

## **Joint Countywide Flooding Scrutiny**

### **Implications associated to Recommendations**

Please note that the following recommendations relate specifically to the District Council. Therefore, in order to consider all recommendations within context, please refer to the Joint Countywide Scrutiny Report on Flooding (Appendix 1). A summary of findings and recommendations can be found in Section 10.

The recommendations have not been numbered within the main report, however, for ease of reference, they have been numbered in this document only. The paragraph reference (in brackets following each recommendation) refers to paragraphs contained within the Joint Countywide Scrutiny Report.

Recommendations 1 to 7 refer to the Local Resilience Forum (LRF) Partners

Recommendations 8 to 22 refer to County and District Councils

Recommendations 23 to 27 refer to Parish Councils

Recommendations 28 refer to the Joint Scrutiny Task Group

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#### **RECOMMENDATION 1:**

The Group therefore recommend that partner organisations of the LRF should review how they communicate with each other, paying particular attention to the relationship between 24/7 organisations and non routinely 24/7 organisations. Protocols and procedures reflecting agreed ways of working should, in future, be included in the LRF communications plan, and widely communicated to ensure future clarity. Exactly who attends the LRF routinely and who attends Gold command in an emergency should be clearly identified from each member organisation. [paragraph 4.7]

#### Operational Implications:

The communication group of the Local Resilience Forum will need to devise a protocol and procedures for means of communication between the agencies that form part of the LRF and how they communicate with Parish Council's and voluntary sector bodies. The Council needs to be represented at these meetings.

#### Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

#### Legal Implications:

There are no legal implications for the District Council; the existing LRF already complies with the provisions of the Civil Contingencies Act 2004.

**RECOMMENDATION 2:**

The Group recommend that the LRF takes the opportunity as part of future training events to ensure that there is a full understanding of the role of its partner organisations and their relationship with each other. [paragraph 4.9]

Operational Implications:

Bromsgrove's emergency planning officer and other Council staff with key responsibilities in an emergency will need to attend training where a clear understanding about roles and responsibilities in an emergency of the various partner organisations can be established.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications for the District Council.

**RECOMMENDATION 3:**

The Group recommend that local radio car/s should be physically stationed in close proximity to Silver Control so that updates on a situation can be delivered immediately where appropriate and ensure the broadcasting of consistent messages. As part of this the Group also recommend that the legitimate needs of other media organisations are not overlooked and that arrangements are also put in place to disseminate information provided to other appropriate media providers. [paragraph 4.19]

Operational Implications:

Bromsgrove's emergency planning officer and other Council staff with key responsibilities in an emergency will need to attend training where a clear understanding about roles and responsibilities in an emergency of the various partner organisations can be established.

In order to benefit from this form of communication it is important that Bromsgrove's emergency planning team have access to a radio. Furthermore, the communication officer needs to ensure that they convey an agreed and consistent message to local press as well as offering feedback to local radio.

Financial Implications:

There would need to be expenditure on the purchase of a radio to be stored in the emergency planning room, (estimated cost £200) there are no other direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications for the District Council.

**RECOMMENDATION 4:**

The Group therefore recommend that the LRF review how it provides information to the public via the media, recognising the role of local radio in keeping the public informed and prioritising information to local radio in advance of the national media where appropriate. [paragraph 4.23]

Operational Implications:

Bromsgrove will need to review its emergency plan communication arrangements so that it is confident that it can provide information to the public via the media.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications for the District Council.

**RECOMMENDATION 5:**

The Group also recommend that a system is developed, whereby each Category 1 Responder organisation can post relevant public information on (or linked to) a designated space on the same web-site, so that details of road closures, the location of rest centres, evacuations, public transport (for example) can be more easily checked by the public and other organisations. [paragraph 4.25]

Operational Implications:

Bromsgrove will need to ensure it has staff aware and trained in providing information to a 'same web-site' and that information on road closures and rest centres can be conveyed easily to the public.

Financial Implications:

There are implications for the provision of training and officer time to enter information on the 'same website'. It will also be necessary to make arrangements for this information to be collected.

Legal Implications:

There are no legal implications.

**RECOMMENDATION 6:**

The Group recommend that during a flooding emergency a single point of contact should be available to parishes to enable them to report local conditions (such as road conditions). Further, the LRF should consider the benefits and practicality of communicating with parish councils and how this might be included in the LRF Communications Plan. [paragraph 4.32]

Operational Implications:

The Joint Countywide Task Group Report on Flooding needs to form part of a parish forum agenda. The recommendations for parish's need to be considered in some detail and the idea of a flood warden or single point of contact in a parish will be proposed. Details of the contact will need to be included in the district council's emergency plan and the role of the contact developed and negotiated. Furthermore, parish councils will need to be provided with the emergency planning officer duty rota.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

**RECOMMENDATION 7:**

The Group recommend that in addition to the Highways Agency and Government talking to the major voluntary services, the LRF also be asked to consider in more detail, the production of plans to support people who become stranded on motorways. [paragraph 4.38].

Operational Implications:

Bromsgrove Compact group needs to be made aware of the Joint Countywide Task Group Report on Flooding and the role of the voluntary sector needs to be discussed. Methods of communication and the role of the voluntary and community sector should be incorporated into the district council's emergency plan.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

**RECOMMENDATION 8:**

The Group recommend that the further development of this approach (including their staffing and location) should form a key part of the County Council's response to any future emergency. To maximise their effectiveness 'hublets' would need to be established and fully operational as quickly as possible as an emergency develops. [paragraph 5.7]

**Operational Implications:**

The issue of 'hublets' needs to form an item for future development at County level. A protocol for staffing and establishing 'hublets' needs to be formulated and Bromsgrove needs to be involved in those negotiations. However, Bromsgrove CSC needs to brief staff on the concept of 'hublets' and establish arrangements for staffing and operating the 'hublet' in parts of the district in the event of an emergency. A procedure for setting up a 'hublet' and its operation will need to be formulated by CSC management.

**Financial Implications:**

There are no direct financial implications although officer time would be required to pursue this recommendation.

**Legal Implications:**

There are no legal implications.

**RECOMMENDATION 9:**

The Group recommend that it should be made clear to Councillors how they will be briefed on a developing emergency and how Councillors can find out what is happening. [paragraph 5.10]

**Operational Implications:**

A section in the emergency plan is devoted to communicating with ward councillors. However, this needs to be strengthened and arrangements need to be introduced that guides the briefing of elected members and provides them with relevant points of contact in cases of emergency. A briefing for members on the emergency plan should be held and this should be repeated following elections so that newly elected members are aware of the emergency planning arrangements.

**Financial Implications:**

There are no direct financial implications although officer time would be required to pursue this recommendation.

**Legal Implications:**

There are no legal implications.

**RECOMMENDATION 10:**

With this in mind (*i.e. recommendation 9 above*), the Group also recommend that all Councils review and update their emergency contact lists and that they be shared widely in a coordinated way. Furthermore, agreed arrangements should be put in place to ensure that such lists are regularly and routinely updated. [paragraph 5.11]

Operational Implications:

Bromsgrove District Council may want to circulate to all elected members its emergency planning officer duty rota and guidance on circumstances and conditions for contacting the duty officer.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

**RECOMMENDATION 11:**

Taking on board the spirit of the Pitt recommendation 66, the Group recommend that the County Council investigates the feasibility of introducing a system to enable customer contact centres to redirect callers where appropriate (such as to the Environment Agency for advice on what to do in a flood). [paragraph 5.15]

The Group recommend that structures for the provision of relevant information to the contact centres are drawn up and put in place as soon as possible. [paragraph 5.17]

Operational Implications:

Bromsgrove District Council has produced a leaflet providing advice on flooding. This leaflet contains contact details regarding other agencies. This leaflet will be reviewed annually in January when the emergency plan is reviewed. Copies of the flood advice leaflet have been passed to the CSC and the Depot, but it may prove useful to ensure relevant staff are aware of the leaflet and have access to copies.

Financial Implications:

There will be a cost for staff training, revising the flood leaflet and printing new copies. In addition there will be the cost of officer time.

Legal Implications:

There are no legal implications.

**RECOMMENDATION 12:**

In relation to creating a dedicated space on the same website with lists of contacts for each partner organisations such as for example, trading standards, the highways agency and the Chamber of Commerce [paragraph 4.25], the Group recommend that ways of achieving this be explored further with members of the Local Resilience Forum, led by the County Council's Emergency Planning and Communications Units. [paragraph 5.19]

The Group recommend that the Chamber of Commerce be invited to discuss further its offer to help local authorities maintain a list of useful numbers, including approved contractors with a variety of different skills (i.e. flooring, electrical, plumbing) to be called upon as required during or after an emergency. [paragraph 5.22]

Operational Implications:

Bromsgrove's emergency planning officer will contact companies on its approved contractors lists to request information as to whether they would be prepared to be called upon as required during or after an emergency. This will be pursued following consultation with the Chamber of Commerce.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

**RECOMMENDATION 13:**

The Group recommend that the County and each District Council ensure that suitably qualified officers in each district can take the lead responsibility for checking the condition of drainage assets (watercourse and ditches), feeding information to the drainage condition and assets map and sharing information with the Land Drainage Partnership. [paragraph 7.8]

(Note: Pitt recommends (No 19) that Local authorities should assess and, if appropriate, enhance their technical capabilities to deliver a wide range of responsibilities in relation to local flood risk management. The Group are mindful of the potential resource implications but believe that additional resources should be sought from central Government to fund these extra posts. [paragraph 7.7].)

Operational Implications:

Bromsgrove District Council has established an officers' watercourses group that has widened its brief to include flooding. It has been collecting information on responsibilities for the checking the condition of drainage assets and drawing up a drainage condition and asset map. However, there is much work to do on this

and the Council has extremely limited resources to undertake this work. It is suggested that the Council needs to explore other ways to enhance its resources. This will be necessary if the map is to be completed and regularly updated and information is to be shared with the Land Drainage Partnership.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.)

Legal Implications:

There are no legal implications. It is not known at this stage what aspects of the Pitt Review will be formally imposed on local authorities through legislation. The government has announced that a draft Floods and Water Bill will be published in the Spring of 2009.

**RECOMMENDATION 14:**

The Group recommend that each district council assess whether they have sufficient technical capability and if necessary ensure that a suitably qualified individual is available to advise District Planning Committees about drainage issues and flood risk implications for each development. [paragraph 7.37]

(Note: Pitt recommends (No 19) that Local authorities should assess and, if appropriate, enhance their technical capabilities to deliver a wide range of responsibilities in relation to local flood risk management. The Group are mindful of the potential resource implications but believe that additional resources should be sought from central Government to fund these extra posts. [paragraph 7.7].)

Operational Implications:

Bromsgrove District Council has a drainage engineer, but the demands on this resource are considerable. The extent of information and evidence demanded may mean that there are insufficient resources to carry out the degree of work needed to advise District Planning Committees about drainage issues and flood risk implications for each development. However, given that there is a housing moratorium advice on developments is relatively limited. Furthermore, the District Council has only a single drainage engineer. This engineer has worked for the Council for a considerable period of time and has built up enormous knowledge of the district and its associated drainage issues. This knowledge is inadequately documented and is not widely disseminated. When the current drainage engineer retires and substantial amount of this knowledge will be lost. The Council has to consider succession planning and re-examine the role of drainage engineers in the context of the increased frequency of flooding.



#### Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.).

#### Legal Implications:

There are no legal implications. It is not known at this stage what aspects of the Pitt Review will be formally imposed on local authorities through legislation. The government has announced that a draft Floods and Water Bill will be published in the Spring of 2009.

#### **RECOMMENDATION 15:**

The Group therefore recommend that all district councils should consider proactively making use of their powers to serve enforcement orders on landowners who do not comply with requests to maintain their ditches and/or water courses. [paragraph 7.48]

#### Operational Implications:

Bromsgrove District Council has held meetings with other district councils about enforcement. The Council needs to know who the land owner is or those with riparian responsibility before it can pursue enforcement. They need to receive a letter informing them of their responsibilities and giving them 28 days to carry out any necessary work. If the work is not carried out then the Council can serve notice. However, the Council have learnt that a campaign about the need to keep ditches and watercourses clear is necessary. Furthermore, those with responsibility for maintaining watercourses and ditches often need expert advice as maintenance is a complicated process with sometime unforeseen consequences. Bromsgrove District Council will need to produce written information on clearing ditches and watercourses and arrange advisory surgeries or workshops on maintenance. Where there is shared ownership of watercourses or ditches owners may need to be drawn together.

#### Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.). In addition a budget would need to be available to cover the cost of those cases where the land owner refused to co-operate with the enforcement notice and the Council therefore had to undertake the work via its own contractors. If the policy were to be pursued "proactively" this could result in a number of such interventions each year at estimated cost of £2000 to £3000 per incident. Past experience has shown that despite legal intervention it cannot be guaranteed that the monies spent on the works will be recovered in full

from the land owners. Officer time from the legal department would also be needed to support the process and undertake debt recovery work.

Legal Implications:

The relevant legal power to serve enforcement notices derives from the Land Drainage Act 1991. In the event that a notice is not complied with then the remedy available to the Council is to arrange for its own contractors to enter the land and complete the works, the cost of which is then charged back to the land owner. If the land owner fails to pay the costs as re-charged then legal action will be required to be taken to recover the debt on behalf of the Council

**RECOMMENDATION 16:**

The Group recommend that District Councils should develop an arrangement whereby if a riparian land owner can not afford or is unwilling to repair water courses, then under the Local Government Act 2000, they should carry out necessary work and where possible claim the cost of works back from the land owners or their estate. [paragraph 7.50]

Operational Implications:

This is an alternative legal basis for achieving the same outcome as under recommendation 15. There may, from time to time, be occasions when using these powers would be helpful. However, the same considerations as to the time and resources needed to recover unpaid debts will apply here as apply to recommendation 15. Bromsgrove District Council will examine this issue, but advice is that this is a difficult and time consuming process.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.). Were this to be adopted, a budget would also have to be set aside to cover the cost of the proposed works. Officer time from the legal department would also be needed to support the process and undertake debt recovery work.

Legal Implications:

As referred to above there is existing legislation namely the Land Drainage Act which enables local authorities to complete works and re-charge the cost to the land owners. This is the situation that is covered in recommendation 15 above. Recommendation 16 is talking about taking a slightly different legal approach by using the well being powers under the Local Government Act 2000. These powers allow local authorities to do anything that might achieve the promotion or improvement of the environmental and social well being of their area. In legal terms this remedy does not really achieve more than that which can already be achieved under the Land Drainage Act 1991 save that it could be used where

there was no formal enforcement action being taken for example, or if there was no intention to recover the costs and it was a case of carrying out some improvement works for the benefit of the community at large.

**RECOMMENDATION 17:**

The Group recommend that the flood risk map should be produced by the District Councils and held by the County Council for every parish and urban area affected by floods, showing which properties and roads had flooded and the extent and direction of flow of flood waters. The District Council should carry out the mapping, with assistance from parishes. Information needs to be fed in to the County Council, and shared with members of the Land Drainage Partnership. [paragraph 7.17]

The Group recognise that this could involve much work especially for larger parishes; therefore, areas most prone to flooding should be prioritised first. [paragraph 7.18]

The County Council should co-ordinate sharing of the information on GIS maps, working in collaboration and sharing information with the Environment Agency. [paragraph 7.19]

Operational Implications:

The current resources available to Bromsgrove District Council are such that these would have to be augmented by additional resources either to allow the land drainage engineer to undertake this work or so that external expertise could be commissioned to carry out this work under supervision from the land drainage engineer. Additional resources would be necessary even after prioritising areas according to their vulnerability to flooding.

Financial Implications:

The Council will need to consider commissioning a consultant. (Estimated costs £10,000)

Legal Implications:

There are no legal implications.

**RECOMMENDATION 18:**

A Lecturer in Physical Geography at the University of Worcester has recently carried out some research into predicting where flash floods might occur in the city due to surface water runoff during heavy rainfall. The conclusions appear promising and could be useful for raising public awareness.

The Group recommend that the Land Drainage Partnership considers this and other relevant research (as highlighted in the Pitt Review (Chapter 4) to find a practical cost effective way to model and map areas at risk from flash flooding. [paragraph 7.15].

Operational Implications:

The majority of homes affected by flooding in Bromsgrove is as a consequence of flash flooding. There is some recording of homes affected by such flooding and information has been assembled on the causes of the flooding. However, there has not been any systematic mapping nor modelling. In order to draw up a map and prepare models the Council's current land drainage resources would have to be augmented with further resources to carry out the work and prepared the map.

Financial Implications:

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.)

Legal Implications:

There are no legal implications save that it is not known at this stage what aspects of the Pitt Review will be formally imposed on local authorities through legislation. The government has announced that a draft Floods and Water Bill will be published in the Spring of 2009.

**RECOMMENDATION 19:**

The Group recommend that records of drainage maintenance carried out are also kept and routinely maintained and that, again, overall responsibility should rest with the County Council. [paragraph 7.20]

Operational Implications:

The officer watercourses group of the District Council has received some information on maintenance arrangements, but further work needs to be carried out to ensure this is in a systematic form.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

**RECOMMENDATION 20:**

The Group recommend that the County Council, in collaboration with the District Councils, should consider maintaining an inventory of local equipment held by local farmers which could be used in alleviating flooding and drainage problems either during a flooding event or as part of recovery [paragraph 7.27]

**Operational Implications:**

Information on local equipment held by local farmers which could be used to alleviate flooding and drainage problems is not held by the Council. The Council's current resources will not permit this work to be carried out in a short time scale. In order to assemble this information, the Council's current resources would have to be augmented by external support.

**Financial Implications:**

The Council will need to consider commissioning a consultant. (Estimated costs £10,000)

**Legal Implications:**

There are no legal implication relating to the task of collating an inventory; if it is intended that the equipment should be used in instances of flooding by the Council or other agencies there are legal issues which would have to be addressed as to the arrangements under which that use should take place together with possible health and safety issues.

**RECOMMENDATION 21:**

The Group recommend that the County and District Councils consider ways to improve advising both rural and urban householders of their drainage responsibilities, including details on the availability of grants as well as the consequences of non compliance. [paragraph 7.44]

**Operational Implications:**

Bromsgrove District Council will need to examine the feasibility of running a campaign that focuses on responsibilities for watercourses and ditches and the availability of grants and potential for penalties to be imposed. A campaign of this sort will inevitably generate new demands and calls for advice on managing watercourses and drainage. The Council's present level of resource in relation to land drainage would mean that it could not adequately respond to these additional expectations. The Council would have to recruit or engage additional resources.

**Financial Implications:**

The Council will need to consider whether a consultant is to be commissioned to pursue this recommendation or whether an additional drainage engineer is recruited. (Estimated cost for consultant would be £10,000 or an additional land drainage engineer £35,000 p.a.)

Legal Implications:

The Council is able to give general advice and guidance; it would not be in a position to give specific legal advice to private individuals.

**RECOMMENDATION 22:**

The Group recommend that the County and District Councils develop protocols for sharing appropriate staff resources during recovery work after emergencies where appropriate. [paragraph 8.35]

Operational Implications:

Bromsgrove District Council has limited resources to meet its own needs. However, approaches will be made to the County's emergency planning section to co-ordinate the preparation of an inter-district protocol.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications.

**RECOMMENDATION 23:**

One of the issues raised in the Pitt Review was the need for a door knocking flood warning system at a local level<sup>12</sup>. Lists of vulnerable people should be kept along with named persons with responsibility for warning. We believe that parishes are best placed to carry out this kind of warning system in rural areas.

The Group therefore recommend that such a system should be explored further and incorporated into parish emergency plans where appropriate. [paragraph 5.29]

In urban or non-parished areas, the possibility of existing neighbourhood watch areas taking on responsibility for warning the vulnerable should be considered. [paragraph 5.30]

Operational Implications:

Bromsgrove District Council has contacted the Fire and Rescue Service about a register of vulnerable households in the district. This information has not been received, but efforts will be made to follow through the request. Information will be sought from the Council's Lifeline service on details they maintain of vulnerable households and a register will be constructed.

The issue of vulnerable households will be discussed at the Parish Forum and raised as an item at neighbourhood meetings and PACT meetings.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

Any personal data collected would have to be stored and used in accordance with the terms of the Data Protection Act.

**RECOMMENDATION 24:**

The Group recommend that the County Council's Emergency Planning Team assists with the development of a blue print or toolkit, providing more than just a skeleton, for other parishes' emergency plans, with the aim of encouraging parishes to create their own emergency plans for use in appropriate circumstances. [paragraph 5.33]

Operational Implications:

The County Council's Emergency Planning Team will be invited to attend a Parish Forum to assist Parish's with the development of a blue print or toolkit for parish's emergency plans. However, it may prove necessary for the District Council to organise a training session for parish council representatives on drawing up a parish emergency plan.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

The parishes affected would need to take their own legal advice from CALC on the legal implications of this recommendation.

**RECOMMENDATION 25:**

It was acknowledged though that all parishes were different and that in some parishes, turnover could be quite frequent, so ways of ensuring information and knowledge were passed on were important, such as perhaps a dedicated annual meeting. [paragraph 5.34]

Operational Implications:

Consideration needs to be given by Bromsgrove District Council to including an item on an annual basis related to emergency planning on its parish forum agenda.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

The parishes affected would need to take their own legal advice from CALC on the legal implications of this recommendation.

**RECOMMENDATION 26:**

The Group recommend that parishes which have formed their own flood groups, consider incorporating, promoting and deploying flood resistant products as part of the work of the group. [paragraph 6.15]

Operational Implications:

At a future meeting of the Parish Forum information and guidance will be provided on flood resistant products and the item will also be raised at PACT and neighbourhood meetings.

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

Any parishes affected would need to take their own legal advice from CALC in order to establish the legal implications of promoting products in the way suggested.

**RECOMMENDATION 27:**

The Group recommend that consideration be given to a greater utilization of the local knowledge on road drainage and watercourses of Parish Lengthsman. Parish Lengthsman should be contacted wherever possible to advise the County Council drain clearance teams of main flooding problem areas. [paragraph 7.42]

Operational Implications:

The District Council will propose that parishes that have lengthsman use them to identify flooding problems in their parishes. This matter would be proposed at the Parish Council Forum

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.



Legal Implications:

Those parishes that have lengthsman would need to take their own legal advice from CALC on any legal implications arising from this recommendation.

**RECOMMENDATION 28:**

It is clear that much good work has taken place during and after the flooding emergency. The Group have been impressed with how organisations are keen to improve any future response. In the absence of an overarching body being responsible for flooding issues the Group support Pitt's recommendations 90 and 91 which require upper tier local authorities to set up scrutiny committees to annually review arrangements for managing flood risk. The Group believe that this joint committee is best placed to carry out such a review at least after the first twelve months. The Group therefore recommend that this Joint Scrutiny Task Group be re-convened in 12 months time to review the outcomes from its findings and recommendations, as well as review progress on arrangements for managing flood risk. [paragraph 9.3]

Financial Implications:

There are no direct financial implications although officer time would be required to pursue this recommendation.

Legal Implications:

There are no legal implications save that as stated above it is not known at this stage what aspects of the Pitt Review will be formally imposed on local authorities through legislation. The government has announced that a draft Floods and Water Bill will be published in the Spring of 2009.