

**WYRE FOREST DISTRICT COUNCIL****CABINET**  
**18<sup>th</sup> DECEMBER 2008****Implications of the Pitt Review on Flooding**

<b>OPEN</b>	
<b>SUSTAINABLE COMMUNITY STRATEGY THEME:</b>	A Better Environment for Today and Tomorrow
<b>CORPORATE PLAN AIM:</b>	A Sustainable Environment
<b>CABINET MEMBER:</b>	Councillor Anne Hingley Councillor John Campion
<b>HEADS OF SERVICE:</b>	Head of Planning, Health & Environment Head of Property and Operational Services
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<b>APPENDICES</b>	1. Pitt Review Recommendations Table 2. Worcestershire County Council Scrutiny Report, December 2008. 3. Hereford & Worcester Fire Authority Flood Scrutiny Report

**1. PURPOSE OF REPORT**

- 1.1 To consider the implications for the Council of the recommendations of Sir Michael Pitt's report into last summer's floods. These have also been considered as part of the County Council's review and their recommendations along with those of the Fire Service are also attached for consideration.

**2. RECOMMENDATION**

**The Cabinet is asked to DECIDE to:**

- 2.1 **Agree the comments and recommended actions, as detailed in Appendices 1 and 2.**
- 2.2 **Consider any consequential budget implications arising from 2.1 as part of the forthcoming budget setting process.**

**3. BACKGROUND**

- 3.1 In June and July 2007 there were three severe weather occurrences in North Worcestershire. The high water table and intense periods of rainfall combined to produce localised severe flooding. These included the flooding of 260 individual properties, highways and industrial properties. The worst affected areas were around watercourses and brooks and these included properties adjacent to Dick Brook, Riddings Brook, Snuff Mill Brook and the River Stour. On the second and third occasions the effects were felt across the County and resulted in the local resilience forum calling on military assistance to aid rescues and defence of properties. The first

instance was controlled by a localised Silver Control in North Worcestershire and the second and third, full Gold and Silver Controls for the events between 10<sup>th</sup> June and 1<sup>st</sup> July 2007.

- 3.2 The heavy rain in July also caused severe damage to the Severn Valley Railway, including a landslip at Northwood Lane in Bewdley which required the emergency evacuation of a number of properties. A further emergency evacuation relating to a highway collapse in Mill Street in Kidderminster was also triggered by the combined effects of the three periods of intense rain. All these emergencies were dealt with in accordance with the Council's Major Emergency Plan with the support of employees from Property & Operational Services working alongside the blue light services and the Environment Agency. In the main the type of flooding that was seen in June and July 2007 was new to the County as it related to minor watercourses and surface water flooding rather than the well rehearsed response to main river flooding which occurs on a regular basis.
- 3.3 In addition to the immediate emergency response, there was a need to assist in the recovery phase. In particular the Council received £340,000 from the Government, £49,620 from the Red Cross and £44,000 from Advantage West Midlands. £260 per household was distributed to individual households to aid their immediate recovery. The remainder of the funds has gone into the purchase of aqua sacks, specialised equipment and watercourse management grants to make the District more resilient to the potential of further incidents of heavy rain. The Capital funding from Advantage West Midlands was used to reinstate the damaged infrastructure at Riverside Meadows and the like.
- 3.4 In the response and recovery phase there was the need to consider rehousing and Community Housing Group had to manage a significant programme of works to their affected properties with advice from the Housing Section on clean up and works needed. There was also a need for Environmental Health to advise and ensure hygiene in relation to businesses affected. There have been many individual homeowners helped with advice on clean up works and insurance issues by the temporary Watercourse Officer.
- 3.5 In light of last summer's national and local flooding issues the Government commissioned a full and independent review into the issues surrounding flooding and flood risk management. This resulted in one of the most wide ranging policy reviews ever undertaken, drawing from a variety of scientific, professional and social resources. The final review contains 92 specific recommendations aimed at the Environment Agency, Local Authorities, emergency services, utilities and the general public. The conclusions and recommendations within the review were to be followed up by a complementary Floods and Water Bill to be published in spring 2009, however such a Bill has not been included in the Queen's Speech for the current session of Parliament.
- 3.6 The Council has already acted in response to the local need regarding flooding, watercourse and land drainage issues through appointing a fixed term post of Watercourse Officer for 2 years. This has enabled many immediate issues to be dealt with and also enabled participation in a county-wide Land Drainage Partnership Group. There are issues that cut across many Councils, Agencies, companies and organisations. The Land Drainage Partnership is helping to co-ordinate a response to

the Pitt Review recommendations where appropriate and will be recommending targets and best practice. The Watercourse Officer has dealt with 85 separate cases of land drainage issues since the floods, up from an average of 4 cases a year in previous years. This has been a mixture of advice, enforcement liaising with Agencies and co-ordinating works. There is now a significant need to develop policy and respond to the recommendations of the Watercourse Management Plans provided by consultants. There is also a significant role in relation to the provision of expertise in relation to significant new developments or major schemes. There is also work being done with local communities and residents, including through Parish Councils.

- 3.7 The Council is supporting a multi agency partnership bid to obtain funding for a pilot project to produce a Surface Water Management Plan for Wribbenhall.
- 3.8 Worcestershire County Council has conducted a Scrutiny exercise and presented their findings to the Council's Community Services Committee on 3<sup>rd</sup> December 2008 at which time Appendix 1 to this report was also considered.
- 3.9 In May 2008 the Hereford & Worcester Fire Authority also published its Flood Scrutiny report which is attached at Appendix 3 for information.

#### **4. KEY ISSUES**

- 4.1 The general conclusion of the Pitt report is that the country as a whole was, and is, under prepared for the type of flooding that occurred in June and July of last year. As climate change is expected to increase the frequency of such events, it is ever more essential to plan and adapt and be properly prepared.
- 4.2 Such preparation will undoubtedly require fundamental changes in the way the country as a whole prepares for flood risk and how the agencies and authorities involved deal with this threat.
- 4.3 Key areas that need addressing according to the Local Government Association are as follows:
  - a. Reduction of Flood Risk
  - b. Reduction of Flooding impact
  - c. Improving interaction with the planning system
  - d. Improving the emergency response
  - e. Informing and preparing the public
  - f. Ensuring a smooth transition from response to recovery
  - g. Ensuring effective recovery
- 4.4 In advance of the findings of the Pitt Report being published, Worcestershire, under the umbrella of the Local Resilience Forum, have established a standing "Silver Control Group" to review current and future responses and they in turn have set up a Severe Weather Sub Group. Both these groups are currently working on the collection of data to identify key infrastructure, produce surface water flooding maps and a district by district multi-agency flood plan. These will be supplemented by community plans which this Council is currently facilitating through Parish Councils and PACTS.
- 4.5 These will be dealt with via the implementation of the recommendations as detailed in *Appendices 1 and 2*. These recommendations both direct the current activities of the Council and also give additional responsibilities that have implications for ongoing

capital and revenue expenditure. At present it is not clear how the range of local authority responsibilities will be divided between County and District Councils nor the consequential division of funding.

- 4.6 Likely financial implications are indicated regarding each recommendation in the Appendices. Specifically, the Council is likely to face the need for continued staffing resources to carry out the production and subsequent overseeing of surface water management plans. There is a need to provide training to existing staff to ensure competency and meet the new and ongoing responsibilities of the Council. There will also be a need to bring in specialist consultants in due course to assist in higher level competency needed in specific cases.
- 4.7 Worcestershire County Council officers have advised that their technical highway engineering expertise will work with District Councils on joint issues of concern, However this will not replace the need for the Council to provide competent staff to cover our powers, duties and responsibilities.
- 4.8 The Council should ensure that it has access, in whatever form, to skilled personnel and expertise to deal efficiently with the new requirements.
- 4.9 As seen in Appendices 1 and 2, the District Council and County Council responses to the Pitt recommendations are broadly similar. The County Council having a greater focus on highways and infrastructure issues, the District Council response having a greater focus on housing, businesses and land issues.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 Government have yet to announce final figures for funding and/or how funding is intended to be distributed. It is believed that at least £35 million may be made available (from the £2.15 billion flood and coastal erosion budget for the next 3 years) to implement the recommendations of the report. Confirmation of Government funding, figures and structures is expected as part of their response to the Report.
- 5.2 The Pitt Review Report recommends that a pre-planned system be set up for providing financial assistance to areas affected by floods.
- 5.3 It is clear Local Government's role in emergency planning and immediate relief to communities being affected by severe weather will increase. The current Bellwin Scheme is due for review and replacement however, to date, this Council has to fund the first £26,000 of any expenditure relating to an individual emergency. No direct provision is made within the budget for dealing with these events and this should be reviewed as part of the budget process.
- 5.4 The Watercourse Officer post was appointed on grade E, for a two year fixed term period ending in May 2010. Should the post be made permanent it will need to be reviewed in the light of the level of work and technical expertise being needed, using the Council's Job Evaluation Process.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 A more pro-active stance on land drainage and the threat of flooding is likely to see more frequent use of permissive enforcement powers under the Land Drainage Act 1991. With the consent of the Environment Agency, notice can and will be served upon incompliant or neglectful riparian owners. A clear separate policy on enforcement of watercourse and drainage issues will need to be developed, distinct from the current Private Sector Housing Enforcement Policy.
- 6.2 The Government is expected to bring in legislative changes in the near future. If charged with management of surface water drainage, an imminent review of the Council's Flood Defence Policy will be required.

**7. RISK MANAGEMENT**

- 7.1 The Pitt Report has tabled a series of recommendations which is aimed at establishing a more robust and effective response to emergencies triggered by severe weather, along with the need to reduce the risk of future flooding by investment in drainage infrastructure. If the Council fails to recognise and fund these issues there is a risk of them being held accountable for any failures relating to the Local Authority's response to severe weather.
- 7.2 To fail to respond would involve no further development of the Local Authorities' role in flood risk management and result in no development of flood mitigation plans or maintenance. This would allow current flood risk to continue to grow and also see the gradual deterioration of any current structure in place. This would result in increasing difficulties and costs in the implementation of any future flood defence or recovery schemes. Added to this is increased risk of liability for the Council in not fulfilling its legal and social responsibilities.

**8. CONCLUSION**

- 8.1 The Council's response so far has gone some way to prepare for these additional responsibilities as well as meet the demands arising out of the floods themselves. Whilst we await the final detailed response from Government to the Pitt Review recommendations, there is the need to plan ahead and be ready to meet the new responsibilities likely to be placed upon the Council given that the Government has already signalled its broad support for the recommendations.

**9. CONSULTEES**

- 9.1 Corporate Management Team

**10. BACKGROUND PAPERS**

The Pitt Review: Implementation and Delivery Guide 07/08

LGA Briefing Flooding Lessons Learned Final Report – The Pitt Review 25/07/08

The Foresight Future Flooding 2004 qualitative risk analysis – An update 07/08