

Norfolk County Council

Record of Cabinet Member decision

Responsible Cabinet Member: Cllr Andy Grant

Background and Purpose:

The Environment Agency raises a levy on upper tier and unitary Local Authorities each year. This is called the 'Local Levy'. The amount payable for each local authority is determined by reference to the Local Authority approved council tax base. Local Levy has been raised as a precept on Local Authorities for many years to enable Regional Flood and Coastal Committees (RFCCs) to fund local priority projects and support the Flood and Coastal Erosion Risk Management (FCERM) Programme.

Under the Regional Flood and Coastal Committees (England and Wales) Regulations 2011, the County Council's appointed members of the Regional Flood and Coastal Committees (RFCCs) are entitled to vote on the levying of money from the County Council by the RFCC.

The constitution of Regional Flood and Coastal Committees stipulates that only Local Authority appointees to the committee can vote on levy setting. A large number of local authorities are involved in levy setting of which Norfolk County Council is just one. This can mean in some years the County Council appointees are outvoted. The effect of this is to bind the authority to the RFCC decision even if it is different from that agreed and voted for by County Council members on the RFCC.

Decision:

To agree that the County Council representatives at the Regional Flood and Coastal Committees (RFCC) meeting will support an increase in the Local Levy setting vote of between 1% to 3%.

Is it a key decision?

No

Is it subject to call in?

Yes

If Yes – Deadline for Call in

Date: 4pm, Tuesday 19 October

Impact of the Decision:

The outcome of the local levy vote has a financial impact on the authority as well as a real terms impact on the availability of money to fund flood mitigation work.

Evidence and reason for the decision:

The annual levy from the County Council supports significant flood mitigation work as part of the RFCC programme and draws in approximately £5 of central government money for every £1 of local levy spend. The RFCCs oversee this programme of capital and maintenance works to reduce the risk from flooding and coastal erosion.

For information:

The RFCC vote for 2019/20 was for an increase of 5% in the Central (Great Ouse) area and 3% in the Eastern area.

The RFCC vote for 2020/21 was for an increase of 1.5% in the Central (Great Ouse) area and 2% in the Eastern area.

Alternative options considered and rejected:

Options over 3% were considered and rejected as either not matching real terms increases in costs or higher than the spend in the Capital Programme justified.

Financial, Resource or other implications considered:

The County Council paid a total of £926,442 to the RFCCs in 2021/22. An increase in levy of 1% or 3% will mean that the Council will have to pay an extra £9,264 or £27,793* in 2022/23.

* These figures are based on the 2021/22 Council Tax Base which may be subject to change.

Record of any conflict of interest:

N/A

Background Documents: None

Date of Decision:

12 October 2021

Publication date of decision:

12 October 2021

Signed by Cabinet member:

I confirm that I have made the decision set out above, for the reasons also set out



Signed

Print name Cllr Andy Grant

Date 12/10/2021

Accompanying Documents:



Report to Cabinet Member

Item No.

Report title:	Annual Local Levy Setting for the Regional Flood and Coastal Committees
Date of meeting:	N/A
Responsible Cabinet Member:	Andy Grant (Cabinet Member for Environment & Waste)
Responsible Director:	Tom McCabe (Executive Director of Community and Environmental Services)
Is this a key decision?	No

Executive Summary

Under the Regional Flood and Coastal Committees (England and Wales) Regulations 2011, the County Council's appointed members of the Regional Flood and Coastal Committees (RFCCs) are entitled to vote on the levying of money from the County Council by the RFCC.

The outcome of the local levy vote has a financial impact on the authority as well as a real terms impact on the availability of money to fund flood mitigation work.

The annual levy from the County Council supports significant flood mitigation work as part of the RFCC programme and draws in approximately £5 of central government money for every £1 of local levy spend. The RFCCs oversee this programme of capital and maintenance works to reduce the risk from flooding and coastal erosion. Recent projects in Norfolk have included the river defence work in Great Yarmouth and the Bacton sandscaping project. Local Levy is currently supporting our flood risk projects in Dereham, Watton and Thetford and will be a key component of our Natural Flood Risk projects such as in Saham Toney, Kenninghall and Brockdish. This all helps with implementing the Norfolk Strategic Flood Alliance action plan which was approved by the Council's Cabinet in September 2021.

Recommendation:

- 1. To agree that the County Council representatives at the Regional Flood and Coastal Committees (RFCC) meeting will support an increase in the Local Levy setting vote of between 1% to 3%.**

1. Background and Purpose

- 1.1. The Environment Agency raises a levy on upper tier and unitary Local Authorities each year. This is called the 'Local Levy'. The amount payable for each local authority is determined by reference to the Local Authority approved council tax base. Local Levy has been raised as a precept on Local Authorities for many years to enable Regional Flood and Coastal Committees (RFCCs) to fund local priority projects and support the Flood and Coastal Erosion Risk Management (FCERM) Programme.

Under the Regional Flood and Coastal Committees (England and Wales) Regulations 2011, the County Council's appointed members of the Regional Flood and Coastal Committees (RFCCs) are entitled to vote on the levying of money from the County Council by the RFCC.

The constitution of Regional Flood and Coastal Committees stipulates that only Local Authority appointees to the committee can vote on levy setting. A large number of local authorities are involved in levy setting of which Norfolk County Council is just one. This can mean in some years the County Council appointees are outvoted. The effect of this is to bind the authority to the RFCC decision even if it is different from that agreed and voted for by Council members on the RFCC.

2. Proposals

- 2.1. To agree that the Council representatives at the RFCCs will support an increase in the Local Levy setting vote of between 1% to 3%.

3. Impact of the Proposal

- 3.1. The outcome of the local levy vote has a financial impact on the authority as well as a real terms impact on the availability of money to fund flood mitigation work. This funding supports the delivery of the Norfolk Strategic Flood Alliance action plan along with other County Council flood and water management projects.

4. Evidence and Reasons for Decision

- 4.1. The Regional Flood and Coastal Committees bring together members appointed by Lead Local Flood Authorities (LLFA) such as the Councyu Council and independent members with relevant experience for three purposes:
- To ensure there are coherent plans for identifying, communicating and managing flood and coastal erosion risks across catchments and shorelines;
 - To promote efficient, targeted and risk-based investment in flood and coastal erosion risk management that optimises value for money and benefits for local communities;
 - To provide a link between the Environment Agency, LLFAs, other risk management authorities, and other relevant bodies to engender mutual understanding.

Norfolk County Council area is covered by 3 Regional Flood and Coastal Committees - Anglian Eastern, Anglian Central and Anglian Northern. These areas are based on river basin catchments.

The Anglian Eastern RFCC consists of:

A chair appointed by the Minister;

Persons appointed by or on behalf of constituent authorities;

Essex County Council	4
Norfolk County Council	2
Suffolk County Council	2
Southend on Sea Borough Council	1
Thurrock Council	1

The Anglian Central RFCC consists of:

A chair appointed by the Minister;

Persons appointed by or on behalf of constituent authorities;

Bedford Borough Council	1
Buckinghamshire County Council	1
Cambridgeshire County Council	2
Central Bedfordshire Council	1

Hertfordshire County Council	1
Milton Keynes Council	1
Norfolk County Council	1
Northamptonshire County Council	1
Suffolk County Council	1

The County Council have no representation on the Anglian Northern RFCC.

Cllrs Andy Grant and James Bensley are the County Council representatives on the Anglian Eastern RFCC.

Cllr Brian Long is the County Council representative on the Anglian Central RFCC.

Members vote on the setting of the Local Levy each year, using a simple majority system of a quorum of members. In the Anglian Eastern RFCC, at least 6 members must be present and therefore a decision can be passed by as few as 4 members. In the Anglian Central RFCC at least 5 members must be present (due to vote sharing the RFCC has 8 votes for 10 members) and therefore a decision can be passed by as few as 3 members.

The RFCC's oversee a programme of capital and maintenance works to reduce the risk from coastal erosion and flooding and to improve habitats and bio-diversity. Across the region, this programme will total almost £65m in 2015/16.
Local Levy - examples of Local Levy spend

- Undertaking capital works – new minor schemes or refurbishment of existing defences – locally important works
- Continuing projects submitted for, but not achieving Flood & Coastal Risk Management (FCRM) funding
- Developing projects that have local importance and may achieve FCRM funding when developed.
- Contributing to partnerships that achieve multiple objectives by funding the FCRM benefits
- Extension of maintenance to lower risk river systems
- Programme to repair and replace assets on former Critical Ordinary watercourses
- Delivery or extension of community actions for flood warning, flood resilience and emergency planning
- Support delivery of surface water management plan actions.
- Enabling environmental enhancements where previous FCRM measures have degraded habitat
- Partnerships to promote flood awareness and encourage action by Small and Medium Size Enterprises
- Projects attracting external funding
- FCRM element of wider community based projects, perhaps attracting wider regeneration funding from EU
- Undertaking investigations into flooding to determine cause and responsibility
- Delivery of minor additional benefits to encourage public buy-in for predominantly habitat based schemes
- Review of defences to update high risk area plans for climate change
- Funding staff and associated on-costs to manage the Local Levy Programme
- Invest to save initiatives to reduce future revenue dependency and to help enable others to take on maintenance activities.

In Norfolk, Local Levy has been used to:

- Support the ongoing surface water management work in Great Yarmouth, King's Lynn, Cromer, Sheringham, North Walsham and Hemsby.
- Support Environment Agency flood protection schemes in Norwich, Great Yarmouth, Bacton and Heacham.
- To implement a scheme providing property level protection measures for properties flooded since 2014.

5. Alternative Options

- 5.1. Options over 3% were considered and rejected as either not matching real terms increases in costs or were higher than the spend in the Capital Programme justified.

6. Financial Implications

- 6.1. The County Council paid a total of £926,442 to the RFCCs in 2021/22. An increase in levy of 1% or 3% will mean that the Council will have to pay an extra £9,264 or £27,793* in 2022/23.

* These figures are based on the 2021/22 Council Tax Base which may be subject to change.

7. Resource Implications

- 7.1. **Staff:**

N/A

- 7.2. **Property:**

N/A

- 7.3. **IT:**

N/A

8. Other Implications

- 8.1. **Legal Implications:**

N/A

- 8.2. **Human Rights implications**

N/A

- 8.3. **Equality Impact Assessment (EqIA) (this must be included)**

Allocation of funding for flood defence and mitigation schemes takes account of the deprivation of the areas protected. Each scheme will assess this separately as part of the project development.

- 8.4. **Health and Safety implications**

N/A

- 8.5. **Sustainability implications**

The proposals will result in additional funding being allocated to help mitigate the affects of flooding and improving water management resilience.

- 8.6. **Any other implications**

N/A

9. Risk Implications/Assessment

- 9.1. The constitution of Regional Flood and Coastal Committees stipulates that only local authority appointees to the committee can vote on levy setting. As set out in 5.2 a large number of local authorities are involved in levy setting of which Norfolk County Council is just one. This can mean in some years the Council appointees are outvoted. The effect of this is to bind the authority to the RFCC decision even if it is different from our proposal and that voted for by County

Council members on the RFCC.

10. Select Committee comments

10.1. N/A

11. Recommendation

- 11.1. 1. To agree that the County Council representatives at the Regional Flood and Coastal Committees (RFCC) meeting will support an increase in the Local Levy setting vote of between 1% to 3%.

Officer Contact

If you have any questions about matters contained in this paper, please get in touch with:

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