

APPENDIX 9

Reports and Studies on the December 2015 floods that were published during 2016

The Inquiry Panel have seen copies of the following studies and report (including the recommendations therein). The following reports and studies relate to the national impact of the events but many dealt with matters that were relevant to the review of the flooding in York in 2015. Organisations, agencies and in particular flood victims (especially business owners) who gave evidence to the Panel shared some of the concerns that were highlighted in the national reports. Whilst only some of the recommendations in these reports have specific relevance to the issues facing York, many touched on the government's response and responsibilities to Flood Risk management nationally. As such, the report of the Panel considered those recommendations that had a relevance to the City of York and where appropriate we have incorporated these recommendations into the main body of the report. We also reproduce below selected strategic recommendations from these reports that were relevant to our findings.

List of Reports published in 2016 relating to the Floods of Dec 2016

National Flood Resilience Review –

Policy paper Cabinet Office and 1 others

Updated: 8 September 2016

Improving property level flood resilience: Bonfield 2016 action plan.

Independent report

Department for Environment, Food & Rural Affairs

Updated: 8 September 2016

The Environment, Food and Rural Affairs Committee Future flood prevention Second Report of Session 2016–17

Published on 2 November 2016

Trialling catchment scale management endorsed by the York Flood Inquiry Panel as a strategic recommendation

Managing water flows from the top to bottom of river catchments helps to reduce flood risk, in many cases more cost-effectively than simply building flood defences in cities, towns and villages. Early results of trials are encouraging for smaller river catchments: there is sufficient evidence to roll-out 'catchment scale' approaches for a far greater number of small river basins. Agencies need

more evidence, however, on how effective these measures might be at a larger scale. *Agencies need more evidence, however, on how effective these measures might be at a larger scale. The Environment Agency must work with academics and with other flood risk management bodies including Internal Drainage Boards and local catchment partnerships to fill this evidence gap: we recommend that Defra commission by July 2017 a trial on a large catchment of 100–200 km². Defra should also set out clearly the auxiliary benefits it requires when adopting catchment approaches.*

Storing water and land management endorsed by the York Flood Inquiry Panel as a strategic recommendation

Storing water on farmland can provide a cost-effective means of reducing flood risk, but farmers are naturally wary of allowing their land to be out of production for long periods. *Defra should put flood risk management at the centre of any new support schemes for farmers which replace the Common Agricultural Policy (CAP) framework. The Department must consult by July 2017 on an incentive scheme to pay farmers to allow short-term or long-term storage of flood water on appropriate land. As a precursor to this, the National Farmers' Union should work with farmers to develop by the end of 2016 a detailed model for calculating the value to communities of land management that reduces flood risk. This model must demonstrate how storage methods can be used which have a low impact on farm productivity*

As part of work to develop farming policies outside the European Union, Defra must link support to sustainable land management practices, including in regard to flood management.

Sustainable drainage systems - endorsed by the York Flood Inquiry Panel as a strategic recommendation

All flood risk management bodies must understand better the contribution that sustainable drainage systems (SUDs) and green infrastructure such as ponds and swales can make to protecting communities from flooding. *We recommend that, in its response to this report, Defra set out how the Government's review of sustainable drainage regulations will ensure that SUDs are deployed to maximum effect in all new English developments. We make recommendations below on changes which would enable water and sewerage companies to take a wider role in local drainage, including responsibility for adopting SUDs: the Government's review should assess how this might incentivise the more effective use of sustainable drainage. The review must also set out, if measures in the Flood and Water Management Act 2010 on SUDs are not to be commenced, what alternative measures at least equal in strength will be adopted.*

Maintenance and dredging endorsed by the York Flood Inquiry Panel as a strategic recommendation

The Environment Agency, Internal Drainage Boards and local authorities must ensure that their operational plans include adequate provision for river channel maintenance. Plans must also evaluate where dredging can provide an effective solution in reducing flood risk, taking account of impacts both near to the dredged site and downstream. The Environment Agency must by July 2017 streamline its permit system to allow those who need to dredge to gain the appropriate permissions quickly without requiring multiple applications. (Paragraph 34)

Flood warnings endorsed by the York Flood Inquiry Panel as a strategic recommendation

The Environment Agency and the Met Office are working effectively to improve flood warning systems, including developing innovative ways of using real-time data in some places. However data sets need to be improved and new systems need to be used in catchments across the country. *We recommend that the Environment Agency report by July 2017 on how it can work with the Met Office to collect more detailed real-time data on rainfall and river levels. We further recommend that*

systems such as those being developed in Somerset to feed real-time data into live flood forecast warnings are deployed across England at the earliest opportunity.

Public understanding of flood risk - endorsed by the York Flood Inquiry Panel as a strategic recommendation

Flood risk agencies must find clearer ways of explaining flood risk, to spur both householders and businesses to prepare effectively for floods and to inform public views on national and local flood risk strategies. *We recommend that the Met office and the Environment Agency set out by the end of 2016 a simpler system for explaining flood risk. The EA should also publish maps which include not only whether a place is at risk of flooding but also the likely depth of flood water and duration. These maps should show risk from all types of flooding and be available at one website address.*

Integrating flood management and spatial planning endorsed by the York Flood Inquiry Panel as a strategic recommendation

Home buyers and the wider community must be assured that new development does not increase flood risk, either at the development site or further afield. Statistics show that planning decisions for developments in high flood risk areas are overwhelmingly being made in line with Environment Agency advice. However, there are exceptions. *We recommend that from 2017 each local planning authority publish an annual summary of planning decisions taken against Environment Agency advice and the action it has taken to monitor flood risk impacts of all developments.*

We are concerned that, where flooding linked to new building occurs, those affected find it difficult to seek redress from developers. We recommend that the Government impose by the end of 2017 a statutory liability on developers to meet the costs of flooding where their development fails to comply with planning requirements and increases flood risk, whether to a property sited on the new development or further afield. The Government's commitment to build more affordable homes should not be achieved at the expense of flood resilience of new residential properties. Regulations must provide for developers to avoid such liability where they comply with planning conditions: local planning authorities should be required to issue as part of planning processes a drainage certificate to confirm compliance.

To facilitate this, we recommend that bodies with a responsibility for managing the effects of developments on surface water flows, including water and sewerage companies, become statutory consultees for planning applications.

Building regulations endorsed by the York Flood Inquiry Panel as a strategic recommendation

We support voluntary approaches which will improve the use of flood resilience measures in new buildings and a new code should be finalised as soon as possible. *Should a voluntary code not be agreed with key stakeholders by the end of 2016, then the Government must amend building regulations by the end of 2017 to require such measures to be used in all newly built properties.*

Flooding insurance endorsed by the York Flood Inquiry Panel as a strategic recommendation

Flood Re appears to be allowing many households previously unable to do so to obtain affordable flood insurance cover. However the scheme is intended to provide a transition to an open market in insurance provision: it is therefore vital that Flood Re and insurance companies provide policy holders in flood risk areas with easily understandable information about the subsidy they are receiving so that they fully understand the need to improve their property's resilience. *We recommend that Defra report by January 2017 on how clearer information can be provided to policy holders on the subsidy provided by Flood Re.*

In addition, flood insurance policy terms should allow for 'building back better' so that repairs to a flooded property can proactively deploy the full range of resilient materials and products. *The*

Government should also review with the insurance industry how policy terms might incentivise the use of flood resilience measures by householders and businesses and report on this by January 2017.

Business insurance endorsed by the York Flood Inquiry Panel as a strategic recommendation

Some flood-hit businesses are understandably concerned that they may find it hard to obtain appropriate flood insurance in future. We welcome the insurance industry's progress in developing commercial solutions for many such businesses. However the market may not be able to provide affordable cover for all businesses, particularly small businesses. *We recommend that the Government develops by the end of 2017 a grant scheme to support small businesses to undertake resilience measures. This scheme should be reviewed by the end of 2019 to assess whether there is need for further direct support for small businesses in the form of a Government-backed insurance scheme.*

Emergency response - endorsed by the York Flood Inquiry Panel as a strategic recommendation

Firefighters provided a vital and much valued first-line service to flooded communities in recent flood events. While we welcome the September National Flood Resilience Review commitment to increase funding to maintain equipment, we are concerned that continued pressure on resources could jeopardise the Fire and Rescue Service's ability to deliver a high standard of service in future. *We recommend that the Government places a statutory duty on the Fire and Rescue Service in England and Wales to provide an emergency response to flood events and commits the necessary additional funding and staff resources to support delivery of this responsibility. The Government must consult by the end of 2016 on methods of imposing and funding this duty.*

Government views endorsed by the York Flood Inquiry Panel as a strategic recommendation

We welcome the Government's commitment in the National Flood Resilience Review to implement improvements to flood risk management in a number of distinct areas such as the deployment of temporary barriers and the communication of risk. However, work on these separate strands will, on its own, be insufficient to deliver a holistic approach to flood prevention. It is vital that the Government continues to join-up action across departments and that ministerial changes do not interrupt momentum. *We recommend that Defra and the Cabinet Office set out in the response to this report how the Departments will coordinate joined-up flood management across Whitehall.*

More fundamentally, ministers must take a fresh look at the governance and delivery of flood risk management and develop plans for a robust, long-term approach. Despite Government assurances as to the adequacy of its policies, we consider national flood management to be fragmented, inefficient and ineffective in meeting the level of threat that flood risk poses to communities across England. With climate change increasing the likelihood of more frequent, more severe flood events it is imperative that the Government undertakes a root and branch review of national and local flood risk management. We make suggestions below on potential new approaches: there are many examples of good practice and plentiful instances of good will in partnerships across England to build on.

Proposed new Flood Risk Management governance model endorsed by the York Flood Inquiry Panel as a strategic recommendation

We (The EFRA committee) recommend that Defra consult by 2017 on new governance arrangements and changes to delivery body roles to allow the development of coherent, long-term flood risk management plans which can better meet the increasing challenge of protecting communities from flooding. Key objectives in this consultation must be to develop outcomes that: ensure long-term plans are developed with adequate funding for delivery;

- *Increase impartiality, transparency and accountability in planning and delivery of national and local flood risk management;*
- *Streamline delivery by removing the need to co-ordinate a plethora of flood risk management bodies, whilst enabling bodies such as internal drainage boards and water companies to deliver their unique roles more effectively;*
- *Integrate spatial planning and flood risk planning to develop flood resilient communities;*
- *Tackle inefficiencies in environment agency and other flood risk management delivery bodies.*
- *Defra must set out in its response to this report its views on our proposed new model, including the key elements of establishing: a new national floods commissioner for England; supported by regional flood and coastal boards;*
- *A new national English rivers and coastal authority; and*
- *Water and drainage companies with local drainage remits.*