

Decision Maker: Environment PDS Committee

Date: 1st October 2013

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **DEALING WITH EMERGENCIES INVOLVING UTILITY COMPANIES**

Contact Officer: Stephen Lewis, Emergency Planning Manager,
Tel: 020 8313 4388 E-mail: stephen.lewis@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment and Community Services

Ward: All

1. Reason for report

1.1 The report describes a specific incident and its aftermath, and examines the circumstances of this incident in respect of the role of Thames Water Authority. It reviews the emergency arrangements between the utility companies, the emergency services and London Borough of Bromley when an incident occurs within its boundaries.

2. **RECOMMENDATION**

2.1 **That Members note and comment on:**

- a. the details on this incident; and
- b. the current arrangements in place when dealing with utility companies

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Safer Bromley, Quality Environment
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: N/A
 5. Source of funding: N/A
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Staff

1. Number of staff (current and additional): One
 2. If from existing staff resources, number of staff hours: 1 fte
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Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Not Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): An emergency could potentially impact on any part of the borough
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The request to prepare this report for Environment PDS Committee was made by Councillor Nicolas Bennett to explain the circumstances surrounding this recent event.
- 3.2 This incident occurred on Sunday 28th July 2013 in Corkscrew Hill, West Wickham, near the junction with Bencurtis Park. A six inch water main burst, resulting in a substantial flow of water pouring down Corkscrew Hill, causing significant damage to the surrounding road surface and pavements.
- 3.3 The disruption to the water supply was such that it took some four hours to establish where the pipe had burst and to activate repairs. Although this matter was not signed off until late the following day it is the initial period to which this report refers.
- 3.4 In total some 251 residential properties were directly affected by this incident, including the Glebe Housing Association premises in Bencurtis Court which houses 200 vulnerable elderly residents. The burst water main in Corkscrew Hill resulted in these properties either having very low water pressure or in some cases no water at all.
- 3.5 Over this period the water supply was turned off whilst Thames Water Authority repaired a faulty pressure valve. The water pressure was so low that residents were deprived of drinking water and were unable to prepare fresh food, wash and flush their toilets. Thames Water was not aware of the vulnerable group living in Bencurtis Court until this was drawn to their attention by its own staff.
- 3.6 According to Glebe Housing the Bencurtis Court residents were badly affected by this event. Thames Water's response to the request for water at the site was the delivery of 40 bottles which was considered inadequate for their residents needs according to Graham Lilley their Chief Executive. Additional water was also purchased by staff of the Housing Association at a local supermarket.
- 3.7 Normal water pressure was restored to the area on 30th July, and road repairs completed on 30th July by a contractor (Optimise).
- 3.8 In a response about this incident to the Council's Emergency Planning Unit, Thames Water stated that:
- a. if customers are struggling with supplies they will only provide advice in the first instance;
 - b. based on the information they receive they will prioritise their work;
 - c. during these type of events every effort is made to restore the water supply within 6 hours;
 - d. currently they only give notice to customers where the supply is being stopped for more than 4 hours; and
 - e. at present they are not obliged to give notice to customers nor the local council in the case of an emergency.
- 3.9 The exception to this is where customers are listed on their records needing 'special requirements' or enlisted on their 'special care programme'. According to their records had the Glebe Association been so registered then a supply of bottled water would have been delivered without being prompted. This has now been addressed with Thames Water.

- 3.10 Although Bromley Council were notified of the incident at the time, this occurred via the Council's out-of-hours provider and was purely in respect of damage to the highway and the temporary diversions needed. The Council was not made aware at the time of the impact on the residential housing. The Emergency Planning Unit was not informed of the full circumstances until the following Tuesday, by which time the incident had been dealt with and therefore it was too late for Bromley to make a response.
- 3.11 As can be seen from the Appendix Bromley Council is well versed in responding to emergencies across the borough, and maintains a capability to respond to such an event on a 24/7 basis in accordance with its statutory responsibility as set out in the Civil Contingencies Act 2004 (CCA).
- 3.12 Notification to relevant agencies of any such incidents is required by the CCA 2004, which states that there should be local arrangements to deal with civil protection. Utility Companies are listed as Category 2 responders and do not have the same communication channels, as they are not obliged to react in the same way as those in the Category One list - such as the Police, Fire Brigade and the Council . They each have their own guidelines and do not have any legal responsibility to notify local authorities of any emergencies; and they have their own operating procedures which are dependent on the scale of the incident.
- 3.13 Since the Act's inception, communication channels have been well tested. The Council supports the emergency services as well as the wider community in order to mitigate the effects of any emergency.
- 3.14 Generally speaking if a wide area is affected utility companies will notify the local authority concerned as a matter of courtesy. The scale of the Corkscrew Hill / Bencurtis Park incident would not fall into this broader category.
- 3.15 However, each utility company has its own 'Priority Service Register' for those of their customers who require special arrangements and are deemed to be vulnerable. These range from the elderly to those chronically sick and / or dependent on medical equipment. The onus is for these individuals or residencies to register themselves on each of the Utility company databases.
- 3.16 In any emergency identifying and caring for the vulnerable is a priority and the Council recognises this important priority. It is always one of the initial actions undertaken when notification of an emergency is received and is one of the chief objectives outlined in the council's Major Emergency Plan.
- 3.17 This can only be achieved however, if the emergency services and the utility companies notify the council of any emergency within the borough.
- 3.18 Finally, it must be noted that whilst Bromley Council's Streetworks team were made aware of the incident on Monday 30th July, there was nothing to indicate the scale or extent of the impact on residents, so no information was passed to the Emergency Planning Unit. Utility companies are permitted to respond to emergencies without prior consent of the council, but must notify us with 2 hours of starting work on site. With around 4000 streetwork activities per year it is not possible for the council as regulator to know which would constitute an emergency in this context – the onus on this sits firmly with the utility company. Where the Streetworks team become aware of a large scale incident, they will however, contact the Emergency Planning Team.

4 LEGAL IMPLICATIONS

- 4.1 The Civil Contingency Act 2004, is the key legal framework under which a local authority, as Category One responders, discharges its duties to ensure - so far as is reasonably practicable -

that if an emergency occurs it is able to perform the functions requested by the emergency services. This also applies to Category Two responders, which would incorporate Utility Companies and therefore Thames Water.

Non-Applicable Sections:	Policy, Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	