



**Gallagher**

Insurance | Risk Management | Consulting



# COMMUNITY MATTERS

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## INTRODUCTION

Welcome to the latest issue of our Community Matters newsletter featuring topical articles for the community sector, including local councils, charities and not-for-profit organisations.

Now that the record breaking summer is behind us, and the autumn leaves start to fall, it is important to focus on what approaches during autumn and winter. The likely candidates? Cold, dark and rainy days.

In preparation of what approaches in the upcoming months, take a look at our guidance on flood risk management, firework event safety and tree maintenance.

You'll find regular updates and helpful information from the underinsurance of community buildings to insurance considerations for events and much more in our news and insights section of our website.

We'd love to hear any suggestions for future articles—please send us your suggestions via email at [uk.community@ajg.com](mailto:uk.community@ajg.com).

### Connect with us

Our Gallagher UK [LinkedIn](#) and [Twitter](#) channels are also a great way to stay up to date with the latest news and insights, so please follow us.



# GOING DEEPER WITH FLOOD RISK MANAGEMENT: A GUIDE FOR COUNCILS

With extreme weather events becoming more common in the UK, it can be vital for councils to ensure their flood risk management plan reflects the increasing threat.

The change in weather patterns is bringing an increased risk of flooding in the UK, and one in six homes are at risk of flooding.<sup>1</sup> Records for daily rainfall were broken in 2020,<sup>2</sup> the year when Storms Ciara and Dennis brought devastating flooding that affected many homes and businesses and, according to the Association of British Insurers (ABI), resulted in a total of 82,000 claims being made for flood and wind damage.<sup>3</sup>

The Committee on Climate Change (CCC), in a letter to the government that year,<sup>4</sup> emphasised the need to plan for the challenges ahead and to support communities in doing the same.

For councils, this means protecting the people and places in their communities by better understanding the risk and preparing for it.

In some cases, communities may need to adapt to future flooding and coastal change, and councils should also be instrumental in the strategic planning to support this.

We have outlined some of the key responsibilities for councils below and would welcome the opportunity to support you in this important area of risk management.

## Lead Local Flood Authorities

Lead Local Flood Authorities (LLFAs) are county councils and unitary authorities, and they lead in managing local flood risks. This includes ensuring co-operation between the risk management authorities in their area.

Local authorities, the Environment Agency and emergency services are listed by the Civil Contingencies Act 2004 as 'Category 1' responders to emergencies.

Under the Flood and Water Management Act 2010, LLFAs are required to:

- Prepare and maintain a strategy for local flood risk management in their areas, coordinating views and activity with other local bodies and communities through public consultation and scrutiny, and delivery planning. They must consult risk management authorities and the public about their strategy.
- Carry out the necessary works to manage local flood risks in their areas, apart from works relating to minor watercourses, which is the responsibility of the district council or unitary authorities outside of Internal Drainage Board (IDB) areas.
- Maintain a register of physical assets that have a significant effect on flooding in their area ([there is guidance from Defra here](#)).

Sources: Managing flood risk: roles and responsibilities | Local Government Association

<sup>1</sup>Flooding—is your home at risk? | RIAS

<sup>2</sup>Climate change continues to be evident across UK | Met Office

<sup>3</sup>Insurance pay outs to help customers recover from Storms Ciara and Dennis set to top £360 million | ABI

<sup>4</sup>Letter: Flood and Coastal Resilience Standards | Climate Change Committee (theccc.org.uk)

- Investigate significant local flooding incidents and publish the results of their investigations (for guidance, the British Standards Institute has developed BS 85600 for post-event flood assessments—[you can see a preview here](#)).
- Maintain and regulate ordinary watercourses (outside of internal drainage districts), including bridges and other structures in the watercourse.
- Undertake a statutory consultee role providing technical advice on surface water drainage to local planning authorities.
- Play a lead role in **emergency planning** and recovery after a flood event.

#### District and borough councils

District and borough councils are risk management authorities and can:

- Carry out flood risk management works on minor watercourses outside of IDB areas.
- Work in partnership with LLFAs and other risk management authorities to ensure risks are managed effectively, including in relation to taking decisions on development in their area.

#### Coastal protection authorities

District and unitary authorities in coastal areas are coastal protection authorities.

They are responsible for:

- Leading on coastal erosion risk management activities in their area.
- Developing Shoreline Management Plans (SMPs) which identify the most sustainable approach to managing the flood and coastal erosion risks to their section of the coastline in the short, medium and long-term.

#### Flood wardens—keeping your volunteers safe

A council's employers' and public liability insurance should provide cover for a flood warden scheme. Flood wardens can be individuals within the community, representatives of the parish councils or existing volunteers, for example, highway wardens.

Flood wardens are typically called upon once a flood warning has been issued and could be out in adverse weather conditions monitoring waterways, which means they are potentially operating in wet, uneven or slippery areas.

The council should ensure this potential hazard is assessed and included in their risk assessment and safety guidelines provided to the flood wardens and any volunteers.

It should be remembered that any activity involving deep or fast-moving water remains the responsibility of the emergency services and/or the council's resilience team.

#### Ensuring adequate cover for your flood resilience plans

There are four main approaches to flood resilience: resistance (keeping floodwater out of properties), recoverability (impact reduction), groundwater protection (prevent rising groundwater from entering a property from below) and community flood protection (e.g., a flood protection barrier along the edge of a river).

Sometimes, flood resilience activities can be carried out in extreme weather conditions or events such as power cuts, so if your council has or is considering implementing a flood resilience plan, you should seek appropriate advice.



# FIREWORKS EVENTS

## GUIDANCE FOR COUNCILS, CHARITIES AND COMMUNITY GROUPS

Bonfire night and fireworks displays are often a focal point in the calendar for communities, and with effective risk management they can be remembered for all the right reasons.

Organised fireworks displays have become more popular in recent years, both from a cost and value perspective for attendees, but also from a health and safety viewpoint as many people now prefer to 'leave it to the professionals'. However, even though it is more likely for injuries to occur at private or family displays, incidents can and do happen at organised events—from sparkler injuries to mishaps due to stray or faulty fireworks.

Whether you're organising a Diwali celebration, a fifth of November bonfire night event or an outdoor concert with fireworks, it is imperative that everyone involved in planning and running the event follows the appropriate safety and legislation guidelines. This is not only to protect the public, volunteers and organisers, but also from a liability perspective in case of an injury claim.

### Remember, remember...

A sparkler can reach temperatures of  
**20 times**  
the boiling point of water.

**Over 550**  
children under 16 are taken to A&E in the four weeks surrounding bonfire night alone.

The majority of injuries are to the eyes, head or hands—potentially leading to visible scars for life.

Source: [www.cbtrust.org.uk/fireworks](http://www.cbtrust.org.uk/fireworks)

### Before the event

Preparation is everything and before you choose your date and location, do your research to check for other events that may be happening in the area—you want to maximise your attendance. If you are planning a large event (more than 1,000 attendees) you should advise your insurance broker. Ensure the relevant local authorities have been notified and permission for the event is granted, and notify the fire brigade at least seven days before the event.

For councils, it may be the case that a working party or a sub-committee of the council must be the sole organiser of the event in order for the event to be insured under the council's insurance policy. Again, check with your broker.

Whatever your organisation and however large or small your event, all volunteers and employees must receive appropriate training, and this should be recorded in writing, along with a written risk assessment for the proposed event.

Fireworks must be purchased from reputable, licenced sellers, and have a CE mark. They should not be modified in any way, and manufacturers' guidelines for their storage should be strictly adhered to. If you are not employing the services of a professional fireworks display operator, your display should only contain fireworks in categories 1, 2 and 3. Category 4 fireworks are the largest professional pyrotechnics available and can only be fired by licensed operators.

It's also important to check your timings—it is illegal to let fireworks off between 11 p.m. and 7 a.m., however, there are some exceptions. These are:

- Diwali night—1:00 a.m.
- Bonfire night—12:00 midnight
- New Years' Eve—1:00 a.m.
- Chinese New Year—1:00 a.m.

### **On the night**

You must ensure that any requirements from the authorities are fully complied with and carry out your final site inspection and risk assessment, checking for any hazards, combustible materials, etc. There must be an appropriate first aid presence on site, in line with the risk assessment document, as well as appropriate fire extinguishing equipment which employees and volunteers have been instructed to operate safely.

Any bonfire should be kept at least 75 metres away from any premises, car park or storage of any flammable or dangerous material. It should also be at least 25 metres away from the firework display area and not located within five metres of any trees, fencing or other combustible material.

Keep fireworks in a closed box and use them one at a time, being sure you read and follow the instructions on each firework. Keep members of the public (especially children) away from the display areas and never give sparklers to children under five years old. You should also provide buckets of water for spent sparklers to avoid the risk of them being picked up from the ground while still hot.

If a defective firework causes injury or damage to property, it is recommended that you keep the remains of the firework, packaging, instructions and purchase receipt as it may be possible to make a claim against the seller.

### **After the event**

Once the event has finished, carry out an initial check of the area and ensure any unused fireworks are safely taken away and correctly stored. Have a team check the site in daylight the following day to clear up any spent fireworks, sparklers and any other potentially hazardous items. If you want to extend this clear-up to include extra volunteers, take a look at our guidance for supporting community litter-picks.

Lastly, create a record of what worked well at your event, what could be improved on for the next one, and any risk management issues or concerns you were able to identify and learn from.

If you need any further information or would like to speak to one of our risk management specialists, please get in touch.

**We hope your event is a great success!**



# TREE MAINTENANCE DURING A 'FALSE AUTUMN' RISK MANAGEMENT GUIDANCE FOR COUNCILS

Experts have warned that trees are prematurely going into survival mode as a result of the recent heatwaves and drought.<sup>5</sup> Those in charge of tree maintenance should be aware of the additional risk to the health and structure of trees in the autumn months due to these extreme conditions.



The summer of 2022 brought unusually high temperatures and one of the worst droughts the UK has seen for decades. These conditions have left some trees already shedding their leaves in August to conserve water—despite summer not officially ending until 23 September. In some cases, the stress on a tree can result in significant damage to its structure, or even the death of the tree.

Councils will need to be aware that as well as the usual tree maintenance necessary in the autumn, they may need to consider additional risks to the health and structure of trees in public spaces. This is not just due to the drought conditions, but also from flash flooding which can cause further damage and instability to trees and their roots.

## **The impact of drought**

During prolonged drought conditions, roots are unable to gather enough water to sustain them and in severe cases, problems go beyond the loss of leaves and buds, and may cause die-back of branches for some types of trees.

Heavily stressed trees can enter dormancy earlier than usual (a false autumn), meaning a shorter growing season for the tree.

Drought can also affect trees indirectly, by increasing their susceptibility to disease, insect pests and wildfire.

## **Soil saturation and flooding**

The uprooting or partial uprooting of a tree is more likely to happen when the ground is waterlogged. We have already seen flash flooding across parts of England following the drought conditions, and it is likely we will experience more.

These extreme conditions can be potentially fatal for a tree because when soil becomes waterlogged its ability to sustain trees and plants declines due to roots being starved of oxygen. This can then lead to a build-up of harmful gases resulting in the death of larger roots which may go on to affect the tree's stability over time.

Exacerbating the issue, there can also be a deterioration of the soil structure around the tree, affected its ability to grip the roots and further increasing the danger of the tree falling.

Saturation is a greater risk in the summer than in the winter months (when roots are dormant), however, as damage may not show up for some time, it is an issue that councils should take note of when there have been significant flood events.

## **Potential issues of a 'second spring'**

When high rainfall follows a false autumn, trees can be tricked out of dormancy and experience extra spurts of growth due to a 'second spring' (also known as a false spring).

While this may not pose an immediate risk to the tree's structure, any new foliage or blooms that appear may not withstand the cold temperatures of the winter, and the tree may be more susceptible to disease.

<sup>5</sup><https://www.bbc.co.uk/news/science-environment-62582186>

It is worth noting that a tree should not be pruned during this time, or watered within two days of a predicted frost. It may be beneficial to employ the services of an arborist for professional advice.

If a second spring brings substantial rainfall, it may lead to soil saturation which—as mentioned above—is not typically a problem associated with autumn or winter.

### Storms and high winds

If trees and their roots have been weakened by drought conditions, this may increase the risk of them being uprooted or having large branches ripped off during high winds.

Less obvious damage may also occur, which can lead to issues way after the storm event. For example, limbs and branches can be fractured and weakened, yet remain intact, trees can be partially uprooted but not fall, and broken branches can be lodged within the tree's crown and fall down days, weeks or even months later. Tree inspections should be carried out immediately after a storm event.

## TREE SAFETY CHECKLIST

Following are some tips for councils to help maintain the health and structure of trees through the autumn and winter months, whether we are experiencing a false autumn or the usual seasonal changes.

- Remove diseased, decaying and dead wood immediately—autumn is a great time to do this as many trees will lose their leaves which can expose these issues.
- Clear fallen leaves away from landscaped areas around the trees so they do not stop the soil from allowing in water.
- Carry out grounds maintenance weekly in public spaces such as play areas and ensure the safe disposal of fallen branches, plants and foliage where necessary.
- Where the branches connect to the tree's trunk ensure they are looking strong with no signs of damage or weakness.
- Young trees should be supported with staking, covers and/or mesh.
- Ensure trees are not presenting a risk to the public or structures due to their proximity to buildings, overhead cables, etc.
- Hazardous trees (classified as trees near the public highway, playgrounds and any other open spaces where people may gather or walk) should be inspected following periods of adverse weather conditions.
- If heavy snow is weighing down branches or limbs, wait until the snow has melted and the branches are less brittle to assess any damage.
- Ensure that contractors, such as tree surgeons, have Professional Indemnity (PI) insurance in place, otherwise any claim may have to be dealt with by the council's insurance.



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