

**FLOOD AND DRAINAGE  
 MANAGEMENT SCRUTINY  
 COMMITTEE  
 13 MAY 2016**

**PRESENT: COUNCILLOR C L STRANGE (CHAIRMAN)**

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

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).

Councillor P Wood attended the meeting as an observer.

Officers in attendance:-

Deborah Campbell (Environment Agency), Katrina Cope (Senior Democratic Services Officer), Jonathan Glerum (Anglian Water), David Hickman (Environment Commissioner), Daniel Steel (Scrutiny Officer), Mark Welsh (Flood Risk and Development Manager), Andrew McGill and John Ray (Senior Advisor Flood and Coastal Risk Management, Environment Agency).

**43 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS**

Apologies for absence were received from Councillors M Brookes (Lincolnshire County Council), J R Marriott (Lincolnshire County Council) and Mrs F M Martin MBE (East Lindsey District Council).

It was noted that Councillor D Hoyes MBE (Lincolnshire County Council) had replaced Councillor J R Marriott (Lincolnshire County Council), for this meeting only.

**44 DECLARATIONS OF MEMBER'S INTERESTS**

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

**45 MINUTES OF THE MEETING HELD ON 26 FEBRUARY 2016**

**RESOLVED**

That the minutes of the Flood and Drainage Management Scrutiny Committee held on 28 February 2016 be agreed and signed by the Chairman as a correct record, subject to the last sentence of paragraph seven being amended to read "It was also highlighted that the Drainage Board pay £450,000 in precept to the Environment Agency for work to be carried out in the Drainage Board's."

46 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed members of the Committee, Officers and Councillor P Wood to the meeting.

The Committee was advised that the two working groups agreed at the last meeting had been set up. In relation to the Anglian Water & the Planning Process Working Group, it was noted that Anglian Water would be sending over some information in the next couple of weeks for the working group to consider on the statutory consultee planning application process, and that a meeting date would be arranged for the end of May/first week of June.

With regard to the River Steeping Working Group, the Committee was advised that a date would be arranged once the remodelling had been completed. The representative from the Internal Drainage Board (IDB) clarified that the IDB did not have a model. The model they used was an older Environment Agency model that covered the catchment area.

The Committee was advised that due to work priorities, and available resources the re-modelling work would not be completed until the end of September 2016.

Some concern was raised regarding the time taken for a solution to be reached with regard to the River Steeping, and to the damage done by badgers to the river bank.

The Chairman reiterated that everything was being done to get all agencies together, and that a meeting of the River Steeping Working Group would be arranged for the end of September 2016 to ensure the required outcomes were reached.

The Chairman asked the Scrutiny Committee for their support for the Chairman, Vice-Chairman and the Executive Councillor for Economic Development, Environment, Planning & Tourism to draft a letter to the Government (including a copy to - local MPs, MEPs and suitable European ministers), highlighting the concerns raised in relation to the impact of badgers on river banks, and how this could adversely affect the local population and clarifying possible actions that could be taken within current guidance/legislation.

The Committee agreed, and it was:-

**RESOLVED**

That the Chairman, Vice-Chairman the Executive Councillor for Economic Development, Environment, Planning & Tourism draft a letter to the Government (including a copy to - local MPs, MEPs and suitable European ministers), highlighting the concerns raised in relation to the impact of badgers on river banks, and how this could adversely affect the local population and clarifying possible actions that could be taken within current guidance/legislation.

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

The Executive Councillor Economic Development, Environment, Planning and Tourism and Senior Officers (Environment and Economy) advised the Committee that the Joint Scrutiny Committee site visit to Gibraltar Point on 29 April 2016 had been a fantastic success, and that the Committee were further advised that the Visitor Centre would be opening at the end of May 2016.

It was also reported that construction work had started on the Coastal Observatory building at Chapel St Leonards, which would be opening in February 2017. It was noted that the Council's Procurement Rules had made provision for the building works for both mentioned sites to be delivered by Lincolnshire companies, John Martin Hoyes for Gibraltar Point and Gelder's for the Observatory at Chapel St Leonards.

Congratulations were extended to everyone who had been involved in the Gibraltar Point Project.

48     ENVIRONMENT AGENCY UPDATE

The Committee received a joint verbal update from Deborah Campbell and John Ray from the Environment Agency relating to:-

- The refresh of the Regional Flood and Coastal Committee capital programme; and
- Changes to the Flood Defence Consent process.

The Committee was advised that between April 2015 and March 2021, the government would be investing £2.3 billion of capital investment in more than 1,500 projects to reduce the risks of flooding and coastal erosion across England.

The Department for Environment, Food and Rural Affairs (Defra) investment plan set out how the commitment would transform flood and coastal erosion risk management over the coming six years. The programme of flood and coastal erosion risk management investment included projects delivered by local authorities, internal drainage boards and the Environment Agency. The risk management authorities' then had to work with their local communities to develop schemes.

It was noted that each year the programme was reviewed; and that there was a big drive to push things forward. It was noted further that if there was a scheme that sat outside the six year programme, there was provision for that item to be brought forward as long as there was national funding available.

The Committee noted that the national programme update for 2016 had been delayed and would not be published until after June 2016. However, copies of the Lincolnshire programme were available on the Lincolnshire County Council website.

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During discussion, reference was made to the following points:-

- That the framework identified greatest need and greatest risk, based on evidence received. That the Environment Agency worked closely with neighbouring catchment areas and with individual authorities;
- Secondary sea defences. It was noted that provision had been made in the programme, but as a low priority, for the current year. It was noted there was some new legislation which allowed for secondary defences to be designated; and that some work was being undertaken looking at the costs for re-instating
- It was reported that allocation of funding was done on a risk by risk basis, and that there was no priority order for the local delivery areas, as the programme was a national programme. It was agreed that information relating to the total funding for Lincolnshire for the six year programme would be circulated to members following the meeting;
- Proposed development at Market Rasen, and the threat of flooding from the River Rase. The Committee were advised that since 1990 two flood storage areas had been installed and had been updated over time. It was further highlighted that the open/closing of the Ferriby door did not have an effect on the water level on the River Rase, as there was no direct link;
- Flood defence consent. The Committee was advised that from 6 April 2016 a flood permit had now replaced flood defence consent. It was highlighted that permits would be under the control of the national permit centre. It was agreed that further information regarding permits for flood risk activities would be circulated to the Committee after the meeting; and
- River Steeping – One member advised that he was still waiting for a response from the Environment Agency with regarding to queries raised following the last meeting of the Flood and Drainage Scrutiny Committee. The representative from the Environment Agency confirmed that a response had been made on 1 March 2016.

The Environment Agency representatives asked the Committee what areas of additional scrutiny activity would be useful for them to consider to ensure a greater strategic oversight, whilst being mindful of not duplicating work of the Regional Flood and Coastal Committee and the Lincolnshire Flood Risk and Drainage Management Partnership.

The Committee gave consideration to the Lincolnshire Flood Risk and Drainage Management partnership information detailed in Appendix A on page 17 of the report presented.

Following a short discussion, the Committee agreed that they would prefer an update on the whole spectrum of what was being provided currently, and what was also happening strategically.

RESOLVED

That an update be received on the strategic work of the Lincolnshire Flood Risk and Drainage Management Partnership and also on the projects being delivered in Lincolnshire.

49     FLOOD REINSURANCE (FLOOD RE) SCHEME LAUNCH

The Committee gave consideration to a report from Mark Welsh, Flood Risk and Development Manager, which provided the Committee with an update on the Government's Flood Re Scheme, which had been launched on 4 April 2016, which offered capped insurance costs and time limits policy excess payments for domestic properties at the risk of flooding from external sources.

The Committee noted that Flood Re was an industry owned and managed not-for-profit re-insurer who had been designated as the Scheme Administrator by Ministers and was now a publicly accountable body with statutory objectives and powers including levy raising powers.

It was highlighted that the scheme applied to domestic properties built before 2009 and was based on Council Tax bands A to H. Page 21 of the report provided a table which advised the Committee of the cost levels at which the floods elements of insurance cover was capped within the Flood Re Scheme.

It was highlighted further that properties would transition out over the 25 years lifespan of the scheme.

The Committee was advised that the scheme did not apply to businesses. However, there were some exceptions such as Bed and Breakfast accommodation under certain conditions.

It was felt that any claim made post 2009 would be against the person who had built the property rather than the local authority.

During discussion, the following issues were raised:-

- Some of the Committee felt that small businesses should be included in the scheme;
- The role of Planning Inspectors with regard to planning appeals;
- The role of planning authorities with regard to planning applications, particular reference was made to low cost housing that had been passed in Skegness in a flood plain. It was highlighted that there were some challenges ahead, and that the development of the East Lindsey District Council coastal plan would help the situation going forward, making sure that housing development only happened in areas that were not at higher risk; and
- That there was also a need to ensure that drainage systems were maintained.

The Committee was advised that previously Water Companies had drained urban areas. The County Council was now working with District Councils relating to

sustainable drainage with the County Council acting as a statutory consultee. The Committee noted that during the year there had been progress, with the County Council adopting drains which abutted the highway. The Committee was advised that Lincolnshire was one authority who had adopted a partnership approach to Sustainable Urban Drainage Systems (SUDS). Officers agreed to present a report concerning sustainable drainage to a future meeting of the Committee.

Reference was also made to how planning measures could prevent flooding; and the role of the Environment Agency in relation to planning applications.

The Committee was advised that Mary Dhonau, MDA Specialist Independent Community Flood Consultancy would be attending the next Flood and Drainage Management meeting due to be held on 23 September 2016 to advise the Committee of Property Level Preventative Measures. It was noted further that Seth Williams, Head of Public Affairs, Association of British Insurers would be attending the 9 December 2016 meeting with regard to an Insurance Industry Update.

The Committee extended their thanks to the Flood Risk and Development Manager for his informative report.

#### RESOLVED

1. That the report be noted.
2. That a report relating to Sustainable Drainage be presented to a future meeting of the Committee.

#### 50 TO REPORT PROGRESS ON THE INVESTIGATIONS UNDERTAKEN IN THE COUNTY UNDER SECTION 19 OF THE FLOOD AND WATER MANAGEMENT ACT 2010 (FWMA)

Consideration was given to a report from the Flood Risk and Development Manager, which informed the Committee of the position of all current Section 19 investigations in the County.

Appendix A to the report provided the Committee with a spreadsheet summarising investigations under Section 19. A request was made by members of the Committee for the Appendix A to be printed A3 size going forward, as the A4 version had proven very difficult to read.

The Chairman invited Councillor P Wood to advise the Committee of the problems encountered in Long Bennington, in August 2015 when 23 properties in various locations had been flooded. The question asked was why did the properties flood, was it as a result of excessive rain, or was it as a result of poor maintenance; and the excessive time taken to receive the implementation report.

The Committee was advised that flooding had occurred as a result of excessive rainfall, some 66mm in two hours. The investigations arising from the flooding had taken longer than expected, and it was hoped that the actions arising from the report

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would be completed by the next meeting. Reassurance was given by those involved that completing Section 19 actions was taken very seriously and that work would be done to complete the required actions.

The Committee was advised further that the report carried out in the division was in a draft format. The purpose of the report was to identify what work was required and to get all partner agencies working together to resolve the issues. It was highlighted that the report would only be made available to members of the public after the FOI team had considered it. Officers acknowledged that the nine months timescale had not been acceptable and that processes were being looked at to react better going forward.

During discussion, the Committee made the following points:

- That some flooding incidents could be as a result of blocked gullies. It was highlighted that due to the necessity for reducing costs it was intended to reduce the amount of maintenance to gullies going forward. Officers explained that gullies were not the number one cause of flooding. It was confirmed that a more targeted approach to gully maintenance was proposed going forward; and
- The fact that rain storms were often a one off situation as in the case of Long Bennington.

RESOLVED

That the report and Appendix A be noted.

51     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 said Work Programme was detailed at Appendix A to the report presented.

The Chairman advised the Committee that it was hoped that a Flood and Drainage conference would be held in the autumn. Officers advised the Committee that there was to be a Northern European Flood Risk Conference to be held in Lincolnshire in September 2016 (Kring). The event was to be held over two days and it was hoped that the two events could be combined to share experiences, and to raise the issues in Lincolnshire nationally and internationally. It was agreed that officers from LCC and the Environment Agency would liaise regarding the above mentioned conference after the meeting.

The Committee was advised that the two days conference was due to start on 26 September 2016. A full day would be taken on the coast looking at the engineering in place, funding in place and the processes undertaken. On 27 September there was going to be a trip to Grimsby to look at the growth of the economy; and the

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changes made to defences. It was suggested that there might be an opportunity to have a joint meeting with the delegates while they were visiting the coast.

The Scrutiny Officer guided the Committee through the Work Programme as detailed on pages 46 to 48 of the report presented. The Committee was advised that Mary Dhonau would be attending the next meeting on 23 September to talk to the Committee about Property Level Preventative Measures.

The Chairman requested that officers should invite a representative from Severn Trent to attend future meetings.

The Committee noted that there was to be a joint offsite visit of the Environmental and Flood and Drainage Management Scrutiny Committee on 29 July 2016 to South Holland and that the full itinerary for the visit was still to be agreed, but would include a visit to CaNeBuZo (Carbon Neutral Business Zone), Stafford Proctor, Wash Frontagers' Group and Tydd Pumping Station.

**RESOLVED**

That the Work Programme as set out in Appendix A be agreed, subject to the addition of a report relating to Sustainable Drainage being added to the programme for a future meeting as agreed at Minute 49(2).

The meeting closed at 12.05 p.m.