

<b>Decision maker:</b>	<b>Cabinet member Infrastructure and transport</b>
<b>Decision date:</b>	<b>Monday, 9 December 2019</b>
<b>Title of report:</b>	<b>Support for residents and businesses whose homes or business premises have been flooded</b>
<b>Report by:</b>	<b>Acting Assistant Director for Highways and Transport / Head of Infrastructure Delivery</b>

## **Classification**

Open

## **Decision type**

Key

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 11 (Cases of Special Urgency) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012.

## **Wards affected**

(All Wards);

## **Purpose and summary**

To seek approval for the launch of hardship schemes to residents and businesses whose homes or business premises have been flooded.

The hardship schemes would consist of a Community Recovery Grant, equivalent to £500 per eligible household, to help families with their immediate recovery and a Business Recovery Grant, which will provide up to £2,500 per eligible small and medium-sized business.

## **Recommendation(s)**

**That:**

- (a) The council adopts for households and businesses affected by the floods in October and November 2019, the Community Recovery Grant Scheme and the Business Recovery Grant Scheme in appendix one with a budget up to £225,000; and**
- (b) the Acting Assistant Director Highways & Transport / Head of Infrastructure Delivery be authorised to determine grants in accordance with the scheme criteria.**

## **Alternative options**

1. Not to approve the hardship schemes has the potential to prevent Herefordshire households and businesses from recovering from and meeting the costs associated with the damage caused by the exceptional weather.

## **Key considerations**

2. Herefordshire Council is designated as the Lead Local Flood Authority (LLFA) for Herefordshire. This means we have a number of duties and responsibilities in relation to managing flood risk across the county.
3. A major and prolonged flooding event occurred in Herefordshire during the weekend of 26-27 October 2019, which ran into the following week with further severe weather experienced during the following weekend of 2-3 November 2019 and even more flood issues from 13-14 November 2019.
4. As a consequence, Herefordshire experienced significant surface water and river flooding, with at least 130 properties believed to have been impacted during October and November 2019. Herefordshire Council staff and our contractors Balfour Beatty Living Places, together with the emergency services and voluntary sector organisations, dealt with a large number of road closures, flooded properties, stranded people and abandoned vehicles. Our contractor drafted in significant extra resources to deal with flooded roads and affected communities by putting road closures in place as necessary and supporting the police and fire services where rescue and evacuation was required across Hereford City and across the county.
5. Despite the Government announcing support for people and businesses in the north of England affected by flooding in November, this offer has not been extended to Herefordshire. We are therefore seeking to adopt the eligibility and funding to households and businesses affected by the severe weather that Government is providing under the Flood Recovery Framework. This would consist of a Community Recovery Grant, equivalent to £500 per eligible household, to help communities with their immediate recovery and a Business Recovery Grant, which will provide up to £2,500 per eligible small and medium-sized business.
6. Based upon our current estimates of flooded properties, the maximum budget to be allocated to provide eligible households and businesses with a Community Recovery Grant or Business Recovery Grant is £225,000. The financial implications of providing this hardship scheme are based upon 200 households (receiving £500 each) and 50 businesses (each receiving £2,500). We will continue to seek financial assistance from Government similar to what they have provided those households and businesses in the north of England who were affected by flooding in November.

7. In addition, the government has announced that they will reimburse local authorities for awarding council tax and business rates reductions to households and businesses affected by the recent floods. Households and businesses in Herefordshire who were affected by the floods in October and November have been encouraged to contact us so that we can arrange for one of our visiting officers to go and inspect the damage
8. This is the first time this council has provided its own scheme. Given that climate change is projected to increase the frequency and intensity of heavy rainfall, we are aware that such grants may be required in the future. However this scheme is only available to those affected by the October and November 2019 flooding and any future occurrence would have to be considered in the future which would take into account the effectiveness of this scheme.

## **Community impact**

9. The council's strategic objectives are described in our Corporate Plan (2016-20). This sets out how we will ensure we make the best use of resources and deliver services that make a difference to people in Herefordshire. Specifically, this work contributes towards the 'Support the growth of our economy' priority which includes: ensuring that infrastructure is in place to prevent and improve community resilience to flooding. This project will also assist with the achievement of the objectives that we have set out in our Local Flood Risk Management Strategy.

## **Equality duty**

10. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
11. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). In particular, the council must have 'due regard' to the public sector equality duty when taking any decisions on service changes. This decision is to set up a community grant scheme to specifically support those that have suffered from flooding and is irrespective of any of the protected characteristics, we therefore do not believe that it will have a detrimental impact on the Council's public sector equality duty.

## **Resource implications**

12. A budget of up to £225,000 is estimated as required to fund the hardship schemes for the number of properties flooded during October and November 2019. This would be funded from the severe weather fund reserve.

## **Legal implications**

13. This is an Executive function under the Council's Constitution Part 3 Section 3 and is a key decision because it is likely to be significant having regard to the strategic nature of the decision; and/ or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards in Herefordshire) affected. It is also likely to result in the council incurring expenditure which is, or the making or savings which are, significant having regard to the Council's budget for the service or function concerned.
14. The Cabinet member infrastructure and transport has been given delegated authority from Cabinet in exercise of its functions under Part 3 Section 3 of the constitution to approve the scheme criteria and authorise the Acting Assistant Director for Highways and Transport/Head of Infrastructure Delivery to make the grant awards in line with those criteria.
15. The council has a power under sections 1-4 of the Localism Act 2011 to apply this grant funding for the purposes identified in this report.
16. There are no legal problems with the Cabinet member doing what is proposed.

## **Risk management**

17. In establishing the hardship grant schemes it is important to ensure funds are administered both promptly and correctly. The schemes will be administered by the delegated grants team who have significant experience in managing and administering grant schemes of this nature. The schemes will be widely communicated to encourage uptake by households and businesses. In terms of the risk that funding may be awarded inappropriately, this will be managed by robust information and evidence gathering in relation to awards.

## **Consultees**

18. Members and Group leaders have been consulted

## **Appendices**

Appendix one – Flood recovery framework: guidance for local authorities in England

## **Background papers**

None