

Cabinet member for Technical Services, Rural Affairs and Waste Management response to the recommendations of the External Scrutiny Committee report presented to Committee on 21 January 2020

General comments

I welcome the report from the External Scrutiny Committee on the important subject of flood risk management and preparedness and the Committee's recommendations on how to improve the flood risk management and preparedness services given by the council in partnership with the other authorities in Lancashire.

I would also like to thank the members of the Task and Finish Group drawn from members of the County Council for the significant time and commitment that they invested in the thorough research that they undertook as part of the Group's work. I particularly wish to thank the various community Flood Action Groups and representatives of outside organisations with an interest in flood risk management and response to flooding incidents, who all gave very informative and meaningful contributions to the Task and Finish Group.

I have considered each of the recommendations adopted by the External Scrutiny Committee and my responses are set out in the following table. I am pleased to report that every recommendation is either accepted, in which case I set out how delivering the recommendations will be delivered, or is already in hand.

Reference	Recommendation	Proposed Response	Action by	Timescales
	Short term			
S1	Collaborating with all Risk Management Authorities, local Flood Action Groups and other beneficiaries to define the role and responsibilities of the Lead Local Flood Authority (LLFA) and all Risk Management Authorities in Lancashire and to publicise this accordingly.	The Head of Highways will ensure that clarity on this will be included in the refreshed Local Flood Risk Management Strategy.	Head of Highways	Current target late 2020 (collaborative project with other LLFAs)
S2	Increasing staffing levels within the county council's Flood Risk Management Team to support the need for a resource on	The need for and opportunities to increase staffing levels in the team will be reviewed by the Head of Highways following introduction	Head of Highways	Review to be complete by March 2021

	service delivery for the people of Lancashire and to explore joint working opportunities with all Risk Management Authorities, including possible agency arrangements with district councils.	of the new Highways Service Management Team (April 2020).		
S3	Providing sufficient resource within the Flood Risk Management Team to enable timely and detailed reviews of all Strategic Flood Risk Assessments to support Local Plan reviews, and also of the developers' site-specific Flood Risk Assessments, on which the Lead Local Flood Authority (LLFA) is consulted by the local planning authorities.	The need for and opportunities to increase staffing levels in the team will be reviewed by the Head of Highways following introduction of the new Highways Service Management Team (April 2020).	Head of Highways	Review to be complete by March 2021
S4	Increasing the highways drainage budget.	Head of Highways to review with Cabinet.	Head of Highways	Review to be complete by March 2021
S5	Collaborating with all Risk Management Authorities and Newground Community Interest Company to develop the county council's Flooding in Lancashire webpages and the Flood Hub Lancashire webpages and provide simplified advice, information and signposting in relation to the role and purpose of the county council as LLFA; how to form a	This is a complex project to be developed with partner organisations. As part of any restructure, the Head of Highways will identify a project and resources to take this forward including traditional communications & media strategies – see response to recommendation M3 below.	Head of Highways	Project plan to be in place by March 2021

	local flood action group; riparian ownership and responsibilities; rules, regulations and exemptions for obtaining licences to carry out work; funding and dedicated webpages for specific flood events whilst being mindful of the Flood Hub's website content.			
S6	Formalising and maintaining a central register of local Flood Action Groups across Lancashire and to make accessible through The Flood Hub website via all Risk Management Authorities in Lancashire. In addition to publicise the register with the local Met Office and other pertinent organisations.	Already underway. In regards to accessing Met Office weather warnings, groups and individuals may self-register for warnings and other updates by following the instructions available via this link	Head of Highways	To be completed by Dec 2020.
S7	Creating a culvert policy with a view to it being adopted by all district councils in Lancashire as a supplementary planning document.	Draft policy already prepared. To be reviewed and used as the basis of internal and external consultation. Timescales to adopt a culvert policy will depend on consultation responses, so not necessarily a short-term measure.	Head of Highways	Consultation to be completed by March 2021
S8	Writing to the Secretary of State for Environment, Food and Rural Affairs to request that Network Rail, Highways England,	Work with the district councils will be progressed through the existing partnership meetings.	Head of Highways	To be completed by Dec 2020

	Canal & River Trust, Limited Companies appointed by Ofwat (New Appointments and Variations) and property management companies become Risk Management Authorities and to collaborate with the Local Government Association on this matter. In addition to give consideration to request district councils in Lancashire to develop relationships with those organisations and to invite them to future Making Space for Water meetings and any other flood risk management related events and meetings.	Letter to be prepared and issued in accordance with LCC procedures.		
S9	Collaborating with the North West Regional Flood and Coastal Committee and the Local Government Association in writing to the Secretary of State for Housing, Communities and Local Government to request that right of connection, mandatory adoption and water companies as statutory consultees on planning applications be reviewed.	The council's Lead Member for Flooding (Cllr Stephen Clarke) has investigated this situation with United Utilities plc, and has submitted a brief report and recommendations to the Chair of the North West Regional Flood and Coastal Committee (NW RFCC). He will progress further activity for LCC subject to the decisions of the NW RFCC.	Lead Member for Flooding	Ongoing
S10	Writing to the Secretary of State for Housing, Communities and Local Government	Letter to be prepared and issued in accordance with LCC procedures.	Head of Highways	To be completed by Dec 2020

	expressing concern that approved surface water drainage provisions including sustainable drainage systems (SUDS) are not being implemented within developments as approved through the planning process, and that additional resources or legal provisions are required so that implementation of surface water drainage systems within new developments including SuDS can be properly monitored and enforced and to collaborate with the Local Government Association on this matter.			
S11	Writing to the Secretary of State for Environment, Food and Rural Affairs to consider publishing consistent guidance on when flood resilience grants would be made available to flooded homes and businesses for the installation of property resilience measures and to collaborate with the Local Government Association on this matter.	Letter to be prepared and issued in accordance with LCC procedures.	Head of Highways	To be completed by Dec 2020
S12	Writing to the Secretary of State for Housing, Communities and Local Government asking that he	Letter to be prepared and issued in accordance with LCC procedures.	Head of Highways	To be completed by Dec 2020

	collaborates with the Local Government Association over potential amendments to the National Planning Policy Framework so that Lead Local Flood Authorities be paid to carry out developers' Flood Risk Assessments so that development proposals will accommodate consistent practice and sustainable management of local drainage conditions and flood risk within and outside of all development sites.			
S13	Engaging with United Utilities to agree a mechanism for receiving advice on SUDS that are planned in a particular application that might be at a level to be adopted.	United Utilities plc has launched its SUDS adoption procedures (April 2020). The NW RFCC has engaged with all LPAs in the region to promote take-up, and to establish a pro-forma to enable standardised assessment of developers SUDS proposals. LCC will continue to engage with these processes as 'business as normal'.	Highways Service Manager – Infrastructure to monitor	Ongoing
S14	Promoting the educational programme established by United Utilities via the Lancashire County Council Schools' Portal.	The Head of Highways will facilitate the necessary discussions between United Utilities and LCC Education Service to enable decisions on this to be made by the appropriate decision-makers.	Head of Highways	Introductions to be made by October 2020.

	Medium term			
M1	Collaborating with all Risk Management Authorities to formalise the walk-around offer currently offered in a limited manner within the Environment Agency and to notify all local Flood Action Groups (FIAGs) of its launch.	Already triggered by local business need through Making Space for Water partnerships. FIAGs to be contacted and assured this will continue.	Highways Service Manager – Infrastructure	In place by September 2020
M2	Promoting the flood risk management pre-application service.	The Highways Service Manager – Infrastructure has commissioned a review of the pre-app service and charges, seeking to promote it more positively alongside pre-application services provided for highways advice. Improvements will be established once the review concludes.	Highways Service Manager - Infrastructure	In place by December 2020
M3	Producing a guide on how to setup a local Flood Action Group to enable those people who wish to do so and for existing groups to flourish. It's suggested that the guide should include a template constitution; advice on creating emergency plans and who to share these with; key contacts and advice on who to build working relationships with and examples of what funding could be used for and for the guide to be publicised and shared with all tiers	The additional resource required to achieve this will be taken into account in the reviews identified in response to recommendation S5 above.	Highways Service Manager - Infrastructure	To be completed during 2021/22

Appendix 'A'

	of councils and councillors, Risk Management Authorities and libraries throughout Lancashire.			
M4	The flood risk management team assessing every project for the scope to include upstream storage and increasing natural flood risk management activities.	This is a significant piece of work, beyond a simple design check, requiring cross-service collaboration. The Head of Highways will identify key stakeholders to take forward as a corporate initiative.	Head of Highways	To be completed during 2021/22
M5	Providing maximum surface water attenuation for new highways sponsored by Lancashire County Council through the implementation of tree pits and other attenuation features.	The relevant Head of Service to hold an internal review to identify current best practice	Head of Highways	To be completed during 2021/22
M6	Reviewing how powers can be delegated to enable local Flood Action Groups to place road closure and other related signage on the highways in the event of a flood.	This proposal raises significant health & safety and legislative risks for all parties. The Head of Highways will review options including identifying any current practices elsewhere in the country.	Head of Highways	March 2021
M7	Exploring opportunities with the Fire and Rescue Service to embed a flood preparedness element to their existing fire safety checks in homes.	The Head of Highways will facilitate a discussion with the appropriate officers of the Fire & Rescue Service to enable the feasibility of this recommendations to be explored and taken forward if possible.	Highways Service Manager - Infrastructure	March 2021
M8	Write to all district councils in Lancashire to	The Making Space for Water meetings in Lancashire are the	Highways Service	March 2021

	request that all future agendas for Making Space for Water meetings include an opportunity for local FIAGs to address those meetings and raise any issues of concern; and to publicise dates of all future meetings on their websites.	established forum for technical partners to discuss matters of common concern within a district area. They are not generally open to members of the public, community groups or their elected representatives, to ensure technical progress is shared and made on matters of joint concern which of necessity includes sharing of confidential data. FIAGs are always welcome to raise queries direct with the drainage authorities for a joint response outside of Making Space for Water meetings.	Manager - Infrastructure	
M9	Write to all Risk Management Authorities to take steps to: a) Enable local Flood Action Groups to contribute a local touch to funding applications for large scale projects submitted by them. b) Consult with local FIAGs as an essential step in the decision making process on flood risk management project planning.	This recommendation will be discussed with all impacted flood risk partner organisations and progressed through the Tactical partnership meetings.	Highways Service Manager - Infrastructure	March 2021
M10	Hold an annual forum/conference/workshop/scrutiny inquiry or	The benefits of this are recognised, Unfortunately this is an action that can't	Highways Service Manager - Infrastructure	To be completed during 2021/22

	<p>symposium to invite and bring together all the Risk Management Authorities and local FIAGs across Lancashire to discuss flood risk management and preparedness matters. This could be facilitated by the External Scrutiny Committee in its obligation to scrutinise flood risk management on an annual basis.</p>	<p>easily be delivered remotely. The Highways Service Manager – Infrastructure will research options with other LLFAs and develop proposals to hold a future event when safe to do so.</p>		
M11	<p>Exploring opportunities to utilise social media platforms, 'In the Know' alerts or other real-time communication sources to provide preparedness and action messages around flood and weather warnings, successes and post-event advice supplementary to any Met Office forecast, warnings and advice issued.</p>	<p>The council's FRM team currently circulates Met Office weather warnings and other general communications messages relating to flood risk on an informal basis with Flood Action Groups and other community groups who have asked to be included. It is acknowledged that more work should be done to make the communications with the team as meaningful as possible and to work with new and forthcoming technological advances. A lead officer will be nominated within the team to develop & deliver initiatives.</p>	<p>Highways Service Manager - Infrastructure</p>	<p>Ongoing</p>
M12	<p>Collaborating with all Risk Management Authorities' communications teams and Newground Community Interest</p>	<p>Whilst the country manages the coronavirus crisis, physical communication measures are considered to be</p>	<p>Highways Service Manager - Infrastructure</p>	<p>Ongoing</p>

	Company to explore opportunities to display flood resilience information where there is high foot fall in public spaces and buildings; via social media platforms.	unreliable and have a low priority. It is acknowledged that more work should be done with physical measures to complement the emerging digital communication channels identified in M11 above. A lead officer will be nominated within the team to develop & deliver initiatives.		
M13	Reviewing accessibility of emergency respite centres and other activities taking account of children and pets.	The Head of Highways will raise this issue through the Lancashire Resilience Forum to enable the Rest Centre procedures to be reviewed and adapted where appropriate.	Head of Highways	To be completed during 2021/22
	Long term			
L1	<p>Taking steps to integrate culvert locations including those identified under rights of way within the county council's Highways Asset Management System (HAMS). Should no solution be found, to then consider the implementation of an alternative web application/software suitable for the task and capable of integrating with HAMS.</p> <p>Funding a temporary post to support the recording of culvert location data into HAMS.</p>	Initial investigations have identified that a Geographical Information System (GIS) product is required as HAMS does not offer a sustainable solution to this need. The operational requirements a suitable GIS product are to be considered & a corporate solution developed.	Head of Highways	Ongoing. To be completed during 2021/22
L2	Collaborating with the Country Land	The Head of Highways will	Head of Highways	To be completed

	and Business Association (CLA) and the National Farmers' Union (NFU) to encourage their members from Lancashire to report locations of any known (historic) culverts to assist the county council in developing its flood risk asset register. This could be carried out on a district by district basis.	facilitate the necessary discussions with these organisations, to establish a procedure for simple reporting mechanisms to capture new information on culverted watercourses. The same mechanism can then be used to capture and record information received from any source.		during 2021/22
L3	Collaborating with United Utilities and district councils to find suitable and reliable mechanisms for enforcing current regulations on impermeable paving of front gardens.	The Head of Highways will facilitate the necessary discussions with the local planning authorities.	Head of Highways	To be completed during 2021/22
L4	Exploring the possibility of establishing shared or pooled budgets for contribution by Risk Management Authorities on complex flood risk management projects as and when needed.	There is a mature understanding locally, regionally and nationally that many benefits can be unlocked by sustainable flood risk management schemes including economic/job security, continuity of public services including education and transport, health and wellbeing, and habitat/conservation. All potential beneficiaries from a flood risk management scheme are engaged and bespoke funding structures are designed to share/pool the available funds and to maximise the achievable benefits.	Head of Highways	Ongoing

		We commit to maintaining and developing this approach.		
L5	Exploring the possibility of a shared casework system to which all Risk Management Authorities could access and contribute to.	Each drainage authority has its own legal obligations and corporate commitments, with casework systems developed to deliver these and to provide performance data for the individual organisations. We share data relating to shared interests between the relevant RMAs under a formal data-sharing protocol, which also protects personal data from being shared inappropriately. Shared caseworks requiring more attention are also considered in the operational partnership meetings. These arrangements are continuously reviewed, and adapted where all parties affected can agree the changes.	Head of Highways	To be completed during 2021/22
L6	Where appropriate encouraging relevant district councils to establish Internal Drainage Boards should the relevant Bills in Parliament receive Royal Assent (Environment Bill and Rivers Authorities and Land Drainage Bill)	When new legislation is in force, the Head of Highways will work with all affected partners to progress Internal Drainage Boards or Surface Water Management Boards where these will work to reduce flood risk for homes, properties and agricultural land.	Head of Highways	Open-ended as Royal Assent not achieved yet