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EXECUTIVE DECISION RECORD

A1 Service Area	Environment
A2 Title	Branston Pumping Station – Memorandum of Understanding
A3 Decision Taken By	Deputy Leader/ Chief Office
A4 Chief Officer	Please print name: Sal Khan Please sign name: Approved by email 050520
A5 Leader / Deputy Leader	Please print name: Councillor Ray Faulkner Please sign name: Approved by email 040520
A6 Date of Decision	5 th May 2020

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.	N/A

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to?	<i>(Please tick as appropriate)</i> ✓	
Scrutiny (Audit & Value for Money Council Services) Committee		X
Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee		X

B1 What is the Decision?	To approve the signing of a Memorandum of Understanding for upgrade works to be carried out to Branston Pumping Station.
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B2 What are the reasons for the Decision?

The Main Street Pumping Station was constructed in the 1990s to provide drainage for surface water in the local catchment, including some flow from Branston Water Park.

The station consists of two submersible pumps, a debris screen, a penstock and the associated mechanical and electrical equipment.

These pumps operate on duty/standby mode to pump surface water from the upstream watercourse to the downstream culverted section during periods when the penstock is closed. The penstock is closed by the Environment Agency when water levels on the River Trent reach a certain trigger.

In terms of ownership, the pumping station infrastructure, the two pumps and their associated electronic equipment are owned and maintained by the Council. The penstock and the culvert outfall valve are owned and operated by the Environment Agency. The upstream watercourse and the outflow culvert are within riparian (the landowner) ownership.

The pumping station has been identified by the Environment Agency as a Strategically Important Asset. This has led to central government funding for essential upgrade and maintenance works, as set out below:

- Branston Water Park – replacement of outfall structure and grille;
- Replacement of pumping station screen, with improved access;
- Replacement of both submersible pumps;
- Replacement of all mechanical and electrical equipment at the station;
- Upgrade works to the penstock;
- Repair works to the downstream culvert;
- Replacement of the culvert outfall flap;
- Improvements to the pumping station access, fencing and security arrangements

The total cost of these works is £1,117k. There is no cost to the Council and the works will deliver a new pumping station, replacing the one currently nearing the end of its asset life.

The purpose of this Memorandum of Understanding (MoU) is to document and confirm roles and responsibilities for the Pumps, Isolation Penstocks, Culvert Flap, Debris Screens, Access and Culvert once repair works are complete. It

	<p>imposes no additional requirements on the Council, either financially or operationally. It will be signed by the Environment Agency, Staffordshire County Council (as Lead Local Flood Authority) and East Staffordshire Borough Council.</p> <p>The EA require a signed copy of the MoU for the works to commence.</p>
B3 What are the contributions to Corporate Priorities?	<p>The decision supports the Council's first and third Corporate Priorities:</p> <ul style="list-style-type: none"> • Value for Money Council • Environment and Health & Wellbeing
B4 What are the Human Rights considerations?	<p>There are no Human Rights issues arising from this decision.</p>

Financial Implications

B5 What are the financial implications?	<p>The main financial issues arising from this decision are as follows: The full funding for the works will be met by the Environment Agency (£1,117k). The Council will be required to continue with its current maintenance obligations. There is an existing annual allocation of £4k for general maintenance to meet these needs.</p>
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Revenue	2020/21	2021/22	2022/23

Capital	2019/20	2020/21	2021/22

<p>The finance section has been approved by the following member of the Financial Management Unit:</p>	<p>Please print name: Anya Murray</p> <p>Please sign name: Approved by email 010520</p>
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA

B6.2 Has it got the appropriate approvals under those provisions?	NA
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	NA

Equalities Implications

B8 What are the Equalities implications:
B8.1 Positive (Opportunities/Benefits): NA
B8.2 Negative (Threats):
B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.

Risk Assessment

B9 What are the Risk Assessment implications:
B9.1 Positive (Opportunities/Benefits): These works will provide the council with a significantly upgraded asset, thus prolonging its operation life.
B9.2 Negative (Threats): Failure to upgrade the pumping station could lead to localised flooding.
B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:
B10.1 The main legal issues arising from this decision are as follows: The MoU is not legally binding document, although the Environment Agency has asked for a signed copy prior to commencement of the works. The MoU places no additional maintenance obligations on the Council.

<p>This section has been approved by the following member of the Legal Team:</p>	<p>Please print name: Angela Wakefield</p> <p>Please sign name: Approved by email 280420</p>
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Sustainability Implications

<p>B11 What are the Sustainability implications:</p>
<p>B11.1 The proposal would result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below (please refer to guidance notes).</p>
<p>B11.2 Positive (Opportunities/Benefits): The proposal supports flood risk alleviation measures by upgrading the flood defences.</p>
<p>B11.3 Negative (Threats):</p>

Health & Safety Implications

<p>B12 What are the Health & Safety implications:</p>
<p>B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.</p>
<p>B12.2 Any financial implications to mitigate against these hazards and risks are considered above.</p>

Key Decision

B13 Is this a Key Decision?	Yes/No <i>(please delete as appropriate)</i>
Note: A Key Executive Decision is one where: <ol style="list-style-type: none"> 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000 2. CAPITAL – Any capital project with a value in excess of £150,000 3. A decision which significantly affects communities living or working in an area comprising two or more wards. 	
B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?	Yes/No/NA <i>(please delete as appropriate)</i>
B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	Yes/No/NA <i>(please delete as appropriate)</i>

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to andrea.davies@eaststaffsbc.gov.uk