

**REPORT OF THE DEPUTY DIRECTOR (COMMERCIAL SERVICES)**

**TO THE EXECUTIVE**

**6 June 2008**

**Consequential Actions Relating to the Floods of July 2007**

**1.0 Introduction and Report Summary**

- 1.1 This report relates to the developments arising from the floods of July 2007 conveniences and the updates to related Council policies
- 1.2 The contact officer for this report is Bill Farrar, Deputy Director (Commercial Services), telephone: 01235 540356, email address: [bill.farrar@whitehorsedc.gov.uk](mailto:bill.farrar@whitehorsedc.gov.uk).

**2.0 Recommendations**

2.1 *that the Executive*

- (i) *approves the Vale Emergency Response and Recovery Plan 2008*
- (ii) *approves the updates to the Vale Flood Management Policy 2008*
- (iii) *accepts the recommendations of the Emergency Advisory Group relating to the consequential actions emanating from the Vale Flood Review 2007*
- (iv) *notes the overview of the current financial position relating to flooding*
- (v) *approves the proposals for future expenditure on flooding matters, as set out in Section 9 of Appendix A.*

**3.0 Relationship with the Council's Vision, Strategies and Policies**

3.1 This report relates to the Council's Vision and objectives. It does not conflict with any Council Strategies and supports the following Corporate Priorities:

- *Creating a cleaner, greener, safer and healthier community and environment*
- *Rising to the challenge of climate change*

**4.0 The Emergency Response and Recovery Plan**

4.1 The devastating adverse weather which occurred in this region in July 2007 reminded the Council how important it is to be prepared to respond to unexpected incidents such as flooding. This Council is a Category 1 Responder under the Civil Contingencies Act 2004 and has a duty of care to prepare for emergencies and to react quickly and effectively when they occur, in order to prevent or minimise the effects of the incident.

- 4.2 Although emergencies are described in general terms, Category 1 Responders are left to interpret their duties and obligations and apply them in a reasonable and effective way as well as preparing business continuity and emergency plans.

Of all the emergency scenarios flooding is one of the most likely and one that affects the most numbers. The Council has a crucial community leadership role in an emergency and it also provides support with the emergency services. As response moves to recovery, the Council should take the lead in the rehabilitation of the community and the restoration of the environment.

The Council will play an enabling role with other bodies to meet welfare needs of those recovering from an incident (*e.g. social services support and financial assistance*) and facilitate the remediation and re-occupation of areas affected by an emergency.

- 4.3 In August 2007, the Flooding Recovery Grant Advisory Group was formed to decide on how to allocate the Government funding.

The Vale Internal Flood Review, which was published in November 2007, was followed by the Flood Review by Sir Michael Pitt (December 2007) and the subsequent national and local reviews by the Environment Agency.

The Vale has endured three more significant incidents since the floods of July 2007, i.e. flooding in January and February and the Sutton Courtenay fire in March.

In February 2008, the Vale Flood Fair was held at the Guildhall, Abingdon and the Council assisted the Red Cross charity to issue hardship relief grants to applicants in the Vale.

- 4.4 The Emergency Response and Recovery Plan has been produced to demonstrate how this Council will manage its response to an emergency and assist in the recovery of its community.

- 4.5 It sets out how the Council will muster the appropriate level of manpower and material resources and how it will take appropriate action to resolve or mitigate the effects of the incident whilst working with other organisations.

The key areas of involvement for the Council will be to:

- provide responsive action to vulnerable individuals and groups
- provide assistance to emergency services
- arrange temporary accommodation for homeless people
- maintain its normal services
- provide advice and information to those affected
- deal with media interest in the Council's activities
- restore the situation to normality as soon as possible

## **5.0 Vale Flood Management Policy 2008**

- 5.1 The Department for Environment, Food and Rural Affairs (DEFRA) has policy responsibility for flood and coastal defence in England. However, delivery is the responsibility of a number of flood and coastal defence 'operating authorities', i.e. the Environment Agency, local authorities and internal drainage boards.
- 5.2 Following the floods in 2000 and 2003 the Government published High Level Targets, which are not statutory requirements but important to the delivery of Government Policy. The first target requires each operating authority to publish, maintain and update a policy statement, setting out their plans for delivering the Government's policy aim and objectives in the area.
- 5.3 The Council acknowledges and generally supports the Government's aim and objectives for flood defence whilst recognising that, in law, all actions which Council takes in relation to ordinary watercourses, land drainage and flood defence are "permissive".
- 5.4 It is also important to note that the Council does not normally accept responsibility for maintenance of flood defences or ordinary watercourses on private land, which is the responsibility of the landowner.
- 5.5 This policy, which demonstrates the Council's commitment to flood defence within its District, now combines and incorporates the updated elements of the two previously separate but linked policies, namely, the Policy Statement on Flood Defence and the Enforcement Policy for Clearance of Ordinary Watercourses.
- 5.6 A key feature of the document is that of enforcement. The scoring matrix has been upgraded in order to make it more effective in cases where riparian owners are neglecting their responsibilities.
- 5.7 The policy is supported by operational documents which can be updated as work progresses, e.g.:
- (i) Maintenance Schedules for Ordinary Watercourses
  - (ii) Registers of Areas at Risk of Flooding (Residential Properties) from Watercourses
  - (iii) Flood Prevention Capital Programmes

## **6.0 Consequential Actions Emanating from the Vale Flood Review 2007**

- 6.1 The Vale Internal Review of the Floods 2007 was published in November 2007. It made 16 Recommendations which highlighted areas for attention in order for the Council to be properly prepared in cases of further emergencies.
- 6.2 The Flood Recovery Grant Advisory Council, having met on 4 October 2007 and 7 November 2007, submitted its report and recommendations to the Executive on 7 December 2007 in which it drew attention to a number of flood-related areas of work, based largely on the Flood Review recommendations.
- 6.3 Having transformed the Flood Recovery Grant Advisory Group into to the "Emergency Advisory Group", with revised terms of reference, the Executive asked

this Group to provide a progress report on the actions relating to the Vale Official Internal Flood Review.

- 6.4 Most of the points have been covered and dealt with by the Emergency Response and Recovery Plan and the Flood Management Plan. All of the issues raised from the floods of July 2007 have been addressed and summarised in a Briefing Report, from the Deputy Director (Commercial Services) to the Emergency Advisory Group (see Appendix A).
- 6.5 The Emergency Advisory Group, which met on 20 May 2008 and was Chaired by Cllr. Zoe Patrick, discussed and accepted the Report as an acceptable summary and conclusion of the consequential actions.
- 6.6 The Group requested the Deputy Director (Commercial Services) to commend it, on its behalf, for acceptance by the Executive at its next meeting of 6 June 2008.

## **7.0 The Financial Situation**

- 7.1 Until the July 2007 floods, the Council has made budgetary provision within cost centres for the funding of:
  - (1) Emergency Planning
  - (2) Land Drainage Revenue – relating to the maintenance of watercourses within Council ownership
  - (3) Land Drainage Capital – relating to flood prevention schemes which are often in association with the Environment Agency

Unexpected and unbudgeted expenditure emanating from incidents and emergencies may apply for support from Contingencies.

The Government have contended that allowances for flood prevention schemes and civil contingencies have been made within the annual local government finance settlement based on returns that have been made annually by Property Services and occasionally by Emergency Planning. However, there is no clear method of evidencing how much is actually allocated.

- 7.2 Following the July 2007 floods, this Council received from Government an overall allocation of £250,000 in response to the extensive property damage in this District. £179,000 was awarded to Vale 716 residents, each claiming the agreed grant of £250. Therefore, a sum of £71,000 remains available to the Council for expenditure on flood-related initiatives.
- 7.3 Subsequently, the Government made available, through the “Bellwin Scheme” further funds to Councils who could substantiate costs ensuing from the Floods. However, this was subject to the first £23,000 being met from Council reserves. Therefore, as the Vale applied for £47,449 it received, in February 2008, a payment of £24,449. This money was returned to the source from which it was paid and has not been identified as a usable budget.
- 7.4 In March 2008, the Government offered made available £1 million to Councils who had large numbers of households who were displaced from their homes due to the floods. As this Council could genuinely substantiate only 123 of the 207 recorded

cases it fell below the required minimum threshold of 200 and, therefore, received no funding at all.

- 7.5 The Council is continuing to work with the Oxfordshire group to assist the Red Cross charity in its attempts to distribute grants to people who have “suffered hardship”. This is a benefit paid directly to the applicants which provides no further funding to the Vale community at large.
- 7.6 Due to careful management and additional support from Members through the budget process the Principal Engineer (Property Services) has available, during this current year, £101,000 for flood-related capital scheme expenditure.
- 7.7 When this sum is added to the aforementioned £71,000 the overall funds available is £172,000. Some allocation suggestions have been proposed within the Briefing Report of the Deputy Director (Commercial Services) to Emergency Advisory Group.

## **8.0 Additional Information to this report**

- 8.1 Appendix A: Briefing Report to the Emergency Advisory Group (20 May 2008)

### Background Papers:

Emergency Response and Recovery Plan.

Vale Flood Management Policy

Actions from the Vale Internal Review of the Floods 2007

Maintenance Schedule for Ordinary Watercourses 2008

Register of Areas at Risk of Flooding from Watercourses

Details of the Flood Prevention Capital Programmes

Briefing Report to the Emergency Advisory Group (20 May 2008)

**BILL FARRAR**

**DEPUTY DIRECTOR (COMMERCIAL SERVICES)**

**STEVE BISHOP**

**STRATEGIC DIRECTOR**