

**FLOOD AND WATER MANAGEMENT
SCRUTINY COMMITTEE
18 SEPTEMBER 2023**

PRESENT: COUNCILLOR T R ASHTON (CHAIRMAN)

Councillors P Ashleigh-Morris, A J Baxter, M Brookes, S Bunney, K J Clarke, A G Hagues, P A Skinner and G J Taylor

District Councillors D Middleton (Boston Borough Council), D Hobson (East Lindsey District Council), P Vaughan (City of Lincoln Council) and A C Beal (South Holland District Council)

External Agencies – Jonathan Glerum (Anglian Water), Andrew McGill (Lindsey Marsh Drainage Board) and Morgan Wray (Environment Agency)

Councillor C Davie attended the meeting remotely, and Councillor A Austin attended as an observer.

Officers in attendance:-

Simon Evans (Health Scrutiny Officer), Matthew Harrison (Senior Commissioning Officer - Flood Risk), Chris Miller (Head of Environment) and Warren Peppard (Head of Development Management) and Jess Wosser-Yates (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received by Councillors R Reid, H Crawford, I G Fleetwood and P Bedford.

It was reported that under Regulation 13 of the Local Government Committee and Political Groups Regulation 1990, Councillor L Hagues was replacing Councillor M Clarke on behalf of North Kesteven District Council for this meeting only.

2 DECLARATIONS OF MEMBERS' INTERESTS

No interests were declared at this point in proceedings.

3 MINUTES OF THE LAST MEETING HELD ON 15 MAY 2023

RESOLVED

That the minutes of the last held on 15 May 2023 be approved and signed by the Chairman as a correct record.

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4 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLORS AND LEAD OFFICERS

The Chairman welcomed the new District Councillors who were attending their first Scrutiny meeting, and thanked Councillors A Austin, F Martin and M Seymour who previously sat as District representatives on the Committee.

He informed the Committee that a motion had passed at the Lincolnshire County Council (LCC) meeting held on 15 September 2023 to refer to the matter of discharge of sewage into rivers and the sea to the Committee where the issue could be fully aired, and actions available to the Council can be determined. This topic would be scheduled for consideration at the meeting on 27 November 2023.

He also highlighted that a site visit had been scheduled on 16 October 2023 to observe the work of Project Groundwater in Lincolnshire.

Councillor C Davie, Executive Councillor for Economic Development, Environment and Planning, made the following announcements:

- Lincolnshire County Council (LCC) continued to engage with partners to manage the risk of coastal flooding to ensure communities were resilient. In collaboration with the University of Lincoln, the Environment Agency and East Lindsey District Council, LCC developed a jointly agreed, transparent evidence-base to aid Local Authorities in planning to mitigate the challenges of climate change.
- The Humber 2100+ project continued to formulate data regarding the risk of tidal flooding at the estuary.
- Officers continued to work with Anglian Water (AW) on the Lincolnshire Reservoir Project who were establishing a community liaison group to capture residents' concerns. Officers worked to ensure the project involved a range of benefits to ensure the environmental and economic benefits of the scheme were recognised.
- The Flood and Water Team received 18 reports of localised flooding in response to rainfall on the 10 and 11 September; the majority related to carriageway and external flooding. Internal flooding was reported at 5 properties.
- LCC continued to deliver capital flood risk projects and was developing a pipeline of works to address issues caused by recent flooding. Works in Cherry Willingham and Long Bennington were due to be completed by the end of September; a further project in Holdingham would start at the end of September.

The Committee noted the announcements and raised the following matters:

- City of Lincoln Council had received funding from government to accommodate the increased penny rates on internal drainage boards (IDBs) and thanked the lobbying efforts of the Committee. Members suggested this funding gap was due to a mismatch in legislation which meant District Councils (DCs) could collect funding from other authorities.

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- Members questioned whether the funding issues impacting the Lindsey Marsh and Witham Fourth District IDBs had been resolved. The Executive Councillor informed that there was no long-term solution in place and subsequently highlighted the importance of sustained government lobbying.
- District Councils (DCs) that paid the IDB special levy had received a one-off contribution from the Treasury to help pay what was now considered as an annualised revenue charge. The Chairman further emphasised the significance of lobbying to change how the IDB funding mechanism worked.
- Executive Councillor responded to concerns regarding funding for flood prevention and was content LCC was able to manage and meet financial obligations for residents.

5 FLOOD AND WATER TEAM UPDATE (INCLUDING SECTION 19 INVESTIGATIONS)

Consideration was given to a report from Matthew Harrison, Flood and Water Manager, which updated the Committee on the recent work of the Flood Risk team including information of the status of all current flood investigations being undertaken in the County.

The team continued to resolve issues caused by localized flooding on 10 and 11 September and the status of current and ongoing Section 19 reports was largely unchanged. Since the publication of the report, internal flooding had been reported as a result of thunderstorms on 17 September, and near miss data was anticipated though the situation was developing.

The Long Bennington Flood alleviation scheme was due to be completed by the end of September and was welcomed by residents. Work continued on Project Groundwater, and some schemes were receiving national recognition.

Members considered the report, and during the discussion the following matters were noted:

- Members thanked the Highways and Flood and Water teams for their work in Market Rasen to mitigate flood risk, however it was noted that thunderstorms and heavy rainfall continued to worry residents as the town had not experienced such weather since flooding events in August 2022.
- The Flood and Water Manager assured that rainfall data was typically robust, although predicting the localised nature of thunderstorms and rainfall was generally difficult.
- Members requested an update on boreholes in Bourne and were subsequently informed that the National Flood Forum had contacted many landowners, and walkover surveys were scheduled at the end of September. LCC was working with the National Flood Forum to improve resident engagement, and approximately 40-50 boreholes had been located in the wider Bourne area.
- The Committee questioned the extent that future rainfall estimations were impacted by climate change; the Flood and Water Manager noted that the frequency and severity of storms had increased and highlighted that estimations were based on

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anecdotal evidence. Trends in rainfall data would eventually emerge which would increase understanding of the impact of climate change, and data could be cited when applying for funding.

- The Flood and Water Manager agreed to investigate issues with clogged draining systems in South Lincolnshire

RESOLVED:

1. That the information presented by the Floods and Water Team on their activities, including section 19 investigations, be noted.
2. That the following comments from the Committee be recorded and passed on to the Executive Councillor as required.

6 THE ESTABLISHMENT OF A SUDS (SUSTAINABLE URBAN DRAINAGE SYSTEMS) APPROVING BODY (SAB) – PROGRESS UPDATE

Consideration was given to a report from Warren Peppard, Head of Development Management – Growth, which updated the Committee on the proposed implementation of Schedule 3 of the Flood and Water Management Act which recommended that a Sustainable Urban Drainage Systems (SuDS) approving body (SAB) be established.

The Head of Development Management guided the Committee through the report and highlighted the importance of partnership working following the implementation of Schedule 3. Lincolnshire County Council (LCC) was currently at the information gathering stage and was awaiting further detail from the government.

Implementation of Schedule 3 was expected in April 2024, although recent information from the Department for Food and Rural Affairs (DEFRA) had suggested a delay until the end of 2024.

Schedule 3 had been enacted in Wales, and LCC was holding regular meetings with colleagues there to share good practice.

The Committee considered the report, and during the discussion the following matters were highlighted:

- Members noted that LCC had not received formal confirmation from government as to whether funding to establish the SAB would be received, although it was expected.
- DEFRA had acknowledged that staffing and maintenance costs would be a key component of the consultation process, and LCC was awaiting confirmation on three potential funding streams.
- It was agreed that the Committee would review a draft response to government regarding the implementation of Schedule 3.
- Concerns were raised that SuDS were sometimes built in dangerous locations in a manner that did not compliment the natural environment. The Head of

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Development Management assured that LCC was responsible for the maintenance of highways and would ensure SuDS were appropriately placed and were integrated well with the surrounding area.

- The importance of partnership working was acknowledged as it was expected that the developers' automatic right to connect existing AW surface water sewers would be removed under Schedule 3.
- Members anticipated strengthened national standards regarding rainwater harvesting.
- The Regional Flood Risk Manager from AW noted that uptake for rainwater harvesting was low. Consequently, AW was involved in an industry-wide project on utilising rainwater harvesting.
- Despite campaigning, Schedule 3 would not render AW a statutory consultee.
- It was questioned whether the legislation provided LCC as the Lead Local Flood Authority any purchase around the planning process of SuDS. The Head of Development Management noted it was unlikely that the formal statutory consultation within planning process would change.
- The Committee requested further updates on this matter when available and noted the potential for a site visit to SuDS sites across the county.

RESOLVED

That the progress with the establishment of a Sustainable Urban Drainage Systems Approving Body be noted

7 **ENVIRONMENT AGENCY UPDATE**

Consideration was given to a report from Morgan Wray, Area Flood and Coastal Risk Manager, which provided the Committee with an update on Environment Agency (EA) activities in Lincolnshire including progress on key capital schemes.

The Committee was guided through the report, and during the discussion the following points were noted:

- Questions were raised regarding EA activity in Boston and the Boston Barrier; the Committee was informed that works relating to the barrier were dependent on works around the wet dock being completed. Additionally, the Area Flood and Coastal Risk Manager agreed to forward relevant queries to the Programme Director for Boston for additional information. It was noted that the issue in the river Witham was troubling for residents, businesses and clubs that used it.
- Members highlighted that weeds were growing on the banks of smaller rivers; the speed of growth was increasing due to climate change and was causing logistical issues for users. The Area Flood and Coastal Risk Manager subsequently informed Members that EA maintenance activities were based around flood risk meaning smaller watercourses did not take a priority unless they were in a residential area, and assured details would be passed on to the EA Operations Team.

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- It was assured that EA conducted a regime of inspections of assets and water courses. The regularity of these inspections was dictated by flood risk and results were available online.
- Assurance was sought from Members regarding the ongoing weed build-up in the River Witham at Boston; EA had been working in partnership with Canal & River Trust to resolve the issue.
- Members asked whether subsurface weed in the river Witham affected the conveyance of the river and were informed that it depended on the type and location of the weed; it was noted that higher rainfall flushed the system well. The Area Flood and Coastal Risk Manager highlighted that EA were only funded for the maintenance of weed to manage flood risk, not aesthetic purposes.
- Warmer summers enabled green weed to grow more which was considered as a potential consequence of climate change.

RESOLVED:

That the report from the Environment Agency on their projects and key capital schemes be noted.

8 ANGLIAN WATER UPDATE

Consideration was given to a verbal report from Jonathan Glerum, Regional Flood Risk Manager, on Anglian Water's (AW) activities in Lincolnshire. Matt Moore, Flood Partnerships Manager, was also in attendance for this item.

The Committee was guided through a presentation which outlined AW's priorities and delivery strategy of various project and adaptive processes to mitigate challenges moving forward. Furthermore, Members were requested to assess locations in their divisions and raise any issues with the Regional Flood Risk Manager.

Members considered the report, and during discussion the following matters were highlighted:

- The Committee was informed that the instance of effluent discharge in Jaywick, Essex, was due to an operational issue which led to the waste being discharged for 30 seconds a day for 18 months and remained undetected; it was assured that Chelmsford Magistrates Court had concluded there was no negative environmental impact caused by the discharge. Members questioned how much sewage had been discharged into Lincolnshire's water courses and assurance was provided that this matter would be reported at the next meeting. Members were also signposted to a website that published information about sewage discharge and locations.
- Residents perceived some road closures by AW to be unnecessary, and the Committee was subsequently informed that representatives from AW had attended a Highways and Transport Scrutiny Committee meeting and had formulated an

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action plan to reduce closures in partnership with its Members; a progress report was expected at that meeting in December 2023.

- Members welcomed increased partnership working and AW's consistent engagement with Lincolnshire County Council.
- Members questioned whether AW communicated potential road closures and disruptions to local businesses and residents through social media, and were informed that there were specific communications dedicated to alert any impacted parties of planned work.
- The Flood Partnerships Manager informed the Committee that there was an online dashboard called 'In Your Area' where residents could view a list of live incidents.
- The SuDS that were anticipated to be built in Lincoln would be located on the verges of Nettleham Road.
- Information regarding investment proportionality and shareholder profits would be circulated as per Members' request.
- AW agreed to establish an engagement plan with Highways colleagues. Additionally, AW attended all local drainage groups and updated Highways colleagues regularly through these meetings.

RESOLVED

That the presentation from Anglian Water on their activities be noted.

9 **FLOOD AND WATER MANAGEMENT SCRUTINY COMMITTEE WORK PROGRAMME**

Consideration was given to a report by Simon Evans, Health Scrutiny Officer, which enabled the Committee to comment on the content of its work programme for the coming year.

Members requested the following items be considered at an upcoming Scrutiny meeting:

- Report about pollution from sewage discharge from the Environment Agency
- An update report on Internal Drainage Boards.

RESOLVED

That the Work Programme be approved subject to the above amendments.

The meeting closed at 12.20 pm