

Arun District Council

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| REPORT TO: | Environment Committee – 21 November 2023 |
| SUBJECT: | Arun Flood Forum following Storm Ciaran |
| LEAD OFFICER: | Philippa Dart – Director of Environment and Communities and Interim CEO Joe Russell-Wells – Group Head of Environment and Climate Change |
| LEAD MEMBER: | Cllr Wallsgrove |
| WARDS: | All Wards |
| CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: Emergency Planning response under the Civil Contingencies Act (CCA) 2004 | |
| DIRECTORATE POLICY CONTEXT: Emergency Planning response under the Civil Contingencies Act (CCA) 2004 | |
| FINANCIAL SUMMARY: No direct financial implications have yet been identified as a result of the proposals in this report. | |

Reasons for urgency: The special circumstances for non-compliance with Access to Information Procedure Rules Part 6 Section 1 Paragraph 5.1 and Section 100B(4) of the Local Government Act 1972 (items not to be considered unless open to inspection at least 5 days before the meeting) are that:-

- This item is in the opinion of the Chair of the Committee business of such urgency as to require immediate attention by the Committee in accordance with Committee Procedure Rule 3.1(vii).

1. PURPOSE OF REPORT

A report was taken to Full Council 8 Nov 2023 following Storm Ciaran which followed unprecedented rainfall in October 2023 and resulted in flooding impacts across the District. Full Council recognised the impacts on residents and business and agreed the Environment Committee establishes a Forum to review the incident, to investigate and consider the contributing factors, impacts and possible solutions. This report sets out the terms of reference for the Forum.

2. RECOMMENDATIONS

2.1 Committee is requested to approve:

The terms of reference as presented at **Appendix 1** of the report.

3. EXECUTIVE SUMMARY

- 3.1 Arun District Council acknowledged the devastating impact of the recent flooding following Storm Ciaran on residents and businesses within the district at a Full Council meeting on 8 Nov 2023. Full Council unanimously resolved to recommend that the Environment Committee establishes a 'Forum' to investigate the contributing factors, impacts and possible solutions. This report sets out the terms of reference and arrangements for the Forum and seeks the committee approval.

4. DETAIL

- 4.1 Storm Ciaran arrived on the south coast of England on 2 November following unprecedented rainfall during October. The storm was subject of Yellow and Amber weather warnings for wind and rain impacts. The result was the Environment Agency issuing flood alerts and flood warning across the district and a number of residents and businesses either being flooded or impacted.

On 8 Nov 2023 Full Council acknowledged the devastating impact of the flooding and unanimously resolved to recommend that the Environment Committee establishes a 'Forum'. It is proposed that the Forum is made up of various partners responsible for flood preparation, planning and response, including the Environment Agency, Southern Water, West Sussex County Council and others and that investigation and consideration be made to the contributing factors, impacts and possible solutions to the flooding events and impacts.

The Forum is to be Chaired by a suitably qualified independent person, and authority is delegated to the Environment Committee to agree the terms of reference for the Forum and arrangements for the establishment of the forum.

The findings of the Forum will be reported back to the Environment Committee and an Extraordinary Meeting of Full Council by update.

4.2 Forum Terms of Reference

A Terms of Reference for the proposed Forum are provided in **Appendix 1**. This includes the proposed purpose, scope and objectives of the forum together with other information.

The overarching aim of a Forum will be to establish the facts over the recent flooding events within the district. The findings of the Forum will be reported back to the Environment Committee.

4.3 Recovery

In accordance with the Civil Contingencies Act (CCA) 2004 the District Council takes the lead role in coordinating the recovery from an incident. The aim of the recovery phase is to restore key services, establish a collaborative approach to helping communities recover from the incident to achieve relative normality

and establish and maintain communication channels with the public, partners and other stakeholders.

A series of recovery meetings with partner agencies is being held to assist in the coordination.

The information collated as part of the recovery meetings is shared with all partner organisations in dealing with the flooding event and can be used to inform the Forum in identifying the contributing factors. In turn this will assist in proposing steps to reduce the impacts in future to residents and businesses within the district.

5. CONSULTATION

5.1 None to date

6. OPTIONS / ALTERNATIVES CONSIDERED

6.1 None

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

7.1 The costs of the forum still need to be identified but Committee will note that there is no budget to fund this. Funding will need to be identified from within existing resources, which will probably mean a reduction in other service areas. Should the forum identify actions with a cost implication, these too are unlikely to be funded and again, Officers will probably need to identify savings in other service areas. This will also be reported back to Members in due course.

8. RISK ASSESSMENT CONSIDERATIONS

8.1 None to date

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

9.1 The reasons for this report coming forward as an urgent item are set out at the beginning of this report.

9.2 The proposed 'Forum' would not be a committee, sub-committee or working party of the authority. Instead it would be a body established by the Environment Committee and the appropriate statutory power for its establishment would be the Council's general power of competence under Section 1 of the Localism Act 2011.

10. HUMAN RESOURCES IMPACT

10.1 Resource implications to be fully assessed.

11. HEALTH & SAFETY IMPACT

11.1 Impact under assessment

12. PROPERTY & ESTATES IMPACT

12.1 Impact under assessment

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

13.1 Impact under assessment

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 To be considered as part of the proposed Forum outcomes.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 Not applicable

16. HUMAN RIGHTS IMPACT

16.1 Not applicable

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 Not applicable

CONTACT OFFICER:

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Job Title: Group Head of Environment and Climate Change

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BACKGROUND DOCUMENTS:

[\(Public Pack\)Full Council - 8 November 2023 - Supplement Two - Urgent Items Agenda Supplement for Full Council, 08/11/2023 18:00 \(arun.gov.uk\)](#)

APPENDIX 1

Terms of Reference - Arun Flood Forum

1. Purpose of the Forum

The main purpose of the Forum is to:

- Understand the issues behind the main flooding events which occurred within the District following Storm Ciaran in October 2023.
- Understand other recent flooding events which have occurred within the District where homes and businesses have been affected.
- To understand the impact new development has had on these flooding events.
- To make recommendations on practical and deliverable measures to reduce the impact of flooding on the District's residents, businesses and the environment, and to promote the implementation of permanent and sustainable solutions to mitigate or alleviate flooding
- The Forum will also seek to improve communication between the flood risk management authorities and representatives from flood affected communities.

2. Scope

The Forum will focus on areas of flood risk resulting from the Storm Ciaran event but will cover other areas of flood risk as determined by the Forum.

4. Objectives

The Forum will work to:

- Clearly establish the impact of flooding following the events following Storm Ciaran
- Clearly identify the highest risk areas to flooding resulting from the above review – which communities and businesses are at highest risk.
- Hear from communities and businesses affected by the flooding events.
- Understand the relationship between new developments and the functional flood plan, how they are drained and the impact on existing built up areas.
- Understand the various agencies roles and responsibilities in dealing flooding both in terms of prevention and solutions.
- Set out measures to mitigate these risks, from those already established and identify additional measures to assist in future flooding events.
- Consider the key agencies' responsibilities and their working relationships with the Council and each other.
- Establish what arrangements there are for involving and consulting local communities in determining flood prevention plans and in flood response and recovery arrangements.
- Ensure that partners' own organisations are aware of and can respond to flood related issues within their assigned duties and resources.
- Review procedures for flood prevention, response and recovery.

- Arrange periodic and appropriate training or information exchange for relevant personnel, including partners' own workforces, emergency services, volunteers and other stakeholders on the operational aspects of flood risk management.
- Make recommendations for appropriate action by the Council and partner agencies.
- Actively address funding opportunities to support projects / proposals resulting from the Forum.
- Ensure that the Council's interests are represented at regional and national level in respect of flood policy development and funding.

5. Membership

- The Forum will be chaired by an independent professional.
- Up to 4 District Councillors from flood affected wards (with not more than one representative from each ward). All other Members are able to attend to observe and ask questions.
- Up to 4 Parish Council representatives, who should be the Chair or Vice Chair of their Parish Council, (with not more than one representative from each parish)
- Appropriate officer representation from Southern Water
- Appropriate officer representation from the Environment Agency
- Appropriate officer representation from West Sussex County Council as the Lead Local Flood Authority
- Relevant officer representation from Arun District Council
- The group may co-opt representatives of other organisations to sit on the group as appropriate.

6. Meetings and frequency

- The group will meet 4 times per year or as determined by the Forum.
- All meetings to be held in person.

7. Leadership and Governance

- The Forum would not be a committee, sub-committee or working party of the authority. Instead, it would be a body established by the Environment Committee and the appropriate statutory power for its establishment would be the Council's general power of competence under Section 1 of the Localism Act 2011.
- Agendas and minutes of the Forum meetings will be reported to Environment Committee.
- Forum member representatives will determine for themselves how they wish to report back to their own organisations and communities on the work of the group.
- Membership of the Forum provides no undertaking or commitment by any member organisation to make available funding for any scheme or proposal, but representatives will use their best endeavours to secure funding from appropriate sources.
- ADC will provide secretariat services for the Forum.

8. Decision-Making Process

- The Forum will make recommendations to Environment Committee where they relate to ADC decisions. It will have no decision-making authority.

9. Communication

- Communication resulting from the Forum meetings will be shared through ADC Communications team.

Proposed Forum topics / meetings – one subject per meeting

- To hear from affected communities and business representatives
- National Flood Forum experience, role and responsibilities
- Environment Agency (EA) responsibilities and actions
- Southern Water (SW) responsibilities and actions
- WSCC (Lead Local Flood Authority (LLFA)) responsibilities and actions and ADC's role
- Impact of planning and development