

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: PLACE24 0974

BOX 1**DIRECTORATE:** Places**DATE:** 26/02/2024**Contact Name:** Sarah Hetherington**Tel. No.:** 01302 737473**Subject Matter:** Fishlake Scheme, Non-Return Structure - ODR1**BOX 2****DECISION TAKEN**

- To approve the acceptance of funding to deliver a non-return structure to reduce and improve flood risk management interventions within the Fishlake catchment. Funding of £■■■ will come from internal cost code EN032 which has been allocated for the works.
- To providing a grant of up to £■■■ to the Internal Drainage Board to carry out the detailed design and construction of the scheme within the Fishlake FRMS as the asset is within IDB area and the IDB will carry out the work using the powers under The Land Drainage Act 1991.
- The IDB will be maintaining the asset for the asset lifetime and this will be included as a term of the grant agreement.
- This is an update/amendment to the approved ODR PLACE23 0912

BOX 3**REASON FOR THE DECISION**

Fishlake is a village within Doncaster that lies on the left bank of the River Don. During November 2019, within the Fishlake area, 173 properties were recorded as having flooded. Flooding has previously occurred during 2007.

During November 2019 a combination of two major rainfall events on subsequent weeks produced a major flood on the River Don that first exceeded the design standard of the left Riverside Bank and then subsequently overtopped the secondary Barrier Bank. Significant overtopping of the Riverside Bank occurred upstream and just downstream of Stainforth Bridge (Fishlake Nab). The flood extent was initially contained by the secondary level of defence, the Barrier Bank, until this was overtopped, allowing the flood water to quickly spread east, north, and west across the village filling up lower-lying areas and flooding many properties until most of the village was submerged.

Following the November 2019 flood event, the highway had incurred damage and the drainage system needed to be cleansed and the majority of the watercourses had to be de-silted and regraded due to slippages, this cost was incurred by City of Doncaster Council and the Internal Drainage Board. It is possible that the findings of this report will identify a solution to limit the financial impact of future flood events.

A study has been completed using £[REDACTED] from Local Levy funding. The information from the study will be used to inform the business case to secure delivery the preferred solution/s identified. The purpose of the additional funding is to complete a detailed design and construction of the preferred scheme. The preferred option identified from the study is the installation of a non-return structure on Sour Lane Drain in Fishlake.

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Option 1: Do not provide a grant.

If the grant was not provided to the IDB, the Council would need to get consent from the IDB to carry out the work in IDB area and Board maintained watercourse. The Council would then also need to procure the design and construction of the scheme.

BOX 5

LEGAL IMPLICATIONS

The Localism Act 2011 provides the Council with a general power of competence which allows a Council to do anything which an individual may generally do.

The report author should ensure all head funding terms are complied with to avoid the risk of clawback.

The grant must comply with the terms of the Council's financial procedure rules.

A formal legally binding grant agreement must be entered to ensure that the Council's interests are protected. The report author should also ensure that the recipient contractually commits to the maintenance of the asset once the agreed structure has been designed and built.

Legal services may be consulted for support in respect of this matter.

_____**S. R. Fawcus**_____

Date: 05.03.24

Name of Assistant Director of Legal and Democratic Services (or representative)

BOX 6

FINANCIAL IMPLICATIONS:

Upto £█ will be offered as a grant to the Yorkshire and Humber Drainage Board to deliver the works specified, which will be funded by Flood Risk revenue budget on code EN032 in 2023/24. The organisation is able to deliver the works quickly in order to reach the tight timescale.

The service should note Financial Procedure Rules (FPR) E17 to E20 relating to Grants to outside Bodies especially:

E.17 Directors are authorised to approve grants and annual assistance to external bodies, subject to key decision rules and other requirements of these FPR and related guidance and this approval being formally recorded.

E.20 Directors are responsible for promptly taking action where there are concerns over delivery, accounting or any other aspects of scheme administration and management. This may require recovering grant sums or the value of assistance given and assets provided by the Council.

Any maintenance of the works once installed, will be the responsibility of the 3rd Party and the Council will not be liable to fund this. The grant offered does not include maintenance costs and this will be specified in the grant agreement when signed.

Name: Adele Beasley

Date: 15/03/24

Name of Chief Financial Officer and Assistant Director of Finance (or representative)

BOX 7

OTHER RELEVANT IMPLICATIONS

The procurement will be completed in compliance with all Procurement Regulations and conditions of the grant funding.

The Strategic Procurement Team (SPT) and Report Author will work together to source an economically viable scheme ensuring no funding stipulations or mitigating factors to be considered.

Name: *H Donnellan*

Date: *15/03/2024*

Name of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 8

EQUALITY IMPLICATIONS: (To be completed by the author).

There are no perceived equality implications as a result of this decision. This is owing to the investment decision making being based solely on flooded properties and no other criteria (outside of flood risk management themes) has been considered.

BOX 9

RISK IMPLICATIONS: (To be completed by the author)

The funding for the detailed design and construction of the schemes will come from the flood risk revenue budget ENO32 funding.

BOX 10

CONSULTATION

BOX 11

INFORMATION NOT FOR PUBLICATION

Financial information in box 2, box 3 and box 6 should be redacted under section 43 of the Freedom of Information Act 2000 because this is deemed commercially sensitive information. Signatures should also be redacted under section 40 of the Freedom of Information Act 2000, as the information is deemed personal sensitive information and exempt from publication.

Name: A J Rowbotham **Date:** 21st March 23 _____

Name of FOI Lead Officer for service area where ODR originates

BOX 12

BACKGROUND PAPERS

Please confirm if any Background Papers are included with this ODR YES/NO

(If YES please list and submit these with this form)

**BOX 13
AUTHORISATION**

Name: Kellie Hopkins

Signature: Kellie Hopkins

Date: 20.03.24

Assistant Director Environment

Does this decision require authorisation by the Chief Financial Officer or other Officer

YES/NO

If yes please authorise below:

Name: _____ Signature: _____ Date: _____

Chief Executive/Director/Assistant Director of _____

Consultation with Relevant Member(s)

Name: _____ Signature: _____ Date: _____

Designation _____

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Ladem@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.