LOCAL FLOOD RISK MANAGEMENT STRATEGY 2022 – 2028

Appendix 2 Roles and responsibilities

Hull City Council

Flood.risk@hullcc.gov.uk

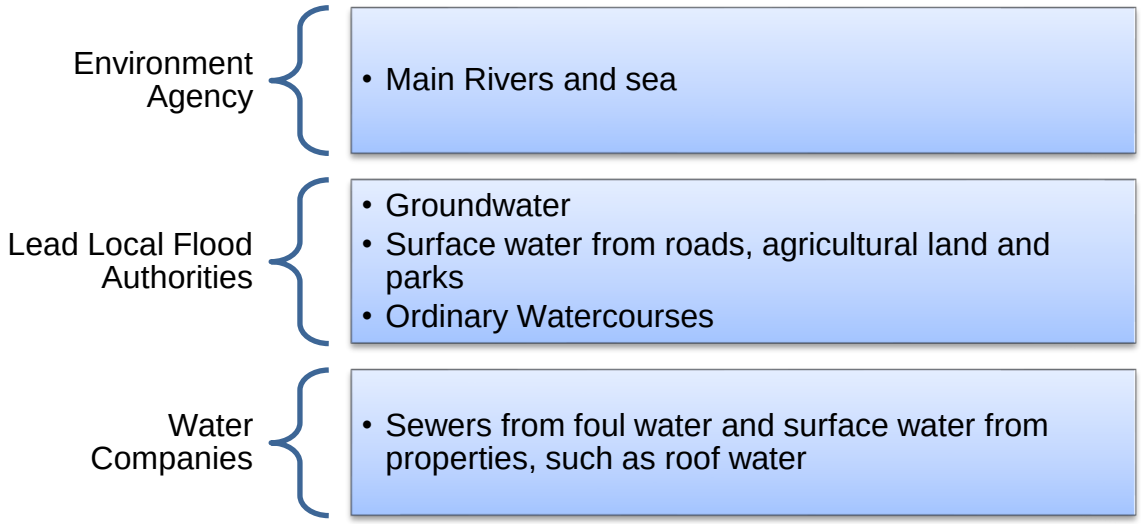
Contents

Overview

Flooding usually occurs as a result of inclement weather, such as storms, heavy or prolonged rain, or strong winds and low pressure at sea causing tidal surges. There is a legacy of towns and cities built around water and the impact of a changing climate. This is evidenced in rivers, drains and sewers that struggle to cope with increased pressures and demands.

There is no one authority which can resolve these issues as the challenge requires everyone to play a part in managing water, being resilient and adapting to climate challenges. There are various authorities who have a role in helping everyone to manage the risk of flooding. This can add complexities as water does not respect political or geographical boundaries and a “whose water is it?” attitude will hinder addressing problems.

Simply put, the following authorities work with different sources of water management:



The role of RMAs is to act within their powers to reasonably reduce the risk of flooding to their communities and to improve the quality of life for all. It is important to note that whilst legislation sets our roles and responsibilities of RMAs to reduce the *impact* of flooding, there is no legal obligation for any RMA to *prevent* flooding. Flooding is a natural hazard and so will happen naturally, but what we can do is work towards reducing the impacts flooding has on our communities, homes and businesses by working with the natural environment. RMAs should work in

partnership, be consistent with the national FCRM strategy, and share knowledge and information.

Risk management authorities in Kingston upon Hull

The roles and responsibilities for each of the RMAs operating in Hull are outlined below. The summaries are not exhaustive and only reflect relevance to Hull, so for a full breakdown, refer to the national FCRM strategy 2020 – Annex A.

Environment Agency

The Environment Agency (EA) is an executive non-departmental public body, overseen by the Department for Environment, Food & Rural Affairs (Defra). The EA works to create better places for people and wildlife and support sustainable development. An important part of this is flood risk management. The EA has strategic, regulatory and operational roles. The EA is the strategic risk management authority for all sources of flooding in England and aims to reduce the risk of flooding by:

- Managing flood risk from main rivers in Hull, including carrying out works to reduce flood risk (Water Resources Act 1991).
- Creating the national FCRM strategy for other RMAs to follow and use (Flood and Water Management Act 2010).
- Preparing preliminary flood risk assessments and flood risk management plans for flooding from main rivers, reservoirs, and the sea (Flood Risk Regulations 2009).
- Providing warnings and information about flood risk (Ministerial Direction to the National Rivers Authority, 1996).
- Regulating activities that may increase the risk of flooding from main rivers (Environmental Permitting Regulations (England and Wales) Regulations 2016).
- Carrying out flood surveys and flood mapping (Flood Risk Regulations 2009, Water Resources Act 1991).
- Reporting to the Minister on flood and coastal erosion risk and how the national and local strategies are being addressed by RMAs (Flood and Water Management Act 2010).
- Acting as the statutory consultee for planning authorities by giving advice on planning applications, local plans and environmental assessments regarding

flooding from main rivers and the sea (Town and Country Planning (Development Management Procedure) England Order 2015).

The EA also has operational roles for the management of flood risk from main rivers, the sea and reservoirs. These include:

- Where possible, constructing and delivering new flood alleviation schemes to better protect properties and businesses from local flood risk.
- Maintaining and operating EA Main River assets.
- Emergency planning, for example working collaboratively with the Met Office to provide weather forecasts and flood warnings.

Lead Local Flood Authority - Hull City Council

Hull City Council is the Lead Local Flood Authority for Kingston upon Hull and its responsibilities include:

- Developing, maintaining and implementing a strategy for local flood risk management related to surface runoff, groundwater and flooding from ordinary watercourses (Flood and Water Management Act 2010).
- Preparing preliminary flood risk assessments and flood risk management plans for local sources of surface water flooding, groundwater flooding and flooding from ordinary watercourses (Flood Risk Regulations 2009).
- Carrying out works to manage local flood risk from surface water and groundwater sources (Land Drainage Act 1991).
- Maintaining an asset register of flood defence infrastructure (Flood and Water Management Act 2010).
- Consenting structural changes on ordinary watercourses if they affect flow (Land Drainage Act 1991).
- Investigating flooding within the local area and producing a Section 19 report for significant flood events (Flood and Water Management Act 2010).
- Acting as statutory consultee for planning authorities and responding to the drainage design for major planning applications (Town and Country Planning (Development Management Procedure) England Order 2015).

- Developing minerals and waste plans that implement flood risk management policy.

District councils

District councils should work in partnership with the LLFA to maintain and deliver the aims and objectives of the local flood risk management strategy. There are no district councils in Kingston upon Hull - Hull City Council is the unitary authority.

Highway Authorities

Highway authorities are made up of county and unitary authorities, in Hull this is HCC, and National Highways. Both highway authorities are responsible for:

- providing and managing highway drainage and some roadside ditches
- ensuring that highway projects do not increase flood risk
- carrying out drainage works on highways or adjoining land (Highways Act 1980).

Internal drainage boards

Internal Drainage Boards (IDBs) are independent public bodies, which are made up of elected members who represent landowners / tenants, local authorities and other interested groups that operate in defined areas called drainage districts. IDBs are responsible for managing water levels in low-lying areas, which cover approximately 10% of England and often rely on pumping watercourses to manage flood risk. IDBs are responsible for:

- Carrying out works to manage flood risk from ordinary watercourses and the sea and to manage water levels within their drainage district (Land Drainage Act 1991).
- Consenting to appropriate structural changes on ordinary watercourses (Land Drainage Act 1991).

In addition to their roles in flood risk management, IDBs also have duties to create, conserve and manage the natural environment under the Land Drainage Act 1991, the Wildlife and Countryside Act 1981 and the Natural Habitats Regulations 1994.

Their main responsibilities include:

- Avoiding unnecessary or long-term damage to natural habitats.
- Enhancing the water environment where possible.

There are no IDBs operating within the boundaries of Kingston upon Hull, however IDBs do operate on watercourses that flow into and through Hull, so partnership working is important to address catchment scale flood risk. To the north of Kingston upon Hull, the Beverley and Holderness IDB manage watercourses and to the east of the city, the South Holderness IDB manage other watercourses.

Water and sewage Company – Yorkshire Water

Yorkshire Water are the operating water company in Kingston upon Hull and are responsible for managing flooding from water mains and sewer networks. Yorkshire Water are responsible for:

- supplying clean drinking water, disposing of wastewater, and providing public sewers.
- preparing and reviewing water resource management plans and drought plans (Water Industry Act 1991, Water Resources Act 1991).
- ensuring sewers effectively drain their local area. In Hull the sewers are combined wastewater and surface water. Yorkshire Water are responsible for the drainage of both once the surface water from properties roofs has entered the sewer system.

Yorkshire Water are regulated and funded by Ofwat, who are the Water Services Regulation Authority. Ofwat work on a five-year review period called Price Review (PR) periods. Water companies must produce an Asset Management Plan (AMP), which includes outcome delivery incentives (ODI) for sewer flooding, partnership working, sustainable drainage and resilience of services.

Emergency responders

As well as the roles and responsibilities listed above, some RMAs also have a statutory role in planning for emergencies in relation to floods and coastal change events. Duties of emergency responders include:

- assessing risk, planning for risk and warning the public about risks (Civil Contingencies Act 2004)

RMAs who have a role as an emergency responder are split into two categories:

Category 1:

- Environment Agency
- county councils
- unitary authorities
- district councils

In Hull the Category 1 emergency responders are the EA and HCC.

Category 2:

- water and sewerage companies
- National Highways
- Transport for London
- The Secretary of State for Transport

In Hull the Category 2 emergency responders are Yorkshire Water, Highways England and the Secretary of State for Transport.

All emergency responders form a local resilience forum. The emergency responders in Hull are part of the Humber Local Resilience Forum. Local resilience forums are responsible for planning and preparing for local and catastrophic emergencies. Local emergency services, including Humberside Fire and Rescue, are also category 1 responders. In the event of a significant flood, there would be a requirement for the fire service to attend to assist in the immediate phase of flooding.

Hull, June 2007 (photo credit: Humberside Fire and Rescue)

Over 1500 calls made to to Humberside Fire and Rescue in 12 hours on 25th June 2007

Boats were used to evacuate about 90 people from 1m of floodwater

Other organisations and people with statutory roles

In addition to the RMAs already mentioned, there are other organisations and people who have a statutory role in flood risk management in England. These include Regional Flood and Coastal Committees (RFCCs), riparian landowners, regulators and other government departments.

RFCCs were established by the EA in response to the Flood and Water Management Act 2010 to enable members appointed by government, the EA and LLFAs to work together effectively to manage regional and local flood risk. The role of RFCCs is to:

- oversee, approve and deliver regional and local flood risk management, including approving the EA's regional programme of FCRM works.
- determine how much local levy each local authority shall contribute.
- approve the expenditure of local levies and drainage charges.

Hull City Council is part of the Yorkshire RFCC.

Riparian land owners are landowners who have part of a watercourse that runs on, under or alongside their property. The riparian landowner is generally responsible for:

- making sure the stretch of watercourse on, under or alongside their property is free flowing and does not pose a flood risk at other points along the watercourse.
- reporting any blockages and take reasonable steps to ensure they do not cause any changes to the watercourse without seeking relevant approvals first.

Other organisations and people

As well as all of the organisations listed above that have statutory responsibilities to manage flood risk, there are also many more organisations and people that can contribute to reducing flood risk. These include:

- House builders and developers
- Insurers
- Flood Action Groups
- Homeowners
- Infrastructure providers
- Businesses
- National Flood Forum

The national FCRM strategy and the 25 Year Environment Plan both refer to the need to work with nature to achieve flood and climate resilience. There are a number of environmental organisations that also consider flood risk management either directly or indirectly, these include:

- Natural England
- English Heritage
- Yorkshire Wildlife Trust
- Forestry Commission
- Woodland Trust
- River Restoration Centre

Finally, research plays an important role in finding innovative new ways to respond to flood risk management and resilience. Some of these organisations include:

- National Flood Forum

- Centre for Ecology and Hydrology
- Flood Innovation Centre, University of Hull
- Energy and Environment Institute, University of Hull
- Environment Agency research

Partnerships

As well as all of the work HCC do to fulfil its role as lead local flood authority, flood officers also support many other partnerships. These include:

Living with Water

- A partnership between Hull City Council, East Riding of Yorkshire Council, Yorkshire Water, Environment Agency and University of Hull.
- Aims to build understanding across Hull and East Riding about the threats and opportunities water brings to the region, raise awareness of flooding, and invest in long-term sustainable water management.

East Yorkshire flood risk partnership

- A sub-group of the Yorkshire RFCC focused on flood risk management in Hull and East Yorkshire.
- Made up of officers and elected members from HCC and ERYC.
- The purpose of this partnership is to deliver the aims set out in each areas local flood risk management strategy.

Humber 2100+

- Focuses on reducing the risk of tidal flooding caused by rising sea levels to land around the Humber Estuary up to and beyond the year 2100.
- This partnership is made up of 12 local authorities, including Hull City Council, and the Environment Agency.
- The main aim of the partnership is to deliver sustainable growth today and for the next 100 years.

Hull and East Riding catchment partnership

- Hosted by Yorkshire Wildlife Trust and has 13 partner organisations, including Hull City Council.
- The partnership focuses on the management and enhancement of water bodies in Hull and East Riding of Yorkshire.

Humber nature partnership

- 1 of 48 local nature partnerships in England.
- Aims to work with partners to deliver sustainable management of the Humber Estuary European Marine Site.

Humber Archaeological Partnership (HAP)

- The HAP records and manages the Humber Historic Environment Record, which holds information on all known heritage assets and historic landscapes within Hull and East Riding of Yorkshire.
- The HAP provide advice on flood schemes within historic landscapes.

Humber Leadership Board

- A key priority is managing the Humber Estuary (also known as the energy estuary) as an economic and environmental asset.
- Aims to address the increasing risk of flooding caused by rising sea levels in the Humber.

Hull and East Yorkshire Local Enterprise Partnership (HEYLEP)

- HEYLEP covers the administrative boundaries of Kingston upon Hull and East Riding of Yorkshire. HEYLEP represents the local private sector and brings together the private sector with Government to promote economic development in the area.
- Flood risk management is a key driver in the region's economy and so investment in flood infrastructure by public and private organisations is recognised to be strategically important to the region's growth and economy.

Funding

The UK government has committed to spending £5.2 million on flood risk management between 2021 – 2027 in England. The main aim of a flood and coastal scheme is to reduce the risk of flooding to communities and businesses.
There are also economic, social and environmental benefits of investing in flood adaptation and resilience schemes. Partnership working is important in gaining additional funding and delivering projects that deliver multiple benefits.
There are two types of funding: capital investment, which pays for new schemes; and revenue, which pays for the cost of maintenance of existing flood risk assets.

PUBLIC FUNDING

Flood defence grant in aid (FDGiA)

- The main source of funding for flood risk management schemes, which is available to risk management authorities to bid for, is FDGiA and comes from central government.
- This funding is specifically allocated for flood and coastal erosion risk management schemes.
- FDGiA is distributed by the Environment Agency on behalf of Defra.
- RMAs must apply to the Environment Agency for the funding through a partnership funding approach.
- LLFAs can apply for funding to cover or contribute towards the cost of capital schemes for surface water, ordinary watercourses and groundwater flood risk management.
- To qualify for FDGiA, a project proposal must demonstrate that it is good value for money. For example, for every £1 spent on flood infrastructure protecting communities, £5 worth of damages must be avoided.
- This is described as a benefit cost ratio of 5:1. If a scheme cannot deliver this cost to benefit ratio then FDGiA will not fund 100% of the scheme.
- The way cost benefit ratio is calculated is based on 4 outcome measures (OM) defined by Defra:
    1. OM1: overall economic and people related benefits
    2. OM2: homes benefitting from reduced flood risk

3. OM3: homes better protected from coastal erosion
4. OM4: environmental improvements

Long term solutions for funding flood and coastal adaptation and resilience depend upon strong partnership working, sustainable projects which deliver multiple benefits and involve local communities in local decisions.

Environment Agency revenue funding

- The EA run a maintenance programme for the assets they are responsible for managing.
- The EA do not offer funding for the maintenance of assets that are managed by other RMAs, therefore the cost of maintaining existing or new assets needs to be met by the lead RMA.

Local Levy – Regional flood and coastal committee (Yorkshire RFCC)

- Local Levy can fund lots of different types of flood risk management projects.
- Local levy is not calculated based on the same outcome measures as FDGiA and so it can be used as an alternative funding source to FDGiA.
- Projects cannot be funded by both Local Levy and FDGiA.
- Local Levy is funded by contributions (an EA levy) from all LLFAs within a RFCC area.
- The amount of local levy contributions is decided and voted on each year by all members of a RFCC.

Local Authority funding

- Local Authorities allocate a sum of their budget to the LLFA functions to ensure that their statutory duties can be carried out. Since 2010, government provided an element of this funding, but this is not always guaranteed.
- Hull City Council allocate annual funds to cover the cost of the flood risk management team, maintenance work of HCC assets, and any consultancy work.
- Funding for the maintenance of HCCs flood risk management assets is allocated each year by the Council. There is also a flood reserve pot which could be used as a small contribution for schemes or for equipment such as

pumps. Other sources of local authority funding include: community infrastructure levy, Section 106 and ward budgets.

Levelling up fund

- The levelling up fund was announced in the UK government spending review 2020 and offers to support capital projects up to £20 million.
- The fund is available for projects that 'improve everyday life in the UK' through infrastructure that benefits town centres and high street regeneration, local transport projects, and cultural and heritage assets.
- The fund is jointly managed by HM Treasury (HMT), the Ministry of Housing, Communities and Local Government (MHCLG) and the Department for Transport (DfT) and only local authorities can bid for it.
- Capital schemes contribute towards the UK government's commitment to building back better and nature-based solutions, such as natural flood management (NFM), and contribute towards the governments wider environmental and carbon net zero targets.

OTHER SOURCES OF FUNDING

Water Company funding

Funding from water companies work on a 5-year investment cycle called asset management periods (AMP). The current cycle is AMP7 and runs from 2020 until 2025. A key part of AMP7 is to reduce the risk of sewer flooding. Flood resilience in Hull is one of the customer key priorities and so it is an important part of Yorkshire Water's business plan.

Yorkshire Water is funded by water rates paid by homeowners / tenants and business owners. Water rates are reviewed every 5 years and are regulated by OFWAT. The most recent price review was in 2019 (PR19).

Yorkshire Water continually invest in pipes and the sewer network in Hull to reduce the risk of sewer flooding, however it is important to note that the water companies are only permitted to invest their funding on sewer flooding caused by too much roof

water entering the sewers, not as a result of road water or land drainage. In Hull, all surface water run-off uses the sewer system to flow through the city before discharging to the Humber estuary; so, it is difficult to distinguish where water in the sewer system has come from. The FDGiA that Local Authorities can bid for cannot be used for addressing surface water flooding from roof water, therefore partnership working is a key part for managing local flood risk as each RMA has different funding streams and approval processes which are not aligned. Yorkshire Water works closely with other RMAs in Hull to reduce the risk of flooding, especially through the Living with Water partnership.

Other funding opportunities

The principle of partnership funding is to co-create flood schemes alongside other infrastructure or community requirements, which attract other investment and provide multiple benefits for an area, to improve the quality of the environment / place. As explained previously, there is no legal requirement for RMAs to construct flood infrastructure. The challenge of maintaining existing infrastructure is problematic and in addition, the changing climate puts significant pressure on the public purse; therefore, the expectation is that those benefiting from flood infrastructure should contribute. In the future there will be a greater expectation from insurers that people have taken resilience measures to protect their own homes.

Additional funding sources become available if the outcomes of a potential flood project include environmental improvements, such as new habitats to promote biodiversity. Other nationwide projects, such as the Northern Forest, also provide a potential funding opportunity for planting trees to reduce flood risk.