

**FLOOD AND DRAINAGE
 MANAGEMENT SCRUTINY
 COMMITTEE
 4 DECEMBER 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, J R Marriott, C R Oxby, C Pain and R A Renshaw

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

External Agencies – Deborah Campbell (Environment Agency), Robert Caudwell ((Anglian North Regional Flood and Coastal Committee)), Jonathan Glerum (Anglian Water) and Andrew McGill (Lindsey Marsh Drainage Board)

Officers in attendance:-

Steve Blagg (Democratic Services Officer), David Hickman (Environmental Services Team Leader (Strategy and Partnership), Louise Tyers (Scrutiny Officer), Mark Welsh (Flood, Risk and Development Manager) and Steve Willis (Chief Operating Officer)

21 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from County Councillor A Bridges and District Councillor M D Seymour (South Holland District Council).

22 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest at this stage of the meeting.

23 MINUTES OF THE PREVIOUS MEETING OF THE FLOOD AND DRAINAGE MANAGEMENT SCRUTINY COMMITTEE HELD ON 5 SEPTEMBER 2014

RESOLVED

That the minutes of the previous meeting of the Flood and Drainage Management Scrutiny Committee held on 5 September 2014, be agreed as a correct record and signed by the Chairman.

24 ANNOUNCEMENTS BY THE EXECUTIVE COUNCILLOR, ECONOMIC DEVELOPMENT, ENVIRONMENT, PLANNING, TOURISM AND SENIOR OFFICERS (ECONOMY AND PLACE)

Councillor C J Davie announced that the Government had confirmed funding in its Autumn Statement for flood defences in Lincolnshire including for the Boston Barrier, Horncastle, Louth and surface water schemes in Lincoln. He emphasised the importance of all agencies in Lincolnshire working together if there was a need to lobby the Government.

In response to comments by the Committee he stated that the Lincolnshire Local Enterprise Partnership (LEP) would, together with other LEPs and agencies, be making a case to the Government for the need to protect the area from the Humber to the Thames, to emphasise the importance of agriculture in Lincolnshire for the country and to ensure that water was available in the right location.

Steve Willis stated that details of the website showing the published report by the National Audit Officer on flooding matters produced for the Parliamentary Select Committee would be sent to the Committee for information.

The Chairman congratulated everyone who had been involved in making the Government aware of the importance of flood protection in Lincolnshire.

25 INVESTIGATIONS UNDERTAKEN UNDER SECTION 19 OF THE FLOOD AND WATER MANAGEMENT ACT 2010

(NOTE: Councillor J Money requested that a note should be made in the minutes that he owned the property next to the property indicated on Main Street, Scopwick that a new drainage system had been installed and the problem now solved).

The Committee received a standing report in connection with the position of all current Section 19 investigations in the County. There had been nine incidents of flooding since February 2014, which were being investigated. Following pre-notification Members had not raised any sites on the report.

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

1. Agreed to examine the appendices format particularly the inclusion of completed schemes, print font size and added that Appendix A could be viewed on-line.
2. Agreed to examine the causes of flooding, prevention of flooding and how Members could raise the profile of prevention, at a future meeting.
3. The criteria used to investigate flooding incidents was explained.
4. Agreed to circulate the guidance on investigations undertaken under Section 19 of the Flood and Water Management Act 2010 with the minutes of this meeting.
5. The flooding issues raised in connection with the A16 needed to be reported as there could be problems with the design of the road.
6. Agreed to expand and clarify the wording in connection with the surface water study in Horncastle.
7. Agreed to add housing development in Lincolnshire to the work programme.

RESOLVED

- (a) That the investigations undertaken under Section 19 of the Flood and Water Management Act 2010, be noted.
- (b) That the various matters raised by the Committee be actioned by officers.

26 LOUTH AND HORNCastle FLOOD ALLEVIATION SCHEMES

The Committee received a report in connection with progress on the implementation of the flood alleviation schemes for Louth and Horncastle.

Officers reported that funding had been confirmed in the Government's Autumn Budget Statement for both schemes and work was on-going with both Town Councils to examine the provision of funding for maintenance.

Officers stated that with regard to Louth there had been a change in the classification of the proposed reservoir to "Class A" which meant the reservoir's structure had to be stronger. As a result this had led to the date of the planning application being delayed to March 2015 and discussions were taking place with the planning authority to try and expedite the planning application. The transfer of water voles in the area was not expected to delay the scheme.

With regard to Horncastle, officers stated that a planning application would be submitted in February 2015, with a start on site in June 2015 and discussions were on-going with the planning authority to make a start on site before planning permission was granted. The scheme was expected to be completed in 2016. Progress to sign properties up to the flood protection scheme had been disappointing but the Environment Agency would continue to engage with households on the matter.

Officers responded to comments by the Committee as follows:-

1. Additional resources had been brought in to try and expedite the Louth project.
2. The impact of the protected properties in Horncastle on neighbouring properties was negligible because the area covered was so small.
3. The cost of installing flood protection measures in Horncastle was the same irrespective of how many households signed up to the scheme.
4. The Environment Agency had invested a lot of funding and publicity in making households aware of flood protection measures they could install in both Horncastle and Boston but many households felt that they would be penalised by their insurance companies if they participated in the scheme.
5. Households were aware that there might not be funding available to meet the cost of flood protection in the future.
6. The use of the County Council's "County News" to publicise the flood protection scheme would be examined.
7. David Powell, County Emergency Planning Officer, was due to speak on local radio on 5 December, about flooding matters and it was agreed to ask him to raise the issue of flood protection measures available for households.

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RESOLVED

That the report and comments made by the Committee be noted and actioned.

27 PUBLIC CONSULTATION ON DRAFT FLOOD RISK MANAGEMENT PLANS

The Committee received a report in connection with the purpose, scope and content of the consultation draft Flood Risk Management Plans. The Committee's views were sought on an initial schedule of possible issues, preparatory to a full response being drafted on behalf of the Lincolnshire Flood Risk and Drainage Management Partnership. The Environment Agency was currently consulting on the Management Plans in fulfilment of the third and final requirement under the Flood Risk Regulations 2009 and there was a need to ensure that there was effective alignment with the joint Lincolnshire Flood Risk and Drainage Management Strategy.

RESOLVED

That County Councillors C L Strange and C J T H Brewis, District Councillors Mrs F M Martin MBE and R Russell and R Caudwell, be appointed to a working group, to prepare a response to the consultation and that the working group's response be circulated to the Committee for information.

28 SUSTAINABLE DRAINAGE SYSTEMS (SUDS) UPDATE

The Committee received a verbal update in connection with the proposed introduction of Sustainable Drainage Systems (SUDs). Officers gave a brief history of SUDs stating that they had been recommended in the Pitt Review following the floods in 2007 and were to be installed on all new developments and controlled by County Councils. However, it was clear that Councils would require funding to manage SUDs and following the financial crisis in 2008 further development on their implementation stalled.

Officers stated that the introduction of SUDs had recently gained impetus. Following a further consultation the Government now proposed to deliver SUDs through the planning process. In response to the consultation concerns had been raised that the District Councils did not have the necessary expertise in place. Officers would be attending a meeting with the Local Government Association, the Department for Environment, Food and Rural Affairs and the Department for Communities and Local Government, to discuss this matter but the latest view was that Local Planning Authorities would have planning responsibility to ensure SUDs were in place with County Councils being statutory consultees. However, funding to meet the cost of SUDs and future maintenance was still an issue.

Officers expected an announcement by the Government to be made on the matter before Christmas 2014 with introduction of measures after the General Election in May 2015.

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Comments by the Committee included:-

1. Who was responsible for addressing surface flooding?
2. The legislation needed to ensure that when maintenance companies who had responsibility for looking after flood protection went into liquidation properties still had flood protection.
3. Concern that in the absence of a Local Plan development could take place with little consideration of drainage.

Officers stated that responsibility for surface flooding was previously unclear with many properties being built in unsuitable locations. If the County Council became a statutory consultee it would be possible to better address the problem of surface water. The Local Government Association supported the proposals for County Councils becoming statutory consultees.

Officers stated that it was never the intention to use drainage to prevent development and responding to the consultation on the Local Plan was important.

Anglian Water confirmed that they had a dedicated team to examine the effects of housing growth. However, Anglian Water was not a statutory consultee and could only make recommendations. Officers stated that if the County Council became a statutory consultee then consultation would be undertaken by them in relevant situations.

Robert Caudwell informed the Committee that his membership of the Committee was shortly due to terminate. It was the unanimous view of the Committee that Robert Caudwell's knowledge of flood protection was invaluable to the Committee and it was their wish that officers investigate how he could continue as a member of the Committee.

RESOLVED

- (a) That the report and comments made by the Committee be noted.
- (b) That officers investigate how Robert Caudwell could continue as a member of the Committee following the end of his current term of office.

29 THE COMMITTEE'S WORK PROGRAMME

The Committee received a report on its Work Programme.

RESOLVED

That the Work Programme be noted and updated accordingly.

The meeting closed at 12.10 pm