

BROMSGROVE DISTRICT COUNCIL

CABINET

4TH MARCH 2009

JOINT COUNTYWIDE SCRUTINY REPORT ON FLOODING

Responsible Portfolio Holder	Councillors Mrs. J. M. L. A. Griffiths and P. J. Whittaker
Responsible Head of Service	Executive Director – Partnerships and Projects Head of Street Scene and Community Head of Planning and Environment Services
Task Group Chairman	Councillor M. King (Wychavon District Council)
Our Representatives	Councillors P. M. McDonald and D. L. Pardoe
Key Decision	

1. SUMMARY

- 1.1 To consider the findings and recommendations made by the Joint Countywide Flooding Scrutiny Task Group which are contained within the attached report at Appendix 1.
- 1.2 To assist the Cabinet in coming to a decision, Members are also requested to consider the implications to this Council as detailed in Appendix 2, as well as the views of Overview and Scrutiny Members.

2. RECOMMENDATIONS

- 2.1 Having considered:
- the recommendations contained within the Joint Countywide Flooding Scrutiny Report (Appendix 1);
 - the implications for this Council (Appendix 2); and
 - the views of the Overview Board and Scrutiny Board (as outlined in paragraphs 3.6 to 3.13 of this report);
- The Cabinet is requested to decide whether to approve the Joint Countywide Flooding Report.
- 2.2 That the recommendations from the Scrutiny Board as detailed in paragraph 3.14 and 3.15 of this report (highlighted in **bold**) be approved.

2.3 That should the Cabinet be minded to approve the whole or part of Joint Countywide Scrutiny Flooding Report, officers who form the current watercourses officer group be requested to revise its terms of reference and composition in order to address the implications for the District of any approved recommendations contained within the Joint Countywide Scrutiny Flooding Report.

3. **BACKGROUND**

3.1 At the end of 2007, Chairmen of Overview and Scrutiny Committees from all local authorities in Worcestershire agreed, in principle, to the suggestion of undertaking a joint countywide scrutiny.

3.2 In January 2008, the former Scrutiny Steering Board agreed to take part in a joint countywide scrutiny on flooding in Worcestershire. Details of the scrutiny proposal (including terms of reference) and the working arrangements were also considered at the same meeting.

3.3 A representative from each local Council in Worcestershire was nominated and membership was agreed in February 2008 together with a work programme for the Task Group for March 2008 onwards.

3.4 In brief, the Joint Task Group was expected to:

- Review the immediate response to the floods by local/public agencies and the recovery since;
- Consider what action needs to be taken to ensure there is a clear approach to dealing with any future emergency;
- Send comments to the national Pitt Review; and
- Make recommendations to County Council, District and Borough Councils, and other agencies and individuals as appropriate.

3.5 The investigation is now complete and the final meeting of the Task Group took place on 6th November 2008. The final report became available late in November 2008 and the next step is for all relevant organisations involved, to consider the findings and recommendations.

3.6 At the Joint Meeting of the Overview Board and Scrutiny Board held on 2nd December 2008, Members discussed the findings and recommendations. Unfortunately, the Task Group Chairman, Councillor M. T. King from Wychavon District Council, was unable to attend. However, Mr. J. Jordan (Democratic Services Manager from Worcestershire County Council) attended to answer questions, as it was his team who had supported this particular joint countywide scrutiny investigation.

- 3.7 The relevant Portfolio Holders, Councillors Mrs. Mrs. J. M. L. A. Griffiths and P. J. Whittaker, were also invited to attend the meeting to hear from Mr. Jordan and to find out first hand the views of the Overview and Scrutiny Members.
- 3.8 The report was considered in detail. Several comments were made and questions raised which were answered at the meeting relating to a number of issues including: riparian ownership; enforcement and prosecution; recommendations coming out of the Pitt Review; flash flooding; drainage responsibility; flood defence measures; role of County Council, District Council and Parish Councils; responsibilities of other agencies such as Severn Trent, Environment Agency and Highways Agency; emergency planning and sustainability; clearing and maintaining ditches and culverts; role of elected Members; and Gold Command.
- 3.9 The Overview Board and Scrutiny Board agreed that, in relation to Gold Command, the Task Group (when it next meets) should be requested to investigate the possibility of elected Members being appointed as 'Gold' representatives to assist them in providing Community Leadership (and help cascade up to date information to local residents).
- 3.10 Members of both Boards agreed that there is a need for effective communication between all agencies as identified within this scrutiny investigation. Therefore, it is hoped by Overview and Scrutiny Members that the Cabinet will approve the Joint Countywide Scrutiny Report on Flooding.
- 3.11 However, there was some concern regarding resource implications and such implications are not detailed within the report. Therefore, it was agreed that the Executive Director – Partnerships and Projects should be requested to investigate the financial and other implications before the report was considered by the Cabinet. It is hoped this will enable the Cabinet to make a more informed decision. This report is attached at Appendix 2.
- 3.12 The Scrutiny Board (on 27th January 2009) and the Overview Board (on 3rd February 2009) received the information relating to financial and other implications (outlined in Appendix 2) to enable those Boards to put forward any further comments or recommendations to the Cabinet.
- 3.13 The Chairman of the Scrutiny Board had concerns over the staffing resources (i.e. suitably qualified drainage officers) now and in the future but officers stated that joint working or shared services with neighbouring authorities was an option that would need to be investigated.

3.14 After detailed consideration of the implications, the Scrutiny Board recommended that in addition to approving the Joint Countywide Scrutiny Report on flooding, the Cabinet be requested to approve the following:

- (i) that consideration be given to the use of a text messaging service as an additional communication tool to enable the Council to send relevant information/updates to the public in the event of a flood;**
- (ii) that, when next updating any appropriate publication relating to advice on flooding (e.g. 'flooding matters' leaflet or website), the public be reminded that a battery powered radio would be required to enable them to hear radio updates on flooding should utility supplies need to be switched off;**
- (iii) that, although the importance of involving the Parish Councils was understood, Cabinet be requested to consider non-parished areas and the requirement for a single point of contact for those areas;**
- (iv) that the Modern Councillor Programme Steering Group be requested to discuss including emergency planning briefings within the Modern Councillor Programme to ensure all Members had a full understanding of the emergency planning process; and**
- (v) that, with regards to the recommendation relating to an inventory of local equipment held by local farmers which could be used in alleviating flooding and drainage problems, this be widened to include local plant hire stores.**

3.15 With regards to (i) above in paragraph 3.13, it should be pointed out that since the Scrutiny Board Meeting, officers have made enquiries and found that the Environment Agency already offers such a service free of charge (as the Environment Agency has a duty to provide environmental information and it actively encourages the public to request such information direct from them). Anyone can register via their website or by telephone to receive flood warning alerts direct by telephone, mobile, email, SMS text message and fax. Therefore, in light of this information, the Chairman (Councillor D. L. Pardoe) and Vice-Chairman (Councillor S. P. Shannon) of the Scrutiny Board would like to suggest that **the Cabinet considers requesting officers to promote the flood alert service offered by the Environment Agency in any appropriate publication the Council issues in relation to flooding, including the Council's website.**

3.16 Following its meeting on 3rd February 2009, the Overview Board had no additional comments or recommendations.

- 3.17 As requested by Overview and Scrutiny Members, in Appendix 2 of this report, officers have detailed the implications for each relevant recommendation for the District Council. However, as with any Overview and Scrutiny Report, the Cabinet also need to consider and approve all other recommendations contained within the report. A summary of the findings and all recommendations being put forward can be found in Section 10 of the Joint Countywide Report on flooding (see Appendix 1).
- 3.18 The Cabinet may be interested to know that the County Council's Overview and Scrutiny Committee and Cabinet supported the work of the Joint Task Group and approved the report and recommendations at the end of 2008. The same report is in the process of being considered by all other local authorities in Worcestershire.
- 3.19 It is being proposed in this report that should the Cabinet approve the recommendations contained within the Joint Countywide Flooding Scrutiny Report, the implications be addressed through the watercourses officer group. This officer group has already given some consideration to flooding issues as it forms an integral aspect of the District's watercourses. However, it is proposed that the terms of reference and the composition of the watercourses officer group are revised to include flooding and the pursuit of the recommendations contained in the Joint Countywide Flooding Task Group. The Overview Board and Scrutiny Board also support this recommendation.

4. FINANCIAL IMPLICATIONS

- 4.1 The implications for this Council of the Joint Countywide Flooding Task Group Report are detailed in Appendix 2. The financial implications are referred to following each recommendation.
- 4.2 The majority of the recommendations would impact on officer time in development and implementation rather than direct costs.
- 4.3 A small number of recommendations would require further specialist research and development which would require consultancy support or the services of an additional drainage engineer for investigation. These are identified at Appendix 2.

5. LEGAL IMPLICATIONS

- 5.1 The implications for this Council of the Joint Countywide Flooding Task Group Report are detailed in appendix 2. The legal implications are referred to following each recommendation.

6. COUNCIL OBJECTIVES

6.1 The attached report relates to Council Objectives ‘Improvement’ and ‘Environment’ and relates to the Council Priority ‘Climate Change’.

7. RISK MANAGEMENT

7.1 The risks for the district vary according to the various implications and recommendations.

8. CUSTOMER IMPLICATIONS

8.1 The customer implications vary according to the pursuit of each recommendation. However, there are various common themes around communication, preparation and advice directed towards customers. It is implicitly acknowledged that flooding cannot be prevented, but households and businesses can be given warning, advised on reducing the impact of flooding and informed of their responsibilities.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 Vulnerable people can be more severely affected by the impact of flooding. The report contains reference to vulnerable people and the need to provide advice and support to these people in the case of flooding affecting their homes.

10. VALUE FOR MONEY IMPLICATIONS

10.1 Implications for value for money are addressed following those recommendations where this is particularly relevant.

11. OTHER IMPLICATIONS

Procurement Issues – None
Personnel Implications – There are implications for training.
Governance/Performance Management – The role of the parish forum is particularly important in examining the implications for parishes of the report.
Community Safety including Section 17 of Crime and Disorder Act 1998 – None
Policy – None
Environmental – Flooding is a key environmental issue and links to climate change and land drainage matters in relation to care of watercourses and ditches.

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holders	Yes
Chief Executive	Yes
Executive Director - Partnerships and Projects	Yes
Executive Director - Services	Yes
Assistant Chief Executive	Yes
Head of Service	Yes
Head of Financial Services	Yes
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	Yes
Corporate Procurement Team	No

13. WARDS AFFECTED

All Wards.

14. APPENDICES

Appendix 1 - Joint Countywide Flooding Scrutiny Report with its 3 appendices

Appendix 2 - Implications of recommendations for Bromsgrove District Council

Appendix 3 - Letter regarding Pitt Review on Flooding from Department for Communities and Local Government

15. BACKGROUND PAPERS

None.

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