

**Appendix 1 Progress Notes, Overview and Scrutiny Committee,
Minute 192, 18th March 2009**

A combined Worcestershire Land Drainage Protocol was formally adopted by Council on 26th October 2009, a part of which sets out common enforcement procedures. These have already been successfully applied in two instances.

As a part of WETT, a Land Drainage function has been identified but as yet it is unclear what the extent of these functions are. They are potentially only applicable to former Local Drainage Authority functions in relation to enforcement as it will become the responsibility of the Lead Local Flood Authorities, or approved partner organisations acting on their behalf, to consent works to ordinary watercourses and to provide corresponding advice on policy and other strategic matters.

Problems surrounding enforcement remains in respect of the level of delegated powers. It is not suggested that they be considered at this time, but when further details of any new working arrangements emerge. At that time, it may be possible to aggregate combined responsibilities and consideration be given to raising thresholds at least on a pro-rata basis. Otherwise, where such situations arise, both Members and officers will remain hampered by the extent to which Member approval in advance is required, thereby necessarily extending the time taken for enforcement to be carried through to a satisfactory conclusion.

There is only one Parish Council within the Council's area, Feckenham. Worcestershire County Council (WCC) in collaboration with Feckenham Parish Council, have jointly funded the provision of a Parish lengthmen. There are other rural areas within Redditch as well as all the other urban districts. It is suggested that a voluntary, community focussed scheme be set up so that there are similar lengthmen/wardens for all other districts. This would need to be considered at the time of any new arrangements arising out of the new legislation. These would be a welcome second-line support to the Council's existing operational arrangements and may assist, particularly during inclement weather, the appropriate deployment of resources in a timely and focussed fashion.

As a part of working on Multi-Agency Flood Plan (MAFP) and Surface Water Management Plan (SWMP) these will bring to the fore key problem areas and required actions in Worcestershire. Each partner is currently engaged either independently or as in our case, in collaboration with Bromsgrove District Council (BDC).

Progress with regards to Reservoirs and associated risk management has unfortunately been painfully slow. Defra appears to be constantly extending deadlines for the Environment Agency (EA) to respond. Despite new obligations for smaller reservoirs, there appears to be little or no information

available in respect of existing significant ones. Later timescales have been prescribed for these smaller ones.

Mention was previously made in respect of Hewell Lake, situated within the BDC area. Subsequent investigations for other purposes revealed that the overflow weir was formerly provided with 4 sluices, primarily to regulate flows for milling purposes, which became dilapidated and subsequently removed. Investigations into the exact causes and hence corrective measures and apportioning of blame will be necessarily costly and time-consuming. There is no guarantee that swift enforcement actions could effectively be pursued,

Officers have monitored the performance of the new Batchley Brook Improvement Scheme, which fully meets its design objectives. However, the December 2008 flood event demonstrated that Redditch was receiving exceptionally high flows from upstream, from the Batchley Brook via Hewell Lake. It occurs to Officers, that for a relatively modest cost, 3 of the sluices could be reinstated, thereby severely restricting the potential for high flows for whatever reason, being passed forward to Redditch. Obviously this may have implications for the reservoir owners (Her Majesty's Prisons). If acceptable to the owners (free of charge) the Council provisionally proposes to provide these sluices and as this would be a flood defence measure solely for Redditch purposes, the Joint Chief Executive supports in principle that these works in BDC's area being so undertaken. This proposal will of course be subject to the usual procedures for bidding and procurement.

The protocol and other policies referred to in the Item 192 report were completed as listed in Section 7 of the main report for this meeting.

In response to the resolutions: -

- 1) This update was originally scheduled for March 2010 but owing to long-term officer illness had to be deferred to this time.
- 2) Revised maps have been produced, including one for web-based purposes, allowing customers to identify which watercourse they are concerned with or commenting upon. (These are included within the PowerPoint presentation, but can be reproduced in other formats upon request).
- 3) The policies and other documents were in addition to the Minutes arising from the meetings listed in Section 7 of the main report were approved and subsequently ratified by Council on 26th October 2009.