

## River Thames Scheme: division of roles and responsibilities, (Marcel Steward)

### Synopsis of report:

As a nationally important infrastructure project, the River Thames Scheme is subject to application to the Secretary of State for a Development Consent Order (DCO). The Applicants for the scheme are the Environment Agency and Surrey County Council.

The Boroughs of Runnymede, Spelthorne and Elmbridge are Partner Local Authorities to the scheme. All parties have a dual role of 'Promoter' and 'Regulator'. To retain the integrity of the DCO process, it is a requirement to ensure that the division of roles and responsibilities within each organisation is clearly understood and adhered to.

This report documents how it is proposed that RBC meets its requirement, maintain ethical separation of roles, and demonstrate that the integrity of the consultation process has been maintained.

### Recommendation(s):

The recommendation is that the proposed Division of Responsibilities procedure is accepted.

## 1. Context and background of report

- 1.1 The River Thames Scheme (RTS) will reduce the risk of flooding from the Thames for Surrey communities in the Boroughs of Runnymede, Spelthorne, and Elmbridge.
- 1.2 The Scheme will achieve this by constructing two channels to divert water away from the Thames and increase capacity at Sunbury, Molesey and Teddington weirs and Desborough Cut. Further information on the Scheme is available on the [River Thames Scheme website](#).
- 1.3 The Scheme is a designated Nationally Important Infrastructure Project subject to examination under the Planning Act 2008 via the DCO process.

## 2. Report and, where applicable, options considered and recommended

- 2.1 The RTS is a hybrid DCO in so far as all parties to the scheme are both Applicants/Promoters and Regulators.
- 2.2 The Applicants for the Scheme are the Environment Agency (EA) and Surrey County Council (SCC). The Boroughs of Runnymede, Spelthorne and Elmbridge are Local Authority Partners to the Scheme. Collectively these are the scheme 'Promoters'
- 2.3 All parties are statutory consultee 'Regulators to the scheme under the Planning Act 2008
- 2.4 It is essential that there is a clear separation of the roles and responsibilities of Members and Officers to ensure and demonstrate that Council has fulfilled its duties appropriately and ethically and that any perceived conflicts of interest have been removed

2.5 Appendix A – ‘River Thames Scheme: Runnymede Borough Council – Division of Roles and Responsibilities’, proposes how the dual processes and functions of RBC will be separated. It also identifies the requirements of Members and Officers to consider in relation to their individual responsibilities

2.6 The Key Principles of the Scheme are as follows:

- RBC will seek to adhere to the overarching key principle that an ethical wall is in place between the roles and responsibilities of Members and Officers acting in their capacity as a scheme Promoter, and those being carried out as Regulator, such that no Members or Officers working on the RTS from a Promoter perspective will seek to influence or engage outside of formal, prescribed consultation and engagement procedure with Members and Officers working on the Scheme from a Regulator perspective

- This separation is to be maintained for the duration of the RTS programme, from the pre-application phase through to examination, construction and opening

- Officers working on the project from a Promoter perspective will not contribute to RBC’s formal responses to the DCO consultation

- Noting that within a team there may be individuals who are working on either the Promoter or Regulator side, it is important to identify appropriate pathways to seek additional advice regarding issues/concerns/disputes, to prevent conflicts of interest. The Promoter team should escalate matters to the RTS Principal Project Manager - and the Regulator team to the RBC Development Manager on behalf of the LPA.

- A group mailbox [rtshostauthority@runnymede.gov.uk](mailto:rtshostauthority@runnymede.gov.uk) has been adopted for contacting RBC as a Promoter, to simplify communication and coordination between the Promoter, the Regulator, and external third parties including residents

- All meetings and phone conversations relating to the RTS scheme between RBC Members and Officers acting in a Promoter capacity, and those fulfilling the Regulator role, will be formally minuted. Such engagement will be recorded in the Consultation Report which will be submitted with the application for the DCO and may be required during the Examination as evidence to justify decision making

- It is also important to consider the role of external consultants/suppliers and the potential for an organisation to be performing roles for RBC as a Promoter and as a Regulator in relation to the RTS Scheme. Where such situations exist, the consultant firm will be asked to ensure that ethical walls exist between individuals and groups involved and ensure that they provide separate capacity and/or teams for the separate functions of RBC

- Annex A provides details of RBC Officers who have been allocated to advise either the Promoter or the Regulator functions of RBC, or both regarding purely technical functions. All Officers will be fully briefed and given the opportunity to ask questions so that they can understand which side of the ethical wall they are on, and the approach set out to maintain a clear demarcation in activities. The Annex will be reviewed and updated, if required, at least every three months – or earlier if needed - and an update series of briefings held for RBC Officers as needed

- If RBC officers have any queries around the Separation of Responsibilities, they should consult the RTS Principal Project Manager (Promotor) or the RBC Planning Group Manager (Regulator)

**3. Policy framework implications**

3.1 There are no policy framework implications

**4. Resource implications/Value for Money**

4.1 There are no resource implications/Value for Money.  
RBC is a net contributor to the scheme as a partner Local Planning Authority

**5. Legal implications**

5.1 Legal have been consulted and advised on the way in which the Council can demonstrate how it is managing its involvement in this project in various capacities.

**6. Equality implications**

6.1 The Division of Roles and Responsibilities is an administrative function which does not have an impact on the

**7. Environmental/Sustainability/Biodiversity implications**

7.1 There are no Environmental/Sustainability issues arising from the adoption of the of this Procedure. The Environmental/Sustainability implications of the RTS will emerge over the course of the formal consultation and wider Development Consent Order process. These matters will be material considerations in the determination of the DCO.

**9. Timetable for Implementation**

9.1 To be implemented with immediate effect.

(To resolve)

**Background papers**

None