

**FLOOD AND WATER MANAGEMENT
SCRUTINY COMMITTEE
20 SEPTEMBER 2021**

PRESENT: COUNCILLOR P A SKINNER (CHAIRMAN)

Councillors P Ashleigh-Morris, T R Ashton, A J Baxter, S Bunney, K J Clarke, A G Hagues and G J Taylor.

District Councillors R Austin BEM (Boston Borough Council), P Vaughan (City of Lincoln Council), Mrs F M Martin MBE (East Lindsey District Council), Mrs L Hagues (North Kesteven District Council), H Crawford (South Kesteven District Council) and I G Fleetwood (West Lindsey District Council).

Councillor T J G Dyer (Executive Support Councillor Economic Development, Environment and Planning), attended the meeting as an observer.

Officers in attendance:-

Kiara Chatziioannou (Scrutiny Officer), Katrina Cope (Senior Democratic Services Officer), Matthew Harrison (Senior Commissioning Officer - Flood Risk), David Hickman (Head of Environment) and Ryan Davies (Assistant Flood Risk Officer).

The following officers/representatives joined the meeting remotely via Teams:

Ian Reed (Emergency Planning and Business Continuity Manager), Morgan Wray (Area Flood & Coastal Risk Manager, Environment Agency), and Simon Love (Head of Water Recycling Networks, Anglian Water).

1 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors M Brookes, R P H Reid and Councillor M D Seymour (South Holland District Council).

It was noted that the Chief Executive, having received notice under Regulation 13 of the Local Government (Committee and Political Groups) Regulations 1990, had appointed Councillor Mrs A M Austin to replace Councillor M Brookes for this meeting only.

2 DECLARATIONS OF MEMBERS' INTERESTS

No declarations of members' interest were made at this stage of the proceedings.

3 MINUTES OF THE PREVIOUS MEETING HELD ON 22 FEBRUARY 2021

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RESOLVED

That the minutes of the Flood and Water Management Scrutiny Committee meeting held on 22 February 2021 be agreed and signed by the Chairman as a correct record.

4 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLORS AND LEAD OFFICERS

The Chairman advised the Committee that a Lincolnshire Climate Summit for 2021 would be taking place on 13 October 2021 at the Epic Centre at the Lincolnshire Showground. Any member wishing to know any further information or wished to attend the summit was asked to contact Kiara Chatziioannou, Scrutiny Officer.

The Chairman invited Councillor T Dyer, Executive Support Councillor for Economic Development, Environment and Planning to provide the Committee with any Executive Councillor announcements.

The Committee was advised of the following announcements:

- Completion of the Digby Scheme – The Executive Support Councillor advised of his personal experience of visiting the Digby Scheme and particular reference was made to the impressive way the scheme blended into the natural environment; and that the scheme would now protect many homes going forward;
- Greater Lincolnshire Groundwater Project, part of the National Resilience and Innovation Programme – The Committee noted that the Council had been selected by the government to take part in this programme. It was highlighted that the Council was working with colleagues from North East Lincolnshire and North Lincolnshire Councils to submit a detailed business case by the end of December/start of January 2022, with the aim of commencing work in the financial year 2022/23. It was highlighted that a total of £7.5m had been allocated for the project, which was due to run until 2026, and was designed to identify solutions that would work for Lincolnshire, and other locations around the country;
- Scheme to support the installation of property level resilience measures – The Committee was reminded that a scheme was being trialled to support the installation of property level resilience measures to better protect homes at risk of flooding, where a larger scheme was not practicable. It was highlighted that an update on the scheme would be presented to a future meeting of the Committee;
- Potential water storage sites in Lincolnshire – The Committee noted that water companies were obliged to plan ahead, to ensure that public water supplies were maintained in the future. The Committee noted further that within Lincolnshire and the wider Anglian region, Anglian Water was currently exploring a number of options, including large scale storage and transfer. It was highlighted that the Council and its partners would be continuing to

engage in the deliberations, and that when firmer proposals were put forward, these would be examined and responded to by the Committee to ensure that that the greatest possible benefits for Lincolnshire's communities, businesses and environment were achieved.

5 DEVELOPMENT FUND - DRAINAGE INVESTIGATIONS AND FLOOD REPAIRS

Consideration was given to a report, which advised the Committee of the progress made to date with the programme of work for the Development Fund Drainage Investigations and Flood Repairs.

The Chairman invited Matthew Harrison, Senior Commissioning Officer – Flood Risk, to present the report to the Committee.

The Committee was reminded that funding to the value of £2.2 million (capital 2m, revenue 200K) had been made available to address drainage and flooding issues in Lincolnshire. That a programme of works had been developed in collaboration between the Floods Team and Highways for the works to be delivered over the financial years 2021/21 and 2021/22, with overall spend to be completed by March 2022.

Appended at Appendix A to the report was a copy of the Development Fund – Drainage Investigations and Flood Repairs Governance Structure; and Appendix B provided a copy of the Development Fund – Development Investigations and Flood Repairs – Programme of Work for 2021/22 for the Committee's consideration.

It was highlighted that the varied programme which included investigation work and the proposed delivery of more substantial drainage and flooding schemes would address long standing issues across the County. It was also noted that the programme of works complimented a full and active programme of drainage works taking place in the County, which were being delivered through the Highways Asset Teams. Further details concerning this matter were provided on page 16 of the report.

The Committee noted that the Development Fund Programme was on track to deliver the allocated budget of 2.2 million of works by March 2022. It was highlighted that there was a desire for such a programme to continue and to that end a business case was being prepared to seek future funding for the continuation of the programme from April 2022. It was highlighted further that the Programme Delivery Board was already considering a future programme of work and key areas that would benefit from the work.

The Committee was invited to review and comment on the progress made with the Development Fund for Drainage Investigations and Flood Repairs and some of the points raised during discussion included the following:

- That some schemes were not included within the Appendix B to the report presented. Some concern was expressed that 3 schemes in Bardney had not being progressed under the Development Fund. The Committee was

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reminded that the programme was working alongside the Highways programme, and that further investigation may change the scope of works undertaken. Officers agreed to have a separate conversation concerning the three Bardney schemes outside of the meeting;

- Whether £2.2m was enough for the works to be carried out. The Committee was advised that the amount required was difficult to quantify. It was highlighted that the Council was however seeking additional funding for the next two years. There was an understanding that more needed to be done, and that any member with flooding concerns should contact officers;
- The Kirton Scheme – Officers confirmed that the scheme at Kirton was a complex major scheme, as it involved both highways and private land owners. There was acknowledgment there would of course be some short term disruption to residents, but that would be outweighed by the long term benefits of the scheme; and
- Lack of provision for schemes in the south of the County. It was noted that the programme covered a specific area and that areas in the south of the County would be included in the wider programme. Officers agreed to look at any specific concerns outside of the meeting.

RESOLVED

That the progress made with the Development Fund for Drainage Investigations and Flood repairs be noted.

6 INVESTIGATIONS UNDERTAKEN UNDER SECTION 19 OF THE FLOOD AND WATER MANAGEMENT ACT 2010

Consideration was given to a report which informed the Committee of the status of all current flood investigations being undertaken in the County.

The Chairman invited David Hickman, Head of Environment, to present the report to the Committee.

It was reported that a total of 21 investigations had been commissioned since February 2021, and that 25 properties had been affected by flooding (details were provided in Table 1 on page 28 of the report pack). It was highlighted that more investigations were being completed which had maintained pressure on a finite resource. The Committee noted that because of the high volume of flood investigations, final reports were not being completed in such a timely manner as would normally be expected. It was noted further that steps had been taken to make the process more efficient by:

- Taking a proportionate approach to flood investigations where, for example, the source and cause was clearly understood. Where such a 'light touch' was considered appropriate, the Committee was reassured that the requirements of Section 19 were fully met as well as the additional output of recommendations being made for mitigating future flooding; and
- The sourcing of additional resource.

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It was also reported that more development work was being done relating to presentation of information for the Committee with the use of PowerBi.

During consideration of the report, members of the Committee raised some of the following issues:

- Some concern was raised that Section 19 reporting only took into consideration flooding inside a dwelling, when sometimes flooding had occurred in garages and sheds and whether these incidents were classed as near misses. The Committee noted that the web link only reported Section 19 incidents. It was noted further that the Flood Risk Team were recording near misses to date and that this information was nearing completion; and would be available for members of the Committee to consider at its next meeting. The Committee was advised that surface water flooding was very intense in specific locations and was unpredictable effecting individual properties in a scattered way increasing pressure on resources;
- Historic Section 19 outstanding reports in the Louth and Horncastle areas. It was reported that Section 19 would look at the cause and that more detail would emerge as the result of investigations in the near future;
- One member provided information relating to an individual who had been using their own pumping system for years to avoid being flooded, and whether this incident would be classed as a near miss. Officers agreed to look into the matter outside of the meeting. Clarification was sought as to what constituted a near miss. The Committee was advised that the data being developed would enable a broader context of information and evidence to determine near misses;
- Whether the mapping of rainfall over the last ten years would help to locate hotspot areas. Officers agreed to look into the matter;
- The result of flooding caused by human error or neglect. The Committee was advised that this area would be looked at further on in the agenda in the report concerning the Lincolnshire Riparian Project; and
- Whether information was received from the Met Office with regard to flooding. The Committee was advised that information was received from the Met Office and the Resilience Forum which officers were happy to share with members of the Committee.

RESOLVED

That the investigations undertaken in the County under Section 19 of the Flood and Water Management Act 2010 be noted.

7 LINCOLNSHIRE RIPARIAN PROJECT UPDATE

The Committee agreed that the next item for consideration would be the Lincolnshire Riparian Project Update, as is was closely link to the earlier item on the agenda.

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The Chairman invited Matthew Harrison, Senior Commissioning Officer and Ryan Davies, Assistant Flood Risk Officer to present the report to the Committee, which advised of the steps taken to date to develop the Council's approach to the network of riparian watercourses across Lincolnshire and strengthened engagement with riparian landowners.

It was reported that from latest significant flooding events in Lincolnshire caused by severe weather and high rainfall in the latter part of 2019 and early 2020; it had been identified that the role of riparian (privately owned) watercourses in surcharging under high rainfall conditions were contributing to localised flooding and that this was apparent in a number of locations.

Information was provided in the report as to what owners of land were classified as being riparian landowners; and their common law rights and responsibilities.

It was reported that within Lincolnshire, Lincolnshire County Council led on ordinary watercourses consenting and enforcement unless it was an internal drainage district then Internal Drainage Boards led on ordinary watercourse regulations. Details of the permissive powers of the Council were shown in Table 1 on page 48 of the report. It was noted that under a Memorandum of Understanding the Council had delegated its land drainage powers to the Internal Drainage Boards, who exercised them consistently on behalf of the Council across the County to manage consenting and enforcement of activities affecting ordinary watercourses.

It was highlighted that the Council had commenced a project with partners in the Lincolnshire. The Flood and Water Management Partnership comprised of interested stakeholders from North and North East Lincolnshire Councils, and that its purpose was to gain a better understanding of the nature and extent of potential flooding from riparian watercourses across the Greater Lincolnshire area.

The Committee was asked to consider the potential options to be taken forward as detailed on page 49 of the report and to help guide officers with the development of the Lincolnshire Riparian Project. Some of the points raised during discussion included the following:

- Some members felt that riparian ownership was an important issue, which was becoming more and more of a problem;
- Some members welcomed the report and agreed that it was a vast piece of work, and that going forward it was going to be interesting to see how the responsibility of ownership was dealt with. Some concern was raised regarding the issue of enforcement and whether there was the budget and resources available for the this to be carried out. The Committee noted that a working group had been set up with IDB's, district councils and the Environment Agency to consider the options and to identify the resources required. It was then hoped the short list of options would be finalised in late October 2021, with the commencement of options as soon as practicable, following approval by the Council and partners, with the aim of implementation

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for April 2023. Officers advised that they were happy to report back to the Committee on the progress being made with the project;

- The need to make private landowners/businesses aware of riparian rights. A suggestion was made for an article to be published in an edition of County News. The Committee was advised that communication was a key point and that the suggestion made would be considered. A further suggestion made was for something to be included in the monthly email to town and parish councils to ensure that the message was being distributed across the County. It was also highlighted that there was a need for some training for parish councils on what was required; and
- It was agreed that a link to the to the Government website concerning guidance on owning a watercourse would be forwarded on to all members of the Committee following the meeting.

RESOLVED

That the report be received and that the comments raised by the Committee be taken in to consideration through the development of the project.

8 ENVIRONMENT AGENCY UPDATE

The Committee received a presentation from Morgan Wray, Area Flood & Coastal Risk Manager, which provided an update on recent activities.

Some areas covered by the presentation included the following:

- Humber 2100+ - working in partnership;
- Current flood risk from rivers and the sea;
- East Coast Strategy map;
- Enhancing the Lincolnshire Coast;
- Steeping River Catchment Action Plan;
- Lower Witham Flood Resilience Project;
- Billingham Skirth System Review;
- Upper Witham system Review;
- Welland and Nene;
- Using Nature to help Climate resilience 2021-2027
- Fens Measure Actions;
- Steeping Catchment Action Plan 2020+;
- Catchment Action Plan Themes;
- Improving the flow through the system;
- A resilient community and infrastructure;
- Strengthening and maintaining defences; and
- Flood Water Storage.

Further information relating to each of the slides presented was included in the report, which was detailed on pages 31 to 46 of the report pack.

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During consideration of the presentation, the Committee raised some of the following comments:

- Concern was raised regarding the depth of the River Welland. Officers agreed to discuss the matter further outside of the meeting;
- Building on flood plains - The Committee was advised that the Environment Agency took the role of a statutory consultee very seriously, and that they worked together with planning authorities to ensure that planning was appropriate;
- The cost of the structure required to defend the Nene. The Committee was advised that this was included as part of the fens work to look at how much money was required going forward to replace structures; and
- When was the assessing of the valuation of agricultural land in projects likely to change. The Committee noted that this was part of the fens work and that input was being received from the NFU regarding this matter. The Committee noted that any change would have to be as a result of a national policy change. A suggestion was made that the government need to be lobbied to promote the value of agricultural land.

RESOLVED

That the report and presentation be received and that the progress of work being undertaken in Lincolnshire to deliver the vision of the National Flood Risk Management Strategy be noted.

9 ANGLIAN WATER UPDATE

The Committee received a presentation from Simon Love, Head of Water Recycling Networks at Anglian Water, which provided an update on recent activities.

The Committee was advised that during the last winter there had been 28 Environmental Position Statements in operation in Lincolnshire, which was unprecedented, and had caused quite a challenge for Anglian Water. The Committee was advised further that a fleet of some 120 tankers had been dedicated to the emergency response. It was noted that the impact of the flooding had continued into the spring.

The Committee noted the five schemes being undertaken to reduce surface water flooding; activities that were being undertaken at West Deeping to clear significant blockages; filtration and lining works at Scopwick; and hydraulic works at Grantham and Long Bennington.

During discussion, members of the Committee raised some of the issues below:

- Disappointment was expressed that the presentation had not made mention to Scothern Lane, Langworth, an area which had seen many years of flooding. The representative from Anglian Water agreed to look at the issue outside of the meeting and provide an update on the activity to date;

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- Some concern was expressed that some members had found it difficult to see the detail contained within the presentation. Officers confirmed that copies of the presentation slides would be emailed to members of the Committee following the meeting;
- Some reference was made the general state of the sewer system. The Committee was reminded that with any emergency incident, Anglian Water was at the bottom of the link, and was affected in the same way as other partners;
- Thanks were extended to AWA colleagues who had helped with the West Deeping and Tallington flooding incidents. Some clarity was sought as to who made decisions in a time of crisis. Reassurance was given that all partners worked together in a single approach all the time. For further clarity the Committee was advised that surface water just from the highways was dealt with by the Council system and that water off the highways and from roofs was dealt with by Anglian Water system.

RESOLVED

That the presentation be received and noted.

10 EMERGENCY PLANNING, RESPONSE AND CO-ORDINATION UPDATE

The Chairman invited Ian Reed, Head of Emergency Planning Business Continuity, to remotely present the item to the Committee.

The Committee was advised of the background to the review of Multi–Agency Flood Plans; the learning from some of the smaller scale flooding incidents during the last twelve months, which had led to a review of the Councils Incident Response Procedure Manual, with particular emphasis on how low-level flooding incidents were being managed.

It was noted that following discussion, suggestions had been made to the benefit of a smaller group of agencies meeting to discuss flooding incidents at a much lower level. It was noted further that in future a small multi-agency group would form when calls for sandbags and other flooding requests were received by agencies; and where existing capacity to respond was being stretched.

The Committee was advised that the process had been tested in an exercise held on 25 August in the East Lindsey area. The exercise had highlighted that a change in the early triggers for activation was required to take account of the greater capacity within Lincolnshire County Council Highways to respond, and to ensure that the group was not getting involved too early when no coordinated response was required. It was highlighted further that the process would be amended to ensure that only as resources started to become stretched would the group be activated. It was noted that a follow-up exercise was planned for 27 September 2021 in the West Lindsey area.

The Committee noted that for 2022, a single exercise to look at all flood risks was going to be held. It was noted further that the exercise entitled FloodEX22 was set to take place over

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the week of the 19 to 23 September 2022, and that the exercise was seeking participation from all counties from Northumberland to Kent along the coast, and all those along the Trent. Details of what the exercise would enable to be tested were shown on page 53 of the report pack.

The Committee also noted that the Lincolnshire Resilience Forum (LRF) was yet to complete its major exercise, 'Silver Siren', which was due to take place in October.

In conclusion, the Committee noted that the service continued to develop close working relationships with the Environment Agency and other LRF partners; and that the service was confident that its plans were fit for purpose for the upcoming audit.

It was also reported that the service was also co-ordinating the LRF Pilot Funding project on behalf of the LRF. The project bid submitted to Ministry of Housing, Communities and Local Government (MHCLG) related to advanced mapping capabilities, use of drones and LRF engagement amongst others. If successful, the projects would further enhance the work carried out by the service.

During consideration of the report, the Committee raised some of the points listed below:

- The need to make sure that flooding incidents were followed through;
- The current policy relating to sandbags. The Committee noted that sandbag policies differed across the District Councils. It was highlighted that there was a need to have a more co-ordinated approach, and that this was currently work in progress;
- The effectiveness of 'Floodline'. Some concern was expressed that Floodline had failed to deliver a co-ordinated solution. Clarification was given that as this service was provided by the Environment Agency, no further information could be supplied;
- Clarification was sought as to whether Anglian Water was part of the small multi-agency group, as detailed on page 52. The Committee noted that Anglian Water would not become involved until the incident became a Tier Two incident; and
- Whether smaller emergency groups were still involved in the emergency planning process. The Committee noted that small groups were still included in the Resilience Community plan.

RESOLVED

That the report on the Emergency Planning, Response and Co-ordination Update be received and that the progress being undertaken by the service be noted.

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Consideration was given to a report from Kiara Chatziioannou, Scrutiny Officer, which invited the Committee to consider and comment on the content of its work programme to ensure that scrutiny activity was focussed where it could be of greatest benefit.

Details of the Committee's work programme were shown on page 56 of the report.

During consideration of report, the committee raised the following comments/suggestions:

- A report on the Digby Scheme;
- The potential for future site visits to look at schemes before and after completion; and
- The impact of pumping stations not being able to use red diesel from April 2022 following the government's national ban. Officers advised that this would be pursued through the Association of Drainage Boards (ADA) nationally.

RESOLVED

That the work programme presented be received and that consideration be made to the comments/suggestions made.

The meeting closed at 12.16 pm