

Report to: Place Scrutiny Committee

Date of meeting: 23 September 2024

By: Director of Communities Economy and Transport (CET)

Title: Flood Risk Management and Climate Adaptation measures-update report

Purpose: To provide a report on ESCC's flood risk management activity under our role as the Lead Local Flood Authority. To provide a report on the Council's climate adaptation work, following the publication of the Government's third National Adaptation Programme.

RECOMMENDATIONS

- 1) The Committee considers the update report on the Climate Change Adaptation and Flood Risk Management work being undertaken by CET, and identify any potential areas for future scrutiny work or updates to the committee; and**
 - 2) The Committee notes the intention to review the current Local Flood Risk Management Strategy for East Sussex and its delivery plan.**
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1. Background

1.1. The County Council declared a climate emergency at its meeting of 19 October 2019. In August 2023, the Climate Emergency Board approved a three-step approach to climate change adaptation, which involves a structured approach of risk assessment and the development of adaption responses to be integrated across the County Council's service provision. The Council's role as a Lead Local Flood Authority is an example of climate change adaption in practice, with climate change integrated into our assessment of current and future flood risk.

2. Climate change adaptation plan

2.1. Nationally, the most recent decade (2013–2022) has been on average 0.3°C warmer than the 1991–2020 average, and 1.1°C warmer than 1961–1990. Climate projections for East Sussex suggest that, by 2050, average temperatures are likely to be 2-3°C higher than the long-term average, with rainfall up to 20% higher in winter and 20% lower in summer. Sea level may rise by around 25cm. Heatwaves, droughts and floods will be significantly more common and severe.

2.2. There is no statutory duty on local authorities to produce a climate adaptation plan. However, the Government's Third National Adaptation Programme report, released in July 2023, identifies local authorities as having an important role in adaptation by virtue of their role in managing public infrastructure, supplying critical community support services, partnering in local resilience fora, and as local convenors and placemakers. Failure to consider how climate change will affect our services is likely to damage our ability to meet corporate objectives, degrade service quality and leave communities increasingly vulnerable to climate impacts. It is also becoming important to funders and partner organisations, for

example, the Local Highways Maintenance Incentive Fund asks applicants for information on emissions mitigation and resilient networks.

2.3. The Council's 2023-25 Climate Emergency Plan set out the following four actions for adaptation during the plan period:

- Assess the Council's vulnerability to climate change.
- Produce a climate risk register.
- Develop a climate adaptation/ resilience strategy and programme.
- Embed climate adaptation into business-as-usual decision-making and risk management.

2.4. There is a large volume of adaptation guidance available for local authorities, however none of this is official guidance from a government department or agency. In 2023, the Council's Climate Emergency Board agreed on a three-step approach to adaptation, largely following that set out in the Local Partnerships Climate Adaptation Toolkit. Local Partnerships is an organisation owned by the Local Government Association, HM Treasury and the Welsh Government. The process agreed is illustrated in Figure 1.

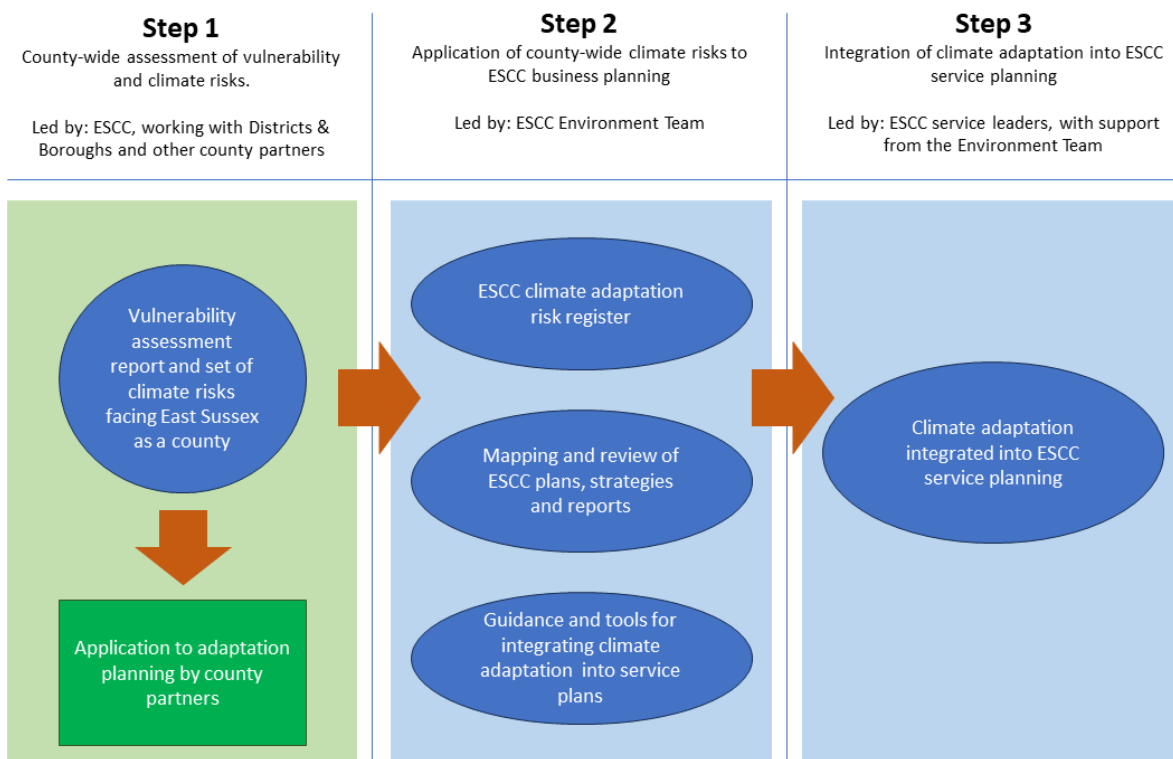


Figure 1: The Council's agreed three-step approach to climate change adaptation planning

2.5. Step 1 of the process – a climate risk and vulnerability assessment for the county - was completed in the first half of 2024. We contracted the consultant ARUP to assist with the work, which included:

- A desktop assessment of relevant (internal and external) policies, plans and strategies.
- A scoping exercise to identify risks in the UK Climate Change Risk Assessment (2022) relevant to East Sussex.
- Detailed assessment of risks and vulnerabilities.
- A prioritised list of risks for the Council.

This work drew on the expertise of both internal and external stakeholders. External stakeholder included those covered by the reporting power in the Climate Change Act (such as utility companies and Government agencies) who have developed their own adaptation plans. The climate risk and vulnerability assessment [has been published on the Council website](#) (please note that the prioritised list of risks for the Council has not been included in the website version of the report as it contains suggested actions that have not been agreed by the Council).

2.6. With the risk assessment complete, we are now moving onto step 2 of the process. This will begin with the creation of a climate adaptation risk register, with the work led internally by the Environment Team. We will take the prioritised climate risks identified in step 1 and assign each risk to an owner/ leader. Alongside risk identification, we will map and review ESCC's plans, strategies and reports that potentially need to consider climate adaptation.

2.7. Following the mapping exercise, the Environment Team will develop a toolkit (or adapt external resources) for services to build climate change adaptation into their service delivery plans. This toolkit will help services identify climate-related risks to their operations and service users, identify activity that is already taking place to address such risks, and understand how they can build further climate resilience into their service plans. Guidance and tools will be developed via a collaborative approach and trialled with a small number of services before a larger rollout.

2.8. The two most significant risks to the Council's adaptation programme are:

- Costs and available budget. Some adaptation actions may be prohibitively expensive. For example, adapting the highway network to cope with more intense rainfall may need upgrades to drainage systems.
- Service engagement. A 'bottom up' approach to adaptation may see uneven standards of engagement across Council services.

3. **Lead Local Flood Authority**

3.1. The County Council is designated a Lead local Flood Authority (LLFA) under the Flood and Water Management Act 2010 (FWMA). Our role is to manage flood risk from surface water, ground water and ordinary watercourses, and principal duties include acting as a statutory consultee to the planning system, regulating activities that affect flows in ordinary watercourses, investigating flood events and adopting and implementing a Local Flood Risk Management Strategy for the County. In so doing the LLFA is key to the delivery of adaptation to climate change in the county.

3.2. This role does not replace the legal obligations of other organisations (known as Risk Management Authorities - RMAs – under the FWMA) nor does it imply a direct operational responsibility for the management of assets on the part of the LLFA. The RMAs in East Sussex are:

- ESCC as the Lead Local Flood Authority and Highway Authority
- The Pevensey & Cuckmere Water Level Management Board
- The boroughs and districts
- The Environment Agency
- Southern Water
- The Romney Marshes Internal Drainage Board

- The Upper Medway Internal Drainage Board.

3.3. The current Local Flood Risk Management Strategy for East Sussex was adopted in 2016 – [Local flood risk management strategy | East Sussex County Council](#)– and is now due to be reviewed and updated by the end of 2026.

3.4. Early in 2023 the then Government stated its intention to implement Schedule 3 of the Flood & Water Act by the end of 2024. This provision of the Act, which has yet to be commenced, would establish a new regulatory regime governing new development which would run parallel to the planning system and administered by the County Council. This appears not to be a priority for the new government. Nevertheless, work on the review of our strategy was put on hold until we had clarity on whether this would be a substantial new burden for the County Council or not.

3.5. The LLFA operates a shared service with the Pevensey & Cuckmere Water Level Management Board on development and planning matters in the Board's catchment, which extends as far north as Heathfield. This combined approach avoids duplication of responses, adds greater weight to our comments on planning applications and assists the Board in managing the impacts of development on its water management infrastructure.

3.6. At Appendix 1 is an update on progress against the measures set out in the East Sussex LFRMS delivery plan which ran from 2020 to 2023. The uncertainty generated by the government's intention to implement schedule 3 also affected the review of the Strategy's delivery plan. In addition to what is set out in the Delivery Plan update, key activities undertaken by the LLFA in the past 12 months include:

- The investigation into the twin flood events in Hastings Town Centre – [Section 19 Investigations | East Sussex County Council](#)– and subsequent work with the Borough Council and Southern Water.
- The delivery of flood resilience measures in the Wren Close area of Heathfield
- Ongoing work on the Blue Heart project (a government funded £4.5m pilot project focussed on Eastbourne and Southern Wealden) including establishing a network of over 400 sensors to monitor water levels, commencing a project to retrofit sustainable drainage systems to seven schools and the creation of an integrated fluvial and surface water flood model for the project area.
- Responded to over 450 planning authority consultations and developer enquiries (including the preparation of evidence for planning appeals)
- Dealt with 254 separate investigations/enquiries and 97 applications for ordinary watercourse consent.
- Assisting the local planning authorities in the boroughs and districts with their local plan development.

4. Conclusion and reasons for recommendations

4.1. Climate change adaptation is an important, evolving area of work for the County Council. Step 1 in the agreed 3-step adaptation plan is now complete. As we proceed to step 2, the Committee is invited to review progress and comment on priorities and actions.

4.2. There is little doubt that we are now experiencing climate change driven weather patterns. We have witnessed an increasing frequency of record-breaking weather events over the first quarter of this century. Last winter's rainfall was the worst since records began, for example. The forthcoming review of the East Sussex Local Flood Risk Management Strategy will build upon our experience of managing risk over the last ten years and provide a direction for the County Council in this crucial area of climate adaptation.

4.3. The Committee is asked to consider the update report on the Climate Change Adaptation and Flood Risk Management work being undertaken by CET and identify any potential areas for future scrutiny work or updates to the committee.

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Director Communities, Economy and Transport

Contact Officer: Edward Dearnley / Nick Claxton

Tel. No. 07759 700099/01273 481407

Email: Edward.Dearnley@eastsussex.gov.uk / nick.claxton@eastsussex.gov.uk