

Suffolk Flood Risk Management Scrutiny Sub-Committee

10 June 2016

Investigations into the flooding of Kirkley Stream, Lowestoft, July 2015

Summary

1. The Flood and Water Management Act (2010) imparted significant roles and responsibilities on local authorities. Under the terms of the Act, County or Unitary authorities are classed as Lead Local Flood Authorities (LLFAs), and are required to investigate significant local flooding incidents, publish the results of such investigations and play a lead role in emergency planning and recovery after a flood event.

Objective of Scrutiny

2. The object of this scrutiny is to consider the County Council's role (as LLFA) in working with local communities and local flood risk management bodies in the investigation of a recent flooding incident, to identify areas of good practice and to make recommendations for areas where processes could potentially be improved.

Scrutiny Focus

3. The scope of this scrutiny has been developed to provide the Committee with information to come to a view on the following key questions:
 - a) How did the County Council, as LLFA respond to the flooding incident at Velda Close and Aldwyck Way, Lowestoft on 24 and 25 July 2015?
 - b) How did the County Council work with other local risk management authorities in response to the incident?
 - c) How did the County Council obtain feedback on its role as LLFA from other local risk management authorities and what has it learnt from this?
 - d) How did the County Council ensure that communities affected by the flooding were appropriately engaged and kept informed of the progress of investigations and remedial actions?
 - e) How did the County Council obtain feedback on the effectiveness of its engagement with the public and what has it learnt from this?

- f) What good practice has been identified, and what parts of the process could be changed when flooding events in other parts of the County are investigated in the future?
4. Having considered the information, the Committee may wish to:
- a) make recommendations to the Cabinet Member for Environment and Public Protection;
 - b) make recommendations to the Director of Resource Management.

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Background

5. Under the terms of the Flood and Water Management Act (2010), LLFAs, (county or unitary authorities), have responsibilities that include:
- a) A requirement to prepare and maintain a strategy for local flood risk management, working in partnership with other local bodies and communities through public consultation and scrutiny, and delivery planning;
 - b) A requirement to investigate significant local flooding incidents, and publish the results of such investigations; and
 - c) A requirement to play a lead role in emergency planning and recovery after a flood event
6. Other bodies with responsibility for local flood risk management include District Councils, Internal Drainage Boards, Environment Agency, Water and Sewerage Companies, and the Highway Authority (which in Suffolk is the County Council). All these risk management authorities have a duty to co-operate with each other and to share data.
7. Under Section 19 of the Flood and Water Management Act, a LLFA has a duty to investigate, to the extent that it considers necessary or appropriate, any flood incident, to help understand how it happened, and to determine which risk management authorities have relevant powers, and whether those authorities have exercised (or intend to exercise) their powers. The LLFA must also publish the results of the investigation. It does not however, have the power to require other risk management authorities to undertake remedial action.
8. The Suffolk Flood Risk Management Strategy defines the criteria that trigger an investigation into a flooding incident in Suffolk as follows:
- a) Where there was a risk to life as a result of flooding or where those affected are particularly vulnerable due to age or infirmity preventing easy relocation to safety;
 - b) Where internal flooding of one property (domestic or business) has been experienced on more than one occasion;
 - c) Where internal flooding of five properties has been experienced during one single flood incident;

- d) Where a major transport route was closed for more than 10 hours as a result of flooding;
 - e) Where critical infrastructure was affected by flooding (including care homes, hospitals, etc); and
 - f) Where there is ambiguity surrounding the source or responsibility of a flood incident.
9. Velda Close and Aldwyck Way, Lowestoft are situated in an area which is known to be vulnerable to flooding from the Kirkley Stream. This is shown on Environment Agency Flood Maps, and historically, the area is known to have been subject to floods. Some of the properties have had property level flood protection installed, including an audible early warning system, although none of these systems were effective in the event of the flooding incident in July 2015.
 10. On the night of 24 and 25 July 2015, rainfall of twice the July average (a 1 in 40 year event, equivalent to a 2.5% chance of happening in any given year) caused an exceedance of the capacity of the surface water drainage systems of both SCC Highways and Anglian Water, exacerbated by blockages in the Kirkley Stream caused by debris, excessive vegetation, fly tipped rubbish and illegally dumped garden waste. Some drain outfalls were also subsequently found to be situated at too low a level to drain properly into the stream.
 11. The result was that 33 properties were flooded internally to a depth of approximately 300-500mm and the public highway flooded to approximately 450mm over a length of about 50m. There was also further flooding of outbuildings and gardens. One home and numerous gardens were also flooded and contaminated with raw sewage further upstream in Carlton Colville. Although the subsequent Section 19 report did not include the flooding in this area, it was taken into account when remedial action was considered.
 12. The County Council, as Lead Local Flood Authority, investigated and produced a report in accordance with Section 19(2) of the Flood and Water Management Act (2010). Anglian Water, Suffolk County Council (as Highways Authority) and Waveney District Council were identified as relevant Risk Management Authorities with responsibility for Flood Risk Management.
 13. A number of recommendations were made, and implementation of these recommendations is now practically complete.
 14. The County Council organised public meetings to discuss the flooding on 31st July, 30th October 2015 and 1st April 2016.
 15. The Suffolk Flood Risk Management Partnership has subsequently produced information updates on progress in October 2015, December 2015 and January 2016 and these are included as Evidence Set 1.

Scrutiny Views

16. The Chairman of the Suffolk Flood Risk Management Scrutiny Sub-Committee attended the public meeting on 1st April 2016 and invited feedback from local residents on the way that the County Council responded to the flooding incident.
17. There have been three responses to this request for feedback. A resident asked why nothing was done to prevent the flooding, given that there were earlier, more minor floods into gardens and outbuildings. Questions were also

received relating to erosion of river banks and consequential build-up of silt in the river and about the removal of vegetation from parts of the river where clearance has not been identified as being necessary.

18. The Environment Strategy Team at SCC has responded to these comments directly.

Attendance

19. Invitations to attend this meeting have been extended to:

Matt Hullis, Head of Environment Strategy, SCC
Cllr Colin Law, Leader Waveney District Council
Anglian Water
The Environment Agency

Supporting information

Section 19 Report: <http://www.greensuffolk.org/assets/Greenest-County/Water--Coast/Suffolk-Flood-Partnership/Flood-Investigation-Reports/2015-11-23-S.19-Flood-Investigation-Report-Final.pdf> provided in Evidence Set 1

October 2015 Flood Report <http://www.greensuffolk.org/assets/Greenest-County/Water--Coast/Suffolk-Flood-Partnership/Flood-Investigation-Reports/2015-11-30-Kirkley-Stream-Flood-Report.pdf> provided in Evidence Set 1

December 2015 Flood Report: <http://www.greensuffolk.org/assets/Greenest-County/Water--Coast/Suffolk-Flood-Partnership/Flood-Investigation-Reports/2015-December-Kirkley-flood-update.pdf> provided in Evidence Set 1

January 2016 Flood Report: <http://www.greensuffolk.org/assets/Greenest-County/Water--Coast/Suffolk-Flood-Partnership/Flood-Investigation-Reports/January-2016-Kirkley-flood-update.pdf> provided in Evidence Set 1

Flood and Water Management Act 2010, Section 19:
<http://www.legislation.gov.uk/ukpga/2010/29/section/19>

Flood risk management: information for flood risk management authorities, asset owners and local authorities (DEFRA): <https://www.gov.uk/guidance/flood-risk-management-information-for-flood-risk-management-authorities-asset-owners-and-local-authorities>

Suffolk Flood Risk Management Strategy:
<http://www.greensuffolk.org/assets/Greenest-County/Water--Coast/Suffolk-Flood-Partnership/19431A-Flood-Risk-Management-Strategy-v12.pdf>

Glossary

LLFA - Lead Local Flood Authority