



# Environment, Food and Rural Affairs Committee

## Oral evidence: Flooding, HC 170

Tuesday 1 September 2020

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Members present: Neil Parish (Chair); Ian Byrne; Geraint Davies; Dr Neil Hudson; Robbie Moore; Mrs Sheryll Murray.

Questions 55 - 104

### Witnesses

**I:** Councillor David Renard, Chair, Environment, Economy, Housing and Transport Board, Local Government Association; and Innes Thomson, Chief Executive, Association of Drainage Authorities.

**II:** Andy Bord, Chief Executive, Flood Re; Paul Cobbing, Chief Executive, National Flood Forum; and Dr Hugh Ellis, Policy Director, Town and Country Planning Association.

Written evidence from witnesses:

- [Association of Drainage Authorities](#)
- [National Flood Forum](#)



## Examination of Witnesses

Witnesses: Councillor David Renard and Innes Thomson.

Q55 **Chair:** Welcome to the Environment, Food and Rural Affairs Select Committee this afternoon. We are again looking into flooding and flood management. Our first panel this afternoon is Councillor David Renard and Innes Thomson from the Association of Drainage Authorities. Would you like to introduce yourselves? Then we will get started straightaway.

**Cllr Renard:** I am Councillor David Renard and I am the Local Government Association spokesman for matters of the environment.

**Innes Thomson:** Good afternoon. It is Innes Thomson here from ADA, the Association of Drainage Authorities. I am the chief executive. My background is in civil engineering and water management.

Q56 **Chair:** Thank you both. I am going to get stuck into the first question. It has been 10 years since the Flood and Water Management Act sought to rationalise flood management roles. Is it now clear who is responsible and accountable for flood risk decisions? Councillor Renard, we have heard that local authorities are already stretched in delivering their responsibilities on flooding. Will they be able to manage as severe flooding becomes more frequent?

**Cllr Renard:** As the Committee is aware, councils have part of the responsibility for flooding issues, along with the Environment Agency and utility companies. As a general rule, we all work very well together, but local government finance is obviously a big topic at the moment and councils are concerned that they will not have enough resources to play their part in effective flood management.

We know that the grants Defra currently makes to local authorities are due to run out at the end of this financial year. The original plan was that the devolution of business rates would fill the gap for local authorities in funding flood alleviation and flood management issues. Of course, the devolution of business rates does not appear to be going ahead, so local government has a real concern about how it can adequately fund its part of the response to flooding issues going forward.

Q57 **Chair:** We will take that very much on board this afternoon and make sure that we ask the Secretary of State questions on how exactly that funding will happen, because everything has rather been knocked off course due to Covid and other issues. We need to make sure that funding is available to local authorities, so we will take that on board.

With local authorities, we want a catchment area basis for flooding. In some areas, especially where they have districts and counties, the catchment area does not match up with the local authority area. Have you been able to circumvent that and join people up? How has that worked?



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**Cllr Renard:** Councils are not reporting to us any particular problems in that regard, but co-terminosity of services across local government is an issue that generally needs to be addressed. A lot of the responses tend to be based on local relationships, and those relationships tend to be very good, so there are opportunities for improving how things are managed. Co-terminosity of organisations would be very helpful.

Q58 **Chair:** Local authorities, as well as the Environment Agency, are very important in getting the message out to help with flooding. Then you have the communities that work well together, so are you relatively relaxed that the system is now working reasonably well vis-à-vis local authorities getting the message out to the local community?

**Cllr Renard:** Local authorities are very good at responding to their local communities, but there are some governance issues that could be improved. We work as closely as we can with national Government, but we are very keen to establish a national framework, not only for tackling the climate emergency but as part of the national flooding and coastal erosion strategy. We would welcome a very clear articulation of both the national role and the local roles together, with a commitment for everybody to co-operate with local public sector bodies.

Q59 **Chair:** Innes, what do you see as the role for internal drainage boards as we move towards more integrated water and land management?

**Innes Thomson:** For those of you who might not be familiar with internal drainage boards—unfortunately, a lot of people are not yet familiar enough with them—there are many local authorities. Yes, they only operate within about 10% of the land area of England, but that covers about 1.2 million hectares. Drainage boards look after about 22,000 kilometres of rivers, water courses and drainage ditches.

For IDBs, we are interested in looking at the pressure upon others to deliver against the criteria set for them, for example the Environment Agency or a local authority that does not have quite enough resource to look at issues of drainage and water management. A drainage board—if they have one in their area—may be able to assist with that. We are very keen to look at the possibility for internal drainage boards to spread their wings more usefully for local communities. We absolutely embrace the concept of a catchment-based approach, and the drainage boards have a key role to play in that, predominantly in the lower reaches of those catchments, but they are wedded to understanding how the whole catchment operates from source to sea.

Q60 **Chair:** Thank you for that answer, Innes. You know very well that I watch what happens in Somerset, with the internal drainage boards there, and also the funding of the scheme. Where are we on that Somerset scheme? Is it properly funded? Is it working well? What is your considered opinion?

**Innes Thomson:** There is a really interesting link to a previous question that you put to David Renard: are catchments linked to administrative



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boundaries? Somerset is one of the luckier counties, in that it is pretty close to having its catchment boundary linked to its legislative boundaries, with a very small exception of some water flowing south to the English Channel. There is merit in looking at that aspect of it.

Secondly, Somerset has shown that all the relevant local parties can work together in a local group and can come together, each with their legislative responsibilities. Providing you have the right people with a willingness to work together around the same table, that can be very fruitful and can take a very good and wide look at all the elements involved in water management.

**Q61 Chair:** Innes, you know very well that I am a great supporter of internal drainage boards. The Environment Agency talks much about handing over powers and allowing you, as internal drainage boards, to do more work in your areas. Is it happening? When I go about the country, I find that in some places it is and in some places it is not. It seems to be down to local management a little bit. Does the picture need to be more national? How do you see it?

**Innes Thomson:** We see it very much like that, but it all boils down to working relationships, trust, co-operation and understanding. We believe that flood risk management needs more local choices and more local engagement in catchment-based approaches. IDBs will certainly have a more significant role to play in that. We are working very closely with the Environment Agency. We have operated a few pilot systems where the Environment Agency has demained certain lengths of river, passing the management of those stretches of river to internal drainage boards.

We need to cut through the red tape. It was quite an onerous process, and if we can streamline and simplify the process for doing that—and engage with local authorities and local communities, of course, because they are a fundamental part in that—there could be some major successes in the future.

**Q62 Chair:** You still need some red tape to be cut up to get the system working more quickly. We are taking too long in getting these schemes, delisting drainage areas and demaining, so you can operate. It is all taking too long. Am I putting too many words into your mouth?

**Innes Thomson:** There is another aspect of this where we have come into a rather clunky part of the system, which was through the transfer of assets when you, for example, do demain. There was a particularly complex system where one section of the public realm was, through a very complicated and commercially evaluated process, passing an asset to another public body. There are examples in the United Kingdom where councils can be passed highways agency assets at effectively zero value, basically at the signature of a pen. We need to look to streamline that process across all our public bodies.

**Chair:** That is a good bit of evidence. Thank you.



Q63 **Robbie Moore:** Mr Thomson and Councillor Renard, you kindly both fed into the Environment Agency's new strategy. What were your key messages when feeding into that strategy, and are they reflected in the finished product?

**Innes Thomson:** We were most appreciative of being asked to contribute to the preparation of the updated flood and coastal erosion risk management strategy, and we were very much a part of that process. Through the process, as it was developing, we had a concern that the Government may not be, or might not have been, bold enough to take on board some of the comments and suggestions from all of us that were preparing that strategy. I am very pleased to say that, today, we have been emboldened by the embracing of that strategy by Government through their policy. The devil will always be in the detail, and we will all be judged by what is ultimately delivered on the ground. We have the right words. It is now incumbent on all of us within the industry to club together, to make sure that is now delivered.

**Cllr Renard:** I agree with what Mr Thomson has just said. The Government have responded well to local government calls, but there are still some things that we would like to see addressed as we move forward. I talked earlier about the national framework, in terms of ensuring local and national responsibilities, with clearly defined roles.

Resourcing is an issue. As Mr Thomson was just saying about IDBs, we need to be mindful that, where councils are required to contribute, that then becomes the first call on any council tax increases. That means that, if there are large demands on those local authorities, they need to make cuts in other services, because that funding is part of the local referendum council tax threshold.

We would like to see improvements to the Bellwin scheme for emergency flood relief so that councils can access bigger grants more easily and more quickly, because clean-up costs are often not covered as part of that scheme. We are looking for a more flexible funding model of flood prevention. There is not enough incentivisation for private companies, particularly utilities, to make those investments in the local area. We would like to see some tax breaks for utility companies that are investing in flood prevention and flood alleviation.

The Land Drainage Act is an issue. We would like to see that amended to allow for more locally set fees for flood defence consenting. At the moment there is a maximum allowed of £50, but local government believes that the typical cost of processing a land drainage consent is around £250. Overall, it is very positive, but there are still some things we would like to see amended.

Q64 **Robbie Moore:** Do you think the Government should have pursued a national standard for flood resilience, as recommended by the National Infrastructure Commission, or do you think the Government were right not to include that?



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**Cllr Renard:** From local government's perspective, we would always rather have the flexibility of local responses. Councils know what is best for their local communities and best for them on the ground, so having the flexibility of a local response is helpful.

**Innes Thomson:** From ADA's point of view, we are generally supportive of the National Infrastructure Commission's recommendation of a 0.5% annual possibility as the standard of resilience generally, and a 0.1% standard of resilience for more densely populated areas. We broadly support the National Infrastructure Commission's recommendation.

Q65 **Chair:** Before we leave this question, what I would like to ask is slightly controversial. In Somerset, again, you have this levy now to pay for the drainage, or we are getting there. I quite like this as a national idea, where local people pay for local drainage. There is also more local control. How do you both view that?

**Cllr Renard:** From the LGA's point of view, as long as it is not impinging on local councils' other financial commitments, we would welcome that flexibility. As I touched on in some of my previous comments, we are concerned that, particularly in areas of high flood risk, resources are being diverted into flood management, rightly, but that does mean they are being diverted from other priorities of the local authorities.

**Innes Thomson:** Having seen the operation of the Somerset Rivers Authority for some years now, it sort of sits between a formalised authority and something that is a bit more informal. It has the advantage of having a ring-fenced amount of money that is raised, from what I can see, as a general support from the local people within Somerset, and it can allocate that money to matters of flood and water management.

We need to be careful not to add to administrative burdens by having a formal system that requires a complete management process. On the other hand, we need to respect the structures already in place, with the local authorities, the Environment Agency and the internal drainage boards working together as a local partnership, while having support from the ability to raise a local precept, as in Somerset, where the local population is clearly supportive, from what I can gather, of that money being spent in the way it is, with a ring fence around it.

Q66 **Dr Hudson:** Thank you to David and Innes for being before us today. I want to take you back to this winter, to see if we can get some feedback and comments on our experiences with the winter flooding. I represent Penrith and The Border, up in Cumbria. As you know, sadly, Cumbria was hit hard again, so it is an area of strong interest for my constituents. Looking at what happened, did you see any problems emerge during the winter floods with how the Government provide financial assistance, both to individuals and to responders? If so, what were they?

**Cllr Renard:** Local authorities have generally responded very well. One of our key concerns, though, is that areas such as the one you represent



have seen repeated flooding, and measures that have been put in place in the past have not been sufficient to stop a recurrence of flooding. We are particularly concerned about the mental health impact that is having on your residents. I can only begin to imagine how devastating it is to be flooded once, but to have it multiple times must be very difficult indeed. I would ask that the Government have a look at supporting people with mental health needs. Councils are very resilient and show good community leadership, and securing accommodation for rough sleepers is also a key role that they carry out. That is probably all I have to say on that one.

**Q67 Dr Hudson:** Thank you for bringing out the importance of mental health. That was brought up in one of our previous panels. As you say, we should not underestimate the importance of mental health issues with regard to flooding, in terms of the anxiety but also the trauma. Something could come from our findings and recommendations for adequately funding that.

David, you mentioned that the Bellwin scheme was activated during this winter's crisis. Can you give us any feedback? You said earlier that you would like to see it expanded. Was it effective this time around?

**Cllr Renard:** It was up to a point. There is clearly an issue around councils being fully funded for clean-up costs and other associated costs. Councils support the Bellwin scheme and welcome it broadly, but there needs to be a bit more flexibility in ensuring that councils are fully compensated for the expense they have to take in each individual situation.

**Innes Thomson:** Obviously, I have a lot of sympathy and thought for people in your particular constituency and the problems they have experienced with the intense rainfall and the issues that causes. Even though we do not have any IDBs up in that particular area of the world, we are in contact with some of the local community groups in your area. Understanding the aftermath of these events is really, really critical. I am glad you have raised the issues with David Renard about mental health and the traumatic aftermath of flood events.

I will divide my answer into two distinct components. We are really, really good here in the United Kingdom, whether it is Wales, Scotland, England or Northern Ireland, in responding to incidents. I would almost go as far as saying that we are world leaders in incident response. Where we could do better is in the recovery process. We saw after the winter floods too long a period where water was standing in places and we simply could not get it away quickly enough to get people back to their normal lives.

The one thing I might comment on is that, when an incident is declared, an emergency process through the local resilience forum kicks in, and it is very, very effective, but a commanding officer of that local resilience forum will close down the emergency or the incident response procedure, and hand it across to what they call a recovery procedure. We have



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noticed on one or two occasions during winter that that happened after perhaps two or three days. When it was clear there was no significant risk to life, the commander, quite rightly, using the rules they had in front of them, took it to recovery mode.

There are then certain aspects, such as the fire service, that you can no longer call on: for example, some of the equipment and pumps, and the services they may be able to provide during an incident to help reduce the water levels in places. That was seen as something that we perhaps need to look at.

We also mentioned the funding and Bellwin. From an IDB perspective, internal drainage boards can fall between funding arrangements. If Bellwin is mobilised, drainage boards have a mechanism through their local authority to try to recuperate some of the emergency costs, but we saw several situations this winter where one or two drainage boards were operating in areas where Bellwin was not activated. Those drainage boards suffered significant financial costs as a result, but the overall cost of the emergency was not significant enough to trigger the Bellwin scheme for the local authority involved.

**Q68 Dr Hudson:** Both those answers are very helpful for us. Innes, you have touched on some of the issues I wanted to draw out in my follow-up question. As you have touched on, there are many players involved in the response from central Government, local government, volunteer groups and emergency services. You have touched on some issues that could be improved in terms of decision-making or when things are handed over. Did the recent floods reveal any other problems with how the responders worked with Government, but also with how these players worked with each other? You have touched on some, but were there any other problems that you could highlight to the Committee now?

**Innes Thomson:** Another thing to draw to your attention is a system known as S19 reporting, where a report gets brought together in the aftermath of an event. Quite often recommendations come out of that report. There are two things I would like to stress here. This is the experience that I have seen over time, and I have been directly engaged in the past with some S19 reports. Quite often, politics still comes to bear, perhaps rather too much, in the preparation of an S19 report. When I say politics, I mean local politics, in terms of what is written or not written in those S19 reports.

Secondly, if there are recommendations coming out of these reports, how do those recommendations get implemented? What are the requirements of authorities to then implement those recommendations? Of course, the age-old question is where the financing comes from for the implementation of those recommendations when they have been made.

**Q69 Dr Hudson:** That is really helpful. There are some interesting points for us to take away as a Committee on lessons learned and the memory that we have to try to prevent things happening in local areas in the future.



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David, are there any other problems that you would like to highlight?

**Chair:** I am sorry to interrupt. David, how easy has it been for the local authorities to administer the resilience grant scheme? Perhaps you could incorporate that into your answer.

**Cllr Renard:** There has been a lack of consistency. For example, if we take the aftermath of Storm Eva, Government put in place a recovery scheme for households and businesses, which provided £500 for every flooded household and £2,500 for every flooded business. Those affected by Storm Ciara were not responded to in the same way, so we need some consistency around that sort of support.

We are also aware of concerns from local government about the eligibility for grant funding. At this precise moment we do not have detailed feedback on that, but we are happy to follow up to the Committee with that information when we have it. We will have to do the same on your question, Chair. I do not have that information to hand at the moment.

**Chair:** If we could have those answers in writing, that would be good.

**Cllr Renard:** I have written to you twice this year already, and I am happy to follow up with another.

**Chair:** I look forward to your correspondence.

Q70 **Mrs Murray:** Can I turn to capital investment and changes to the formula? The Government have announced a doubling of their capital investment in flood defence from 2021 and changes to the formula for allocating it. How far does this go towards addressing the need of those involved in flood risk management on the ground?

**Cllr Renard:** As I said in one of my earlier answers, local government is very concerned about funding for a whole variety of reasons. The short answer is that we are very concerned, but we need some clarity from Government around how they are going to fund these schemes.

Q71 **Mrs Murray:** If you are asking for clarity, could you be a little more specific about your concerns?

**Cllr Renard:** I referred earlier to the Defra funding that local authorities receive at the moment. There is no clarity around how that is going to be paid for, now that the devolution of business rates is apparently not happening. Then there is the first call by IDBs on local authorities for funding and the impact that has on local authorities. As we know, because of Covid, local authorities are now facing a gap in the order of £6.2 billion. Funding for local authorities generally is a key issue, and that potentially has significant knock-on to what we are talking about today in terms of flood management.

Q72 **Mrs Murray:** Are you referring to the six-year programme with the £2.6 billion commitment between 2015 and 2021? The March Budget announced that the next six-year period would see funding double to £5.2 billion. Are you saying it is not clear how that money is going to be



distributed at the moment?

**Cllr Renard:** It is not clear at the moment. A lot of it will probably go to the Environment Agency and other bodies, but in terms of local authority contributions we are severely concerned about how that is going to work.

Q73 **Mrs Murray:** Innes, could you reflect on that as well? It is a doubling of capital investment. Do the drainage boards share the concerns of the local authorities?

**Innes Thomson:** If I may respond in overall terms to start with, we warmly welcome the doubling of the investment pledge by this present Government. It is really important that that pledge sticks. One of the challenges we are facing as a country is that we have just delivered, properly and rightly, the target of 300,000 properties better protected over the past spending review period, but we are effectively going to need to double the amount of money that is spent in the next six-year period. There will be more complex projects that will require much more money. We have had the low-hanging fruit, as the executive director of the Environment Agency, John Curtin, said. We now have the more difficult projects that we need to aim for.

The call from internal drainage boards is to all other partners. We triangulate with this call, so it is not a one-way call. It is about everyone working together. One of the key bits of Achilles heel in all this will be resources. It will be about local authorities, whether they are internal drainage boards, local authorities or the Environment Agency, being the intelligent client and having enough skill and knowledge to govern and manage private-sector assistance to deliver these projects. Local government must be an intelligent client so it can control and manage the money in a proper way. That partnership needs to be really, really well established, but we must gear up our local authorities, our drainage boards and, to a certain extent, the Environment Agency to be able to deliver that programme effectively in the next six years.

Q74 **Chair:** Talking to the private sector, it would like to see much greater tax relief. If you look at a lot of schemes, not much of what I call proper private-sector money actually goes in. It is very often arms-length public bodies of one sort or another that get the money together. I do not know whether you have any quick answers. "Yes, if we can get the Treasury to agree to it"—it is probably that, I imagine.

**Cllr Renard:** Yes, from my point of view, or the LGA's point of view, we need to have a tax break system for private companies. We need to incentivise them to make the investments. They obviously have long-term planning and investment programmes, and we need to get them to build that in. The short answer is yes, please.

**Chair:** Innes, you probably share that view.

**Innes Thomson:** Another point I would like to raise is that partnership funding is, in principle, a very good place for us to be. One of the issues



is that public-sector finances and private-sector finances operate in entirely different ways at the moment. If you are a private company, you will typically be forecasting your bottom-line profit in two to three years' time for spending or investing in a particular project, whereas to date the Government's spending plans have been on a yearly basis, with little ability to take a forward look and then commit to which year that money gets spent in.

Things are improving all the time, but Treasury has a role to play here in allowing longer-term spending plans, removing some of the annual stop-start processes that we get and allowing Government bodies such as the Environment Agency to literally manage their budgets over a longer period. The internal drainage boards already do. They take longer. They are able to roll their finances over several years, and they welcome the ability to plan two or three years forward, in terms of labour, plant and materials for what they are doing. We need to see that more generally applied across the UK.

**Q75 Geraint Davies:** David, given there is an increasing risk from climate change, pressure on councils—you have mentioned the business rates—and pressure for economic development as we emerge out of Covid, do you feel you have the right resources, competences, expertise and incentive structure for planning applications? I am really asking whether you have the in-house expertise to manage these flood risk issues when there is pressure on you to deliver economic outputs at the same time.

**Cllr Renard:** That is a very good question. There has been a long-term campaign on behalf of the LGA to get planning departments funded on a more sustainable basis. The LGA has called for some time for planning fees to be able to be set locally, so that planning departments can recoup the actual cost of dealing with planning applications, and thereby employ more planning officers to deal with these issues. Our planning officers are very good at dealing with other organisations. The Environment Agency and others are statutory consultees and they are used to working with them. We have officers appointed to deal with matters specific to flood management.

As you rightly point out, these events are becoming more and more frequent and need more frequent responses. More capacity would be welcome, whether it is through planning fees or direct Government funding. We certainly need that extra resource put into local planning departments to ensure they can do that.

**Q76 Geraint Davies:** Do you feel that the changes in the planning system have been helpful in delivering applications? I agree with the idea of flood risk management, of course, but with the focus shifting from protection to resilience, and changes in the planning law, is there a danger that, as the risk grows because of climate change and there perhaps is not resource for enough planning officers, the wrong applications go through, which are not resilient enough in terms of future climate change risk?



**Cllr Renard:** That is a really interesting question, because of course we have a Government who are coming forward with proposed changes to the planning system. We do not yet know the detail of that and how it is going to work. Climate change events are becoming more and more frequent, so whether we are resilient enough is an interesting question. I am not sure anybody will know the answer to that. I referred in a previous answer to places where measures have been put in place and yet they have still been repeatedly flooded. We need a wholesale review and rethink of how we deal with these matters. The planning proposals White Paper is probably a good opportunity to consider those in the round.

Q77 **Geraint Davies:** Do you think the developers should pay for some mitigation or perhaps put a bond aside to cover some of the risk?

**Cllr Renard:** Yes. If we look at recent planning applications, only about 9% of those that have been approved have been on areas of flood risk, so as a country we are making good progress in not building on places that are likely to give us flooding problems in the future. Nevertheless, 9% is still a fairly high figure, and we need to try to eradicate that. If developers are coming forward with proposals to build on areas that are likely to flood in the future, they should be required as part of the planning process to cover the cost of that flood mitigation, and not at the expense of other section 106 obligations or affordable housing obligations that they already have.

**Innes Thomson:** One concern we have as a sector is the watering down of what were originally reasonably robust planning guidelines and planning rules around flooding and flood risk management. I very much agree that developers need to get hold of the rope that everyone else is on here and be a part of that, but there are too many get-out lanes in the current process, which allows a little too much to slip through the net. I worry about some of the messages that we currently get in the public arena, for example “build, build, build”, but without the checks and balances of the professional network of people who actually know what the consequences are if we do that and we build in the wrong place.

I support a reinforcing of the ability of professional people who know the business of water and flood risk management to refuse or stop development that is taking place in an inappropriate way or in an inappropriate place. It may be that development with the appropriate resilience measures can be built in areas that flood, but there has to be appropriate respect for the measures that are put into a development on the basis of the knowledge that flooding may take place in that area.

Q78 **Geraint Davies:** If there is a big push—and we all want to reboot the economy—to invest in big infrastructure projects to give us that capability, is there a risk that we could rush ahead too quickly without enough checks and balances on flood risk management and be investing in something that could come back to haunt us with climate change?



**Cllr Renard:** We certainly need to take measures to make sure that that does not happen. There will be a balance between moving forward quickly, as you say, and rebooting the economy. The one thing we do not want to do is build in problems for the future, particularly around flood risk, and all the attendant expense, response time and capacity that is required for that. We need to get a sensible balance between the two.

Q79 **Geraint Davies:** Should the Environment Agency's word be stronger? At the moment, the local authorities can overrule the advice of the Environment Agency if it says, "There is a flood risk; do not do this." You can say, "Well, we hear what you say. We will put some mitigation in and we have some funding, so we will do it anyway."

**Cllr Renard:** Planning authorities need to be clear that any mitigation is actually going to work, so I would suggest that local authorities and local communities ignore the advice of the Environment Agency at their own risk. Ultimately, those decisions need to be taken locally, because it is the local authorities that know their areas best.

**Innes Thomson:** I strongly believe that the Environment Agency should have the ability at a local level—because it is the local people who know what those risks are—to advise against those slightly less well-thought-through planning issues that are being raised, providing there are professionals involved in it. There will of course always be routes for appeal, and those decisions would then have to be defended and properly upheld, but I strongly believe that, with those additional strengths of power, the Environment Agency would be in a better position to work with local authorities on what comes to the table.

Q80 **Geraint Davies:** If the Environment Agency says, "No, this is going to cause a flood in a couple of years," the local authority pushes ahead anyway and then there is a flood, what do you think should happen? Should the local authority be legally responsible? Should the people making decisions be financially responsible? What do you think about that?

**Innes Thomson:** The point I am making here is that, if the Environment Agency says no, that on its belief and its professional judgment it feels this is a long-term threat, once it has declared that it should be taken more seriously than it perhaps is today.

Q81 **Geraint Davies:** David, do you agree? There should be consequences if they are ignored, shouldn't there?

**Cllr Renard:** Yes, I agree. We are more or less saying the same thing. Any advice from the Environment Agency should be taken extremely seriously. *[Interruption.]* Local authorities should only go against that if they have separate reasons for doing so. The only slight difference to the point you were making is that local authorities should have the final say. Yes, clearly there are consequences. Local authorities are the only democratically accountable local body, and therefore the final decision should rest with them. As a general principle, it would be unwise to go



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against very strong professional advice from the Environment Agency, but there may well be local mitigating reasons for doing so.

**Chair:** Geraint, was that your mobile phone going off?

**Geraint Davies:** I regret it was, and I apologise massively in public.

Q82 **Chair:** It is okay; you will be fined later. I am sure we will come up with the necessary fine. David, on the 9% of permissions you talked about that go against the Environment Agency's advice, have you any breakdown—perhaps in writing—of the number that have been allowed on appeal? How many of that 9% have been allowed by local authorities, and how many have been allowed on appeal? Do you have any breakdown on that?

**Cllr Renard:** We can certainly get that for you. To clarify the point I was making earlier, 9% of planning approvals were given on areas where there is a flood risk. That was not necessarily against the advice of the Environment Agency; mitigating circumstances or conditions may have been applied. Let me come back to you with some more detail on that.

**Chair:** I am sorry to give you so much homework.

Q83 **Ian Byrne:** Before I ask the question, I would like to thank both witnesses for their excellent evidence. There have been a couple of mentions of tax breaks. Would it not be a much better idea if some of the £57 billion that has been paid out by privatised water companies to their shareholders in dividends was perhaps reinvested in the infrastructure? I would certainly call for that. That is my view on the tax break question that has been raised so eloquently today.

David, the Government have focused on using the planning system, rather than legislation, to encourage the adoption of sustainable drainage. Is this effective in delivering these systems where they are needed as part of a catchment-based approach?

**Cllr Renard:** I would come back to the fact that the local authority knows its area best. I always tend to want to steer away from central direction. As a general rule, no, it is better left to the local authority to take a view on these matters.

**Innes Thomson:** I am minded to support what David has said, because local choices and local knowledge are key to a lot of this. I will maybe go further. Let us go back to some first principles. Even with the very heavy downpours that we have seen in certain areas of the country in the last couple of weeks or so, what do you most commonly see? You most commonly see surface water drainage struggling to take away the water off roadsides. Sometimes when that overflows it gets into people's front doors, into business's front doors, et cetera, and the misery then ensues. The first principle, coming back to sustainable drainage, is to look at all the fabulous assets that we have in this country and make sure they are in tip-top condition. That needs resource and money to support local authorities, the Environment Agency and internal drainage boards to



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carry out basic maintenance: gully-clearing operations, if I may put it that way.

Linked to that is the ability for us to look at a catchment-wide approach and understand how we manage water, how we slow the flow at the top end of that catchment, how we perhaps manage where water goes in the middle of that catchment, whether it is urban or rural. The city of Hull, for example, works very closely with East Riding of Yorkshire Council to manage water before it gets into the outskirts of the city. Those are two authorities that have come together—dare I say it, with differing political views—and realised that water does not know or respect any boundaries. They have come together to find solutions, which fit extremely well with them.

You then have the very downstream end, where we are spending a lot of our time throwing good, fresh water out to sea. Do we need to look much more closely at whether we can retain some of that water for the really dry periods that we have most recently been suffering? There is a whole range of issues that have the badge of sustainability, climate adaptation or resilience all linked together. It is a complete mix that we have to look at, from top to bottom of a catchment.

**Q84 Ian Byrne:** Just to clarify, David, do you think it may be time to commence schedule 3 of the Flood and Water Management Act in England to make sustainable drainage systems mandatory in new developments?

**Cllr Renard:** I agree, we do need sustainable drainage systems. Actually, I wanted to build on a point made by Mr Thomson about surface water and drain clearance. Local authorities have fulfilled that role on their highways for quite some time. Because it is not a statutory responsibility, and we have seen local authorities having to put most of their funding into statutory responsibilities, we have seen a significant reduction in the amount of that work going on.

If there was either a statutory responsibility or some designated funding specifically for that purpose, that really would help. As a local councillor, I get a number of people at certain times of the year asking me if certain drains can be cleared. While there is no doubt a regular regime for doing that, it is probably not as frequent as it needs to be to keep us all protected.

**Innes Thomson:** One of the issues is taking a much longer-term view when a sustainable drainage system is built and installed. We must properly address who looks after and maintains that system. You can get a sustainable drainage system that, for example, may be installed by a development and managed by a company that is part of that development, but who knows whether that company is going to be in existence in five or 10 years' time?



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If you look at our public sector—I also add our water authorities into that—they are there in perpetuity. We need to have a very clear steer about who the managers of these developed sustainable urban drainage systems—or sustainable drainage systems full stop—are going to be in the future.

**Q85 Geraint Davies:** I simply want to ask David and Innes whether they have considered water catchments on roofs that run into butts, which are then held so that the water goes out slowly. A particular problem with sustainable urban drainage is that there has been a lot of concrete and tarmac put down in urban centres. When there is a huge downpour of rain, the Victorian sewers cannot take the flood down. They overflow. If the water on the roofs was temporarily caught and stored in butts, then allowed out over forthcoming days, that would reduce pressure on the sewerage system. Is that something that could be taken forward on the urban environment side?

**Cllr Renard:** That is a really good suggestion. The issue is how it would be managed, because a lot of these buildings are going to be privately owned. The devil is always in the detail, but as a principle it is a really good suggestion that we should take forward.

**Q86 Geraint Davies:** The idea would be that we could do it on public buildings and then, as has just been mentioned by the previous questioner, look towards building some of this storage—water catchments on roofs and butts—into new developments.

**Cllr Renard:** Absolutely, it could be built into new developments. Retrofitting, as we all know, is always much more difficult and more expensive. If the Government want to go down that particular route, the Local Government Association would be looking for the funding to try to make that happen, because local authorities just do not have the resource for some of these things that we would like to do.

**Q87 Geraint Davies:** Innes, this would obviously be in addition to the suggestions you had for upstream management. Do you agree with roof catchments and storage to take out the peak flow into the sewerage system?

**Innes Thomson:** I totally agree with you, Mr Davies, and every little helps. Whether it is on roofs, back gardens, turning tarmac into gravel surfaces, whatever it might be, the argument is that every little helps. It is about getting the message across to the public. If there is a public drive and a public understanding of this, it will serve us hugely well in the future to get people doing their own little thing.

The other thing to mention is the use of grey water. I agree with David Renard that retrofitting is quite a difficult process, but for new developments why are we not considering more grey water use? For example, we put millions of litres of water down toilets. What is to stop us using grey water, for example, in those sorts of applications? There is a lot of innovation and experiment that we ought to be trying as a nation,



going forward. Some things will not work, but some things will, and we ought to be more adventurous in trying out new technology. Britain could lead the way on this in quite a number of ways.

**Geraint Davies:** Exactly, water from the roof stored in a butt could be used in the toilet, for instance. From Tesco, every little helps.

**Chair:** As we finish this first session, which has been very good, I thank you both very much. The point made in this question is that sometimes we do not involve the water companies enough. We are talking about flooding, but we are talking about saving water as well. Innes, you made the point of all that fresh water in Norfolk being pumped out into the North Sea when we are actually short of water. We could collect more water on our roofs and save it, because half the time we are either in flood or in drought; there seems to be little in between, and that has something to do with climate change.

This is the point that Ian made. I will not go into the £57 billion that the shareholders are getting, but there is a need for water companies to be much more incorporated in the investments we make in both flood and water management generally. We can do more on that. I thank you both very much for some very good answers. David and Innes, thank you very much for your evidence this afternoon.

## Examination of Witnesses

Witnesses: Andy Bord, Paul Cobbing and Dr Hugh Ellis.

Q88 **Chair:** If you would like to briefly introduce yourselves, we will get on with the next session.

**Andy Bord:** Good afternoon, Committee. My name is Andy Bord. I am chief executive of Flood Re, the joint initiative between the insurance industry and Government to make home insurance more affordable for those who live at high risk of flooding.

**Paul Cobbing:** My name is Paul Cobbing. I am chief executive of a charity, the National Flood Forum, that supports people at flood risk all over the country in England and Wales.

**Dr Ellis:** My name is Dr Hugh Ellis and I am the director of policy at the Town and Country Planning Association. We work on the planning system and flood risk.

Q89 **Chair:** Thank you all very much for joining us this afternoon for this second session on flooding. My question is quite a general one to start with. What is your reaction to the new Government flood policy statement and Environment Agency strategy? There has been a new strategy for the Environment Agency in the summer.

**Paul Cobbing:** We very much welcome the new strategy and the policy statement. Communities have been very heavily involved in the development of the strategy over a two-year period. We very much



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appreciate the fact that many organisations and stakeholders have been part of the collaborative process, through which, I have to say, almost everybody agrees on the fundamentals. It is a huge step forward from what was there previously. The real task, as Innes Thomson mentioned previously, is that we now have to deliver. We all have to get involved in delivering this.

It is worth saying that there are a few important things we wish had gone further. One of the most important elements is that the policy statement has indicated that they are going to create some indicators, whereas we have been advocating that we should have been much more ambitious. It is only when we have a clear level of ambition that we are then able to measure progress against it. Whether it be the National Infrastructure Commission's notion of a standard or any other form of target, goal or whatever, we see that as being absolutely essential so it can be translated to places in the context of climate change, and to driving forward adapting to climate change and building the houses that we clearly need.

**Andy Bord:** At a headline level, we welcome the increase in the commitment to flood defences to £5.2 billion over the next six years. We are encouraged by that. We would also note that we are not shooting at a static target. The challenges are getting harder with the threat from climate change, so we are looking forward to some of the activities highlighted in the policy statement now being turned into action. We view this as a point in time when there is an opportunity to make a difference into the future, but my emphasis would be that the job is not done yet by a long stretch.

**Dr Ellis:** We welcome the rhetoric on climate change, but there are two or three really critical issues. First, the scale of the challenge offered by the climate science is not reflected in these two policy statements, particularly not the long-term challenge: 1.6 metres of sea level rise by 2125 in 100 years' time—half a metre roughly halfway through that process—100% increases in river flows or 40% increases in rainfall intensity. The system we have at the moment is a classic English incremental piece of work. The challenge from climate change is so dramatic now that it requires a break point difference in the way we deal with it. That is not reflected in either of these two strategies, as far as I can see.

The second issue is about the institutional complexity of dealing with climate change. The Defra family is producing strong strategies, but the implementation through planning, which is in my world, is particularly weak. The delivery question that Paul raised is really the issue. There is no clear line of sight on delivery from national Government through to local government to make the necessary changes. That means my best judgment is that we are still critically unprepared for the medium and long-term challenge of climate change.



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Q90 **Chair:** Should the Government have pursued a national standard for flood resilience, as recommended by the National Infrastructure Commission, or would this be best done locally? Where do you all stand on that? Everybody is quiet at the moment.

**Paul Cobbing:** This needs to be linked to local strategic co-ordination, which is the other element. The two need to go together: the right level of ambition linked to the ability to co-ordinate locally. We have nods towards that second point in the policy statement. We have a reporting function in place, we have the offer of indicators for the future, but we need to go a bit further. There needs to be that strategic co-ordination across different sectors if we are really going to manage water effectively. It needs to involve public health services, transport, all aspects of infrastructure and so on. We need a mechanism, which we currently do not have, for making that happen.

**Andy Bord:** The adoption of a national minimum standard would be helpful. It is important to be pragmatic; we are clearly not going to get there overnight. Having a clear sense of direction, and importantly the ability to track against progress towards that target, is exactly the focus that is required at the moment.

**Dr Ellis:** A national standard is absolutely vital, because you need national, regional, local and community to deliver simultaneously on this agenda. It is the role of national Government to set standards, which can be interpreted locally, and those standards are absolutely critical. At the moment, we are not getting those standards in the development process, so clear line of sight was vitally important on resilience standards.

Q91 **Ian Byrne:** Hugh, do the announced changes to the flood funding formula address concerns that certain areas, like deprived areas, were often overlooked in the previous formula as investment was skewed to more affluent areas, and that different types of flooding were neglected?

**Dr Ellis:** Increases in funding at a difficult time are always welcome, but the way we need to look at this is not whether a doubling in funding is the right amount, but to cast back from the kinds of challenges we have. When you think of the money spent on other infrastructure, which is also welcome, the heart of this is that any pound spent on building resilience is the foundation of the economy and of social welfare. Investment in infrastructure on flood defence should be our top priority. Some of the most vulnerable places, for example our coastline, are also some of the places suffering significant deprivation. That challenge is there. We have to be very careful, because some parts of the relaxation of planning policy we have seen over the summer disproportionately impact those places. That would be worth coming back to.

If you think of infrastructure like this, the Humber estuary being an example, 1.6 metres of sea level rise requires a question to be answered for the future of Hull and the Humber about whether you barrage the Humber estuary, ultimately. If you think about a £5 billion investment in



flood defence in that context, it plainly is not enough. You need to see the end point of this, and that is what we do not have. What is the endpoint resilience vision that we have for 100 years? The Dutch are very good at this; they plan for 100 years. We need to plan for that. In that context, we need to increase the amount we spend on flood resilience. It is a critical issue.

**Paul Cobbing:** Hugh makes a very good point, but what is equally important is that the forthcoming spending review picks up the revenue spend that is required to maintain the assets we have already; otherwise it is pointless investment. We are just going to be reinvesting capital, time and time again, in the same things. It is how we spend money in the most effective and efficient ways over a long time that is really important.

The other factor is that we often think about the large sums of capital investment that we are talking about in terms of what is going through the Environment Agency on to fluvial flooding. In fact, something like 50% of flooding has nothing to do with rivers and has everything to do with surface water coming down and through people's houses before it hits a river.

This reflects back to some of the questioning we heard during the previous session saying, "The Environment Agency comments on planning applications." Most planning applications will not go to the Environment Agency. The vast majority have nothing to do with main rivers and nothing to do with the Environment Agency. The question is on local flood authorities' skills, ability and resources to comment. Whether those comments are actually taken into account is going to be the big area that we need to work on. At the moment, they are often very junior staff. They are often in departments where they are not particularly recognised. They often have individuals who have multiple roles, of which flood risk management is one. These are really important.

If we are serious about the climate change issue, if we are serious about the flood risk management issues for the future and adapting for the future, we need to look closely at the roles these people play and where the strategic input is in the local area. There are a few local authorities where it is good or really good, and we hear about those, but the vast majority are not so good. We need to look very carefully at how we make sure that the systems and processes we have for the future are fit for purpose.

Q92 **Chair:** Paul, you are talking quite a lot about flash flooding. You are talking about drains being blocked and people's properties being flooded. Perhaps they are on a steep hill and the water comes in. How do you expect a local authority to recognise this in advance? That is the trouble. I understand where you are coming from, but I am trying to drill down on the practicalities of how you would deal with this.



**Paul Cobbing:** If we listen to flood groups, for example, their consistent message to us is that they are just not listened to, either in the planning system or by various agencies. Even where they have experts' local knowledge, even where they have people who are planners or hydrologists on board, they are consistently ignored, both in the planning system and elsewhere. We need to develop some systems, both for the development of local plans and for development control, whereby good local knowledge and expertise is incorporated into the process well. We have ideas on doing some of that and undoubtedly there will be many more.

If we look at how people actually regard the current planning system, they regard it as failing on every single level and at every single point. Whether we have the current planning system improved or use the forthcoming planning proposals, one of the elements that we need to focus on is how we use good local knowledge in the best way possible to make sure that we deal with these issues.

**Chair:** I appreciate your answer. If you have not already done so, I suggest you give us a little detail in writing on exactly how you think this would work. We are quite interested in what you are saying. I just want to see how we can go back to local authorities, Government and others as to how it would work. If you would not mind furnishing us with a bit of written evidence on that, I would be obliged.

**Paul Cobbing:** I am very happy to do so.

Q93 **Geraint Davies:** Hugh, on the funding, there have been concerns that areas with higher property values get more investment and that people in poorer communities do not get enough investment. When I was in charge of flood risk management in Wales we looked at this and changed the form. I am just wondering whether you feel the balance is right on that.

Secondly, on your point about the Humber, I remember getting the Minister for Flooding from Malaysia to explain how they had a huge river diverted underneath Kuala Lumpur, to look decades ahead, as you have, at the massive changes we may look at. Do you think Government are doing enough to look at big schemes that may be massively expensive but strategically necessary? What are your comments on that in light of what you have already said?

**Dr Ellis:** In reverse order, I honestly cannot see that thought process. That is what I find most professionally worrying about this in terms of our long-term needs. Most European countries and internationally are further ahead than us with almost every aspect of the reengineering of their nations for climate change. That is the ambition you have to have. It is everything from building scale measures right through to coastal alignment.

If you walk the east coast, as we all do, and know those vulnerable places, you begin to think about 1.6 metres and then you begin to cast that into the climate science, where greater impacts are being predicted.



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That really does force a conversation about either major investment in flood defence in those vulnerable places or moving populations. I understand why nobody wants to talk about those massive political issues, but that is the critical missing element in relation to the funding formula.

It is vital in the changing climate that we not only focus on that issue of social justice in terms of where people live, rather than real estate values; it is also vital that we secure some of our most productive agricultural land. That is a critical issue, because food security in a changing climate will be a vital issue. The question I have is a general one. Are we going to lose large areas of our coastline or are we going to defend them? That is a question not grasped by the two strategies that have been published this year.

**Paul Cobbing:** I agree absolutely with what Hugh has just said. There are many places around the coast where it does not take a lot of looking until you see areas, for example on the south coast, where there are major developments going ahead. If you had 1.6 metres of sea level rise, frankly, either you would have to do some extraordinary levels of defending or you would lose them.

We have major developments and infrastructure projects going in where the ground water levels are within six inches of the surface over large areas, yet the whole area is still pumped water going out to sea. There would need to be many, many miles of defences put in place if we were to keep those places dry in 100 years' time. North Wales is another. We could go on.

**Geraint Davies:** Chair, based on what is being said, the Committee might recommend that the Government do a scenario plan for what would be inundated and what needs to be defended in the event of various climatic milestones, as Hugh and others have said.

**Chair:** Yes, we will give that some consideration when we put the report together.

Q94 **Mrs Murray:** I have two questions. The first is specifically for Paul. Your organisation supports those at risk of flooding. What have you heard about the adequacy of the response by the Government and others to the floods last winter and the support given to those affected.

**Paul Cobbing:** Thank you for the question. It is very helpful. A lot of people who were flooded last autumn are still recovering, including some of my colleagues who are still out of their homes. We have to bear in mind that recovering from flooding is not something that happens when the floodwaters go away. It is not something that ceases when people are back in their homes. It is not something that can simply be passed by. People suffer. Not everybody suffers, but many people suffer for very lengthy periods. Sometimes it is life-changing for all time. We provide support for those people through our advice line, practical support measures and so on.



What is not understood by any of the different sectors is the length of time and the support that is really needed. The incident management sector regards the moment the blue flashing lights go as being the end of the story. It moves on to the recovery phase, but that is really to do with the incident. For the public-sector bodies, there is a range of responses, from absolutely nothing through to what I would call really excellent responses. Places like Worcestershire, for example, have invested in long-term recovery.

Twelve months is the sort of support that people need. It is on things like insurance claims, housing, help with education, help with people's wellbeing, transport if they cannot get to places and so forth. It is also some of the psychological help that is needed. We provide a support service for all that, but we struggle to get funded to make that happen.

The further complication this year has been Covid. For many people, their recovery and reinstatement process has stopped or been slowed down because, particularly where you have vulnerable people, builders cannot get into houses. Drying out has not been able to take place. People who were flooded in November, December or even earlier have had their reinstatement processes stopped and are still suffering as a result. We put in place a virtual recovery service with Environment Agency funding, a pilot scheme for Worcestershire and Shropshire, which has been very successful. It is not the same as getting out on the ground, but it has been very successful in helping take people through the process.

People keep coming back with different issues, as they go through that recovery process. Long-term recovery needs to be something that we train—for want of a better word—the different organisations in, so they understand and recognise that there is an important role that we can all undertake. There is an important role for organisations like ours as independent facilitators. In the virtual recovery system, we led a multiagency response through the virtual technology.

**Q95 Mrs Murray:** How closely do you work with insurance companies, for instance? I have had flooding in several areas in my own constituency and I know that many of the major insurers will have people on the ground to assist homeowners and people who rent with their personal effects being damaged. They will often provide alternative accommodation for them. They will assist in helping them to dry out their properties. Do you work very closely? I would not like to think that what you have described actually duplicates work that is already underway in other areas like the insurance sector. Can you confirm that you work closely and you do not duplicate work like that?

**Paul Cobbing:** We definitely do not duplicate work. This is about how we make the best use of the resources available. We work very closely with Flood Re, for example. We work very closely with insurance companies, loss adjusters, the drying companies, the association and so forth, to bring all that to bear. Often, the co-ordination we provide is the glue that makes all of that work. Somebody may come to us with a whole range of



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problems and we are then able to bring all the right parties to bear to solve that person's issues.

Q96 **Mrs Murray:** Paul, you have answered this next question, so I am going to ask our other witnesses. We have received evidence that local communities remain frustrated at the lack of meaningful and effective consultation with them on flood schemes and planning decisions. Is it fair? What needs to change in your opinion?

**Dr Ellis:** It is fair. In that way, we need a planning system where communities have a very powerful voice. The flood forum, and what Paul says about the existing planning process, is entirely justified. We need a national conversation on climate adaptation and local conversations, with much greater public awareness invested in that process.

The interesting challenge is that the planning White Paper, for example, is difficult to read from the point of view of flooding. It is not clear whether it would make any beneficial difference, but it is clear that it would make people's voice in the process more difficult. We need a system with a strong, clear line of sight from national to local, but with community voices as a non-negotiable part.

The thing I am most persuaded on as a planner is that local knowledge can tell you about the detail of how flooding happens and can map that detail in ways that professional knowledge is often at too high a level to understand. Environment Agency flood risk maps are an example. The flood forum has ably illustrated why local people's voices save money and make it more efficient. To do that, you need a planning process that listens and is focused not just on housing delivery, but on resilience, climate change and quality.

**Andy Bord:** To build on what Dr Ellis was saying, it is important that both of these things happen in parallel, so that there is a national interaction and any changes to the planning policy do not end up creating homes or communities at greater risk of flooding in the desire to build quickly. That absolutely needs to happen.

At a local level, to the point Paul and Hugh have both just made, local communities are extremely well informed about issues relevant to them and making sure that input is taken into account very specifically at a local level. We must make sure that the changes made do not increase the risk of flooding for future generations.

Q97 **Mrs Murray:** Before I was elected to this place, I was a local councillor. You often find that local councillors are under a lot of pressure to approve planning consents for development in an area that is perhaps prone to flooding. Do you think anything could be done to ensure that flood risk is taken into greater account when planning decisions are made?

**Dr Ellis:** I do. This is really important, because at the sessions we do with local councillors there is a real hunger to understand flood risk issues. The data is often presented in a way that is totally bewildering to



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what might be described as common-sense knowledge, particularly in the way that flood data is presented in terms of probabilities.

As we have said in our written evidence, one of the most transformational things would be to say, "Let us get everyone on the same page." What you need to plan for is the reasonable worst-case scenario, not one in 100 or one in 200 return events, which most planners do not fully understand, to be perfectly honest. You need a shared language and clear standards. Most of all, if you ask the question, "Who is investing in informing councillors on the ground about what these issues might be in the future?", in my view and experience of talking to them, there is an enormous deficit in resources for councillors on climate change. We need those in place urgently, in terms of a national conversation with them about what this means.

In particular, in terms of how many councillors have seen the Environment Agency's flood risk allowances, in the research we have done, there is very little awareness about those long-term impacts. They are all published on the gov.uk website, but in fact councillors are not aware they even exist.

**Andy Bord:** It is important to look at the downstream effects of this as well. It is not just at the point that planning considerations are being ruled on. It is also what happens beyond that and, importantly, the role of the information that is available to the householder.

One of the things we are advocating is the use of flood performance certificates, which would work in a very similar way to energy performance certificates, with which everyone will be familiar. They would very easily give information to householders on the risk of their property flooding, in exactly the way that Dr Ellis has just described, in an easy-to-follow assessment of what amendments have already been made to the property to make it more flood resilient and, importantly, what could be done to make that property more flood resilient.

You would then have a much more informed set of people who are buying and selling houses, because it is not just a planning consideration. These problems can get worse if resilience measures are not maintained or invested in subsequently.

Q98 **Chair:** We have talked quite a lot about planning and development control. It is not quite adequate for its purpose, so should the Government commence schedule 3 of the Flood and Water Management Act and require new developments to get approval for their drainage systems from local authorities? I suspect you probably all agree that we should move to schedule 3.

**Paul Cobbing:** The short answer is yes, but it needs to be done in combination with a few other things. First, flood risk assessments are often done as desktop exercises. As one Belgian professor put it to me, models lie, just in the same way as maps lie. They need to be ground-



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truthed. I call it triangulation. You need to incorporate local knowledge. You need to incorporate other evidence bases as well. You need to have somebody on the ground who actually measures things and does it properly. Many schemes go through where we would suggest that the flood risk assessments have not been done properly.

Secondly, any new development should have a drainage plan set out in the initial masterplan for the site. It is really difficult to retrofit a drainage plan on to a site that is being built, that is already partly developed or where you put in the houses first and then try to work out what goes on. The other bit that goes with that is that they should be looking at the water that comes on to the site, not just what is happening on the site. They should be looking at the effect downstream of the site, as Andy Bord was just saying. The whole concept of a drainage plan and flood risk assessment needs to go hand in hand with sustainable urban drainage and the measures that are coming out.

The third and final bit that needs to go with that is the competence of lead local flood authorities, but also planners, to evaluate what is presented to them. We regularly see proposals being put forward by developers, who have certain interests, quite rightly, and the people in local authorities not necessarily having the skills to interpret the fact that somebody is trying to put a French drain into a clay soil, a water pipe going the wrong way into a stream and so forth. Those details are really important in making sure that new development is fit for purpose and does not affect everybody else.

**Dr Ellis:** The answer is yes. We do need to move to that point. Following on from that, it is interesting that, in one of our recent surveys of English local authorities, only 12% of those local authorities thought they had the key skills necessary to deal with flood risk going forward, building on Paul's point. There is a massive skills deficit. Although sustainable urban drainage systems are crucial for the future of development, we also need to stop deregulating the planning system, because we are paving over vast urban areas, and the control and monitoring of that is extremely weak.

The European model of a sponge city, which encompasses many things that witnesses have talked about today in terms of absorbing water, is really critical, as is upland land management, which is another missing element. All these things, in the way water is managed right across the board, have to be part of a regime, a thought process and a control process that runs throughout that. Sustainable urban drainage is one part of that thought process, but only one part.

**Andy Bord:** Just to complete the trio, I also agree. The answer is yes with regard to SuDS on new development, but it is only one part of the picture. Another very specific suggestion, on the basis that increased transparency generally leads to better outcomes, is looking at what sort of compliance checks should be undertaken after developments take



place, in terms of whether they were done in accordance with Environment Agency guidelines and local authority recommendations. It is not just a tick of whether the hard yes and no factors were embraced, but whether best practice was really built into a new development and for changes to subsequent builds.

**Q99 Dr Hudson:** Thank you, Andy, Paul and Hugh, for being before us today. It has been really interesting, with really helpful answers. I want to talk about insurance and property-level resilience. What barriers remain to the uptake of property-level flood resilience measures being put in place? What sort of barriers still remain?

**Andy Bord:** It is a really important question, because there are still a lot of barriers, which start with householders understanding the flood risk they are exposed to, understanding what actions they could take and then being motivated to do so. Indeed, some research that we did a year or so ago, which has now been taken further forward by the Environment Agency, highlights the fact that you have to address all those points if you are actually going to make a difference.

Some recently published data, commissioned by the Scottish Government, shows that the number of properties with so-called PFR measures installed is only about 1,500 across the whole of Scotland, with 300 of those being built in during the last six years. To address the threat of climate change and simply to stand still, 400 to 600 homes have to be adapted with PFR measures every year. It goes some way to illustrating quite how important it is to turn that problem on its head, in terms of raising awareness and making it easier for householders and other players, whether that be local authorities or insurers, to take appropriate action.

**Dr Hudson:** Thank you. That is very helpful.

**Paul Cobbing:** Understanding why people do not insure is really important. We have been working with Flood Re and some local authorities, with a view to developing a project that will investigate that. We know the stuff that we know, but we do not know the stuff that we do not know. The permutations will be quite interesting. The second part to that is that the solutions are not just at the door of the insurance industry, partly because of the way the insurance industry is constructed. These are cross-sectoral issues that will need cross-sectoral responses. We need to find out what those are, and explore the opportunities and solutions.

That is what we, as the National Flood Forum, are trying to do in partnership with Flood Re and some local authorities, to get a project off the ground. This is really important, because the people who really need insurance are very often the most vulnerable, the most disadvantaged and the least able to cope. For example, in last winter's floods, there were large numbers of people in Wales—we are still receiving calls from some of those people—who were not insured. It is really important.



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**Dr Hudson:** Thank you. I will come on to insurance more in the next part of my question.

**Dr Ellis:** Back to the question of public awareness of climate impact, that is probably the most important thing. There have been other national conversations. I am conscious that there was a national conversation in Wales around the Wales spatial plan, for what it was worth. You really need a transformation in public awareness, because it is not about people's understanding of risk as it is now. It is about people's understanding of a dynamic risk that changes quite dramatically over time. That is the great challenge. A public awareness campaign is really what we need.

Q100 **Dr Hudson:** Thank you. That is really helpful. It is about awareness, communication and motivation as to whether you should secure your property. If you have a line of properties that are at risk, and if not everyone is putting the measures in place, potentially other properties are at risk. It may well be that you have owner-occupied houses and landlord-owned houses as well. What do you think we can do to address that? It is communication, but how do we get people across the area to get their properties fitted up?

**Paul Cobbing:** There are a lot of intersecting issues. First, we find that a lot of PFR schemes that are going ahead are perhaps inappropriate, where agencies find that the benefit-cost of installing a proper scheme can never be met. There are small communities everywhere—it is often focused on rural areas, but it is urban areas too—where the benefit-cost is never going to materialise under the current arrangements for a proper scheme. Particularly when they are acting on their own, agencies will often say the only option they have is to offer a PFR scheme. Quite often, that is not appropriate for the particular situation, the building, the flood risk available and the needs.

The particular bit that people miss is the lifestyle of the occupant. It is really important that we also understand how long-lasting these resilience measures really are. They are supposedly designed for 20 years. We think that a lot of them are only able to last about five years without being replaced. If you are a poor family—perhaps income level C1 or something like that—you have just got a property and you can just afford to maintain it, but you are being asked to invest perhaps £10,000 to protect your property. Then in five years' time you have to do it all over again. Where do the equity issues apply in that? Where do the social justice issues apply in that?

Secondly, we have a rather narrow sense of what property protection is. In fact, we have a couple of dozen different types of intervention that are available and that communities can get involved with, not necessarily on individual properties. We need to be encouraging the whole response. The work being done by the PFR board is great, as is the work being done through insurance to drive that, but we need to make sure that the scope of that work, of those flood certificates, actually goes beyond, so that it



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encourages all these other types of intervention as well. Otherwise, we just focus on fashionable items.

We then have the issues that you rightly pick out of properties that are not suitable for resistance measures, but are suitable for resilience measures. There are certain cycles when people can invest in some of these sorts of things, typically when people flood, come into a new property or sell a property.

The final bit on this is private landlords. What is the role of private landlords? It is really difficult in most sectors to work with private landlords effectively to get these things done. We pick up lots of cases of tenants who really struggle. They live in either really damp conditions or really poor conditions. How can we ensure that properties are fit for purpose, where these measures are put in place? Quite frankly, on some of the buy-to-let things, particularly where we have overseas absentee landlords, they are not interested. We need to find ways of bringing people to account, in a sense.

**Q101 Dr Hudson:** Andy, to come back to the concept of insurance, we have talked about the uptake of property flood resilience. The recent floods have again highlighted the number of properties that are perhaps not insured. Will enough people have affordable flood insurance by the time the Flood Re system changes in 2039 or before it ends? Moving forward, do we think people will have affordable insurance?

**Andy Bord:** I would answer that in two ways. First, is there sufficient availability at the moment? All the research we have done has shown that, whereas before only 9% of people could get two or more quotes if they had had a prior claim, now 98% of people can get five or more quotes. We know there is availability there. However, there is a challenge, which is making sure everyone knows that. That goes to my second point. It is not just about bombarding people with information. It is also about being very selective with the voices that we use for that information.

For example, look at the effectiveness of the penetration of smoke alarms when the campaign was emblazoned on the side of every fire service vehicle. People trust that as a voice, that communication vehicle, and it was very effective in getting the cut-through.

We then have to look at specific actions we can take across the piece. The resilience roundtable has recently published its code of practice in terms of the specific actions that need to be considered for either new build or subsequent installation of PFR, one of which is the importance of a property-specific survey.

This is where the code of practice and flood performance certificates come together very closely. There is often a perception that flood resilience measures mean massive spend and completely reinstalling a kitchen, for example, whereas the appropriate measures for a property at



risk of surface water flooding might be air brick covers and non-return valves in the toilets. It is not particularly exciting, but it can make a very big difference when you experience a flood event. It is a number of those things that need to be taken together.

Q102 **Dr Hudson:** Thank you very much. That is really helpful. Finally, I want to explore the coverage of the insurance schemes. Andy, you have contributed to the inquiry, talking about the breadth of coverage of the insurance, in that Flood Re is for homes, not businesses. I know that the British Insurance Brokers Association is bringing forward its more commercial scheme. Flood Re has said it may well be complex introducing businesses, but many people live above their businesses and in their businesses. I just want to draw out your thoughts about whether Flood Re could expand its coverage to include small and medium-sized businesses, as well as homes.

**Andy Bord:** The first point I would make is the human one. It does not matter whether you are a householder or a business when you are suffering flooding. It is as devastating. When we look at whether Flood Re is an appropriate response to business challenges, as you said already, the BIBA scheme, the broker trade body scheme, is specifically designed for small businesses, most of which buy their insurance through brokers, so that is targeted in the right way.

We have also sought to understand, as has Defra on two separate occasions, whether there is a systemic problem with the availability of insurance for small businesses. We concluded that it is not a widespread problem, similar to the one that created the need for Flood Re a number of years ago.

As a final observation, it is easy to wrap this up in the description that it would just be complex. It would, but that should not prohibit us doing it, if the principles are possible. I come back to the point: is it appropriate to ask a business in a very picturesque location, such as on the side of a river, to be subsidised in the form of its insurance by a less profitable business in a less attractive location that just does not happen to be at the risk of flooding? That is the basis of the Flood Re model. We would say, no, it is not appropriate to extend the Flood Re scheme. Where problems do exist, we would direct to the BIBA scheme as a possible means of obtaining flood insurance.

Q103 **Dr Hudson:** Do you think Flood Re would consider it moving forward, or do you see it working closely with the BIBA scheme? Do you think there would be wriggle room to develop it and allow more coverage?

**Andy Bord:** No, they are quite separate. It is helpful for us as Flood Re to understand how effective the BIBA scheme is, for example, and continually review whether the problem is changing. No, to be clear, I do not believe the right thing to do is to change the Flood Re scheme.

Q104 **Chair:** Can I ask you a general question on how successful you believe



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Flood Re has been? I have the impression that it has been reasonably successful. We could do with small businesses and others being covered. When is a guest house a guest house and not a residence? All of these things we have found in previous inquiries. For the three of you, what is your general impression of Flood Re?

**Andy Bord:** Somewhat predictably, I am going to say it has been very successful. From the statistics on availability, which I quoted in answer to a previous question, and affordability, which is the other half of our purpose, we see that customers, if they had a flood claim prior to Flood Re, are saving 50% or more in 79% of cases. Home insurance has got transformationally more affordable because of Flood Re.

I would make a general point as well. Flood Re has benefited from having very tightly defined parameters and clear objectives from the outset that bring together objectives of Government, objectives of the insurance industry and, primarily, the need for people, homes and families to be able to access affordable home insurance. As a consequence, that does create some hard lines around the scheme, which I believe were very purposefully and sensibly put in place. The straightforward answer is, yes, I believe it has been successful.

**Paul Cobbing:** We were very strong supporters of the development of Flood Re over the years it was being developed. When Flood Re came into existence, we saw a dramatic fall in the number of calls to our advice line. In our opinion, Flood Re has worked extremely well. It is at the margins, as we were describing earlier, that we need to understand what the problems are and tackle them.

First, who is not getting insurance? A big proportion of calls to our advice line at the moment are from people who do not know how to access insurance. They go to a comparison website, for example, and it chucks them out. They go to the next comparison website and it chucks them out, and so forth.

There is also a huge misunderstanding by the majority of people in the country of how insurance works. There is an expectation that, if you phone up somebody on the Flood Re list, for example, you will get a quote the first time round. That is not the case necessarily. Actually, you have to go and call several different companies and get a range of quotes. The second thing around that is affordability. What is affordable to one person is not affordable to somebody else, so we go on.

There are issues, particularly for those at the margin who struggle, maybe not for flood reasons but for other reasons, to get insurance. They have a thatched roof, a bad credit rating or whatever else. How do we help those people to get insurance? We spend a lot of our time just talking people through how to go about getting insurance. Those are the issues that remain.



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The other one is on small businesses, particularly in deprived areas where you have concentrations of small, local independent businesses. I take the example of Birmingham in 2018, where we had two main areas flooded, one of which bounced back perfectly well and forward. The other one is rather deprived, full of little local businesses, and is still struggling to come back. Those are the sorts of issues that we need to identify correctly and then work collaboratively to tackle.

**Dr Ellis:** It has worked very well. The great challenge is that there was an assumption at the heart of it that development after 2009 would be intrinsically resilient to flooding. That proved not to be the case. There are two things I wanted to place on record about that. First, there have been almost 90,000 units of housing delivered through permitted development, which has not required full planning permission. You can think about flood risk, but only in terms of the building itself, not the location more generally.

Then there is the challenge of the deregulation of some really important parts of flood risk management. I want to place on record the static caravan issue. In July, the Government made it clear that the occupancy conditions for those caravans in extreme flood risk areas would be relaxed, to the point where people can stay in them for 11 months of the year, not six months of the year. It is in our written evidence, but I would say, professionally, that that is one of the most reckless and worrying policies on flood risk management that I have seen. I would commend the Committee to examine it more closely.

**Chair:** Thank you all very much for some excellent evidence. I thank Members very much for attending this afternoon. We will put all this evidence together when we put our short report together, because we are very much following up on what we did previously on floods in the last Parliament. Your evidence this afternoon has been very useful. Thank you very much for your attendance and your evidence this afternoon.