

**By:** Max Tant, Flood Risk Management Officer  
**To:** Flood Risk Management Committee  
**Subject:** LGIU Scrutiny flood toolkit  
**Classification:** Unrestricted

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### **Summary:**

The Flood and Water Management Act 2010 gives lead local flood authorities the power to exercise the overview and scrutiny of flood and coastal erosion risk management functions by risk management authorities in their area. The Local Government Information Unit has provided non-statutory advice for carrying out these roles.

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### **Background**

The Flood and Water Management Act 2010 (the Act) amends the Local Government Act 2000 to provide lead local flood authorities (as defined in the Act) the power to exercise overview and scrutiny of flood risk and coastal erosion management functions in their area. Schedule 2, Section 54 of the Act amends the Local Government Act 2000 by inserting Section 21(F), Section 2 of which reads:

*“The arrangements required under section 21(2)[of the Local Government Act 2000] include 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.”*

The Local Government Information Unit (LGIU) has prepared some non-statutory advice for local authorities to understand the role of scrutiny in flood risk management. This advice has been prepared after the LGIU, in partnership with Local Government Improvement and Development, held a series of three meetings with elected members and officers from 19 local councils across England and Wales.

### **Summary**

The document is quite short and is written in short bite-sized parts. It provides a background to the scrutiny role, including a review of the relevant scrutiny and flood risk legislation, and a summary of the potential and limitations of local government scrutiny.

The advice gives “ten tips” shared by the Centre for Public Scrutiny. Finally the advice identifies measures that may be taken in four areas to strengthen the scrutiny of flood risk management, these areas are:

- Resources,
- Leadership,
- Process, and

- Partnerships.

The advice is often written from the perspective of reviewing a specific issue or incident, for instance a flood event, though some advice is more general to day-to-day oversight of flood risk and coastal erosion risk management issues (in fact one tip advises that scrutiny should also be forward looking, rather than constantly retrospective).

The advice advocates understanding the issues and engaging with partners and senior leadership to ensure that any review that is necessary can be undertaken effectively.

## **Recommendations**

The committee may wish to review the current terms of reference to ensure that the scrutiny role provided for by the Flood and Water Management Act 2010 is adequately addressed.

## **Background documents**

The Floods and Water Management Act -

[http://www.legislation.gov.uk/ukpga/2010/29/pdfs/ukpga\\_20100029\\_en.pdf](http://www.legislation.gov.uk/ukpga/2010/29/pdfs/ukpga_20100029_en.pdf)

Scrutiny of flooding toolkit - <http://www.idea.gov.uk/idk/aio/24925049>

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