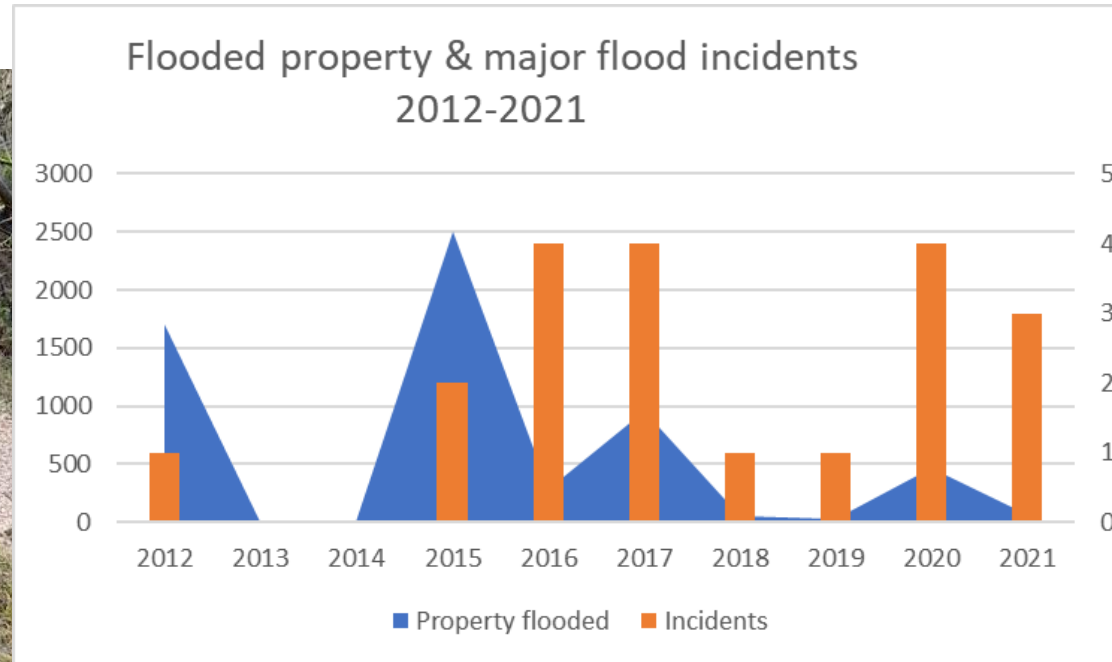
- Six of the wettest years in the UK have occurred since 1998.
- UKCP18 - Trend towards wetter winters and drier summers
- When it does rain it will fall in heavier, more intense bursts which has implications for flash flooding.
- Flooding events are more difficult to understand as they depend not only on the amount and intensity of rainfall but local topography and geology, for example.
- Compounded by sea level rise at the coast, causing accelerated coastal erosion and making discharge of watercourses more difficult due to reduced gradient and increased siltation.
- Flooding is designated on the National Risk Register as the highest risk of causing significant disruption in the UK, behind only pandemic flu.

5.4 million properties in England
are at risk of flooding
That's 1 in every 6 properties



Climate Change Impacts: Lancashire

Appendix A



Lancashire's Flood Risk Management Authorities

Appendix A



Environment Agency

Fluvial and sea (Flood Zones)

Main River regulation



Lead Local Flood Authority

Surface water (non-highway)

Ordinary watercourse regulation



Highway Authority

Highway drainage



United Utilities

Foul, surface water and combined public sewers



City and District Councils

Subject to individual commitments



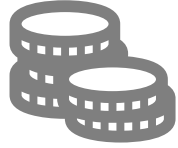
Internal Drainage Board

Subject to local commitments

Early & Salterforth IDB

National FCERM Investment Programme

Appendix A



£5.2 billion Flood Defence
Grant-in-Aid (FDGiA)



Better protect 336,000
properties nationally



15% Partnership Funding
10% Efficiencies



Avoid £32 billion of wider
economic damages

- National Flood and Coastal Erosion Risk Management (FCERM) Investment Programme which risk management authorities can bid into to better protect properties in their area from flooding
- Follows the 2015 – 2021 FCERM Investment Programme which better protected 300,000 homes at the cost of £2.6 billion
- Programme is administered by the Environment Agency, on the behalf of Defra, and monitored by the North West Regional Flood and Coastal Committee (RFCC)
- Return on investment must be evidenced (cost-benefit) and conditions of grant funding met
- Formal/lengthy process over which the County Council has little control - the programme is fluid
- Supporting partners schemes, including coastal defence schemes, main river flood risk projects and Natural Flood Management (NFM) projects

Emergency Planning/Lancashire Resilience Forum

Appendix A

- **Lancashire Resilience Forum (LRF)**
 - External multi-agency response under the Multi-Agency Flood Plan (MAFP)
 - Continuous review cycle
- **County Council business continuity**
 - Internal response
 - Review currently underway
- **Service specific plans for flooding include:**
 - Highways
 - Adult care services
 - Care homes, schools & other premises
- **Communications including:** [In the Know - Lancashire :: About \(stayintheknow.co.uk\)](https://www.stayintheknow.co.uk)



£5m Highway Drainage Investment

Appendix B



£3.5m

- Storm damage repairs

£0.25m

- Helks Brow Landslip

£1.25m

- Improvements identified from recent gully monitoring system
- Skelmersdale subway drainage

National

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Other guidance – Climate Change Allowances, Technical Standards for SuDS

Regional

North West SuDS Pro-forma

Work with the North West RFCC: Lancashire is the 'Planning and Development' lead for the region

Local

Local Plans

Local guidance

Neighbourhood

Neighbourhood Plans

Development and Flood Risk

Appendix C



13 Local Planning Authorities (LPAs) in Lancashire



Planning (planning policy) and development (planning applications) go hand-in-hand



National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) set out the direction for planning and development in England

- *Flood risk is covered by Chapter 14 of the NPPF and 'Flood Risk and Coastal Change' section of the PPG*



Local Plans set out the vision for future development in their area. Every area in England should have an up-to-date Local Plan in place and review it at least every five years.



Some neighbourhoods have a 'Neighbourhood Plan' which directs development in the local area.

Lancashire

County Council

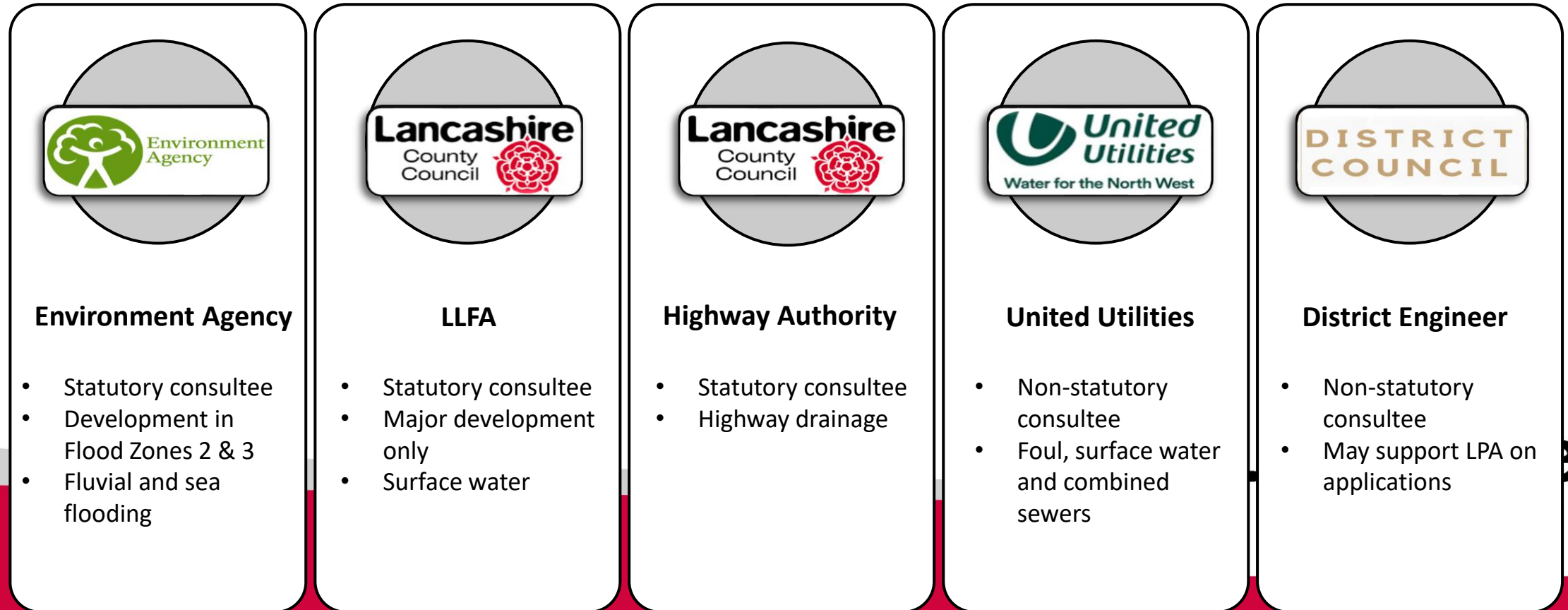


Who comments on planning applications?

Appendix C

Flood risk management authorities have an important role to ensure developments are flood resistant and resilient for their lifetime

Risk Management Authorities: Role in Planning Applications



Surface Water Flood Risk and Development

Appendix C

The screenshot displays a web page with the following content:

- Ministry of Housing, Communities & Local Government
- National Planning Policy Framework
- North West SuDS Pro-forma: Template for Supporting Guidance
- Department for Environment, Food and Rural Affairs
- Sustainable Drainage Systems: Non-statutory technical standards for sustainable drainage systems
- March 2015
- Contents: Introduction, Flood risk outside the development, Peak flow control, Volume control, Flood risk within the development, Structural integrity, Designing for maintenance considerations, Construction.
- GOV.UK logo
- Navigation: Home > Environmental planning
- Guidance: Flood risk assessments: climate change allowances
- Text: When and how local planning authorities, developers and their agents should use climate change allowances in flood risk assessments.
- From: Environment Agency

• Site-Specific Flood Risk Assessment:

- Where one is required under the NPPF, or by the Local Plan (*if more stringent*)
- Surface water flood risk to/from developments

• Surface Water Sustainable Drainage Strategy & SuDS Pro-Forma:

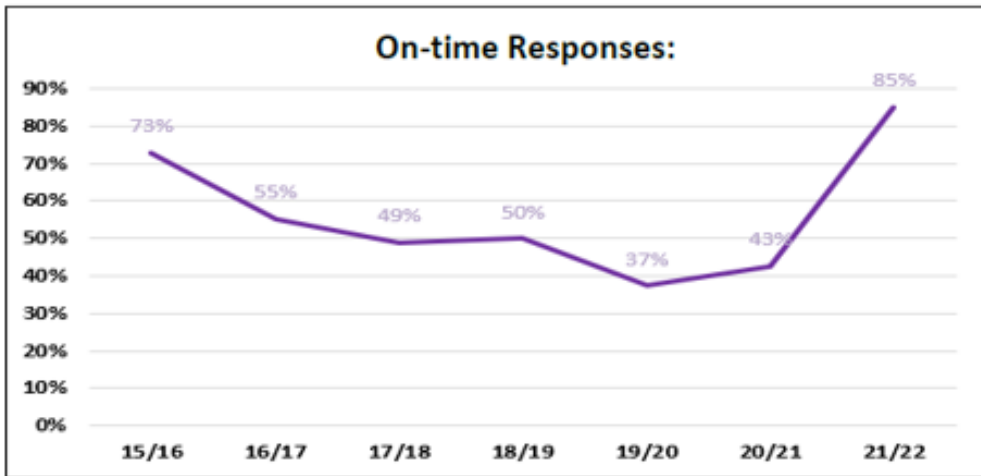
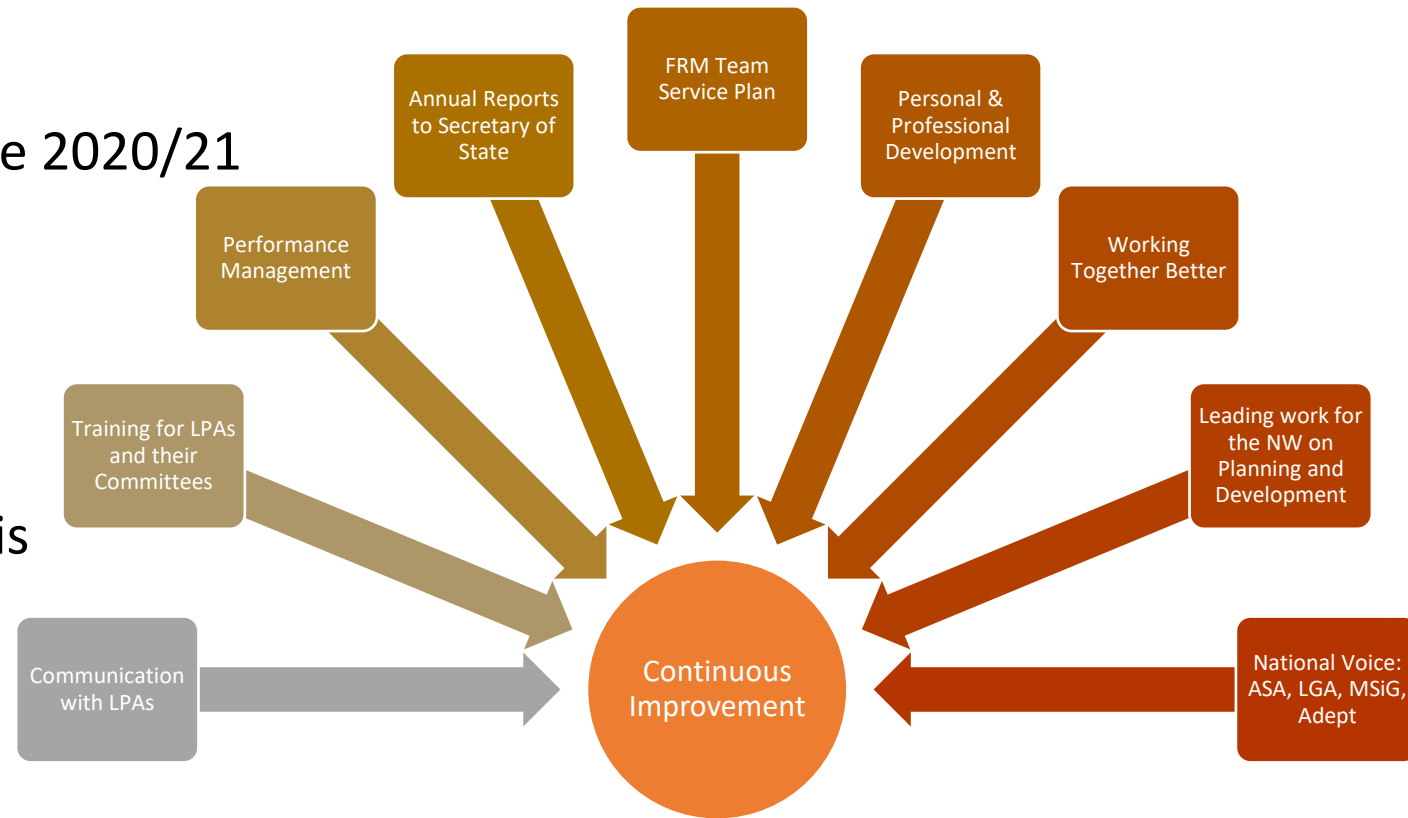
- Surface water runoff rates and volumes
- Surface water runoff destinations (hierarchy of drainage options)
- On-site surface water storage requirements
- Allowances for future climate change and urban creep
- Sustainable drainage system for the lifetime of development

Remember, the LLFA doesn't comment on coastal, fluvial, sewer, groundwater or highway flooding

Lead Local Flood Authority Planning Service

Appendix C

- Delivered significant improvements since 2020/21
 - Performance
 - Relationships
 - Confidence and reputation
- We are not resting on our laurels!
- Welcome any suggestions to support this



Personal, Household & Community Response

Appendix D

Watercourse
Management
Responsibilities

Flood Action
Groups and other
Community
Resilience Groups

The Flood Hub

Flood Insurance /
Flood Re

Property-level
Flood Resistance
and Resilience

Personal, Household & Community Response

Appendix D

Watercourse Management Responsibilities



Personal, Household & Community Response

Appendix D

Flood Action Groups and Other Community Resilience Groups

The Flood Hub

- All communities can have their own 'Flood Action Group' (FIAG)
- LCC, EA and District/City Councils have direct contact with 50+ FIAGs, also Town/Parish Councils and other community groups
- Access to data, information and advice for action & sharing;
- Community & personal response plans
- [The Flood Hub](#) – LCC share social media campaigns and signpost to this website which we partly fund via Local Levy.

Flood
Aware?



Plan &
Prepare!



11th - 15th October

Personal, Household & Community Response

Appendix D

FLOODRE Can Flood Re help me? How Flood Re works Flood resources About us Our Future FAQs News

How Flood Re works

Every insurer that offers home insurance in the UK must pay into the Flood Re Scheme. This Levy raises £180m every year that we use to cover the flood risks in home insurance policies.

Flood Re works with insurers behind the scenes. When you buy home insurance cover, your insurer can choose to pass the flood risk element of your policy to us for a fixed price.

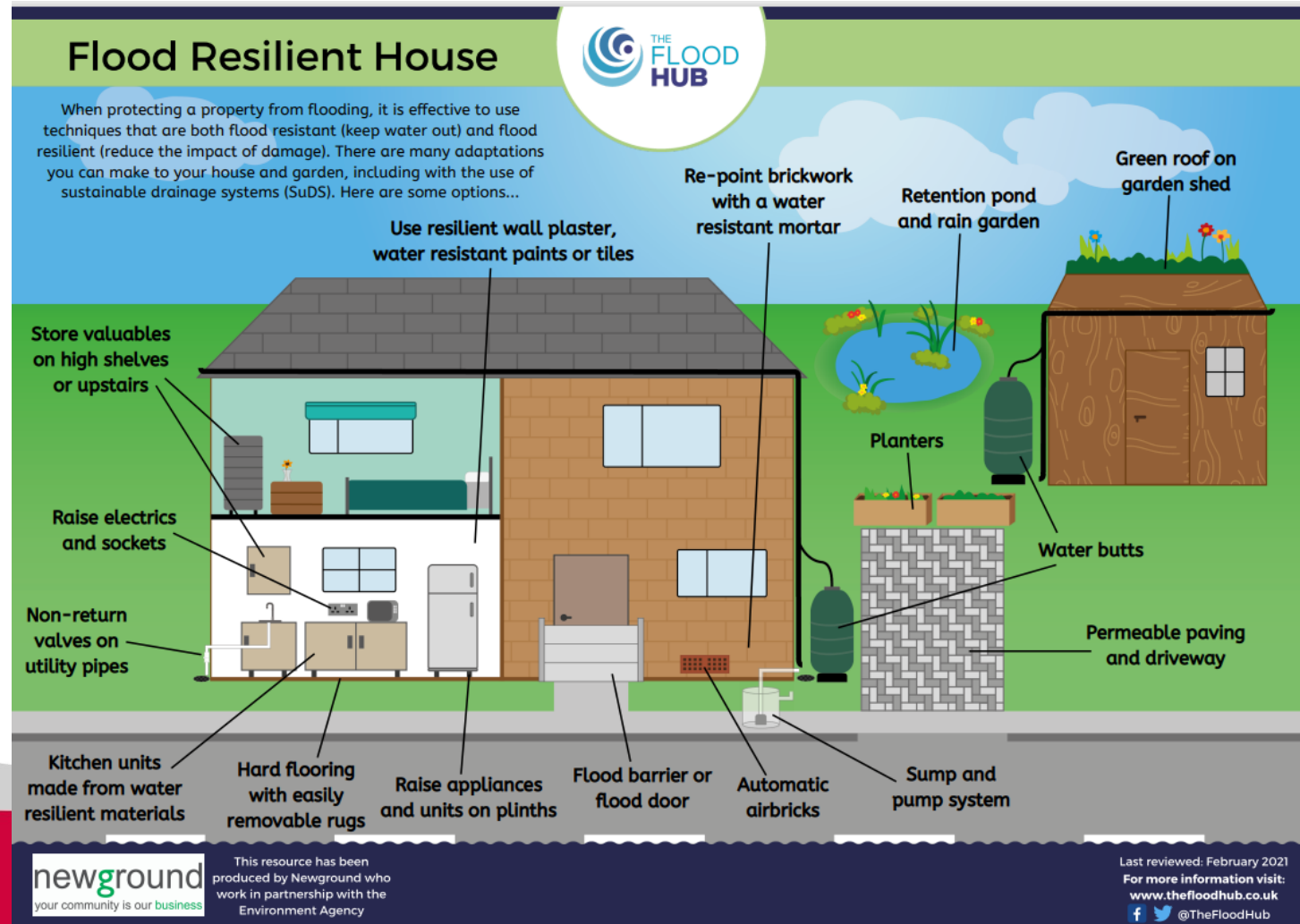
If you make a valid claim for flooding, your insurer will pay the claim. Later on, we'll reimburse that insurer from the Flood Re fund.

In short, you buy home insurance in the usual way. We cover the flood risk and that helps to keep your premiums down.

Flood Insurance / Flood Re

Personal, Household & Community Response

Appendix D



Property-level Flood Resistance and Resilience

Progress on Previous Recommendations

Appendix E

14 x short-term recommendations

- ✔ 12 complete
- ★ 2 on-track, adjusted dates

13 x medium-term recommendations

- ✔ 5 complete
- ✔ 2 on-track
- ★ 6 in progress - adjusted dates

6 x long-term recommendations

- ✔ 3 complete
- ★ 3 on-track, dates adjusted

Recommendations

(Covering report)

The External Scrutiny Committee is asked to:

1. Consider and determine how it can add value to current activities undertaken by the Lancashire Risk Management Authorities present on climate change and flood risk.
2. Note and comment on the progress report on the implementation of agreed actions following the recommendations of the 'Strengthening flood risk management and preparedness' task and finish group report as set out at Appendix E.

