

Record of officer decision

Decision title:	Variation to Annual Plan 20/21 - Additional Section 19 works requirement
Date of decision:	4 January 2021
Decision maker:	Acting Assistant Director Highways & Transport
Authority for delegated decision:	<p>The Acting Assistant Director for Highways and Transportation has delegated authority to make any in-year adjustments to the Public realm service annual plan 2020/21 within the overall budget pursuant to the decision of the Cabinet Member Infrastructure and Transport of 29 April 2020.</p> <p>Link Below</p> <p>http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6800</p>
Wards:	Countywide
Consultation:	Consultation with legal and finance services
Decision made:	<p>To allocate £23,000 funding from C07131 Directorate support budget to enable section 19 investigations to be completed in financial year 2020/2021 though the public realm (annual plan) contract.</p> <p>An initial budget of £13466 was allocated in the 2020/2021 annual plan annex 7 budget for section 19 investigations. However, additional funding of £23,000 is required for 20/21 annual plan as a result of the number of investigations required following the Winter 2020 storms.</p> <p>This money will be funded from the C07131 directorate support budget.</p>
Reasons for decision:	<p>In accordance with the Flood and Water Management Act, significant flood events must be investigated – known as Section 19 investigations.</p> <p>Herefordshire Council are required to investigate local sources of flooding (i.e. ordinary watercourses, surface water and groundwater) but as the Lead Local Flood Authority (LLFA) the Council are responsible for coordinating flood management activities with other relevant bodies – namely the Environment Agency (EA), Welsh Water (DCWW) and Severn Trent Water (STW).</p> <p>An initial review has identified 30 settlements requiring investigation by HC following the October 2019 and February 2020 flood events. These locations have been assessed as being within the established criteria and include residential properties, businesses, critical services, strategic highways and railways. This number of studies is in excess of the number of investigations on which the allocation in the annual plan annex 7 was based and therefore further funding is required as set out above.</p> <p>A further 26 settlements flooded from main river sources will be reviewed separately by the EA.</p> <p>Given the large number of flooding incidents that occurred in February 2020 and October 2019 this decision will allow a desk-based gap analysis study using readily</p>

	available data to be undertaken. This will identify the likely causes and consequences of flooding and demonstrate where further investigation is required to complete the section 19 investigations. If so this will be the subject of a further decision
Highlight any associated risks/finance/legal/equality considerations:	<p>The quantum of work required to complete the Section 19 studies will be depend on the outcome of the Gap Analysis. Site visits and discussions with members of the community are likely to be required; the extent of such work remains to be determined. There is therefore an associated risk due to this, yet undetermined scope of work.</p> <p>Any change management will be through the Public realm contract mechanisms and contractual change control mechanism. If further work is required, this will be the subject of a further governance report.</p> <p>Contained within current finance forecast</p>
Details of any alternative options considered and rejected:	<p>Not commissioning; - HC has obligations under the Flood and Water Management Act, to investigate significant flood events.</p> <p>Commission through other sources – not recommended – this study is reliant upon existing data held for and managed under the PR contract. Value is gained by utilizing and exploiting the strategic approach afforded to HC by the Public Realm contract, as there are clearly defined relationships in place, as well as pre-requisite knowledge of the assets in question, flooding events this work relates to and the major stakeholder engagement that is already established.</p>
Details of any declarations of interest made:	

Signed

Mairead Lane
Acting Assistant Director Highways & Transport

Date: 4 January 2021