

**FLOOD AND DRAINAGE
 MANAGEMENT SCRUTINY
 COMMITTEE
 30 JANUARY 2014**

PRESENT: COUNCILLOR C L STRANGE (CHAIRMAN)

Councillors Mrs V C Ayling (Vice-Chairman), A M Austin, C J T H Brewis, M Brookes, R G Fairman, D C Hoyes MBE, J R Marriott, N M Murray, C Pain and R A Renshaw

District Councillors I G Fleetwood (West Lindsey District Council), D Jackson (City of Lincoln Council), Mrs F M Martin MBE (East Lindsey District Council), J Money (North Kesteven District Council), B Russell (South Kesteven District Council) and M D Seymour (South Holland District Council)

External Agencies – R Caudwell (Anglian North Regional Flood and Coastal Committee), P Drury (Boston Borough Council), M Robinson (Environment Agency) and P Bateson (Association of Drainage Authorities, deputising for P Sissons)

Councillors J P Churchill, C J Davie, P A Robinson and A H Turner MBE JP, attended the meeting as observers

Officers in attendance:-

Steve Blagg (Democratic Services Officer), David Hickman (Environmental Services Team Leader (Strategy and Partnership), Sean Kent (Head of Environmental Services), David Powell (Head of Emergency Planning), Louise Tyers (Scrutiny Officer), Mark Welsh (Floods, Water and Major Developments Manager) and Steve Willis (Assistant Director, Environment, Planning and Customer Services)

29 APOLOGIES/REPLACEMENT MEMBERS

An apology for absence was received from District Councillor R Leggott (Boston Borough Council)

30 DECLARATIONS OF MEMBERS' INTERESTS

District Councillor J Money declared a pecuniary interest in minute as he owned land adjoining the property (Main Street, Scopwick).

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31 MINUTES OF THE PREVIOUS MEETING OF THE COMMITTEE HELD ON
1 NOVEMBER 2013

RESOLVED

That the minutes of the previous meeting of the Committee held on 1 November 2013, be agreed as a correct record and signed by the Chairman.

32 ANNOUNCEMENTS BY THE EXECUTIVE COUNCILLOR FOR
ECONOMIC DEVELOPMENT, ENVIRONMENT, PLANNING AND
TOURISM AND THE ASSISTANT DIRECTOR ENVIRONMENT,
PLANNING AND CUSTOMER SERVICES

The Chairman stated that a special meeting of the Committee would be arranged for either late May or early June 2014 in order to prepare a response from the County Council to the Government and relevant agencies in connection with the recent flooding of the east coast on 5 December 2013. He added that in addition to the business part of the meeting it was also proposed to arrange a site visit to Boston and affected farmland at the next meeting on 1 May 2014.

Executive Councillor C J Davie stated that he had attended a recent meeting at the Department for Communities and Local Government at which he had been informed that the Prime Minister and the Secretary of State for the Department for Environment, Farming and Rural Affairs were due to make further announcements on the recent floods. He added that there was a need to find a long term solution to address the problems of coastal flooding and also referred to the need to examine the strategic planning implications of building on flood plains.

Executive Councillor C J Davie played tribute to the work of all those involved in the flooding events which had happened on 5 December 2013, adding that the Lincolnshire partnership had worked well especially the protection given by beach nourishment (Lincshore).

The Committee supported Councillor R A Renshaw's appreciative comments on the arrangements for the site visit organised by the Internal Drainage Board and the Environment Agency following the Committee on 1 November 2013.

33 EFFECTS OF INCLEMENT WEATHER IN DECEMBER 2013 ON THE
EAST COAST - PRESENTATION

The Chairman referred to the effects of the floods caused by the sea surge on 5 December 2013 and wished to allow those agencies directly affected by the event to speak to the Committee about their experiences of the day and its aftermath. He also allowed Councillor R Austin, from Boston Borough Council, who was in attendance, to speak on this matter although he was not their nominated representative.

Mark Robinson from the Environment Agency gave a presentation and commented as follows:-

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1. The weather patterns leading up to the event was explained.
2. The action taken to repair damage was explained.
3. Photographs of the aftermath were presented.
4. Sea defences had been breached in Boston, nearby farmland and river and sea banks had been damaged.

Robert Caudwell, a representative on the Anglian North Regional Flood and Coastal Committee, and also a Farmer with land near the sea, commented as follows:-

1. Despite the UK having some of the best weather forecasting in the world there was only any certainty about the impending storm on the afternoon of 5 December 2013 and therefore the implications of this short notice should be considered.
2. Funding to repair the damage caused by the storm had not been confirmed but any funding would only meet the cost of reinstating damage to the level which existed on 4 December 2013. There would be no improvement to the defences and should there be a repeat event it was important that the defences were improved.
3. The need for the government to take a long term view as the Shoreline Management Plans had changed.
5. He farmed high grade agricultural land at Friskney and the sea defence frontages had been breached in two places and had flooded 550 acres of his land. While the water had been removed from his the land the two breaches had not been repaired because of the expense involved and would have to be met from private funding.
6. The Witham Internal Drainage Board and the Environment Agency were thanked for their help.

Phil Drury, Deputy Chief Executive and Strategic Director, Boston Borough Council, commented as follows:-

1. He had chaired the recovery process in Boston with many partners involved.
2. The impact of the flooding on 580 properties was outlined with most of them concentrated in a small part of Boston which suffered high levels of deprivation.
3. The area had a high level of privately rented property and landlords were working well with their tenants but the events did show that migrant communities were not aware of what to do in an emergency.
4. 150 families were currently not in their homes. Some still remained in their homes but should not be there due to the conditions.
5. The service provided by the insurance firms had been good.
6. 350 tonnes of unrecoverable waste material had been removed from affected homes.
7. The centre of Boston had recovered well with the water coming and going quickly.
8. The emergency planning put in place had worked well.

David Powell, Emergency Planning Officer, commented as follows:-

1. The recovery operation was on-going and a full report would be submitted to a future meeting.
2. The partnership arrangements had worked well with preparations being implemented as soon as the weather warning arrived.

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3. 200,000 visitors had visited the Lincoln Xmas Market over the same period as the flooding.
4. Sightseers presented a safety problem and it was fortunate that there had not been any fatalities.
5. The wind direction had been parallel to the shore on 5 December and if it had been blowing towards the shore then the damage would have been much greater.
6. Residents likely to be affected were given advanced warning to evacuate and most had moved out.
7. All partners had done a tremendous job including the voluntary sector.
8. Lessons from the event were being examined and a detailed report would be submitted to a future meeting.

Mark Welsh, Floods, Water and Major Developments Manager, commented and gave a presentation, including the legal necessity to produce a Section 19 Investigation Report on the coastal surge flood event.

Officer's responses to comments made by the Committee, included:-

1. The Secretary for State the Environment, Farming and Rural Affairs in his visit to the area following the floods had stated that he was very supportive of all agencies and that in the future more capital investment from the government alongside partnership funding would be made available for flood defences. Enormous capital investment to improve flood defences around the country was required.
2. Businesses needed to be certain that action was being taken to prevent flooding from the sea before they would invest.
3. There was a need to make the government aware of food security as Lincolnshire had some of the best agricultural land in the country.
4. The comments in connection with the need to maintain tidal flaps and to deter sightseers possibly through road closures were noted.
5. A Memorandum of Understanding was in place between the Environment Agency and Natural England to take immediate action to clear salt water from agricultural land and it was hoped to bring the Memorandum of Understanding to the Committee at a future meeting.
6. The use of high level pumps was being investigated but it was stated that many industrial pumps were being used in urban areas.
7. Liaison with neighbouring local authorities and the military in case there was a need for people to be evacuated had taken place and arrangements to accommodate evacuees had been put in place.
8. Problems in connection with the Black Sluice Pumping Station being resolved and the risk to nearby properties was low as only four properties were affected. It was suggested that it might be better economics to invest in the resilience of the properties as three pumps were over 70 years old. This matter would be examined at the next meeting.
9. A national review of weather forecasting would be examined alongside other lessons learnt from the event. However, the forecast for Boston was correct for 5 December 2013.
10. The Gibraltar Point Nature Reserve had been seriously damaged by the floods; a waste transfer station had been required to deal with 350 tonnes of waste; the second line of defences was being trialled by South Holland District Council; a review

of partnership funding by the government could affect funding at a local level; the increased investment made by the County Council which would support increased capital investment in flood defences; the effects of Bellwin scheme (a method whereby local authorities could claim back money from the government for events such as the coastal surge once a threshold of expenditure had been exceeded by that authority).

11. Dredging of The Haven, in Boston, would not have made any difference as the whole of the North Sea was affected on the 5 December 2013.

12. Councillor C Pain would speak to the Executive Councillor for Economic Development, Environment, Planning, Tourism and the Environment Agency about dredging of the River Steeping, Burgh le Marsh, and the possible donation of no longer used machinery by the Environment Agency, to the local Internal Drainage Board. It was noted that Councillor C Pain agreed to keep Councillor F M Martin of developments.

It was agreed that an additional meeting of the Committee would be arranged towards the end of May/early June 2014, to receive a report on the effects and outcome of the sea surge on 5 December 2013 and that the report should be written in such a way that the Executive Councillor for Economic Development, Environment, Planning, Tourism could use its contents to send to the Government and in any discussions on the long term needs of the coast.

RESOLVED

That an additional meeting of the Committee be arranged either at the end of May or early June 2014, to receive a report on the effects and outcome of the sea surge on 5 December 2013, and that the report be written in such a way that the Executive Councillor for Economic Development, Environment, Planning, Tourism can use it in his conversations with central Government and in any discussions on the long term needs of the coast.

34 IMPLEMENTATION OF SCHEDULE 3 OF THE FLOOD AND WATER MANAGEMENT ACT 2010 - SUSTAINABLE URBAN DRAINAGE SYSTEMS (SUDS)

Mark Welsh presented a report and gave a presentation on progress in connection with the implementation of Sustainable Urban Drainage Systems (SuDS). He stated that the latest situation in connection with the timescale for the introduction of SuDS was that the implementation date of early April 2014 would likely be delayed until October 2014.

Officer's responses to the comments made by the Committee, included:-

1. The implications of a developer going in to liquidation was explained but would involve the submission of a Bond by the developer to mitigate any cost for the local authority.
2. The charging of residents on new developments was still being examined. A possible option could be to collect monies through the Council Tax as individual

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billing was expensive. It was noted that the Internal Drainage Boards currently billed the District Councils.

3. The SuDS Approval Body (SAB) would be the County Council and the Council would be required to consult other agencies before any development could take place. Should a development be refused then the developer could appeal against the decision.

4. SuDS were designed to prevent paved areas causing flooding issues.

5. Sewerage removal needed to have approved connections to sewers.

6. The inspection process for SuDS prevented problems from flooding occurring later on in the process.

7. It was possible for a SAB to sign off a development as satisfactory to proceed but there could be a maintenance fee which might have to be paid by either the SAB or the developer. The Council had concerns about maintenance costs due to the uncertainty about charging.

8. The number of planning applications was difficult to predict.

9. Charges for developers by the SAB were set by Defra.

10. The Local Government Association had requested that the Government delay the implementation of SuDS to October 2014.

12. The need for pre-planning discussions about drainage between the County Council and the developers was important.

RESOLVED

That the report and the impact of the proposals on the County Council as the Lead Local Flood Authority, be noted.

ADJOURNMENT

The Committee adjourned for lunch from 12.30pm to 1.00pm and on its return all Members were present at the start of the meeting with the exception of County Councillor N E Murray and District Councillor D Jackson, City of Lincoln Council.

35 TO REPORT PROGRESS ON THE INVESTIGATIONS UNDERTAKEN IN THE COUNTY UNDER SECTION 19 OF THE FLOOD AND WATER MANAGEMENT ACT 2010

Mark Welsh presented a standing report on the position of all current Section 19 investigations in the County.

Councillor F M Martin MBE gave an update on the situation in Mark Avenue, Horncastle and the discussions between the Witham Third Drainage Board and Anglian Water over ownership of the flood relief culvert. She stated that it was disappointing that Anglian Water were now claiming that they did not own the culvert and the support of the Committee was requested in trying to bring the matter to a resolution.

Officer's responses to comments made by the Committee included:-

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1. Anglian Water would be contacted to take action to correct flooding in Mark Avenue, Horncastle.
2. Anglian Water and other partners would be contacted in connection with drainage issues on St Catherine's Grove, Lincoln.
3. Langworth would be included on the list of investigations.
4. Flooding issues at Wainfleet St Mary's and Burgh-le-Marsh would be examined but the Committee was reminded that Section 19 investigations only covered the internal flooding of properties.
5. The Area Highway's Team was examining flooding issues in Scopwick and the role of the Witham 1st Internal Drainage Board in this area was explained. This matter would be further examined and appropriate action taken.
6. The issues raised by Councillor J R Marriott in connection with the effects of the installation of gas mains on a culvert in North Hykeham would be investigated.

RESOLVED

- (a) That the Committee was unhappy with the current situation at Mark Avenue, Horncastle and requested that the matter be resolved with Anglian Water as a matter of urgency.
- (b) That the current Section 19 investigations in the County and the actions by officers following the comments raised by the Committee, be noted.

36 FLOOD RISK MAPS - NEW PUBLICATIONS WHICH NOW INCLUDE
 SURFACE WATER MAPS

Mark Welsh presented a report and gave a presentation on the new and updated flood maps which were published on the Environment Agency's website from 12 December 2013 and now included surface water flood maps for the first time.

Officer's responses to comments made by the Committee included:-

1. For planning applications the "sequential test" was used and if there was a need to build on a flood plain then the appropriate alleviation measures needed to be taken.
2. Flood risk information in the maps was available to insurance companies and on the public website. It was important that the most informative information was available for everyone to avoid any misunderstandings. It was noted that the Environment Agency and Insurance Companies would be co-operating on this area.
3. The public was being informed about the action they could take to prevent flooding, there was a need to examine the effects of surface water flooding in more detail and to engage with the public about this issue.

The Chairman concluded by referring to good examples of flood prevention in Waddingham, in his electoral Division, and suggested that information could be sent to residents living in areas prone to flooding with their Council Tax bills and the action they themselves could take to prevent flooding.

RESOLVED

That the report and presentation be noted.

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37 IMPLEMENTING THE FLOOD RISK REGULATIONS 2009 - THE FLOOD RISK MANAGEMENT PLAN

David Hickman presented a report in connection with progress in implementing the Flood Risk Management Plan, the final key measure required under the Flood Risk Regulations 2009.

The Committee were satisfied with the implementation of the Plan and the Committee's role in steering the development of the Plan. Officers stated that the final deadline date for implementation of the Plan was December 2015 and added that strategies were in place to use local public knowledge about flooding.

RESOLVED

That the report and progress in implementing the Flood Risk Management Plan be noted.

38 FLOOD INSURANCE SCHEME

Steve Willis gave a verbal update of the implementation on the flood insurance scheme adding that he would submit a report to the Committee when the details of the scheme were finalised. It was noted that the principles of the scheme and a Memorandum of Understanding between the Association of British Insurers and the Government had been agreed.

RESOLVED

That the report be noted and that a further report be submitted to the Committee when the finalised details of the scheme had been agreed.

39 EXERCISE LAZARUS

Steve Willis presented a report in connection with the recovery plan exercise carried out on 26 November 2013 (Exercise Lazarus).

The officer stated that the lessons learnt from the events of 5 December 2013 (sea surge on the east coast) would be incorporated in to the recovery plan and brought to a future meeting.

RESOLVED

That the report and comments made by the Committee on the recovery plan be noted and that the updated Recovery Plan be brought to a future meeting.

40 FLOOD AND DRAINAGE MANAGEMENT SCRUTINY COMMITTEE WORK PROGRAMME

Louise Tyers presented a report in connection with the Committee's Work Programme.

RESOLVED

That the Work Programme be noted subject to the following:-

1. The need to arrange a special meeting of the Committee in either late May or early June 2014, to consider the response on the effects and outcome of the sea surge on the east coast on 5 December 2013.
2. In addition to the business part of the meeting on 1 May 2014, it was noted that a site visit to Boston and affected farmland by flooding would also be arranged.
3. The Councillor Development Group should be asked to examine arrangements for a possible training event on flooding matters for the Committee, in Autumn 2014.

The meeting closed at 2.15 pm