

Environmental Information Regulations – Response - 27498

We are solicitors instructed by NFU Mutual who insure XXX XXX and XXX XXX, in respect of flooding to their property at XXX XXX, Goldbrook, Hoxne, Eye, Suffolk, IP21 XXX (the “Property”) on 20 October 2023 (the “Incident”).

We would be grateful if you would please provide the following information to us pursuant to the

Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004 (as appropriate).

The Property was the subject of severe flooding commencing on 20 October 2023; floodwater reached levels of 0.5m throughout the ground floor of the Property. As a result of the Incident, damage was caused to the ground floor of the Property and strip out works were required along with the replacement of various contents which were damaged beyond economical repair.

Request for Further Information pursuant to Freedom of Information Act 2000 (“FOIA”)

1. What drains / drainage system was in place prior to the Incident and where did they discharge?

Please provide documentary evidence with your response.

See attached plans below showing known highway drainage assets.

All other drainage systems operated by the Environment Agency, Anglian Water or private management companies appointed by developers for shared drainage assets not offered up for adoption to either Suffolk County Council as Highways Authority or Anglian Water. These are also detailed in the flood investigation report which was completed following the October 2023 floods.

The attached map extracts show the locations of the Highways gullies along Goldbrook. These highway assets discharge into a 225 mm diameter piped watercourse running along the southwest side of the Goldbrook carriageway. This pipe passes beneath the road just south of the Village Hall.

Downstream of this crossing, the watercourse continues as a 225 mm diameter pipe through private gardens before discharging into a ditch located to the rear of the residential properties. This ditch then outfalls into the brook approximately 50 m further downstream.

Upstream of Goldbrook, the watercourse runs along the southwest side of Abbey Hill for almost its entire length, consisting of a combination of piped sections and open ditch. As such, it conveys flows from a relatively large upstream catchment.





2. Suffolk County Council previously published a strategy guide which details their obligations under the Flood and Water Management Act 2010 ("FWMA") and reiterates their duty to "prepare and maintain a strategy for local flood risk management. Whilst also investigating significant local flooding incident". Section 3.2 of the Council's flood risk management strategy further details that under the Flood Risk Regulations 2009 they are required to undertake a preliminary flood risk assessment every 6 years with the last review carried out in 2017. Please confirm whether a further review was carried out in 2023 and provide copies of any report(s) that were produced in connection with that. The Suffolk Risk Management Strategy was most recently reviewed in 2022/2023 and a new version published in February 2023. A copy of which can be found on the Suffolk County website, <https://www.suffolk.gov.uk/asset-library/Final-Published-Suffolk-LFRM-Strategy-February-2023.pdf>

3. There had been previous flooding in the area in 2020 following Storm Bella and we understand that there were subsequent consultations between the Environment Agency and Suffolk County 2 Council to consider further flood defences. It is not clear what came of said consultations and whether any further preventative measures were implemented. Please provide:

- a. Copies of all correspondence, documentation and reports relating to your investigation following the Incident.
- b. Details of any works undertaken following the Incident, in particular any works to flood defences.
- c. Copies of all correspondence, documentation and reports relating to your investigation

following the 2020 flood.

d. Details of any works carried out by you following the 2020 flood.

See attached plans, documents, photos and records.

e. A copy of your maintenance regime/policy in place in relation to the flood defences.

f. Confirmation of the outcome of the consultations following previous flooding incidents in December 2020 as a result of Storm Bella.

All correspondence, documentation, reports and details (customer reporting software only permits specific number of characters in report overview grid hence some detail is cut off) in file "correspondence relating to 2020 flood event to be redacted and shared". One additional email referencing a customer report which didn't flag in the reporting software search has also been included. It appears it didn't get included as location was recorded at nearby footpath instead of the road in question but is relevant.

The LLFA projects team were only significantly involved in flooding in Hoxne following the October 2023 event. All community meetings and subsequent projects being developed are a result of the 2023 event, which question 3 has not requested. Details can be found on the S19 report - <https://www.suffolk.gov.uk/asset-library/s19-hoxne-report.pdf>.

Redacted Information

All information released in response to a Freedom of Information Act 2000 (FOIA) or Environmental Information Regulation 2004 (EIR) request is deemed to be in the public domain. As such we must consider whether or not the requested information qualifies as personal information and should therefore not be released into the public domain.

The council has determined that this is personal information and is therefore exempt from disclosure under **section 40** of the FOIA and **regulation 13** of the EIR.

The Council considered the following, including the possible consequences of disclosure for the data subjects concerned and their reasonable expectations as to the use of their data:

- expectations of the individuals concerned about personal information being put into the public domain;
- reasonable expectations - the data subjects concerned would have a legitimate expectation of privacy concerning their personal information and would not have anticipated this being put into the public domain;
- whether or not the requested information could be anonymised; and
- balancing the individual's rights and the legitimate interests - In past cases the Information Commissioner has weighed the individual's rights to privacy against the public interest in disclosure. There is no presumption in favour of releasing personal data.

This is an absolute exemption, which means that if the condition is satisfied there is no additional public interest test to consider.

In assessing fairness, the Council considered the likely consequences of disclosure of the requested information. Personal information should not be used in ways that have unjustified adverse effects on the individuals concerned. The council also considered

whether such disclosure would be within the reasonable expectations of the individuals, given that any response to a request under the FOIA or EIR is deemed to be in the public domain. The council believes that in this instance it is not fair to disclose personal data and is therefore withholding the requested information under section 40 of the FOIA and regulation 13 of the EIR.

Please note, due to the size and number of attachments included, this is a partial response. To see the full version, please do not hesitate to contact the FOI team at : FOI@suffolk.gov.uk