



Department  
for Transport

Councillor Sir Merrick Cockell  
Chairman  
Local Government Association  
Local Government House  
Smith Square  
London  
SW1P 3HZ

From the Parliamentary  
Under Secretary of State  
Norman Baker MP

Great Minster House  
33 Horseferry Road  
London SW1P 4DR

Tel: 020 7944 2566  
Fax: 020 7944 4309  
E-Mail: [norman.baker@dft.gsi.gov.uk](mailto:norman.baker@dft.gsi.gov.uk)

Web site: [www.dft.gov.uk](http://www.dft.gov.uk)

Our Ref: MC/58364

6 November 2012

Dear Sir Merrick

Thank you for your letter dated 11 October to Eric Pickles regarding emergency funding for local authorities in respect of damage to transport infrastructure due to the recent floods. Your letter has been passed to the Department for Transport and I am replying as Minister responsible for local transport issues.

I have noted the points you have made and recognise that many parts of our country have seen high levels of rainfall and local flooding incidents which have impacted on residents, businesses and infrastructure. I pay tribute to the excellent multi-agency response and the ongoing work by local authorities to help those that have been affected.

However, as Justine Greening, the then Secretary of State for Transport, explained in her letter to you dated 10 August, the Department for Transport does not have a specific fund for capital expenditure for exceptional requests for flood damage and it is for local authorities to ensure they have appropriate contingencies in place to deal with events such as this

Like you, the Coalition Government recognises the importance of maintaining our highways and that is why despite the difficult financial circumstances we inherited we are providing over £3 billion in the Spending Review period to 2015 to authorities for highways maintenance. We also provided a further £200 million in 2011 as an exceptional payment to help with much needed repairs following the severe weather encountered at the end of 2010. In addition we have also simplified local transport funding, to provide authorities with the flexibility in how they spend their funding.

I note that you have suggested an amendment to the Bellwin criteria to cover more extensive capital repairs that are not covered under the Bellwin scheme. The Bellwin scheme which the Government has activated is helping those authorities fund the clean up operation. Bellwin schemes are the means by which the Government can reimburse a local authority for its immediate uninsurable clear-up costs following an emergency or disaster in its area. Although Bellwin is a discretionary scheme, it has a statutory basis, so it is important that we ensure that the terms of each scheme and eligible costs comply with the legislation. In particular, the statute sets out that the expenditure must have been incurred on, or in connection with, immediate action to safeguard life and property or to prevent suffering or severe inconvenience. The idea of the Bellwin scheme is to put local authorities in a position to take speedy emergency action to protect people during and immediately after an incident to deal with the immediate catastrophic consequences.

As a result, longer-term works of repair or restoration are ruled out since they fall within the recovery stage rather than the taking of immediate action. Although Ministers have previously used their discretion to enhance some of the Bellwin scheme terms, such as to extend the eligible spending period, the legislation prescribes that permanent repairs to roads and bridges are not eligible but initial repairs or patching up works are.

Whilst I appreciate this will be a disappointing response, I hope that it clarifies the position.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Norman Baker', written in a cursive style.

**NORMAN BAKER**