



Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Public Protection and Communities Scrutiny Committee
Date:	16 March 2021
Subject:	Local Flood Incident Management

Summary:

This report invites the Public Protection and Communities Scrutiny Committee to consider a decision report on *Local Flood Incident Management*, which is due to be considered by the Executive on 7 April 2021. The views of the Committee will be reported to the Executive as part of its consideration of this item.

Actions Required:

The Committee is invited to:

- (1) Consider the attached report and determine whether the Committee supports the recommendations to the Executive; and
- (2) Make any comments to the Executive on the proposals for Local Flood Incident Management.

1. Background

On 7 April 2021 the Executive is due to consider a report on *Local Flood Incident Management*. The decision report is attached as Appendix 1 to this report.

2. Conclusion

Following consideration of the attached report, the Committee is requested to consider whether it supports the recommendations in the report and whether it wishes to make any comments to the Executive.

3. Consultation

This Committee is being consulted on a proposed decision by the Executive on 7 April 2021 on *Local Flood Incident Management*.

4. Appendices

These are listed below and attached at the back of the report	
Appendix 1	Report to Executive on Local Flood Incident Management

5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by David Hickman, who can be contacted on 07919 045257 or david.hickman@lincolnshire.gov.uk

Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Executive
Date:	07 April 2021
Subject:	Local Flood Incident Management
Decision Reference:	I021886
Key decision?	Yes

Summary:

This report seeks approval of proposals for the enhanced provision of temporary flood resilience measures in the event of local flooding incidents.

Recommendation(s):

That the Executive:-

- 1) approves the maintenance of a stock of 10,000 sandbags to be available for distribution in the event of a flooding incident;
- 2) approves the "Proposed new protocol for provision of sandbags" as set out in the report; and
- 3) delegates to the Executive Director – Place, in consultation with the Executive Councillor for Commercial and Environmental Management, authority to approve arrangements with district councils for the collection of contaminated sandbags for disposal.

Alternatives Considered:

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| 1. | <p>Not to approve the maintenance of the proposed stock of sandbags or their distribution</p> <p>Local communities and householders will not have as ready access to one means of protecting themselves and their properties from damage in the event of a flooding incident</p> |
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Reasons for Recommendation:

To clarify and formalise the Council's discretionary provision of sandbags during flooding incidents, and to set out the process for providing this resource.

1. Background

Context

During 23 and 24 December 2020 heavy rainfall led to a number of flooding incidents in the south of Lincolnshire. Because significant fluvial impacts had not been forecast and expected, and because the predicted rainfall was not unusual for the time of year, the event was not escalated to a multi-agency response and was managed using existing local incident response measures.

During localised incidents that do not trigger the multi-agency emergency threshold requests for assistance to Lincolnshire County Council are routed to the Highways Winter and Emergency Duty Officers, whether these originate through the County Council customer service centre, Police, or Emergency Planning. At this level the response available usually focuses on public safety of the highway, such as closing flooded roads and providing warning boards. Rescue and response to life threatening situations is provided by the Lincolnshire Fire and Rescue Service, which can undertake pumping operations.

The role of Lincolnshire County Council as Lead Local Flood Authority in these circumstances is to identify incidents of internal property and significant infrastructure flooding in order to investigate the cause and identify appropriate longer term measures for rectification. This is commenced as quickly as possible after the incident has been reported. The Fire and Rescue service provides Lincolnshire County Council's 'blue light' response to threats to property or to life. Other category 1 responders under the Civil Contingencies Act (2004) include the Police, District Councils, the Ambulance Service, some NHS organisations and others.

One learning point from the recent incidents was the need to enhance co-ordination during the event itself, especially if an unexpected event does not trigger the multi-agency arrangements that come into force during larger scale incidents. To this end, partner organisations have already trialled a local response co-ordination group within existing incident response protocols, co-ordinated and supported by Emergency Planning. The key elements of this approach include:

- mutual aid arrangements between local authorities;
- improved data sharing using the Resilience Direct website; and
- clarified identification of contact details for each partner organisation.

A more significant issue appears to have been a lack of clarity between partners on respective roles and resource availability in the event of an incident that falls below the well-rehearsed multi-agency emergency situation.

Sandbags are currently provided by the County Council as a discretionary service within the capacity of existing resources and in response to requests from members of the public and partner authorities. This provision is outlined in a draft Memorandum of Understanding initially prepared through the Flood Risk and Water Management Partnership in 2012, which also outlines the positions of each district council.

The status and visibility of these documents is not uniform across partner agencies. In addition, capacity of Lincolnshire County Council Highways to undertake this role is sometimes limited by ongoing pressure to fulfil statutory duties such as gritting during cold weather or other works to manage the public safety of the highways.

In response to the recent flooding events, there is an opportunity and need to precisely define the County Council's offer and to clarify linkages to existing district policies and stocks of materials. These improvements have been discussed with emergency planning officers and chief executives of the district councils, as well as with all partners engaged in emergency response in Lincolnshire.

Provision of Sandbags

There is a significant public expectation that in the event of a local or major incident, the County Council will, through the highways service, provide, fill and deliver sandbags both to members of the public and to partner organisations. This is a discretionary service, with the current approach being to provide these items within resources available, subject to pressures arising from statutory duties requiring prioritisation of these resources, primarily ensuring public safety of the highways network, for example gritting and implementing temporary road closures.

During recent years expectations of both numbers and speed of delivery have grown, evidenced both by increasing numbers of requests and an increasing number of incidents. Provision of sandbags is often considered a primary response by many members of local communities.

In these circumstances, it is proposed that Lincolnshire County Council's policy towards sandbags should be formalised and agreed so that all parties can be clear what level of resource can be expected and how this links into the responsibilities of all partners. At the same time, a longer term piece of work will involve communicating with partners and communities about the availability and suitability of alternative, new approaches which can be proactively secured by householders in advance of any potential incidents.

It is proposed that in combination with providing for stocks of salt at local level, provision is made of a stock of 5,000 sandbags, with an additional reserve stock of a further 5,000. This can be costed as follows.

Item(s)	Cost per item	Number	Total cost
Sandbags located at 4 depots across the county	£1	5,000	£5,000
Reserve stocks of sandbags	£1	5,000	£5,000
Stock of sand (300 tonnes)	£20	300	£6,000
RSM (BB) operatives/gang rates			
Three gangs to refill sandbags – estimated 10 days per year	£587.21	30	£17,616
Extend existing standby logistics from October – April to cover remainder of year to ensure transport of sandbags			c£20,000
Clean up costs	See below		See below
Total cost			£53,616 (+ clean-up costs)

Clean up costs will depend on the nature and extent of any flooding incidents in the year. As an approximate guide, materials exposed to flood water may be contaminated and require disposal in specialised sites. The cost of this per ton of material will range from £150-£250. Assuming a large scale, but localised, incident or number of incidents might lead to the issuing of 1000 sandbags, representing 30 tonnes of sand, this would mean that clean-up costs would be in the range £4,500 to £7,500.

Proposed New Protocol for Provision of Sandbags

The protocol for supply and distribution of this resource is proposed as follows.

Lincolnshire County Council will maintain a total stock of 10,000 sandbags and sand to fill them, equally distributed between the four highways depots. The bags will be stored empty (except for those detailed below) in order to prevent degradation of the materials should they remain unused for any significant period of time.

In anticipation of small-scale local need each depot will maintain a stock of 50 pre-filled sandbags. Pre-filling of additional sandbags will be undertaken in the event of severe weather forecasts predicting high likelihood of impacts.

Requests for sandbags can be made by parish and town councils, along with other organisations, to the County Council on behalf of local communities. It is expected that individual householders will also make such requests. The exact communication routes and protocols are detailed below. Requests will be prioritised so that stocks can be managed strategically, resources provided to those locations at greatest or most immediate need. Partners will be provided with a simple template to ensure that requests are as complete, realistic, consistent and clear as possible to expedite provision and delivery of requested resource. Where

members of the public make contact and request provision of sandbags directly, these details will be taken by the operator receiving the call.

Priority locations will be

- where there is a risk to life and or property;
- Vulnerable members of the community;
- critical infrastructure.

Logistics to fill and deliver sandbags during large scale emergency situations are covered by the use of existing tippers. However, there is greater risk during unforeseen, unplanned-for localised events, when existing vehicle capacity is limited to smaller vehicles with a maximum capacity of 20 sandbags only. Discussions are in progress with Balfour Beatty to arrange for extending existing standby winter provision (which currently costs a total of £37,000 per year) to cover the whole year, at an estimated additional cost of £20,000. This would allow for capacity to move larger quantities of sandbags at short notice.

The normal process for preparing for the potential need to deploy sandbags operates as follows.

Following discussion with the bronze highways duty officer and network resilience manager, as per the current incident response plan, the term contractor (Balfour Beatty) reactive manager is contacted to put resource on standby in anticipation of a flood event. Currently this takes place on receipt of an amber weather warning. Gangs would commence filling bags in readiness at this stage in highways depots.

Network resilience co-ordinates individual and organisational requests for the instructions, to the resource through the Confirm Connect system to send filled sandbags out to locations. These would be conveyed to site by Lincolnshire County Council, completed on site and photos taken on completion. In the case of a larger scale event that required additional resource than normal network resilience resources, then highways teams would be diverted to assist with co-ordination, and to provide detailed intelligence by maintaining a presence on site.

The process of requesting sandbags works as follows.

- Requests for sandbags and reports of flooding incidents can be made by organisations, such as district councils, and by individual householders. These requests can be made through the Police, Emergency Planning, the Fire and Rescue Service, the County Council's Customer Service Centre, the Fix my Street app, or the 24 hour floodline number (01522 782082).
- These requests are routed to the highways Winter and Emergency Duty Officer (WEDO), who logs the request or the incident. The WEDO number is an internal number, which is not publicly available, in order to ensure that the reporting and logging system is not overwhelmed by volume of calls. For this reason the numbers mentioned above are used as the public interface for first contact. This number is manned 24/7 by a single operator, although if a

significant event is expected such as high rainfall, high winds, snow and ice this resource can be expanded.

- The request is then threat-assessed, according to whether it is a threat to life and/or whether there a threat of internal flooding of the property. If the person requesting the sandbags is vulnerable, they will receive priority. Under present arrangements, if there is no perceived threat then no sand bags will be issued. This may be reviewed if the Council wishes to do so. In this event, an instruction will need to be issued to change the threat parameters.
- Having threat-assessed the request, the enquiry and job are raised on the Confirm system, and issued to the term contractor (Balfour Beatty) who will be tasked to issue the bags. Again, at present, resource for delivery is assessed at this point.
- Confirmation is recorded once the sandbags have been delivered to site, and a confirmation report will be requested about any threat to property.

Requests for sandbags usually do not come in as single requests. Requests from householders are usually for 10, 20 or more filled bags at a time. There may also be multiple requests from different locations depending on the severity and extent of the weather event. Blue light services and other authorities usually make requests in the hundreds, ranging from 100 to 500 (the highest recorded request).

Where larger quantities of sand are required for specific communities, it may be more appropriate to supply sand and a quantity of unfilled bags to be filled on site by volunteers, organised through local arrangements between the Lincolnshire Resilience Forum and parish and town councils. This was the approach taken in response to the 2019 flooding event in Wainfleet. Assistance could also be available in this regard from emergency service personnel on site.

Collection and Disposal of Contaminated Sandbags

After flooding events, sand and bags that have been exposed to flood water are typically contaminated. The Environment Agency will require contamination levels to be tested prior to disposal in landfill. In previous events, as Waste Collection Authorities, District Councils have ordinarily arranged for and managed collection of the contaminated sand, with the County Council arranging for disposal.

Were the County Council to further develop and extend its provision of sandbags, agreement will need to be reached with district councils regarding safe collection of the sand and the contaminated bagging material, as well an assessment of the resulting additional burden on the County Council arising from landfill disposal of the waste. This will vary significantly depending on levels of contamination. If relatively free of contamination, sand could be landfilled in County Council-owned facilities at a cost of around £125 per tonne. Heavily contaminated material will need to be routed to specialist sites, at a cost in the region of £250 per tonne.

Highways currently operate a collection system for recovery of materials, which could be followed in the case of materials not exposed to flood waters, and deemed recoverable and non-contaminated. The gang would select a status "TM left on site" which would then be picked up by business support to log as an enquiry. This would appear on the correct highways officer tablet for them to inspect and raise a follow up job for collection if the bags are no longer needed. As a matter of practicality, it would be more efficient if numerous local collection jobs could be grouped into one. An agreement would need to be reached all between Balfour Beatty and the district councils or the correctly licensed disposal points to remove the sand and materials as waste.

Discussions have taken place regarding overall incident management with partner organisations in the emergency flood cell, and with district council chief executives. At the date of this report final agreement has not been reached and accordingly recommendation 3 of this report seeks delegation of authority to conclude the necessary arrangements

The Lincolnshire Resilience Forum maintains links to external organisations that provide information and guidance on many additional forms of temporary flood resilience measures for homes. Where possible, partner organisations should seek to promote these links and empower communities to protect their own property throughout the year. It is proposed that this should form a distinct workstream, jointly to promote public awareness and take up of these measures.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.

- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

The implementation of additional sandbag provision will not result in adverse impacts on people with protected characteristics. It will take protected characteristics as a key element in prioritising deployment of protective measures.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

By reducing the consequences of flooding, the proposed approach project will have a positive impact on the health and wellbeing of individuals.

The impacts of flooding on health and wellbeing are well understood. Literature and new work carried out with Public Health England data sets by the Environment Agency proves that there are higher rates of anxiety, depression and post-traumatic stress disorder (PTSD) after a flood has occurred. The costs associated with these illnesses include the treatment costs and the loss of employment. Co-morbidity (suffering from more than one condition at the same time) and the proportion of those seeking treatment have also been taken into account in producing cost figures.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

Obligations and responsibilities under this act are not deemed applicable to this project.

3. Conclusion

That the approach set out in the report to enhancing the Council's existing discretionary provision of sandbags should be approved.

4. Legal Comments:

The Council has the power to make the sandbag provision proposed in the Report.

The decision is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

Funding for the proposed temporary flood resilience measures was approved as part of the Council's 2021/22 Revenue Budget by the transfer of funds from the Financial Volatility Reserve to the existing Flood and Water Risk Management Reserve.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The Public Protection and Communities Scrutiny Committee will be consulted on 16 March 2021, and their comments will be provided to the Executive.

d) Risks and Impact Analysis

Risk and Impact assessment is carried out within highways operational procedures, and can be found in the Highways and Flood Incident Response Plan, currently being updated in line with the proposed changes.

7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by David Hickman, who can be contacted on 07919 045257 or david.hickman@lincolnshire.gov.uk