

Individual Executive Member Decision

Title of Report:	Flood Investigation Policy
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	9 th May 2013
Forward Plan Ref:	ID2664

Purpose of Report: To agree a policy for investigating flooding incidents under section 19 of the Flood and Water Management Act 2010.

Recommended Action: That the policy in appendix A be approved.

Reason for decision to be taken: To comply with the Council's duties under the Flood and Water Management Act 2010.

Other options considered: None

Key background documentation: Duty to Investigate Flooding Incidents Policy Document.

Portfolio Member Details	
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Implications

Policy:	Approval of this report will formalise a Policy for the investigation of flood incidents.
Financial:	None
Personnel:	None
Legal/Procurement:	None
Property:	This policy is aimed at establishing a procedure for investigating flood incidents and recommending actions to prevent future property flooding.
Risk Management:	This duty aligns with the Council's duties to manage local flood risk as Lead Local Flood Authority under the Flood and Water Management Act 2010.

NOTE: Strategic Support is not able to accept your report without the following section being completed and an Equality Impact Assessment (EIA) being attached where required. For advice please visit www.westberks.gov.uk/eia or contact the Principal Policy Officer (Equality & Diversity) on Ext. 2441 or Team Leader/Solicitor - Corporate Team on Ext. 2626.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not relevant to equality		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Consultation Responses

Members:

Leader of Council:	Councillor Gordon Lundie has been consulted and has no objection to the proposal.
Overview & Scrutiny Management Commission Chairman:	Councillor Brian Bedwell is pleased to support this decision.
Ward Members:	N/A
Opposition	N/A

Spokesperson:

Local Stakeholders: Thames Water and the Environment Agency have been involved in the development of this policy.

Officers Consulted: Mark Edwards, Stuart Clark, Carolyn Richardson, Anop Gehlot, Jonathan Bowden, Antonia Bartzou.

Trade Union: N/A

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

Supporting Information

1. Background

- 1.1 Section 19 of the Flood and Water Management Act 2010 came into Law in April 2011. This places a duty on Lead Local Flood Authorities (LLFA) to investigate flood incidents where responsibility for the flooding is not immediately obvious or accepted. West Berkshire Council is the LLFA for this area.
- 1.2 A draft policy has been in place since April 2011. During the winter of 2012/13 this policy has been put to the test and a prominent flood investigation completed for the Pingewood area. Completion of this process has helped inform the policy and procedure which has led to a position where the policy can be formalised.

2. Duty to Investigate

- 2.1 The Policy gives comprehensive details of the threshold levels that would trigger an investigation, the purpose and scale of the investigation, the procedure and how the report will be published. The policy can be seen in Appendix A.

3. Equalities Impact Assessment Outcomes

- 3.1 Consultation has taken place with officers and with external partner flood risk management organisations. This is a District wide policy which will be used as part of the Council's overall aim of reducing and managing local flood risk. Flooding that places vulnerable groups at risk, where the consequences of such flooding could be more severe, will be investigated as part of this policy.

4. Conclusion

- 4.1 It is recommended that this Flood Investigation Policy be approved to formalise the procedure for investigating flood incidents and to comply with the Council's duties under the Flood and Water Management Act 2010.

Appendices

Appendix A – Section 19 – Duty to Investigate Flood Incidents Policy Document.

Appendix B – Formal notification to partner risk management authorities.