

CASE NOTE #2

MINISTRY OF LOCAL GOVERNMENT (COUVA/TABAQUITE/TALPARO REGIONAL CORPORATION)

FLOODING OF COMPLAINANT'S PROPERTY AS A RESULT OF A FAULTY DRAIN

In 2006, the Complainant sought the assistance of the Ombudsman to have the **Couva/Tabaquite/Talparo Regional Corporation** remove, from the public drain at the back of her property, a broken concrete slab which blocked the flow of water and resulted in the flooding of his property.

The nuisance was drawn to the attention of the *Chief Executive Officer, Couva/Tabaquite/Talparo Regional Corporation* in 2006. In February 2007, the Corporation informed the Ombudsman that the concrete slab had been removed, as a temporary measure, to allow the free flow of water and that, as a permanent solution, concrete inverts would be installed under the Development Programme in the following year. The Complainant was advised accordingly.

However, in May 2007, the complainant indicated that the matter remained unresolved, as the flooding persisted. On July 10, 2007 the Ombudsman convened a site visit with officials from the Corporation to ascertain the cause of the flooding. It was determined that two sharp bends in the drain were significantly curtailing the free flow of water, causing it to accumulate and overflow onto the complainant's property.

Based on these findings, the construction of a new box drain was recommended. Construction required the approval of, and funding from, the Council. The Ombudsman met with the Councillor for the Freeport/Calcutta area with the aim of having the matter placed on the agenda of the Council.

The Ombudsman's recommendation for the construction of a new box drain was vigorously pursued by this Office.

In October 2007, the Ombudsman was informed that the recommendation for the construction of the drain had been approved and would be placed in the Development Programme Estimates of

Expenditure for the Fiscal Year 2008/2009. However, because of a lack of funds, construction of the box drain was rescheduled to the following year.

In October 2010, the Office was informed by the Corporation that the new box drain had been completed. The Complainant was so informed.