



**FLOOD AND WATER MANAGEMENT
SCRUTINY COMMITTEE
17 JULY 2017**

PRESENT: COUNCILLOR D MCNALLY (CHAIRMAN)

Councillors P A Skinner (Vice-Chairman), W J Aron, T R Ashton, Mrs A M Austin, Mrs W Bowkett, B M Dobson, Mrs C J Lawton, C R Oxby, C E Reid and R A Renshaw

District Councillors R Austin (Boston Borough Council), Mrs F M Martin MBE (East Lindsey District Council), B Russell (South Kesteven District Council) and P Lundgren (North Kesteven District Council)

Councillors C J Davie, Eddy Poll (Anglian North Regional Flood and Coastal Committee), M J Storer and A H Turner MBE JP, attended the meeting as observers

Officers in attendance:-

Paul Brookes (County Flood Risk Manager), Andrea Brown (Democratic Services Officer), Deborah Campbell (Flood and Coastal Risk Manager, Environment Agency), Jonathan Glerum (Flood Risk Manager, Anglian Water), David Hickman (Growth & Environment Commissioner), Norman Robinson (Area Director, Environment Agency) and Daniel Steel (Scrutiny Officer)

1 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors P Vaughan (City of Lincoln Council), I Carrington (North Kesteven District Council), M D Seymour (South Holland District Council) and I G Fleetwood (West Lindsey District Council).

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, he had appointed Councillor P Lundgren to the Committee in place of Councillor R C I Carrington on behalf of North Kesteven District Council, for this meeting only.

2 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of Members' interests made at this point of the proceedings.

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3 MINUTES OF THE MEETING OF THE FLOOD AND DRAINAGE
MANAGEMENT SCRUTINY COMMITTEE HELD ON 3 MARCH 2017

RESOLVED

That the minutes of the Flood and Drainage Management Scrutiny Committee, held on 3 March 2017, be agreed and signed by the Chairman as a correct record.

4 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLOR
FOR ECONOMY AND PLACE AND THE COUNTY COMMISSIONER FOR
ECONOMY AND PLACE

The Chairman took the opportunity to thank Councillor C L Strange for his contribution to this Committee, as Chairman, over the last Council term.

With sadness, the Chairman confirmed the news of the death of Mark Welsh, the County's Flood Risk and Development Manager. He paid tribute to Mark who was an excellent officer and a well-liked and respected member of staff who made a valuable contribution to the work of this committee over many years. Thoughts and prayers were expressed to Mark's family, friends and colleagues at this difficult time.

Councillors C J Davie and E J Poll also paid tribute following which a minutes silence was observed in memory of Mark.

There were no further announcements.

5 FLOOD RISK ROLES AND RESPONSIBILITIES

The Committee received a presentation which provided an overview of the roles and responsibilities of all agencies involved in flood risk and drainage in the county.

David Hickman (Growth and Environment Commissioner) provided an overview of role of the Flood and Water Management Scrutiny Committee and Lincolnshire County Council as the Lead Local Flood Authority (LLFA) which covered the following areas:-

- 21F of Local Government Act 2000 – Overview and Scrutiny Committee: Flood Risk management;
- Joint Scrutiny Committee reflecting the Flood Risk and Water Management Partnership;
- Flood and Water Management Scrutiny Committee Terms of Reference;
- Lead Local Flood Authority (LLFA) Partners;
- A map of Lincolnshire's potential flood risk areas;
- Flood management systems;
- Local flood risk included surface water, groundwater and ordinary watercourses;
- LLFA responsibilities;
- Joint Flood Risk and Drainage Management Strategy;

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- Flood investigations under Section 19 of the Flood and Water Management Act 2010;
- Capital works;
- Lincolnshire County Council Asset Register;
- Responsibilities within the Land Drainage Act;
- Flood emergency response within Lincolnshire;
- Community Risk Register – 4 of the top 9 'enduring' risks were reported as flood related;
- Planning process consultees;
- Lincolnshire County Council provided an integrated service Flood Risk and Highways and a 'single point of contact' approach for Development Management. It was particularly noted that this was the only lead council doing this out of 22 lead authorities within this area which was impressive;
- LCC are not the decision making authority within the planning process but a Statutory Consultee;
- Consideration to Surface Water Flooding; and
- Consideration of SuDS (Sustainable Drainage Systems) on Major Developments (10+ properties);

Partners of the Committee were invited to give a brief introduction to their own areas:-

Environment Agency

Deborah Campbell, Flood and Coastal Risk Manager, explained that the main areas of responsibility for the Environment Agency in Lincolnshire were Coastal Defence; Main Rivers; National overview of flood risk management; and Floodline – flood warning system. It was the responsibility of the Environment Agency to cascade information on flood issues across the relevant areas of the country. They also have strong links with the Local Resilience Forum.

Internal Drainage Boards (IDBs)

It was explained that there were fourteen Internal Drainage Boards within Lincolnshire which were responsible for draining low lying areas (40% within Lincolnshire); land drainage (in particular agricultural land but also some urban areas); and water level management. It was reported that high quality water was currently being drained into the sea but it was suggested that in times of drought this water could be used so there was a need to manage this better.

Water Companies

Jonathan Glerum, Flood Risk Manager, explained the role of Anglian Water within the partnership. The main responsibilities were to supply water; remove and treat foul water (foul and combined sewers and treatment works); and surface water drainage of developed areas (surface water and combined sewers). A yearly water management plan was developed which considered how water could be better used within the county. Every five years all water companies must also complete a business plan.

**FLOOD AND WATER MANAGEMENT SCRUTINY COMMITTEE
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District Councils were also key partners as the local planning authority and were also to undertake anomalous S14 works on ordinary watercourses outside IDB areas. The county council had all other Land Drainage Act responsibilities which caused some confusion on occasion but the intent when developing this Act had been to encourage partnership working.

Members were invited to ask questions during which the following points were noted:-

- The Public Inquiry investigation in relation to the Boston Barrier was complete and it was reported that the final report was expected sometime in the Autumn. It was also confirmed that the preferred bidder for this work would be announced within the next two weeks;
- In relation to riverside land ownership, the Environment Agency issued guidance to all owners so that they were aware of their own rights and responsibilities. Members were assured that this type of ownership was unusual on new developments unless there is a pre-existing land ownership pattern. The guidance could be found on the Environment Agency website using the following link:-

<https://www.gov.uk/government/publications/riverside-ownership-rights-and-responsibilities>

- The Committee was assured that all new developments would not have combined sewers. There was also a programme in place to provide upgrades to public sewers. Work was ongoing with partners to find a solution to remove surface water without the need to increase the size of existing sewers;
- Clarity was sought on monitoring of SuDS compliance and it was explained that advice was provided to local planning authorities to enable them to make the final decision on the application. It was agreed that this part of the legislation was cause for concern but that this authority was in a better position than most due to the good working relationship with water companies. The Committee was advised that SuDS applications would be recorded on the Asset Register in future, even if responsibility is unknown, to enable better monitoring;
- Further concern was raised that the Statutory Consultee could suggest a within planning application that SuDS was sufficient which made it difficult for the planning authority to object to an application on those grounds. It was acknowledged that it would be inappropriate to undermine another authority but it may be that more detailed discussions between developmental management officers and district council planning officers was necessary; and
- The majority of pipes had a self-cleansing velocity and where land was particularly flat, a vacuuming system was also used. Although this type of drainage was more complex and challenging, the Committee was assured that septicity was minimised within pipes due to this system.

The Chairman thanked officers for the presentation.

RESOLVED

That the presentation and comments be noted.

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

Consideration was given to a report from Richard Wills, Executive Director for Environment and Economy, which provided a position statement on all current Section 19 investigations within the County.

The Committee was advised that in Quarter 1 (April to June 2017) three new Section 19 investigations had been commenced. This was in stark contrast to the same period last year which reported 17 occurrences in June 2016 alone.

Members noted that the list had been somewhat reduced since the last meeting and asked for an update on the previously listed investigations. It was explained that completed investigations had been removed from the list although the Committee's request to receive an update on any action plans implemented for each of those completed investigations was acknowledged. The Committee had noted interest in a number of previous investigations and would be pleased to learn of the outcome and progress made in each of those cases.

Members were also referred to the online spreadsheet for Section 19 investigations which provided information on all investigations undertaken within the county.

<https://www.lincolnshire.gov.uk/residents/environment-and-planning/flood-risk-management/flood-investigations/117780.article>

RESOLVED

That the progress made on investigations undertaken within the County under Section 19 of the Flood and Water Management Act 2010 be noted.

7 FLOOD AND WATER MANAGEMENT SCRUTINY COMMITTEE WORK PROGRAMME

The Committee received a report which enabled members to consider and comment on the content of its work programme for the coming year to ensure that scrutiny activity was focussed on areas of greatest benefit.

Daniel Steel, Scrutiny Officer, introduced the report and referred Members to the work programme on page 23. Reference was also made to the Terms of Reference of the Flood and Water Management Scrutiny Committee which had been included on pages 21 and 22 of the agenda pack.

Councillor R A Renshaw made a suggestion to visit an Internal Drainage Board during the course of this council term and hold a meeting in the area of the visit.

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RESOLVED

That the Flood and Water Management Scrutiny Committee Work Programme, including the suggestion to hold site visits/meetings, be agreed.

The meeting closed at 11.40 am