

**FLOOD AND DRAINAGE
 MANAGEMENT SCRUTINY
 COMMITTEE
 26 FEBRUARY 2016**

PRESENT: COUNCILLOR C L STRANGE (CHAIRMAN)

Councillors Mrs V C Ayling (Vice-Chairman), A M Austin, C J T H Brewis, A Bridges, M Brookes, R G Fairman, J R Marriott, C R Oxby, C Pain and R A Renshaw.

District Councillors R Austin (Boston Borough Council), I G Fleetwood (West 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 –

Deborah Campbell (Environment Agency), Eddy Poll (Anglian North Regional Flood and Coastal Committee), R Caudwell (Chairman of the South Forty Foot Drain Steering Group), Jonathan Glerum (Anglian Water), A McGill (Lindsey Marsh Drainage Board) and A Simpson (Anglian Water).

Councillors D C Hoyes MBE, and A H Turner MBE, JP attended the meeting as observers.

Officers in attendance:-

Katrina Cope (Senior Democratic Services Officer), David Hickman (Environment Commissioner), Daniel Steel (Scrutiny Officer), Mark Welsh (Flood Risk and Development Manager) and Steve Willis (Chief Operating Officer, Development Services).

34 APOLOGIES/REPLACEMENT MEMBERS

An apology for absence was received from Councillor Mrs F M Martin MBE (East Lindsey District Council).

Apologies for absence were also received from Councillor C Davie, Executive Councillor for Economic Development, Environment, Planning and Tourism and Councillor S Tweedale, Executive Support Councillor for Economic Development, Environment, Planning and Tourism.

The Chairman welcomed everyone to the meeting and made particular reference to guests Richard Kidd, Chairman of Firsby Group of Parishes, Linda Dimsdale, Clerk of Firsby Group of Parishes, Joe Taylor, Chairman of Thorpe Parish Council, Anton Willerton, Wainfleet Mayor, Eddy Poll, Chairman of the Anglian (Northern) Regional Flood & Coastal Committee, Allan Simpson, Anglian Water, Jonathan Glerum,

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Anglian Water, Robert Caudwell, Chairman of the South Forty Foot Drain Steering Group and Andrew McGill, Lindsey Marsh Drainage Board.

35 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of members' interest declared at this point in the meeting.

36 MINUTES OF THE PREVIOUS MEETING OF THE FLOOD AND DRAINAGE MANAGEMENT SCRUTINY COMMITTEE HELD ON 11 DECEMBER 2015**RESOLVED**

That the minutes of the Flood and Drainage Management Scrutiny Committee held on 11 December 2015 be agreed and signed by the Chairman as a correct record.

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

No announcements were received at this point in the meeting.

38 ANGLIAN WATER PLANNING ENGAGEMENT UPDATE

The Committee received a joint presentation from Allan Simpson, Planning Services Manager, Anglian Water and Jonathan Glerum, Flood Risk Manager, Anglian Water, which provided the Committee with an update on the involvement of Anglian Water in Planning Applications. The Committee were reminded that this was a follow up to a previous presentation received by the Committee at its 4 September 2015 meeting.

It was reported that Anglian Water had a pre-planning service available for developers and their agents. For the current financial year Anglian Water had received about 130 pre-planning enquiries from sites within the County of Lincolnshire. The Committee were advised that all water and sewerage companies were monitored on their pre-planning services, the results of which were reported quarterly by Water UK.

The Committee were advised that Anglian Water was not a statutory consultee for planning applications, however, it was noted that Anglian Water would seek to provide comments on major developments of 10 or more dwellings or 0.5ha for other uses. Anglian Water relied on Local Planning Authorities sending consultations through for comment, and by checking weekly lists. It was highlighted that Anglian Water had received about 170 planning application consultations from Lincolnshire authorities' since the start of the financial year. It was highlighted further that where development proposals proposed to drain to a surface water sewer, Anglian Water was sub-consulted by Lincolnshire County Council in its role as the Lead Local Flood Authority.

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The Committee was advised that Anglian Water were currently exploring a number of process and system improvements. These included:-

- The trialling of a software system which enabled Anglian Water to pick up submitted and approved planning applications;
- Improvement of web pages; and improving communication channels with residents so that there was an awareness of the role of Anglian Water in the planning system;
- Making it easier Anglian Water customer to get pre-planning advise; and for developers and agents to submit enquiries; and
- The updating of the planning application consultation template to assist Local Planning authorities.

During discussion, the Committee raised the following issues:-

- Concern was expressed by the Committee to the fact that Anglia Water was not a statutory consultee. A question was asked as to whether Anglian Water had been involved in the Local Plans for the Central and South East Local Plans. The Committee were advised that Anglian Water was consulted on all Strategic planning documents. Members felt that Water Companies should be statutory consultees and that water companies should be approached nationally to see if they all agreed with that stance. Officers advised that whilst Anglian Water were not a statutory consultee, in the planning process, they could be considered to be a key consultee, consulted voluntarily by the Local Planning Authorities, and if they devised a framework of how they wished to be consulted the Flood Risk and Development Manager would take the issue further on their behalf.

Some members felt that the statutory role in the planning process was one that needed to be discussed in the wider water industry. It was agreed that a meeting should be arranged with officers, representatives from Anglian Water; and a small group of Councillors from the Committee membership to get together to work through the best way to support the Water Companies and how to involve them in the planning process;

- Pre-Planning Charges – The Committee noted that Anglian Water did charge between developers between £500 and £1,000 depending on the service being provided;
- The role of Lincolnshire County Council in operational flooding and development management. It was highlighted that the Council was not involved in foul water process; however, from April 2015 it now had an overseeing role, as statutory consultee, with regard to surface water management and drainage and sustainable drainage;
- Odour in Spalding – The Committee was advised that as a result of complaints received, action was being taken at Ingoldmells and Spalding to deal with odour issues; and
- Surface water connection to sewers – The Committee noted that Schedule 3 of the Flood and Water Management Act had not been enacted; developers still had the right to connect to surface water. Anglian Water worked with

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developers but could not refuse connections. The Committee advised that surface water could not be connected to foul sewers. It was highlighted that there were issues in more rural locations identifying what was foul and what was combined.

RESOLVED

1. That the report presented be noted.
2. That a meeting comprising of the following Councillors C L Strange, M Brookes, I G Fleetwood, A Bridges and C Pain, officers of Lincolnshire County Council and representatives from Anglian Water be arranged to explore the best approach to take forward the issue of Anglian Water being consulted appropriately in the planning process.

39 ENVIRONMENT AGENCY UPDATE

Consideration was given to a report from Deborah Campbell (Environment Agency), which provided the Committee with an agreed standing update from the Environment Agency to outline progress on implementing flood alleviation schemes for Louth and Horncastle and also outlined progress on the work to develop the tidal flood barrier in Boston. The report also provided an update as requested, relating to the River Steeping, and a briefing note on Fulney Lock (River Welland).

Louth and Horncastle Flood Alleviation Schemes

The Committee was advised that work at Louth was progressing well, with the control structures at both sites being substantially completed; and adjoining culverts had also been installed. It was reported that work to the earth embankment on the north site was 40% completed and that work had commenced on the trial embankment to the south site. However, the wet weather during December and January had led to a suspension of earthworks, which has delayed completion for the Louth Alleviation Scheme to August 2016. It was highlighted that all the Louth landowners had now engaged.

The Committee was advised that work was progressing at Horncastle, but as reported at the last meeting, due to the type of material at the site, construction of the main earthworks had stopped on site during the winter period. Work had however continued on the control structure until early February, when it became apparent that it was more cost effective to stop all work on site until the earthworks could resume. Works were now expected to be completed on site for September 2016. The Committee noted that five out of the seven landowners had now engaged.

Boston Barrier

It was reported that the Transport and Works Act Order application (TWAO) would be submitted in May 2016. Currently members of the project team were addressing concerns of local fisherman and river leisure users, and work had been taking place with the Port of Boston to mitigate the impact on the port and their customers

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operations. It was hoped that legal agreement with the Port would be secured before submission of the TWAO application.

The Committee noted that contract with CH2M had been awarded to support the Environment Agency as an Independent Technical Advisor through the delivery stage of the project. It was hoped to hold a Design and Build competition for the project later in 2016. It was hoped that the programme was still on track to be completed in 2019.

A copy of a vision paper entitled 'Common Vision for Water Management in Boston and the surrounding areas' was circulated to members of the Committee. This document had been endorsed by partner organisations which had included the Environment Agency, Lincolnshire County Council Boston Borough Council and the Black Sluice Internal Drainage Board who were all committed to delivering a co-ordinated approach to the complex and ambitious range of projects planned for Boston and surrounding area. The three main projects referenced included The Boston Tidal Barrier Water Level Management in Boston, The Fens Waterways Link and the Black Sluice Pumping Station and South Forty Foot Catchment.

Fulney Lock (River Welland)

The Committee was advised that the Fulney Lock was a tidal lock and as such marked the boundary between the tidal and non-tidal section of the River Welland. As well as a tidal lock it provided defence against incoming tides, as well as allowing boat passage between the fluvial and tidal sections of the waterway. It was noted that the Fulney Lock was a 'manned lock'.

It was reported that the lock suffered from the effect of silt deposited from flooding events and high tides; and as a result was flushed out by the lock keeper on a regular basis. However, in March 2015, the lock had been found to be silted up. De-silting had had to be put back due to environmental risks from rising water temperatures. The Committee were advised that de-silting work had now taken place in early February 2016 when water temperatures had been cooler; this work had involved the removal of silt to bed level from the lock pen and for approximately five metres upstream and 30 metres downstream. It was highlighted that work had been constrained by the presence of an electricity cable lying across the river bed. The introduction of a more robust monitoring and flushing regime would resume once the lock was re-opened following the works. It was noted that the Internal Waterways Association had been asked for volunteers to assist with the ongoing routine for which full training would be given.

It was highlighted in the report presented that the Fulney Lock was not well used by boaters. On average there had been less than one boat passage per annum during the last six/seven years; and that most of these passages had been the same boat, whose permanent moorings were on the tidal reach.

During questions concerning the three items above, the Committee raised the following points:-

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- That the installation of the lock and Boston Barrier should go ahead at the same time. The Committee was advised that scoping work was to be undertaken to ascertain the best approach to delivering the outcomes contained in the Common Vision for Boston. The current approach agreed with the Environment Agency would not preclude the lock going in at a later date. The Committee noted that the Transport and Works Act Order application was only for Flood Risk aspects of the Barrier at this time, in order to de-risk the programme to deliver the Barrier by 2019. Some concern was expressed as to public perception, as to why both could not be done at the same time. A question was also asked what would happen to the fisherman and the Boston Belle during the construction period. The Committee was advised that this matter would be raised with the Boston Barrier Project Manager;

Note: Councillor M Brookes wished it to be noted that he was a member of the Black Sluice Internal Drainage Board.

- The two landowners not engaged with the Horncastle Alleviation Scheme. The Committee was advised that the Environment Agency could not insist on all parties engaging; and the fact that two chose not to engage in respect of the Horncastle scheme had not had a detrimental effect on the scheme overall;
- The need to provide some publicity material to explain to the public of Boston what was involved in the Water Level Management Plan and the Boston Barrier Project to alleviate questions later. The Committee was advised that there would be a meeting in April, at which some of these matters would be raised ;
- The Committee was advised that some queries regarding the lock had been raised with regard to the fishing fleet, currents and the velocity of the water once the barrier was installed. It was noted that in the modelling demonstrations that the velocity of the water was no different to other restrictions further upstream, therefore, this in itself did not constitute the need for a lock at this time; and
- Availability of the Fulney Lock at the end of May 2016. The Committee was advised that work was ongoing with the Internal Waterways Association to come up with the most cost effective way to deliver the work required.

River Steeping

The Committee received an introduction from Deborah Campbell (Environment Agency) relating to the current years £29m capital works programme and the outcomes from these schemes with regard to people, property and cost. It was highlighted that schemes that protected life and larger numbers of property sat higher on the programme, and that there was a clear focus on where resources needed to be targeted.

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It was noted that there had been a commitment to work with other organisations with regard to the River Steeping, however, this was not unfortunately at the top of the priority list; and at the moment there was not the resource to take things forward.

It was noted that in June 2007 flooding had occurred and the Steeping catchment was no exception. A number of localised low spots in the banks had allowed water to overtop the defences, flooding land and 10 houses in Wainfleet and Great Steeping. Since then works had been carried out to reduce flood risk from the River Steeping, which had included raising the localised low spots in the banks, improving the operation of the sluice gates at the outfall and some removal of the silt in the channel upstream from Wainfleet.

Running alongside this, the partnership was promoting a scheme to strengthen the right hand (southern) bank along the Wainfleet Relief Channel. The work had an amount allocated to it in the six year programme of £1.3m for 2016/17, with £0.9m coming from Local Levy.

Anton Willerton, the Mayor of Wainfleet provided the Committee an update with regard to the local situation, which made reference to planning conditions for Wainfleet, no single storey dwellings; and restrictions with regard to construction methods. It was also highlighted that local people were finding it very difficult to get house insurance for their properties in Wainfleet.

The topography of the area; the silting up of the River Steeping; the presence of badger sets; and the damage to the river bank; reduction in the amount of fishing in the area, which had affected the economy; the effect on house values and the negative impact to residents.

Richard Kidd, the Chairman of the Firsby Group was also invited to speak to the Committee regarding the condition of the River Steeping; the impact of the condition on residents. The Committee was advised that over a nine year period nothing had significantly changed to the River, despite local pressure.

The Lindsey Marsh Drainage Board explained that there was £150,000 initial amount; plus £50,000 that had been set aside in the current year to help and support as much as they could. The Committee was advised that the Environment Agency was doing all it could to secure the necessary approvals, It was also highlighted that the Drainage Board received £450,000 from the Environment Agency for work to be carried out in the Drainage Board's area.

During discussion, some of the following issues were raised:-

- Dealing with the silted river. The Committee were advised that the modelling had highlighted that due to the construction of the concrete cill being 1.2m higher above the bed irrespective of silt it was therefore felt that silt removal would not make significant difference. However, further modelling work was required to assess flood risk taking account of additional flows from the Lindsey Marsh land drainage systems. It was highlighted that there was currently resource implications regarding Environment Agency resource to

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undertake this work, as staff were currently involved with higher priority work along the coast to protect 1000's of properties;

- Some members of the Committee expressed their concerns with regard to the destruction caused by the badgers in the river bank. The Committee noted that under legislation information regarding badger setts could not be shared in a public meeting. Some members felt that steps needed to be taken to protect the banks from burrowing animals. (Page 25 of the report presented provided the Committee with an update with regard to works that had been undertaken to embankments as a result from damage from burrowing animals, and information relating to a more sustainable solution to dealing with the burrowing animals, whilst maintaining the integrity of the river banks);
- Some members felt that agreement on the way forward needed to be reached, and a suggestion was made for a meeting of all interested parties once the remodelling had been completed;
- Some members felt that all properties needed to be protected irrespective of numbers; and
- Availability of the Engagement Strategy. The Committee was advised that this would be available during March 2016.

A proposal was moved and seconded to have a meeting of all the various partners to discuss a way forward with regard to the River Steeping and concern over badgers, once the remodelling had been completed, and that five Councillors from the Flood and Drainage Scrutiny Committee should attend the above said meeting. (Councillors C L Strange, M Brookes, I G Fleetwood, A Bridges and C Pain).

RESOLVED

That a meeting be arranged of all various partners, to discuss a way forward with regard to the River Steeping, and concern over badgers, once the remodelling had been completed, and that the following five Councillors from the Flood and Drainage Management Scrutiny Committee should attend the above said meeting. Councillors C L Strange, M Brookes, I G Fleetwood, A Bridges and C Pain.

40 INVESTIGATIONS HELD UNDER SECTION 19 OF THE FLOOD AND WATER MANAGEMENT ACT 2010

Consideration was given to a report from Mark Welsh, Flood Risk and Development Manager, which advised the Committee on the current position of all current Section 19 investigations.

A spreadsheet summarising investigations in the County under Section 19 of the Flood and Water management Act 2010 was detailed at Appendix A to the report.

During discussion, reference to a property at Main Street, Scopwick, Officers clarified that work had been completed and the Appendix A would be updated accordingly.

RESOLVED

That the report and Appendix A be noted.

41 GREATER LINCOLNSHIRE LOCAL ENTERPRISE PARTNERSHIP
(GLLEP) WATER MANAGEMENT PLAN & COASTAL VISION

The Committee gave consideration to a report from David Hickman, Environment Commissioner, which provided details of the Water Management Plan and an update on progress towards the coastal vision.

It was reported that the Greater Lincolnshire Local Enterprise partnership (GLLEP) had prioritised agri-food and the visitor economy as the key sectors for economic growth in Greater Lincolnshire. Effective flood risk and water resource management was considered fundamental in realising these opportunities. The Water Management Plan as detailed at Appendix A was approved by the GLLEP Board on 28 January 2016. The Water Management Plan had been designed to establish a pipeline of projects that could be developed for successive rounds of funding opportunities; and was now ready for implementation, with outline bids already in progress for priority stretches of coastal and fluvial defences.

It was noted that many of the issues that were relevant to the Water Management Plan, particularly the ability to make a compelling case for funding water and coastal management, were most prevalent in Greater Lincolnshire's coastal areas. As a result of this Water Management Board officers from partner authorities had drafted a Coastal Vision with the aim of succinctly expressing an overarching common approach to coastal issues, with a focus on achieving sustainable economic growth for the GLLEP's area.

It was therefore the intention of the Coastal Vision to draw together key themes that had emerged from a wide range of existing initiatives to support objectives for the coast. As a result of engagement, the previous draft was currently being rewritten, and it was hoped that this would be completed in March. It was intended that a final draft of the Coastal Vision would be presented to the GLLEP Water Management Board in March, with subsequent approval by the GLLEP Board.

During a short discussion, the Committee made reference to the following issues:-

- That the Department for Rural Affairs was supportive of the Water Management Plan;
- The necessity of protecting Agri-Food in Greater Lincolnshire;
- The key impacts on economic growth from flood risks. These were detailed on page 53 of the report presented; and
- Clarification of the potential funding to the Killingholme Marshes Drainage Improvements was £2,316.293.

The Committee welcomed the update on the Water Management Plan and Coastal Vision.

RESOLVED

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That the report presented be noted.

42 FLOOD AND DRAINAGE MANAGEMENT SCRUTINY COMMITTEE WORK PROGRAMME

Consideration was given to a report from the Executive Director with responsibility for Democratic Services, which asked the Flood and Drainage Scrutiny Committee to consider its Work Programme for the coming year. A copy of the Work Programme was detailed at Appendix A to the report presented.

The Scrutiny Officer invited member of the Committee to put forward any items for consideration by the Flood and Drainage Scrutiny Committee.

The Committee was advised that the next meeting of the Flood and Drainage Management Scrutiny Committee would be held on 13 May 2016; and that at the next Environmental Scrutiny Committee on 29 April 2016 there would be site visit to the Louth and Horncastle Flood Alleviation Schemes, Gibraltar Point and the English Coastal Path.

RESOLVED

That the Work Programme as set out in Appendix A be noted.

The meeting closed at 12.40 pm