

**TO: EXECUTIVE – 25<sup>th</sup> October 2004**

**SUBJECT: SCRUTINY REVIEW OF THE COUNCILS PERFORMANCE IN ITS DELIVERY OF FLOOD ALLEVIATION MEASURES**

**FROM: THE ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE**

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## **1.0 RECOMMENDATION**

1.1 To agree the following recommendations of the Environment Overview and Scrutiny Committee after their Scrutiny review of flood alleviation measures:

- The success of all the constructed Capital flood alleviation schemes should be noted. This is evidenced by no flooding occurring to previously affected properties where works have been undertaken.
- The Council should continue to support a long term objective to reduce the threat of flooding to property and include this important issue in the future Corporate Strategy and for consideration as part of the new Community Plan.
- The Council should continue to support the implementation of the programme of flood alleviation schemes as part of the future Capital Programme from 2006/07 onwards.
- The Council should take up the offer and opportunity to form a Partnership with the Environment Agency for the maintenance of the critical watercourses which will transfer to their control from 31<sup>st</sup> March 2004.
- A strategic approach should be formalised whereby the appropriate revenue budgets are transferred to the responsible business unit who directly undertake the role for watercourse maintenance on behalf of other Client business units.
- Revenue funding for watercourse maintenance should be maintained at levels sufficient to ensure current levels of service are maintained.
- The publishing of information about Riparian ownership and maintenance responsibilities should be undertaken via the Councils Web site.
- The Councils Surface Water Drainage Forum should be continued as it is an effective mechanism for the continued co-operation and regular liaison with external agencies to combat flooding problems.
- The success of the consultation and customer care package of measures which Engineering implement as part of construction works should be noted.
- The Council's Engineering Team responsible for watercourse flood defence should be congratulated for their hard work and professionalism in undertaking both the statutory Revenue maintenance functions and the Capital flood alleviation schemes work so efficiently.

## **2.0 REASONS FOR RECOMMENDATIONS**

2.1 To improve the Council's performance in its duty to deliver flood alleviation measures which reduce the threat of flooding to property.

## **3.0 ALTERNATIVE OPTIONS CONSIDERED**

3.1 The Environment Overview & Scrutiny Committee has undertaken a thorough review of the Council's approach to its delivery of flood alleviation measures. Members have considered a number of alternative approaches and they have challenged current practices and activities. The recommendations in this report represent the considered and collective view of members of that committee in the way the service has been delivered and the most appropriate way forward for the Council. A number of other options exist, ranging from doing considerably less to doing considerably more. These recommendations, however, are thought to be those that fit best the Council's budgetary and policy framework.

## **4.0 POLICY & BUDGET FRAMEWORK.**

### **4.1 Policy**

- This service helps the Council to achieve one of the six key themes within the corporate strategy for Environmental Services namely, "to reduce the threat of flooding".

### **4.2 Revenue**

- There are no recommendations for additional operational costs for watercourse maintenance. There is however a need to transfer small amounts from each of the Leisure, Housing and Property budgets to the Engineering Code 222/222 to enable a more strategic approach to maintenance. This is estimated to be in the order of £20,000.

### **4.3 Capital**

- The future Capital programme from 2006/07 onwards identified Capital funding to the value of £0.7M for future flood alleviation schemes. These future schemes were submitted with Capital appraisal forms to the officers Capital Evaluation Group in 2002. It is now recommended that these schemes should now be brought into the Capital programme.

Jose Compton  
Chairman of Environment Overview & Scrutiny Committee

## **BACKGROUND PAPERS**

Environment Overview & Scrutiny Committee agenda and minutes dated the 13<sup>th</sup> January, 2<sup>nd</sup> March and 7<sup>th</sup> June 2004 respectively.

<b>Areas in District Affected:</b>	All.
<b>Executive Portfolio Area and Holder:</b>	Councillor Mrs Begg (Potfolio Holder for Environmental Services).
<b>Overview &amp; Scrutiny Committee:</b>	Environment
<b>Key Decision:</b>	No
<b>Included in Forward Plan:</b>	No
<b>If Yes, method of consultation:</b>	

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## 5.0 BACKGROUND

- 5.1 As part of its work plan for 2003/04 and 2004/05 the Committee agreed to scrutinise the performance of the Council in the delivery of its Corporate Objective to "Reduce the treat of flooding within the District."
- 5.2 At its meeting on January 13<sup>th</sup> 2004 the Committee decided the general scrutiny title should be the 'Review of Flood Alleviation Measures'. Three areas were chosen for further investigation and these were;
- 1) A post opening scheme – Pingle Brook Flood Alleviation Scheme, Cubbington.
  - 2) A current process – Understanding Watercourse Maintenance Regimes.
  - 3) A future capital project - The Tanyard Stream Flood Alleviation Scheme, Kenilworth.
- 5.3 The three areas of investigation were to be undertaken by means of site visits to observe the different facets that make up the package of measures the Council undertakes to reduce the treat of flooding from its areas of responsibility.
- 5.4 After each site visit mini reports were produced and submitted to the nearest Committee date following the visit. These Committees were the 2<sup>nd</sup> March, 7<sup>th</sup> June and 8<sup>th</sup> September respectively. It was also agreed at each meeting that officers should use these reports and the content of discussions at the meeting to form the basis of a report for submission to the Executive, following approval of the report by this Committee.
- 5.5 Following completion of the Scrutiny review and the information obtained by the Committee, it was agreed that that the review had been very interesting and informative. The committee considered the whole process of flood defence, from its day to day revenue maintenance activities to the design and implementation of Capital flood alleviation schemes, which the Engineering Business unit undertook. The Committee concluded that the process of flood defence was soundly managed with resultant works being efficiently and cost effectively provided. This was further evidenced by the excellent achievements in meeting both the Councils Corporate Strategy and Local performance indicators.

- 5.6 It was acknowledged by the Committee that the Flood Alleviation Capital schemes that they had reviewed had been successful and particularly complex with many stakeholders being involved. Feed back to the Committee Members from stakeholders and organizations speaking on behalf of the flooded residents all agreed that the Council's Engineers should be congratulated for the professionalism they brought to resolving the flooding problems. Furthermore, the construction of the works was undertaken quickly and efficiently. It was also highlighted that since the works no flooding had been experienced by those previously affected properties.
- 5.7 All Councillor's acknowledged the seriousness of flooding and that preventative maintenance and improvements to watercourses will mitigate problems. It was further highlighted that even after all the required improvements to the maintenance of the Brooks was undertaken it would still necessitate the need for Capital expenditure to control the resultant flood flows from our changing Climate, to managed flood areas. The Council should therefore continue to support through the new Corporate Strategy and Community Plan the objective to, "reduce the threat of flooding to property". This important issue, which the Government has itself acknowledged in its recent 'Foresight' report into the future flood risk of the UK, has identified that the likely number of people at high risk to flooding in the UK is expected to more than double, to nearly 3.5 million by 2080.
- 5.8 Councillor's felt that a good step forward to addressing the threat of flooding in the District was to continue to support the implementation of a programme of flood alleviation schemes as part of the future Capital Programme. The sites of the former Priory Pools and Priory Park in Warwick and works to the River Leam weirs were locations where future flood alleviation scheme had already been identified in the Capital programme for 2006/07 and onwards and for which Capital Appraisal forms had been previously submitted.
- 5.9 Councillor's were informed about the changing role the District Council will have towards flood defence when the Councils current Land Drainage responsibilities for 'Critical watercourses' transfers to the Environment Agency on the 31<sup>st</sup> March 2006. This follows the imposition of new Government legislation. In essence it means that all the current activities Members have seen as part of their Scrutiny process will fall under the control of the Environment Agency in the future. The Council will still however be responsible for the management of the ordinary watercourses which amount to some 100 miles throughout the District. The government via DEFRA recognised that many Local Authorities do an excellent job and have therefore asked the Environment Agency to contract back, through an Agency agreement, the day to day operational work to those Local Authorities who are willing for such arrangements and who also have a good track record of service provision. This Council, as one of the top twenty five performing Councils in this work area has therefore been offered a partnership with the Environment Agency. Members were supportive of this new partnership which would still allow Council officers to make recommendation on service improvements and further result in the Environment Agency footing the bill for the associated revenue staff and works cost to discharge those duties. They were however also made that the Council would lose this element of revenue support grant for flood defence from the Council Formular Spending Share.

- 5.10 The Committee acknowledged the need for continued co-operation and regular liaison between Business Units, where its own maintenance responsibilities as a land owner are involved. It felt, however, that a better strategic approach could be formalised whereby the appropriate budgets are transferred to the responsible business unit who directly undertook the role for watercourse maintenance on the behalf of other Client business units. This would reduce unnecessary duplication of administration time.
- 5.11 Members also established that Revenue maintenance funding was very tight each year and was stretched to a point of being overspent when continued bouts of heavy rainfall were experienced. This non seasonal heavy rainfall results in a number of additional ad hoc inspections and clearances of screens and pipe blockages. Although appreciative of these problems, Members were satisfied that the watercourse maintenance funding was being directed to where it was most needed but felt it should be kept to its current level of expenditure, with bids for additional funding being identified through the service planning process.
- 5.12 Councillor's acknowledged the complexity of Land Drainage with regard to Riparian ownership and third party involvement and the considerable effort required to enforce the management responsibilities of a Land Drainage Authority. It therefore recommends the publishing of information about Riparian ownership and their maintenance responsibilities via the Councils Web site.
- 5.13 The Committee reinforced the need for continued co-operation and regular liaison with external agencies. Members were aware of the good work the Surface Water Drainage Forum had achieved for Kenilworth and parts of Warwick. It was considered the Forum had been instrumental in bringing together the many stakeholders who have involvements in flooding to find strategic solutions to problem areas. Members duly felt that as it had been an effectual process that it should recommend its continuance.
- 5.14 The Committee also felt it was necessary to congratulate the Council's Engineering Team responsible for flood defence for their hard work and professionalism in undertaking the statutory Revenue maintenance functions and Capital flood alleviation schemes, so efficiently and cost effectively. The committee was also impressed with the success of the consultation and customer care package of measures which Engineering implement as part of their construction works.