



ARTICLE NO: 1D

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY COMMITTEE**

**MEMBERS UPDATE 2016/17
ISSUE: 2**

**Article of: Director of Development and Regeneration
Director of Leisure and Wellbeing**

**Contact for further information: Mr Colin Brady (Extn. 5125)
(E-mail colin.brady@westlancs.gov.uk)
Mr Andrew Hill (Extn 5243)
(E-mail a.hill@westlancs.gov.uk)**

SUBJECT: LAND DRAINAGE / FLOODING – THE FUTURE APPROACH

District wide interest

1.0 PURPOSE OF ARTICLE

- 1.1 To clarify the roles and responsibilities of this Council and all other relevant agencies in relation to responding to flooding events within the West Lancashire Borough.
- 1.2 To identify the scope and limitations for action in relation to flooding/drainage issues by this Council.

2.0 BACKGROUND

- 2.1 During the Boxing Day 2016 flood event a total of 291 residential properties and 47 business properties suffered from internal flooding. A total of £140,500 was distributed by this Council to affected residents as part of the flood relief grant. A total of 110 flood resilience grant applications have been received with some 79 being approved to date. Where resilience grants have not yet been approved it is typically because additional information needs to be provided in support of the application.
- 2.2 Subsequent to the flooding event over the Christmas 2015 period it would seem prudent to outline and understand the role and response of this Council in relation to flood events and at the same time to also understand the roles of our strategic partners.
- 2.3 The Council has very limited resources available to respond to flooding incidents and its role in flood situations is one mainly of support in liaison with other lead

agencies, notably the Environment Agency, Lancashire County Council and the emergency services.

- 2.4 The Council's emergency response in relation to flooding events in West Lancashire is provided under emergency delegated powers, and the Borough Treasurer holds a financial reserve in this respect. In certain circumstances under the Bellwin scheme there is a facility to reclaim monies spent over a certain threshold level. The current rules in relation to the Bellwin scheme are attached at Appendix A. It should be noted that the threshold for financial assistance under the Bellwin Scheme was not met in relation to the Christmas 2015 flood event.
- 2.5 A watercourse is defined as any channel through which water flows and can be open or enclosed underground as a culvert. Watercourses may be classified as either main rivers or ordinary watercourses. Watercourses occur naturally, they serve to drain the land and assist in supporting flora and fauna.
- 2.6 Main rivers are usually larger streams and rivers, but also include smaller watercourses of strategic drainage importance. A main river is defined as a watercourse shown as such on a main river map, and can include any structure or appliance for controlling or regulating the flow of water in, into or out of a main river. The Environment Agency's powers to carry out flood defence works apply to main rivers only. Main rivers are designated by the Department of Environment, Food and Rural affairs.
- 2.7 An ordinary watercourse is every river, stream, ditch, drain, cut, dyke, sluice, sewer (other than a public sewer) and passage through which water flows which does not form part of a main river.
- 2.8 A critical ordinary watercourse is a watercourse which is not classified as "main river" but which the Council has agreed with the Environment Agency to be critical because they have the potential to put at risk from flooding large numbers of people or property. The only designated critical ordinary watercourse in West Lancashire is Calico Brook in Appley Bridge.
- 2.9 If you own land adjoining, above or with a watercourse running through it, you have certain rights and responsibilities. In legal terms you are a "riparian owner". A riparian owner is therefore responsible for any watercourse within or adjacent to the boundaries of their property. If the land occupied is rented, then agreement should be reached with the landowner as to who will manage these rights and responsibilities.

3.0 CURRENT POSITION

- 3.1 The agencies who have responsibilities for reacting to or providing assistance in dealing with flood related incidents within the West Lancashire Borough, in no particular order are as follows: -

The Environment Agency(EA)
United Utilities (UU)
Lancashire County Council (LCC)
West Lancashire Borough Council
HM Coastguard
Network Rail

Canals and River Board Trust
Lancashire Constabulary
Lancashire Fire and Rescue
North West Ambulance Service
National Grid Gas
Electricity North West

- 3.2 In the event of a major flooding incident within the Borough then under the Emergency Planning umbrella there is a “Multi Agency Flood Plan” (MAFP) in place, the purpose of which is to collate information regarding the roles and responsibilities of organisations that respond to flooding within Lancashire and to help provide a co-ordinated multi-agency response to any such flooding incidents. Also detailed within the MAFP is the command structure, which would operate in the event of a major flooding incident occurring.

4.0 ROLES AND RESPONSIBILITIES

- 4.1 The Council’s role in flood situations is one of support in liaison with lead agencies, and in particular the Environment Agency, Lancashire County Council and the emergency services. The responsibilities of individual agencies are summarised below. Please note that where issues affect more than one Local Authority across Lancashire (i.e. the Boxing Day 2015 flood event) the response times of other agencies which have County wide responsibilities such as LCC, UU, the EA, Lancashire Fire and Rescue, etc. will be significantly adversely affected.

Environment Agency

- 4.2 The Environment Agency (EA) is the body with primary responsibility for proactive assessment and management of all types of flood risk in England. The EA will assist with the funding provisions for improvements required to the flood defence network to help reduce the overall risk to properties at risk from flooding. The EA is also responsible for the management of all designated main rivers, including the maintenance of flood defences.
- 4.3 The EA operate “Floodline” which is the first point of contact for residents requiring information on flooding. Residents are guided towards this in the first instance via the Council website.
- 4.4 The EA also monitors designated Flood Warning Areas (there are two such areas within West Lancashire - Parbold / Appley Bridge) and will notify residents within the designated warning areas, who are signed up to their warning scheme, of any potential flooding threats and what steps they should take in mitigation. The EA will also proactively issue information via the media to try to capture those residents who are not signed up to the warning procedure

Lancashire County Council

- 4.5 Lancashire County Council (LCC) is the Lead Local Flood Authority (LLFA), with a duty to investigate flood events, report on flooding investigations / incidents, and serve relevant notices for the maintenance of water courses. As the Highways Authority LCC is also responsible for the maintenance of the highway surface water drainage network, including all road gulleys and culverts passing under or through its highway network, for which they are the relevant riparian owner. This responsibility includes road side ditches, the cleaning out of gulleys on the highway, etc. LCC is also responsible for responding to flooding events which may necessitate the introduction of a road closure / traffic diversion.

- 4.6 The Flood and Water Management Act 2010 places a number of duties on LLFAs in relation to local flood risk management. As mentioned above, one of the principal duties of the LLFAs, as laid out in the Act, is the responsibility to record and investigate flooding incidents within their area. These are known as Section 19 Investigations. The County Council is currently proposing to provide an over-arching report which will provide a county wide overview into the December 2015 floods.
- 4.7 This report will become the public facing S19 Investigation Report and will include an overview of roles, responsibilities and actions taken both during and after the flood events. A comprehensive list of recommended actions will also be identified, which will then form the basis for a further programme of actions. WLBC will have the opportunity to comment on the contents of the report at the appropriate time.
- 4.8 Under the Flood and Water Management Act 2010, LCC is also the responsible authority for consenting discharges and associated works to watercourses within the West Lancashire Borough.
- 4.9 As from 1 April 2016, Lancashire County Council in their role as Lead Local Flood Authority and additional to their highways authority role, became a statutory consultee in relation to drainage matters submitted as part of major planning applications i.e 10 or more properties or involving the development of more than 0.5 hectares of land.

United Utilities

- 4.10 United Utilities (UU) relevant roles in relation to sewerage and sewerage disposal are controlled by the Water Industry Act 1991. The Director General of Water Services is charged with supervising the conduct of sewerage undertakers to ensure their compliance with certain stated aims of the Act. As contained within the Act, sewerage undertakers have to make sufficient return on their capital in order to properly finance the administration of their network of sewers. This means that all spending on the sewerage network, particularly with respect to capital improvements, is tightly controlled and must be budgeted for and prioritised within agreed forward capital programmes.
- 4.11 United Utilities (Wastewater) is responsible for the adopted foul and surface water sewerage network together with all associated sewerage treatment works and also for the supervision of private sewerage systems constructed under Section 104 Sewer Agreements. United Utilities will respond to flood events occurring due to blockages/surcharging of their sewerage network. United Utilities (Water Distribution) is also responsible for the maintenance of all reservoirs and water treatment works within its ownership.
- 4.12 By virtue of Section 94 of the Water Industry Act 1991, every sewerage undertaker, including United Utilities is under a general duty to provide, improve and extend the public sewer system so as to effectively drain its area. That duty is enforceable by the Secretary of State or the Director General of Water Services on his behalf. United Utilities has no right under Section 16 of the 1991 Act to refuse a connection to the public sewerage system because of the “state”

of the public sewer as they are duty bound to provide, improve and extend the system as under Section 94 of the Act.

West Lancashire Borough Council

- 4.13 West Lancashire Borough Council (WLBC) has limited permissive powers under the Land Drainage Act 1991 in relation to ordinary water-courses within the Borough. Since the introduction of the Flood and Water Management Act 2010 LCC now has the lead role in relation to watercourses within the Borough, albeit the primary responsibility for maintaining the flow in water-courses ultimately rests with the relevant riparian owner.
- 4.14 WLBC would not normally exercise its permissive powers for ordinary watercourses outside urban areas and which are not deemed to be of critical importance in terms of flood risk to human life. Outside of the urban areas the Council anticipates that flood risk will be minimised by the proper exercise of maintenance on watercourses/culverts by riparian owners. As such the Council, along with the County Council, if approached can offer technical guidance and advice on land drainage matters. In the first instance, however, we would direct these enquiries directly to LCC as LLFA.
- 4.15 WLBC does not provide sandbags to homeowners and other property owners. This policy is similar to that of a number of other Councils in Lancashire and has been in place for a number of years, due to the practical and resource implications associated with other policy approaches. The Council's policy is clearly indicated on the Council's website in the emergencies section, on the page headed "flood awareness". Sandbags can be used successfully to divert water flows in certain situations however sandbags alone are of a very limited value in preventing the direct ingress of water in to properties, and more sustainable property level flood resilience measures are available. The Flood Advisory Service provides a lot of information in relation to resilience measures and a link to their website is on the WLBC website.
- 4.16 WLBC can offer technical guidance on drainage practice but we have no enforcement powers in terms of riparian owners being required to undertake their maintenance works. The power to serve the relevant enforcement notices under Section 25 of the Land Drainage Act 1991 now sits with the County Council. In short the Council does not have any duties or responsibilities in respect of flooding or flood prevention, however it does have responsibility in respect of the Multi Agency Flood Plan Part 2 (MAFP pt2 -the WLBC specific element of the plan) and also the Borough Emergency Plan for the provision of rest centres if required, and will also assist with the recovery process as appropriate.
- 4.17 WLBC has some responsibilities under the Land Drainage Act 1991 as "riparian" owner of land within the Borough, through or on which designated ordinary watercourses / culverted watercourses flow. The Council responsibilities in these instances are to ensure the free passage of water along the watercourse in question and carry out all necessary maintenance works associated with this duty. The Council maintains a record of all such riparian ownership assets.
- 4.18 WLBC is able to administer government financial grants to affected West Lancashire residents which are provided to mitigate the effect of flooding to properties. The Council is also able to administer other assistance measures i.e.

property level flood resilience grant applications. These grants are funded nationally by the Government and may not always be available.

- 4.19 WLBC is a Coastal Authority, however, we do not own any of the coastline and therefore are not responsible for the maintenance of any designated primary sea defences within the Borough. Any maintenance responsibilities rest with the individual landowners of the sea defences in question. The Borough Council does have a coastal pollution plan based on a Lancashire Resilience Forum template. This document is maintained by the Council's Emergency Planning Officer.
- 4.20 WLBC operates an out of hours service whereby an on call duty officer is able to be contacted on a 24hour standby basis to manage the activation of any Rest Centres. See paragraph 8.0 below for more details.
- 4.21 It should be noted that in emergency situations of the type experienced over the Boxing Day and New Year period, the first point of contact for Members should be via the Council's out of hours service, which is accessed through Home Care Link by ringing 01695 577177 and remaining on the line. Any required activity is then coordinated through this route, and in this instance by the Director of Leisure and Wellbeing in consultation with the Chief Executive Officer, in line with the Multi Agency Flood Plan and the Council's Emergency Plan.
- 4.22 It is likely that Members will be contacted by residents during flooding events. Residents should be advised to visit the Council's website for up to date information, to contact the Environment Agency's Floodline advisory service on 0345 988 1188 or in the case of internal flooding to ring the Council (either during normal working hours or out of hours) on 01695 577177 as appropriate.

West Lancashire Borough Council as the Local Planning Authority

- 4.23 As part of the planning process, in assessing any planning applications WLBC gives due consideration to the impact on the surrounding sewerage/drainage infrastructure (as well as flood risk), which may be affected by the proposals. As such United Utilities, the Environment Agency and Lancashire County Council (on larger developments only at this stage) are consulted on all relevant sewerage, drainage or flood risk matters as applicable to each body. In assessing the sewerage/drainage/flood risk implications of any proposed development we can only take into consideration and respond to any observations made.
- 4.24 Flood Risk Assessments are required for larger developments and proposals in vulnerable areas and these must be submitted as part of any planning application. As part of the planning process the Council will also ensure that new homes, employment and public places are not exposed to unacceptable levels of flood risk.
- 4.25 WLBC as Planning Authority is not able to refuse the granting of planning consent solely on the grounds of under capacity within the local sewerage or drainage network. It can however condition any approved application such that there is a requirement for the submission of a full drainage scheme, which is to be agreed by all relevant bodies and implemented in full prior to the occupation

of the development in question. Any condition attached to a planning consent is subject to the right of appeal. Encouragement is given to the use of sustainable forms of drainage and the achievement of drainage betterment where opportunities exist under adopted planning policy relating to drainage and flood risk.

- 4.26 Section 10 of the Town and Country Planning Act 1990 enables the local planning authority in granting planning permission to impose “such conditions as they think fit”. This power is not, however, as wide as it appears, and has to be interpreted in the light of court decisions relevant to the matter.
- 4.27 The Secretary of State takes the view that conditions should not be imposed unless they are both necessary and effective, and do not place unjustifiable burdens on applicants. As a matter of policy therefore conditions should only be imposed where they satisfy all of the following: -
- i. necessary
 - ii. relevant to planning
 - iii. relevant to the permitted development
 - iv. enforceable
 - v. precise
 - vi. reasonable in all other aspects

5.0 COMMUNICATIONS / PUBLIC RELATIONS

- 5.1 In the event of a flood event, or potential flood event, members of the public can find information on the Council’s website about how to contact the Environment Agency Floodline. Links to other useful information and contact details for other relevant organisations are also provided.
- 5.2 Following the meeting held to review the response to the Storm Eva flooding, the flooding pages on the Council’s website have been reviewed in liaison with the emergency planning team. As a result, the messages about sandbags (i.e. that the Council does not provide sand bags) are more prominent, along with the information about the Environment Agency and the Floodline service.
- 5.3 Useful phone numbers and web links are also provided, and a new addition is a link to the Flood Re-insurance site. The title of the web page has been changed to “flood awareness” and is linked from the home page in two places. The information about funding for flood-affected homes and businesses in the wake of the Christmas floods, and about the flood resilience grants, is still available but is slightly less prominent. (www.westlancs.gov.uk/flooding)
- 5.4 It has also been agreed that WLBC will try to give residents proactive warnings prior to a flooding incident, particularly information around sandbags. Alerts that flooding is likely in West Lancashire will be provided by the Emergency Planning officer and then the Communications team will:

- Put the flood awareness link into the 'most popular' box on the website home page;
- Copy the sandbag text from the web page, along with the floodline info, into a news item with a link onto the home page in the news section
- Possibly, change the 'flood awareness' link text on the home page to 'flood alert'.
- Issue tweets about the sandbag message if appropriate and possible to do so in a way that didn't cause unnecessary concern and panic, e.g. possibly combined with messages advising people to contact Floodline etc.
- Work with the Customer Services Manager to provide information via the Contact Centre "welcome message".

5.5 In future flooding incidents, efforts will be made to ensure that the website is frequently updated, and that twitter is used to raise awareness of the website information and the work being carried out by the Council to help residents. In addition, press releases / statements will be prepared where appropriate to get information to the local media.

6.0 CUSTOMER SERVICES (PREVIOUS ARRANGEMENTS DURING NORMAL OFFICE HOURS)

6.1 In the event of a flood, the Customer Services team would (during office hours) establish whether the customer lives in a "flooding hotspot", was suffering from internal flooding, were in imminent danger of internal flooding or external flooding and also whether they were tenants of the Council (those customers who are Council tenants are transferred through to the Housing & Inclusion Property Services team). This was to enable the Technical Services team to prioritise their responses to those customers in most need. The Customer Services team would also give general flooding advice and assistance and signpost Customers as appropriate to relevant agencies.

6.2 Customers suffering from internal flooding, or were in imminent danger of flooding were asked a series of questions by the Customer Services team to enable them to determine the severity of the flooding and pass detailed information to the Technical Services team and the Emergency Planning team. They were then advised that they would be contacted by the Council's Technical Services team within the following timescales:

1. Internal flooding or was in imminent danger of flooding (water within 2 inches of the property threshold and rising) – 1 hour.
2. Water within 2 inches of the property threshold but **not** rising – 4 hours.

6.3 The Customer Services team would also establish whether the flooding was contaminated foul sewage and in those instances also directed the customer to United Utilities.

6.4 Customers that were concerned about flooding but did not fall in to the above categories were given flooding advice, advised to monitor the situation and to

make further contact should the water start to rise and become within 2 inches of the threshold of the property.

- 6.5 Customers that were suffering from external flooding were asked a series of questions to establish where the water was coming from. If the water was coming from a watercourse, field, canal, or the customer did not know, the Customer Services team would advise that the Council was prioritising residents who were suffering from internal flooding; however they would be contacted by the Technical Services team within 24 working hours. If the water was coming from a sewer, highway or Main River the Customer Services team would provide contact details for the relevant responsible agency – the Customer Services team would also notify the Technical Services team so that they were aware of the issue. Customers were also advised that should the water start to rise and become within 2 inches of the property threshold they should make further contact with the Council.

7.0 CUSTOMER SERVICES (PROPOSED ARRANGEMENTS DURING NORMAL OFFICE HOURS)

- 7.1 In the event of a flood, the Customer Services team will initially establish whether the customer is suffering from internal flooding and whether they are tenants of the Council. Customers who are Council tenants will be transferred directly through to the Housing & Inclusion Property Services team, who are aware to contact the Emergency Planning Team if a rest centre is needed. Customers who are being affected by internal flooding will be directed to the Emergency Planning Team for their attention. Where properties are not flooded internally the Customer Services team will use the same information which is available on the Council's website, to signpost Customers to the relevant responsible agencies.
- 7.2 If the flooding is coming from Council land where WLBC has riparian owner responsibilities', then these customers will be directed to the estates section for further investigation / attention. Customer Services will need to be provided with a record of such land holdings to which incidents such as these may be applicable. The Emergency Planning Team will be advised of these customers who are being affected by internal flooding.
- 7.3 In line with the above, a new script will need to be provided for use by the Customer Services team, which will need to be agreed and implemented accordingly. To deliver this new script the Customer Services Manager will liaise with relevant officers to create the new script and this will be circulated for approval prior to it "going live".

8.0 EMERGENCY PLANNING (OUTSIDE OF NORMAL OFFICE HOURS)

- 8.1 As part of the Council's Emergency Planning function, out of hours arrangements in relation to flooding are covered 24/7 by a member of the Environmental Health Team, which provides 6 members of staff operating on a 6 week rolling rota. Home Care Link has all relevant contact details for these officers outside of normal Council office hours. These officers will also be contacted in relation to severe weather, flooding from reservoir and coastal pollution.

- 8.2 Either during normal office hours or outside of these hours, when relevant officers in their emergency planning role are advised that a residential property is affected by internal flooding it will be dealt with as a Corporate Emergency requiring a response and the person reporting the flooding should be contacted to assess if the affected occupant requires to be evacuated to a rest centre. Advice can be given to residents, however, if the facility for a rest centre is not required then officers will log the call and no further action will be taken at that time.
- 8.3 If flooding calls are received Out of Hours then the Home Care Link Operators will log all calls but will only refer any calls to the Out of Hours Officer if the customer advises that they have internal flooding to their property.
- 8.4 As from 1 April 2016 the Emergency Planning team has responsibility for the following:
- Responding to relevant weather events and supporting the recovery process.
 - Maintaining and updating the Multi Agency Flood Plan (Part 2) which details the roles of WLBC and working with the multi-agency group to update the overarching MAFP (Part 1) document.
 - Monitoring the relevant Council website information, including partner agency information as applicable, to ensure that it is relevant / up to date.
 - Monitoring the Lancashire Resilience Forum (LRF) Reservoir, Coastal and Severe Weather plans in relation to likely impact to the West Lancashire Borough.
 - Reviewing weather risks for the LRF Risk Assessment group.
- 8.5 As part of its role within the Lancashire Resilience Forum the Council will provide representation in the first instance by the Director of Leisure and Wellbeing on any Tactical or Strategic Coordinating Groups, or teleconferences, (chaired by Lancashire Constabulary), which are convened in relation to flooding and severe weather incidents which either affect or have the potential to affect the West Lancashire Borough.

9.0 PROPERTY LEVEL FLOOD PROTECTION

- 9.1 Home owners are in the first instance responsible for protecting their properties / household goods from the effects of flooding. A property level survey should be carried out to establish facts such as the level of thresholds and floors, the likely points of water entry, whether attempts should be made to keep water out of their home or just to allow the water in and enhance the building in such a way as to limit the damage and promote rapid clean up. The property-level survey should be performed by an experienced professional.
- 9.2 A standard template for surveying property-level flood risk has been developed by the Environment Agency/Defra in association with the Association of British Insurers, British Institution of Insurance Brokers and the National Flood Forum. The documents can be found at:

This gives surveyors a recognised framework for assessing flood risk and will help people set out the flood risk information that insurers may ask them to provide. This offers a way of encouraging insurers to accept good property level protection schemes as a way of mitigating insurance, and therefore making insurance more available and affordable. However, it will need to be promoted to people, local authorities and agencies, as well as the insurance industry.

- 9.3 Flood protection designed to keep water out of a house is referred to as flood resistance products. Temporary flood resistance products are those that need deploying (fitting or activating) prior to flooding arriving whereas permanent flood resistance products do not need activating. Flood “resilience” refers to measures that reduce flood damage to buildings in situations where water is allowed to enter.
- 9.4 The important facts about the flood risk and the facts about a property, when taken together, will guide the best choice of permanent resistance, temporary resistance or resilience. Other factors will play a part in the decision making process, such as cost, visual impact, ease of deployment and product performance. The best answer for individual properties will most likely involve a combination of flood resistance / resilience products. Other risks, such as the continued operation of fire exit doors, will need to be considered and competing priorities balanced as well as ensuring that any protection methods do not unnecessarily add to flooding elsewhere.
- 9.5 Residents whose properties are in flood risk areas should consult a specialist to advise them correctly and also need to be clear about the best way to act in flood emergency situations to protect lives and buildings. A robust flood plan is essential for achieving these aims.

Provision of Sandbags for Council Tenants

- 9.6 The Council introduced a service for tenants in the early 2000’s which was to supply sandbags in the event of flooding to protect the Council’s property from damage and in some cases this helped to also protect tenant’s property. Recent flooding events has prompted a review of our practise to provide and distribute sandbags, as the following issues have been identified:
 1. Deterioration – Experience has shown that sandbags only ‘last’ for 3-4 months.
 2. Volume – We traditionally keep 1 ton of sand available which provides around 50 sand bags which equates to around 5-10 properties. If larger numbers are to be catered for then there will be a financial impact.
 3. Managing the Process – Staff are contracted traditionally on ‘normal’ working patterns and if flooding occurs during 9am-5pm then this is manageable; however, recent flooding events have taken place outside of normal working hours. If sandbags are to be provided, staff will need to be contracted for this service which will have a financial impact.
 4. Prioritisation – When a flooding event occurs, it is virtually impossible to know where properties are likely to flood and when they are in danger of

- possible flooding. This has meant staff have no real way of prioritising cases and has led to an inconsistent service.
5. Response times – When all sandbags are distributed, more sand is then required and this is not always readily available. This has led to tenants being informed that we will respond but the reality is that we have been unable to do so.
 6. Violence to staff – Staff have recently been threatened by residents (non-tenants) to give them sandbags or face violence. If staff are instructed to continue, they are potentially being placed at risk of violence.
 7. Effectiveness – The effectiveness of sandbags to protect property from internal flooding is not as great as perceived by the public. Sandbags only provide an extra 30 minutes of protection in normal circumstances.

10.0 HOME INSURANCE

- 10.1 A national initiative has recently been set up called Flood Re. This has been set up to help those households who live in flood risk areas to find affordable home insurance. Flood Re makes no difference to how home insurance is purchased, whether that's through a price comparison site, directly from an insurer or through a broker. Once a policy is purchased the home owner will always deal directly with their own insurer even if a claim is being made.
- 10.2 The introduction of Flood Re means that owners will have peace of mind in that, even after a flood claim, home owners should still be able to find insurance with affordable premiums and excesses. Flood Re information is available at the following web link:

<http://www.floodre.co.uk/>

11.0 FUTURE APPROACH

- 11.1 This report as above sets out the existing situation in terms of WLBC's role in relation to flood risk management. Some consideration needs to be given as to whether it is still appropriate for this authority to continue with all of its existing roles outside of those which are statutorily necessary. This section gives consideration as to what changes would be appropriate to implement.
- 11.2 WLBC will continue with its policy of not supplying sandbags to residents in the event of flooding. We do, however, need to develop a strategy for communicating in advance the need for residents, particularly those who live in areas which have suffered from flooding in the past, be proactive in installing property level flood resilience measures as appropriate. It is suggested that a small working group be set up with representatives from Emergency Planning, Technical Services, Communications, and Customer Services to consider how this could be taken forward.
- 11.3 In the past issues brought to the attention of this Council in relation to problems on watercourses and culverts which are causing, or have the potential to cause, flooding have been investigated by the Technical Services Team. Any such

issues now arising will be passed on to LCC in the first instance for investigation by their Flood Risk Management Team

- 11.4 WLBC will not deal with or investigate any minor flooding / drainage issues i.e those in relation to flooded gardens, etc. Residents will be advised to seek appropriate advice from land drainage contractors and specialists.
- 11.5 LCC, UU, the EA and our other strategic partners will continue to be directly advised of any flooding matters which are their statutory responsibility to deal with or alternately are being caused by issues within their own networks / assets.
- 11.6 WLBC will continue to comment on drainage matters in relation to development control matters and the views of LCC in relation to drainage matters will be taken into consideration in determination of submitted planning applications.
- 11.7 WLBC will continue to liaise with our strategic partners and also provide representation on countywide strategic flooding / drainage groups to ensure that any drainage issues relating to the West Lancashire Borough are raised in the appropriate forums.
- 11.8 In relation to the provision of sandbags to Council tenants, due to all the issues raised in paragraph 9.6 of this report, it is concluded that the current service is not effective and should be discontinued. This will need to be communicated to tenants to make them aware of the situation.
- 11.9 WLBC is aware that 41 of its properties have had internal flooding caused by heavy rainfall over the last 12 months. Whilst these flash floods were very unusual weather events, the Council is keen to do all it can to ensure damage caused by future storms is limited.
- 11.10 WLBC is therefore carrying out surveys of these Council owned properties which have been subject to internal flooding during the recent flood events. The surveys are to establish the most suitable flood alleviation measures for the individual properties and circumstances. These surveys have been prioritised and work has already begun at the homes that were most affected. Improvement measures being taken include new retaining walls, waterproof membranes, structural works, flood barriers and improvements to external drainage.

12.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 12.1 The implementation of good asset management of the drainage/sewerage network across the Borough is key to the achievement of a sustainable long-term flood risk management strategy, particularly when dealing with both existing infrastructures and future development proposals
- 12.2 The Council must continue to liaise as appropriate with our strategic partners who have responsibilities for asset maintenance in these areas to ensure that the infrastructures are maintained in an efficient and cost effective manner.

13.0 FINANCIAL AND RESOURCE IMPLICATIONS

13.1 There are no additional financial implications identified as a result of the contents of this report.

14.0 RISK ASSESSMENT

14.1 The changes to the environment globally are contributing to the changing weather patterns occurring within the United Kingdom, such that storm frequencies and intensities are increasing, together with the associated risk from flooding to the West Lancashire Borough.

15.0 CONCLUSIONS

15.1 It is important that West Lancashire Borough Council, along with its strategic partners, continues to explore all options to help ensure that a robust flood risk management strategy is in place which gives due consideration to all current and future flood risks.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Exempt Information

In all the circumstances of the case the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

Appendices

Appendix 1

Details of the Bellwin Scheme

BELLWIN SCHEME

Background

It takes its name from the Department for the Environment Minister who introduced the scheme in 1983, Lord Bellwin. Assistance under the scheme is usually given as the result of an emergency caused by weather however it is available in other circumstances, for example outbreak of foot and mouth in 2001 and the riots of summer 2011.

The latest guidance notes and claims procedure that have been published on the Bellwin scheme are dated 2013-14. However the government had gone out to consultation on this issue in November 2015 and are yet to issue their updated guidance. Hence, the latest advice is to use the 2013-14 scheme in conjunction with the consultation outcomes issued for the November 2015 consultation exercise.

Procedure:

Incidents that are likely to result in a claim under the Bellwin scheme are to be notified to DCLG within one month from when the incident is deemed to have ended.

Eligible expenditure will be deemed to be that incurred within two months of when a particular incident has deemed to have ended. This is to ensure that the focus of the expenditure is that of emergency response expenditure and not recovery.

Expenditure that is claimable has to exceed a specific variable threshold that Central Government sets for all Council's. The specific amount set for WLBC is £26,508 – Chorley £24,190, South Ribble £21,888, Lancashire £1,520,934. The Government deems that Councils should have planned, at least to some extent, for such emergency situations. Above the threshold amount the expenditure incurred is 100% claimable

Claim forms are to be submitted to DCLG within three months of the end of the incident and to be signed by the S151 Officer. Extensions may be granted but approval for such must be sought in advance from DCLG.

Eligible and Ineligible expenditure:

Broadly speaking eligible expenditure is that which is incremental to normal day to day expenditure and is that which is taking immediate action to safeguard life or property in the area. Some examples of eligible expenditure are:-

- Additional temporary employees who replace permanent employees who are diverted to deal with the emergency.

- Special overtime to cover the emergency or afterwards to catch up with work that has fallen behind as a result of dealing with the incident.

Examples of ineligible expenditure are:

- Any element of betterment
- Costs which are normally insurable
- Loss of income from facilities as this falls out of the Local Government and Housing Act 1989.
- Capital expenditure – however some forms may be allowed under the new guidance to be issued followed the November 2015 consultation exercise.