

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

COMMUNITY SCRUTINY COMMITTEE – WEDNESDAY, 10
FEBRUARY 2021



Title of Report	FLOOD MANAGEMENT IN NORTH WEST LEICESTERSHIRE	
Presented by	Chris Elston Head of Planning and Infrastructure Mike Murphy Head of HR and OD (Emergency Planning lead)	
Background Papers	Leicestershire County Council Environment and Transport Overview and Scrutiny Committee - January 2021 http://politics.leics.gov.uk/ieListDocuments.aspx?CId=1044&MID=6392	Public Report: Yes
Financial Implications	Detailed in the Section 3 of the report below. Signed off by the Section 151 Officer: Yes	
Legal Implications	None Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	The Council has emergency 24/7 on-call arrangements and procedures in place to deal with flooding incidents Signed off by the Head of Paid Service: Yes	
Reason Agenda Item Submitted to Scrutiny Committee	This report was requested by the Community Scrutiny Committee to consider the continuing problems with sewage, surface water and flooding in North West Leicestershire.	
Recommendations	<p>THAT SCUTINY:</p> <ol style="list-style-type: none"> 1. CONSIDER AND COMMENT ON THIS REPORT ON FLOOD MANAGEMENT IN NORTH WEST LEICESTERSHIRE 2. NOTE THE INTENTION TO BRING AN ANNUAL DISTRICT FLOOD MANAGEMENT REPORT, TO INCLUDE AN UPDATE ON PARTNERSHIP WORKING WITHIN OUR COMMUNITIES. 3. NOTE THE INTRODCUTION OF THE NEW COUNTY WIDE FLOOD REPORTING SYSTEM BY LEICESTERSHIRE COUNTY COUNCIL 	

1. BACKGROUND

- 1.1 The reason for suggesting this topic for consideration by the Community Scrutiny Committee was because Members have raised concerns that there are a number of sites in the District that suffer from ongoing problems with flooding. They are aware

that the responsibility for flood management is distributed across a number of authorities including Leicestershire County Council as Lead Local Flood Authority (LLFA), Severn Trent Water (STW) as responsible for sewage, landowners having riparian rights. The Council is responsible as the Planning Authority and as the source of immediate help in their emergency planning role. Members are concerned that there is a risk of responsibility falling between agencies and there is community concern and a lack of faith in the institutional response.

1.2 The following examples have been provided to support the concerns stated above:

- An area under the Tamworth road rail bridge floods whenever there is heavy rain and blocks the road into Ashby from the A42 junction 12.
- There is regular flooding at Moira are Measham Road, where local knowledge on poor drainage was not taken proper account of, and Bath Lane, where planning did not identify necessary infrastructure improvements when permissions were granted for Via Devana and other, smaller developments in the locality.
- Residents near Hemington/Lockington blame the SEGRO development for increased flooding over recent years.
- Problems with flooding in Hugglescote are attributed locally to an overwhelmed Victorian sewage system.

2. THE EXTENT OF NWLDC's RESPONSIBILITY FOR FLOODING

2.1 The Council has two areas of responsibility for flooding, as Local Planning Authority and in emergency planning resulting from major flooding incidents.

2.2 In relation to the Councils role as Local Planning Authority, the adopted North West Leicestershire Local Plan was informed by a Strategic Flood Risk Assessment (SFRA) which identifies those areas most at risk of flooding in the district and, amongst other things, outlined a range of mitigation measures that can be employed to reduce the risk of flooding from new development. These mitigation measures can be taken into account when determining planning applications where potential flooding issues have been highlighted. Policy Cc2 in the Local Plan deals with flood risk and details how proposals will be supported. In addition, Policy Cc3 requires that sustainable drainage systems be incorporated into new developments

2.3 The Local Plan is currently being reviewed. The SFRA is currently considered to be up-to-date, but this will be kept under review. It will be used to inform the identification of potential development sites to be allocated as part of the Local Plan review.

2.4 A key piece of evidence to support the review will be an Infrastructure Delivery Plan. This will identify the different types of infrastructure required to support planned development across the district. It will also identify the potential cost of such infrastructure and how they might be funded, including via developer contributions.

2.5 When dealing with planning applications, due consideration needs to be given to flood risk and surface water disposal as material planning considerations. As a result, the Council will consult with both STW and the LLFA as our statutory advisors on flooding matters, in particular on major planning applications but also on more minor applications where a flooding concern has been raised locally. Officers do rely on the comments and responses received from STW and the LLFA to inform the recommendations they make on planning applications in respect of flooding matters. However, officers are prepared to challenge the responses provided when further information from any local

consultation is received to ensure that the final advice has fully considers all matters raised by local residents.

3. EMERGENCY PLANNING AND RECENT GOVERNMENT FINANCIAL GRANT SCHEMES FOR RESIDENTS.

- 3.1 The Council has a responsibility under the Civil Contingencies act as a Category 1 responder to support residents and its communities during civil emergencies, which includes significant flood events. This includes working with wider partners at the County Council, Severn Trent, blue light services, Environment Agency etc often through the local resilience partnership arrangements and structures. While there is a responsibility to provide emergency support to people who are the victims of flooding there is a clear responsibility for householders who may live in flood risk areas to take preventative measures and make arrangements to minimise the possibility of damage to their properties. The Council has helped in previous flood events through the provision of sandbags through collection arrangements at the Linford Way depot (which have been more complicated during the COVID pandemic due to pressures on the workforce and restrictions around COVID safe working). The efficacy of sandbags is limited in severe flooding situations due to the need to rapidly deploy the protection, and depending on the nature of the flood risk, but there is no question that they have provided a level of protection in certain circumstances where we have issued these to individual householders during a number of flood events during the past few years.
- 3.2 In an effort to provide a level of flooding protection to those areas in the district most at risk, the Council made contact with a number of Parish Councils in 2021 and put in place local stocks of gel bags (a lighter more easily stored version of a sandbag). These stocks are now in place at the following parish council areas – Appleby Magna, Breedon, Castle Donington, Kegworth, Lockington cum Hemington, Long Whatton and Diseworth, Oakthorpe, Donisthorpe and Acresford and Whitwick. Those that have been provided with gel bags are being monitored and a stock review is taken annually (in September) in conjunction with the town and parish councils.
- 3.3 Throughout the district, the NWLDC Resilience Officer along with the Community Focus team has identified communities at risk and encouraged a community resilience plan in conjunction with the Local Resilience Forum. This document includes flooding measure as well as other extreme events. The communities that currently have resilience plans are; Castle Donington, Coleorton, Donisthorpe, Measham, Kegworth, Long Whatton, Lockington & Hemington, Ashby de la Zouch, Diseworth, Breedon on the Hill, Sawley Marina and Appleby Magna. In 2022/23 the plan will be to encourage more community resilience plans and to make sure existing plans are reviewed so they are up to date and relevant.
- 3.4 The County Council through the LLFA and resilience partnership co-ordinated a series of meetings involving all partner organisations involved in flood management during 2021 to seek to put in arrangements to ensure more effective co-ordination between partners during periods of severe weather (particularly flooding). One area identified for improvements was the logging of flood report problems in a central location to enable a more targeted response by the right agency. A shared database location has now been established using the County Council sharepoint site, which should become operational in the coming months.
- 3.5 This Council has also engaged with government departments to access funding for households to help those people who were impacted by the storm events Ciara (November 2019) and Dennis (February 2020). The Council was eligible to apply for funding for the two specific storm events which involved two types of grant.

One of the grants was administered by MHCLG (now DLUHC) the “Community recovery grant” which was a one-off grant of £500 to help those whose residential properties had been affected by flooding. This Council administered and publicised this scheme throughout the early COVID pandemic and the following number of payments were made.

Area	Property numbers
Appleby	
Magna	5
Ashby	1
Breedon	
on the Hill	4
Cavendish	
Bridge	5
Diseworth	6
Long	
Whatton	12
Moira	1
Oakthorpe	1
Tonge	1
Wilson	1
Sawley	1
Grand Total	38

- 3.6 The second grants scheme which applied to households affected by Dennis and Ciara was administered through DEFRA – the “Property Flood Resilience Scheme” which provides for a grant of up to £5,000 per household to put in place measures with the aim of reducing the risk of future flooding and/or minimising the effects of future flooding. The conditions relating to the Property flood resilience scheme required householders to seek professional advice on the best measures to provide future flood resilience. The administrators of the scheme in this Council received excellent professional support from the County Council’s LLFA (see paragraph 4 of this report) on a number of the individual flood applications where expert advice or a wider view of the flooding situation and measures in the vicinity of a particular property was needed.

The following table shows the amounts allocated to households by area to date through the Property flood resilience scheme.

Area	Sum of Amount of PFR November Scheme (Ciara)	Sum of Amount of PFR for February Scheme (Dennis)	Total
Appleby Magna	£10,420.00	£2,218.51	£12,638.51
Breedon on the Hill		£20,552.28	£20,552.28
Cavendish Bridge	£8,231.60	£9,756.00	£17,987.60
Diseworth	£10,767.00	£8,218.00	£18,985.00
Long Whatton	£33,157.52	£9,968.00	£43,125.52
Moira		£4,900.00	£4,900.00
Oakthorpe	£3,257.87		£3,257.87
Sawley		£1,146.00	£1,146.00
Grand Total	£65,833.99	£56,758.79	£122,592.78

- 3.7 The combined impact of the two government funded schemes administered by this Council has been to assist householders living in some of our most vulnerable residential properties to put in place measures to minimise the future impacts of flooding. The funding schemes for the Dennis and Ciara storm events will be coming to a close during 2022 – both schemes have been extended to allow householders more time to apply given the limitations caused by the pandemic. It should also be noted that householders were also able to claim Council Tax relief from the Council for the duration of the period their properties were uninhabitable.

4. THE ROLE OF THE LLFA IN FLOODING

- 4.1 The LLFA are required to lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses) across the county of Leicestershire. Their duties include investigating major flooding incidents, regulating activities on ordinary watercourses and acting as a statutory consultee for planning. Their role includes ensuring cooperation between Risk Management Authorities (RMAs) in their area. RMA's are organisations who have a responsibility for water management and therefore flooding. Such organisations include Severn Trent Water, Anglian Water, the Environment Agency, District Councils, Internal Drainage Boards, Highways England and the Local Highway Authority.
- 4.2 The LLFA has a statutory responsibility to publish a Local Flood Risk Management Strategy. The current version of this Strategy was agreed by the Cabinet on 11 September 2015 and provides a framework to enable the LLFA to lead and co-ordinate flood risk management across Leicestershire. It is currently being reviewed and will be the subject of consultation in due course.

In practice, the County Council as the LLFA will:

- Investigate instances of flooding where one of the thresholds has been met: loss of life or serious injury; critical infrastructure flooded or nearly flooded from unknown or multiple sources; internal property flooding from unknown or multiple sources.
- Identify the RMAs who may have a role in a specific flooding incident.
- Co-ordinate and work with those RMAs to identify potential solutions.
- Encourage the responsible RMAs to implement that solution.

4.3 The LLFA have limited powers under the Land Drainage Act 1991 to regulate ordinary watercourses (outside of internal drainage districts) to maintain a proper flow by:

- issuing consents for altering, removing or replacing certain structures or features on ordinary watercourses; and
- enforcing obligations to maintain flow in a watercourse and repair watercourses, bridges and other structures in a watercourse.

Importantly, the LLFA does not have responsibility or powers to: a. implement a solution to a flooding incident; or b. make other RMAs implement a solution; or c. maintain ordinary watercourses.

4.4 Leicestershire County Council set up a Flooding Scrutiny Review Panel to consider the role of the Council as LLFA and their findings were reported to the meeting of the Environment and Transport Overview and Scrutiny Committee in January 2021. The Panel made 25 recommendations which can be viewed along with the report to the January 2021 Scrutiny Committee on the link above in the background papers. These recommendations are currently being reviewed as part of LCC's annual update on progress which will be published in due course.

5. THE ROLE OF SEVERN TRENT WATER IN FLOODING

5.1 Severn Trent Water is responsible for managing flood risk from sewers. Severn Trent are a statutory sewerage undertaker, and their duties and responsibilities associated with the provision, maintenance and management of the sewerage network are defined within the Water Industry Act 1991. They also have flood risk management duties and responsibilities associated with managing flood risk from sewers and also working with other RMA's. These are detailed in the Flood and Water Management Act 2020.

5.2 Severn Trent is responsible for managing approximately 90,000km of sewers in the Severn Trent operating area. This area covers 28 Lead Local Flood Authorities and over 70 Local Planning Authorities.

5.3 Flooding from sewers can occur because of defects or blockages in the sewerage network. Sewer flooding can also occur during periods of intense or prolonged heavy rain when surface water runoff from the urban area can exceed the capacity of the sewer system. Severn Trent work to reduce instances of sewer flooding as much as possible. Further details can be found in the links below on the Severn Trent web site in response to "How flooding pollution, particularly sewerage is dealt with?"

- Our customers can contact us by various means: <https://www.stwater.co.uk/help-and-contact/contact-us/> or if they prefer just by the normal emergency contact number - 0800 783 4444 (24/7).

- Here is what to do guide if you experience sewer flooding
<https://www.stwater.co.uk/my-supply/waste-water/sewer-flooding/>
- Our handy guide which has lots of information about sewer flooding
<https://www.stwater.co.uk/content/dam/stw/my-water/document/your-guide-to-sewer-flooding.pdf>
- Also a link to our website where we outline the flooding responsibilities in a visual. Might be helpful for your constituents. Link <https://www.stwater.co.uk/in-my-area/flooding/>

5.4 Severn Trent are currently developing a scheme to improve the sewer capacity in the vicinity of Hugglescote, such that it can accommodate the new development proposed between Coalville and Hugglescote (south east Coalville). Current indications (subject to approvals and final cost benefit) are that scheme is aimed be completed by Autumn 2024 and the preferred option is a new 600/900mm diameter Sewer extending the 600m sewer that flows from the new development to Station Road, and associated upsizing of the downstream SPS. Members are advised that this proposal is not fixed in stone and that assessments are ongoing to ensure they are delivering the right solution.

5.5 The other scheme of note that impacts on Coalville alongside the network improvements detailed above in paragraph 4.4, is their AMP7 scheme at Snarrows Waste Water Treatment Works (WwTW), the solution for which will include the transfer of treated effluent to the River Trent, (excluding a small amount of treated effluent that will continue to discharge to the Grace Dieu Brook to maintain its ecological health). This should enable Severn Trent to accommodate the proposed growth in Coalville, whereas the current WwTW arrangement is constrained by the environmental capacity of the Grace Dieu Brook and unable to receive increased flows above the current permitted daily volume, even when treated to the highest standard feasible through current best available technology, without deterioration of river water quality.

6. THE ROLE OF THE ENVIRONMENT AGENCY

6.1 The Environment Agency is responsible for taking a strategic overview of the management of all sources of flooding and coastal erosion. This includes, for example, setting the direction for managing the risks through strategic plans; providing evidence and advice to inform Government policy and support others; working collaboratively to support the development of risk management skills and capacity; and providing a framework to support local delivery. The Agency also has operational responsibility for managing the risk of flooding from main rivers, reservoirs, estuaries and the sea, as well as being a coastal erosion risk management authority. As part of its strategic overview role, the Environment Agency has published a [National Flood and Coastal Risk Management Strategy for England](#). The strategy provides a lot more information designed to ensure that the roles of all those involved in managing risk are clearly defined and understood.

6.2 The Environment Agency's web site provides information on how to prepare for flooding. In addition, "Flood Risk Maps for Surface Water in England – December 2019" shows the number of inhabitants that could be affected by flooding from surface water in each flood risk area and the potential impact on the services they use.

7. CONCLUSIONS

7.1 This report identifies the different roles that the key organisations have to play in relation to flooding matters in North West Leicestershire. It also identifies the mechanisms that

have been put in place to support our communities working closely with the LLFA and resilience partners.

- 7.2 Information received from partners and residents on future flooding incidents will be co-ordinated on the LCC sharepoint data base which will identify where flooding is happening, record new flooding incidents and will enable the most suitable organisation to respond and deal with the incident, whether that be the Council, LLFA, Severn Trent Water or the Environment Agency.
- 7.3 Officers will now be in a position to present an annual report to the Community Scrutiny Committee on flood management from a district wide perspective and updating on the work that has been carried out with our key LRF partners working closely with our communities.

Policies and other considerations, as appropriate	
Council Priorities:	<ul style="list-style-type: none"> - Supporting Coalville to be a more vibrant, family-friendly town - Support for businesses and helping people into local jobs - Developing a clean and green district - Local people live in high quality, affordable homes - Our communities are safe, healthy and connected
Policy Considerations:	Local Plan Policies Cc2 and Cc3 deal with flood risk and sustainable drainage systems.
Safeguarding:	None identified.
Equalities/Diversity:	The Council and partner agencies have list of vulnerable individuals in our communities.
Customer Impact:	Information received from customers on flooding incidents will be recorded on the LCC sharepoint system to ensure a targeted response from the relevant partner/agency.
Economic and Social Impact:	None identified.
Environment and Climate Change:	The arrangements identified in the report will form part of mitigating the impact of flooding in conjunction with LRF partners.
Consultation/Community Engagement:	Where communities identify sites or areas at risk of flooding, the Council and LRF will engage to put measures in place to mitigate the impact.
Risks:	Corporate risk register on emergency planning.
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