

Written evidence submitted by West Yorkshire Combined Authority (FLO0052)

Introduction

Thank you for the opportunity to provide evidence to the House of Commons Environment Food and Rural Affairs (EFRA) Select Committee's flood inquiry. This response is being sent on behalf of the West Yorkshire Combined Authority.

The Combined Authority brings together local councils and businesses to build a strong, successful economy where everyone can build great businesses, careers and lives. We are currently investing around £2 billion, working with our partner councils, to deliver better transport and housing, regenerate our towns and cities and protect our environment, making sure that what we do meets the needs of our communities and helps deliver local priorities.

West Yorkshire local authorities¹ and the Combined Authority share the Government's ambition to enhance flood resilience in England and deliver a higher level of preparedness for future flood events. This ambition is illustrated within our recently announced Devolution Deal which sets out the ambitions of local partners to work with the Environment Agency and the Department for Environment, Food and Rural Affairs (DEFRA) on these issues.

Our response in relation to each of the Committee's Terms of Reference points are included below, with the key messages being:

- Generally, the current system is functioning well and any pressure to undertake a wholesale review should be resisted. However, it is recognised that co-ordination could be done better between the local/regional and national tiers. This would enable faster responses and drawdown of national support after a flood event.
- The Government needs to consider opportunities to better align funding streams e.g. by delivering single pot funding and/or aligned business cases for public funding streams.
- Some areas in England are currently at continued risk of flooding. This can have a devastating impact on communities and businesses. In particular, Calderdale Council is in this situation and Government should immediately agree to their request for recognition as a 'tier 1' risk for flooding
- The Government's aims and priorities should be based on the most up-to-date understanding of the impacts of climate change² and providing the support that will ensure resilience to these impacts is factored into decision-making. An effective approach incorporates flooding as part of a systems-level approach to addressing the climate emergency.

1. Are the current national and local governance and co-ordination arrangements for flood and coastal risk management in England effective?

The current system working with the Environment Agency and locally with the Yorkshire and Humber Regional Flood and Coastal Committee (YHRFCC) and our partner councils is

¹ This response has been submitted on behalf of the West Yorkshire local authorities of Bradford, Calderdale, Kirklees, Leeds and Wakefield. These authorities may choose to submit their own response, which the Combined Authority supports.

² For example UK Climate Projections (<https://www.metoffice.gov.uk/research/approach/collaboration/ukcp/index>)

working well. Our local partnership is well established and operates well in terms of co-ordination and development of a pipeline of capital Flood Risk Management (FRM) infrastructure.

We also have a strong track record of delivering complex schemes utilising a combination of different funding sources. We have a keen interest in the development of the draft National Flood and Coastal Erosion Risk Management Strategy for England. We welcome many of the proposals emerging through this process and look forward to publication of the final Strategy later this year.

We feel that any pressure to undertake a wholesale review should be resisted at the current time. The current system is functioning well and a further review would be not be constructive. However, it should be noted that current arrangements may at times appear confusing to the public given different agency responsibilities and operational geographies.

The existing partnership also operates effectively in terms of responding to flooding events which are becoming increasingly common with events in 2012, 2015 and 2020³. However, it is recognised that co-ordination could be done better between the local/regional and national tiers. This would enable faster responses and drawdown of national support after a flood event e.g. the speed at which the Bellwin formula is considered and additional funding is released.

We also recognise that some areas in England are currently at continued risk of flooding. This can have a devastating impact on communities and businesses but also on local authorities as they attempt to deliver their core services with severe pressure placed on their resources. In particular, Calderdale Council is in this situation with a continued risk of serious flooding in the Calder Valley. The Government should immediately agree to Calderdale's request for recognition as a 'tier 1' risk for flooding, which should unlock ongoing revenue support for the authority.

Delivering many of our capital schemes requires funding from a range of sources as Flood Defence Grant in Aid (FDGiA) does not normally provide full funding for schemes. This can be challenging as each funding stream often has its own requirements in terms of outputs, delivery timescales and monitoring. This can result in schemes which are particularly resource intensive to develop and deliver. It can also lead to delays in project development whilst multiple funding streams are identified and secured alongside a balancing act of giving confidence to funders that schemes will progress as the funding package is built up and confirmed.

It is appreciated that 'single pot' funding is getting closer, with the emergence of sub-regional/city region devolution deals and the proposed Shared Prosperity Fund (SPF), but more can be done as future schemes are likely to seek funding from a mix of FDGiA, SPF and local devolution funding. The Government needs to consider opportunities to better align funding streams e.g. truly single pot funding or aligned business cases that allow for one document to be produced for multiple funding sources.

Notwithstanding the need for a better aligned, single pot approach consideration needs to be given to how local flexibilities could be built into future funding regimes.

The national funding regime via FDGiA could be improved to offer better support for areas with a large presence of businesses rather than residential. We understand that this position

³ The direct economic impact of Storms Ciara and Dennis is estimated to be £122 million in West Yorkshire.

may be changing with the £5.2 billion of flood funding for schemes from the 2021 funding period with potential changes to the national funding formula and weighting of Outcome Measures.

This is welcomed as we have many high priority schemes locally that we are currently unable to deliver, notwithstanding the positive contribution they could make to vulnerable communities, businesses and economic growth objectives.

Alongside the need for capital funding, the Government should consider how to manage the local capacity and resilience of staff resources, which includes the following examples:

- Often these teams are delivering projects and developing business cases within tight timescales. These teams are also required to support incident response after a flood event. This often leads to delays in delivery as a knock-on impact following an initial flood event and the subsequent recovery stage.
- Revenue vs. capital expenditure. Sometimes partners struggle with capacity to put capital plans in place. This includes capacity to put schemes together and deliver them.
- The maintenance of existing assets which are owned by local partners who struggle to fund them.

2. What lessons can be learned from the recent floods about the way Government and local authorities respond to flooding events?

The ability to drawdown funding more quickly and more efficiently should be considered. After Storm Ciara local partners spent considerable time developing local business support measures, only for national support to arrive later which resulted in our local products having to be revised. This was wasteful and caused a degree of confusion.

We need to improve our approach by looking at whole catchments rather than administrative areas/geographies. This is particularly an issue following a flood event when the current fragmented governance arrangements for flood risk can cause delays. Lead Local Flood Authority (LLFA) roles need greater alignment with the major catchments and the various FRM responsibilities need to be brought under one organisation in each of the areas.

Our flood mitigation measures should use a broader mixture of engineered, natural and behavioural measures. This should include improved use of infrastructure e.g. to allow use of water supply reservoirs to provide flood water storage.

Alongside capital mitigation investments more priority needs to be given to the delivery of resilience measures including:

- Encouraging insurance firms to support building back improved resilience rather than like for like.
- Learning from resilience measures already put in place e.g. failure of some flood gates in Hebden Bridge.
- Advanced testing of IT equipment at flood hubs.
- Identification of vulnerable members of the community.

The qualification / requirements to qualify as a Flood Risk Property Surveyor could be improved. The Royal Institution of Chartered Surveyors (RICS) list organisations that state they can undertake Flood Risk Survey work but are unable to advise on what qualified them

to do so. One solution may be an institutional accreditation scheme which the public and industry can rely on.

The in the aftermath of Storm Ciara the Government should have convened COBRA. Not doing so had the dual effect of the Government lacking focus on the crisis and money/support being slow to be released.

Learning from recent floods has illustrated how recovery grants are issued and administered and how ineffective they often are. The grants often fund measures that would be better delivered prior to an event - not in the immediate aftermath of a flood. A review of how property resilience could be funded and critically supported through good technical advice would be a vast improvement on the current situation.

The delivery and assessment of flood schemes through the Government's Green Book process can, at times, place a greater emphasis on marginal issues of cost, which can become out of proportion versus the significant risk associated with prolonged exposure to a flood event caused by the delay in the delivery of the scheme. For example, seeking to save or justify a relatively small sum, which can take months to assess and assure, which ignores the potential cost inflation and continued exposure to a flood event in the interim. More agility and proportionality needed when considering the assessment of schemes.

The assessment of risk levels also needs to be considered. The current system, using a fraction to express risk e.g. 1:50, 1:200 can be difficult and confusing for a non-technical / public audience to understand. Many struggle to understand how this illustration of risk relates to what is happening within their communities e.g. parts of Calderdale, West Yorkshire have had five flooding events in the last 8 years including two 1:200 events. One option would be use a RAG or other type of scale to illustrate the level of risk using clear descriptions for each level e.g. severe, moderate and low risk.

3. Given the challenge posed by climate change, what should be the Government's aims and priorities in national flood risk policy, and what level of investment will be required in future in order to achieve this?

The Government's aims and priorities should be based on the most up-to-date understanding of the impacts of climate change⁴ and providing the support that will ensure resilience to these impacts is factored into decision-making at an early stage. An effective approach incorporates flooding as part of a systems-level approach to addressing the climate emergency. For the Government's approach to work it needs to consider wider impacts than just those directly affected by flooding i.e. the 16 people indirectly affected by utility failures, transport, school closures and businesses flooded for every one residential property that is flooded. Consideration should also be applied to related issues such as heatwave management, food system resilience, water management and issues associated with global displacement.

Furthermore, flooding does not occur in isolation, it is interconnected to many other issues related to climate change and beyond. Aims and priorities should be holistic and be complemented by other Government aims and priorities i.e. the new Environmental Land Management Scheme (ELMS), and not counteract the benefits that each one is trying to generate.

⁴ For example UK Climate Projections (<https://www.metoffice.gov.uk/research/approach/collaboration/ukcp/index>)

Support should not be limited to mitigating the worst impacts of flooding but to ensuring homes, businesses, communities and infrastructure are well adapted to the impacts that are likely to occur. Additionally, support should not be restricted to quantity measures but also the depth and durability of impact i.e. some places and areas can recover relatively quickly, while in others the impact will be longer lasting where less physical and economic resilience is in place. Resilience can also diminish overtime, for example where flood risk is particularly acute and the frequency and/or or threat of flooding can become constant.

A certain level of global warming, and the impacts this creates, is inevitable and will necessitate all parts of society needing to adapt to these impacts. This extends not just to flooding but other impacts such as heat waves and droughts.

Examples of support that could be implemented by Government are:

- Prevent, in the event of a property being flooded, like-for-like replacement through insurance claims of damaged fixtures and fittings. Replacement should be focussed on making a property more resilient to future flood risk.
- Implementation of a system for measuring a property's resilience to flooding and/or climate change, similar to Energy Performance Certificates with recommendations of measures that could be installed and their impact / cost.
- Greater emphasis from MHCLG for green infrastructure (including sustainable urban drainage systems) to be built into new developments and maintained for the long-term (a current barrier to the implementation of green infrastructure). In this respect additional funding for local authorities should be considered to facilitate long-term maintenance.

Adaptation is an area where Government action has been lacking focus for a long time and the Combined Authority agrees with the key findings⁵ of the Adaptation Committee of the Committee on Climate Change that the priority given to adaptation has been eroded over the past ten years. Indeed, the advice provided by the Committee on Climate Change Adaptation Committee should be considered in full and be used to inform Government aims and priorities.

At a regional level, the now out-of-date Yorkshire and Humber Regional Adaptation Study⁶ provided a valuable evidence base on which local authorities could base their response to the predicted effects of climate change. To enable local authorities to develop their response to the climate emergency from an adaptation / resilience perspective and to base this on robust evidence it would be helpful if Government could commit to providing funding which enabled an update to this study to be undertaken considering the most up-to-date information and science.

4. How can communities most effectively be involved, and supported, in the policies and decisions that affect them?

During a flood event, a significant amount of work is undertaken locally by community networks and volunteers - this should be recognised, welcomed and developed further. Input directly from communities in this way offers psychological, wellbeing and engagement benefits. Engagement with communities could be enhanced by involving them from the outset in the design of new FRM assets, particularly hard to reach groups.

⁵ Committee on Climate Change (2019) Progress in preparing for climate change – 2019 Progress Report to Parliament (<https://www.theccc.org.uk/publication/progress-in-preparing-for-climate-change-2019-progress-report-to-parliament/>)

⁶ <https://www.ukcip.org.uk/wp-content/PDFs/YHARASbrochure.pdf>

Local flood wardens are vital in delivering local, community-led preparations and managing risks during an event. Currently flood warden volunteers need to pay for their own insurance which can be a disincentive for this type of role. The cost of insurance for flood wardens should be supported by central funding.

Consideration should be given to incentives for property owners and landowners to deliver their own resilience measures and to use their land for public good. This should include funding and policy support for catchment management initiatives such as peat bog restoration, the re-wetting of grasslands and the creation of other natural flood defences such as attenuation ponds. These initiatives potentially bring many benefits including habitat provision, improvements in water quality, carbon storage, a reduction in surface water or pluvial flooding and a reduction in main river flood peaks.

There would be significant benefits from initiatives to provide better education to members of the general public and political leaders in high risk areas regarding the many different and combined sources of flooding. The experience from Calderdale Council, where flooding matters are high on the community and planning agendas, is that confusion often exists in communities surrounding this issue meaning that otherwise valid concerns regarding flooding often carry little weight when making comments on the Local Plan and planning applications. When making comments, communities need to distinguish between fluvial, surface water, groundwater and infrastructure failure as the sole or combined source of flooding. Ultimately, this will help to make public consultation/involvement in planning and flooding matters to be more beneficial and effective.

5. With increasing focus on natural flood management measures, how should future agricultural and environmental policies be focussed and integrated with the Government's wider approach to flood risk?

A systems level approach should be adopted for future agricultural and environmental policies, where flood risk management is part of a holistic approach to managing the environment and land. The Agriculture and Environment Bills are key to achieving system level change, and in the case of the Agriculture Bill, natural flood management measures e.g. tree planting, hedgerow restoration, re-wetting peat, should be defined as public goods which land managers and farmers are paid / incentivised for implementing under the new Environmental Land Management Scheme (ELMS). These could bring many benefits to include habitat provision, improvements in water quality, carbon storage, a reduction in surface water or pluvial flooding and a reduction in main river flood peaks. Land management activities that cause damage to the environment e.g. moorland burning and hedgerow removal should be disincentivised.

The wider approach to policy and funding relating to the natural environment should be framed to deliver the maximum benefits possible given available funding. This requires a multi-issue approach to funding which is not ring-fenced for specific topics e.g. flooding, but is focussed on delivering the greatest level of benefits within a strategic geography e.g. catchment-scale. A good example of this in West Yorkshire would be the multiple benefits re-wetting of moorlands generates in addition to flood risk mitigation e.g. carbon sequestration and reducing risk to wildfires (which are becoming a growing problem in West Yorkshire).

We also need to see greater coherence between the ambitions of the Government's 25 Year Environmental Strategy and their assessment process for flood schemes. Currently the assessment process is not fully aligned to the delivery of NFM as outlined in the 25 year strategy.

Organisations such as Combined Authorities, the Environment Agency, and Natural England, operating at a strategic level tend to have a better understanding of the local issues and are better able to direct policies and funding to the areas of greatest need or benefit. As such Government should look to provide devolved funding, and the freedoms and flexibilities that come with such funding, to these organisations.

To enable such an approach to be adopted Government needs to provide guidance, tools and funding that enables organisations to implement the approach. These include:

- Use of Geographical Information Systems (GIS) and modelling to determine location, type and volume of interventions that will derive the greatest benefit within a catchment. At present the location of measures is often dictated by the existing relationships and willingness of a known network of landowners; rather than a strategic assessment of a catchment to identify the areas which offer the greatest benefits.
- Provision of support for business case development to improve the efficiency and efficacy to access funds and scale-up the delivery of interventions.
- Introduction of a set of standard guidance and methodologies to evidence benefits of interventions. The national Green Infrastructure Standards is a good example of guidance developed by Government to assist in the implementation of green infrastructure.
- Mechanisms that increase capacity at all levels to deliver the scale of measures which are necessary to achieve maximum benefit. This could include skills, specialist knowledge, supply chain and materials. At present, measures tend to be delivered at a community scale, with volunteers and smaller delivery partners, and while this approach delivers some benefits there are limitations in terms of delivery of measures at a scale which is necessary if ambitions related to addressing the climate emergency are to be achieved.

6. How can housing and other development be made more resilient to flooding, and what role can be played by measures such as insurance, sustainable drainage and planning policy?

Government housing targets, however derived, need to respect the constraint of flooding whilst balancing competing constraints such as topography or Green Belt designations on development. For example, authorities that have valleys which flood, have nationally and internationally protected areas such as the South Pennines SPA/SAC, and have functional Green Belt, may not be able to adequately cater for their housing need within their authority boundaries. The Duty to Cooperate is not necessarily an appropriate mechanism for resolving such issues where neighbouring authorities face similar challenges. As an example, the Calder Catchment covers large areas of Kirklees, Calderdale and Wakefield local authorities. Additionally, the Calder catchment impacts areas of the Rivers Don and Aire catchments. Spatial scale is therefore a crucial issue when responding to the challenges of flooding, housing growth and climate change.

A mixed approach to managing flood risk should be adopted by Government. With an ever-increasing demand for development land, the emphasis needs to be changed from simply keeping water out. The Government needs to enable communities to manage their risks. This means better equipping people and businesses to live with water, being able to stop water entering their properties and speeding recovery if it does. Regulations on flood resilient design should be linked to Flood Zone Designations through Building Regulations and planning policy.

The National Planning Policy Framework (NPPF) and national Planning Policy Guidance (PPG) could be stronger on avoidance of new 'more vulnerable' uses such as new homes in Flood Zone 3 (and especially where a local authority can demonstrate a five year supply of deliverable housing land). This is the approach currently being taken by Kirklees Council in West Yorkshire but their position would be stronger if backed up by national policy, such as a strengthening of the current sequential test to reinforce the need to focus on avoidance rather than resilience, as many planning applications focus on the latter. Strengthening the approach to Flood Zone 3 would have implications for authorities where there are significant areas so any change in approach would need to be carefully worded and contain relevant caveats where necessary.

Planning policy seeks to avoid development in flood risk areas but this cannot always be avoided meaning that in some areas resilience measures are crucial. To complement resilience measures planning policy should also make clear the need to reduce flood risk by making space for water in new development. This can be done in a number of ways, for example:

- Set densities to encourage high rise development in some locations so as to maximise residential use and free up land for open uses that are designed to accommodate water in times of flood. The designation of these 'sacrificial areas' in the urban area should be based on natural flood storage as 'developed functional floodplain' and shown in Strategic Flood Risk Assessments (SFRAs) or other evidence which could be linked to Local Plan policies. On development sites sacrificial areas should be based on natural flood conveyance routes.
- Use of Article 4 Directions to reduce the growth in surface run-off in areas where there is evidence to demonstrate that permitted development rights are increasing urban creep and exacerbating flooding. The Article 4 Direction process needs to be simplified as it is currently too long and resource intensive.

The NPPF guidance on flood risk refers to zones 2 and 3 and also areas of zone 1 that have been notified to the LPA by the Environment Agency as having critical drainage problems, however local authorities are in a better position than the EA to determine where the critical drainage problems are. There is no planning guidance on how to define a Critical Drainage Area (CDA), or the criteria for one, or how to consult on it. In Leeds, an area of East Garforth would be a potential candidate as a CDA but this has never been done. If used for planning purposes, a CDA could have far-reaching effects and implications for land use and developers could be given an indication of the types of resilience measures that would be needed, including improvements to the drainage infrastructure.

Planning policy could be stronger in its support of Sustainable Drainage Systems (SuDS). The NPPF currently states that developments should incorporate them but it could quantify the proportion of run-off that should be accommodated by SuDS. Locally, we have supplemented national guidance and enhanced the use of SuDS by publishing our own guidance covering Leeds City Region. This guidance operates alongside Local Plans and Supplementary Planning Documents (where applicable). Calderdale Council's Local Plan sets out that SuDS are a requirement on many of their proposed housing allocations. Developers need to implement this requirement and if they do not, the local authority supported by Inspectors in relation to any subsequent appeals, can refuse planning permission. This is positive but our local position could be further enhanced by stronger support for SuDS in the NPPF/PPG.

Surface water flooding guidance could also be improved. It currently includes a duty to work together on issues. However, experience has shown that cooperation is not always forthcoming. The Government should consider other enhanced measures including new

legislation to ensure organisations collaborate effectively on this surface water issues e.g. sharing asset registers and providing access to land/property to deliver infrastructure.

To be resilient, safe access and egress should not be limited to the fire and rescue service being able to attend an emergency (for example with a boat). This is not sufficient. Safe access and egress should mean that people are able to get in and out of the development without needing to rely on the fire and rescue service. Leaving people in the building for several days during a flood is not providing adequate resilience for the development. Consideration should also be given the resilience of critical infrastructure including power and digital connectivity as the loss of these services can leave homes and communities in a vulnerable position. Digital technology also offers potential in terms of flood preparedness via the use of the Internet of Things (IoT) applications such as remote sensors and monitoring. However, for this to be beneficial the underlying infrastructure must also be resilient.

Planning permissions that require an evacuation plan as mitigation for flood risk should be checked to ensure they are deemed adequate by the Council's emergency planning officers.

By its very definition, the implementation of green and blue infrastructure (GBI) will help to make developments more resilient to flooding. In addition, GBI will bring a whole host of other benefits beyond increased resilience to flooding if integrated into developments e.g. improved physical and mental health, biodiversity and carbon reduction. The Green Infrastructure Standards developed by Government as part of the 25 Year Environment Plan provide an excellent starting point to assist with the integration of GBI into development. At present the Standards are voluntary, however Government should consider how they are made mandatory for all developments and provide the resources to local authorities to enforce their implementation and subsequent retention and maintenance. This could address issues such as urban creep in urban environments as individual, small-scale changes in existing urban settlements, such as building housing extensions, driveways and conservatories, or homes in gardens is increasing risk of flooding.

A [Centre of Expertise for Waters Study](#)⁷ of development in Edinburgh showed that this effect is significant, contributing to more loss of vegetation than urban expansion. This could be addressed by national and local planning policy/guidance (such as national design guidance) limiting extensions and paving over front gardens, which is the most significant contributor. For instance, a guideline that limits the depth of a front garden to three metres could prevent it being paved over for parking.

Better support could be provided for Small and Medium Sized Enterprises (SMEs) when accessing flood insurance. Often small businesses find insurance too costly in terms of premiums or levels of excess required. Research from the University of Leeds has shown that high insurance prices reflect the high-risk perceived by insurers due to 1) a lack of understanding of the economic costs that the diverse SME sector present to them and 2) because there is a lack of trust in the effectiveness of flood risk measures implemented by SMEs.

Insurance companies also normally require building back like for like following a flood event rather than building to an enhanced level of resilience. This is short sighted and wasteful of resources.

⁷ Quantifying rates of urban creep in Scotland: results for Edinburgh between 1990, 2005 and 2015 Available at:

<https://www.crew.ac.uk/sites/www.crew.ac.uk/files/sites/default/files/publication/Quantifying%20rates%20of%20urban%20creep%20for%20Scotland%20MAIN%20REPORT.pdf>

It is critical to increase our understanding of this issue, as affordable insurance can be an effective way to for SMEs to manage flood risk and because wider business lending processes in flood risk areas depend on having flood insurance in place. If SMEs require access to finance to expand their activities, get a mortgage, or just continue with their business, they need to have flood insurance in place. If this is not affordable, then growth opportunities are hindered. A new [research initiative](#)⁸ is underway, which aims to provide evidence to develop new programmes and policies to unlock these insurance issues and support the flood protection of SMEs. This project also involves developing a methodology with local and regional partners to estimate the scale of the indirect and direct economic impacts of flooding events on SMEs to inform and prioritise future flood resilience investment.

We trust that these comments are useful in support of the Committee's inquiry. Should any further details be required please do not hesitate to contact the Combined Authority using the contact details provided via the Committee's online form.

⁸ <https://icasp.org.uk/projects/bridging-the-knowledge-gap-to-boost-sme-resilience/>