



## **ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE**

**Monday 20 June 2022**

<b>REPORT TITLE:</b>	<b>APPOINTMENTS TO WIRRAL FLOOD &amp; WATER MANAGEMENT PARTNERSHIP</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW AND GOVERNANCE</b>

### **REPORT SUMMARY**

The purpose of this report is to enable the Committee to appoint members and possibly named deputies to the Wirral Flood and Water Partnership for 2022/23

This report contributes to the sustainable environments Wirral Plan 2021-26 Priority.

The report effects all wards. It is not a key decision,

### **RECOMMENDATION/S**

The Committee is requested to authorise the Monitoring Officer as proper officer to carry out the wishes of the political group leaders in allocating Members to membership of the Wirral Flood and Water Partnership and to appoint those Members with effect from the date at which the proper officer is advised of the names of such Members.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 Policy and Services Committees are required to appoint the membership of various panels, statutory / advisory committees and sub-committees, which fall under their remit at the start of each Municipal Year.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 Potential options which the Committee could investigate, and potential consequences, include:
- 2.2 Disbanding the Partnership, although being a partnership the group could continue in the absence of Councillors and allows the Committee to ensure that any developments are in line with the wider aims of the Council. If there is no flood risk or if there were changes in the national governance arrangements for flood risk another body could take responsibility but these options were unlikely and could be reconsidered if they occurred.
- 2.3 To vary the number of Members. It is useful if an appointed Member has some background knowledge to be able to understand the issues being reported on.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The main purpose of the partnership is to achieve through joint working an effective management of flooding and coastal erosion incidents on Wirral; to take such collective measures in order to minimise the potential impact of such incidents; and to seek the implementation of more permanent and sustainable solutions to the mitigation or alleviation of flooding and coastal erosion. The partnership will also establish a formal link with Wirral Council's Overview & Scrutiny function, to provide appropriate governance and elected member oversight of local flood and coastal erosion risk management activities.

### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are none arising directly from this report as the meetings are arranged using existing resources.

### **5.0 LEGAL IMPLICATIONS**

- 5.1 There is a requirement under the Council's Constitution to appoint Members to various panels, advisory committees and working parties.
- 5.2 Environment, Climate Emergency and Transport Committee's Terms of Reference now include the role 'as Coast protection authority and lead local flood authority'.
- 5.3 The Flood and Water Management Act 2010, hereafter 'the Act', aims to improve both flood and coastal erosion risk management and the way in which water

resources are managed. It creates clearer roles and responsibilities through defining flood 'risk management authorities' (RMAs) and instils a risk-based approach to flood and water management. There is a lead role for local authorities in managing local flood risks (flooding from surface water, groundwater and ordinary watercourses) and a strategic overview role of all flood and coastal erosion risks for the Environment Agency.

- 5.4 The Act places a 'duty to cooperate' on the flood risk management authorities in the exercise of their functions. The way in which the Council delivers this is through working in partnership. In Wirral, the RMAs are; the Environment Agency, Highway Authority and Water & Sewerage Undertakers (United Utilities and Welsh Water).
- 5.5 Whilst no longer a requirement of The Act, best practice would require local authorities to ensure that adequate scrutiny arrangements are put in place. This includes arrangements to review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.
- 5.6 The Act does not stipulate the form that these partnership arrangements should take; it is in this capacity that these Terms of Reference seek to formalise the role and responsibilities of the Wirral Flood & Water Management Partnership Group. They also set out how this Group operates in relation to the wider Merseyside Flood & Coastal Erosion Risk Management (FCERM) Partnership and the North West Regional Flood & Coastal Committee (RFCC).

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 There are none arising directly from this report as the Forum is arranged and serviced using existing staff resources.
- 6.2 If any of the options in 2.1 were progressed this may increase the resource implications.

## **7.0 RELEVANT RISKS**

- 7.1 As this is a non-statutory body, no risks have been identified from the recommendation. If other options were pursued there was a possibility that the work of the meetings would not be in line with the wider aims of this Committee and the Council.
- 7.2 Once appointed, the Partnership has a role which helps manage flood risks throughout the Borough.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 It is for political groups to decide how they wish to allocate their committee places.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact

Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity. There are no equality implications arising directly from this report.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

10.1 The Partnership can help to mitigate increased flood risks which may be a consequence of climate change but the partnership and the decision recommended in this report do not have any direct climate change implications.

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## **APPENDICES**

none

## **BACKGROUND PAPERS**

Previous reports on the appointment of panels, statutory / advisory committees and working parties and amendments made during the year and the Council's Constitution.

Flood and Water Management Act 2010  
Partnership Committee Terms of Reference  
Terms of Reference for the Wirral Flood and Water Partnership

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Environment, Climate Emergency and Transport Committee</b>	<b>14 June 2021</b>
<b>Environment Overview and Scrutiny Committee (Wirral Flood &amp; Water Management Partnership Terms of Reference)</b>	<b>20 September 2018</b>