

Minutes of the Suffolk Flood Risk Management Scrutiny Sub-Committee Meeting held on 30 October 2015 at 10:00 am in the Dove Room, Mid Suffolk District Council, Needham Market.

Present: Councillors Mary Evans (Chairman, Suffolk County Council), Stephen Williams (Babergh District Council), Christine Mason (Forest Heath District Council), Sandra Gage (Ipswich Borough Council), Roy Barker (Mid Suffolk District Council), David Roach (St Edmundsbury Borough Council) and Keith Patience (Waveney District Council).

Also present: Councillor James Caston (Mid Suffolk District Council)

Supporting officers present: Jane Burch, Flood and Coastal Policy Manager
Simon Curl, Flood and Water Manager
Sue Morgan, Head of Democratic Services
Linda Pattle, Democratic Services Officer

1. Election of Vice-Chairman

There were no nominations for the office of Vice-Chairman. Therefore it was agreed that the office would remain vacant for the time being.

2. Public Participation Session

There were no applications to speak in the Public Participation Session.

3. Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Barry Gasper, substituted by Councillor Stephen Williams (Babergh District Council), from Councillor Peter Gardiner, substituted by Councillor Sandra Gage (Ipswich Borough Council) and from Councillor Wayne Hailstone, substituted by Councillor David Roach (St Edmundsbury Borough Council).

4. Declarations of Interest and Dispensations

There were no declarations of interests or dispensations.

5. Minutes of the Previous Meeting

The minutes of the meeting held on 17 February 2015 were confirmed as a correct record and signed by the Chairman.

6. Review of the Suffolk Flood Risk Management Strategy

At Agenda Item 6 the Sub-Committee considered a report providing an opportunity for members to comment on proposed amendments to the Suffolk Local Flood Risk Management Strategy, which was currently under review to

reflect updated legislation and locally developed policies. Jane Burch outlined the main changes proposed.

Recommendation: The Committee agreed:

- (a) To support the proposed amendments to the Suffolk Flood Risk Management Strategy and the new emphasis on Sustainable Drainage (SuDS).
- (b) To recommend that an additional section be included with regard to maintenance of private property to emphasise that where householders were aware of damage to their property that had implications for drainage, they had a responsibility to carry out repairs.
- (c) That members of the Sub-Committee should encourage all councillors and partner organisations to comment on the updated draft when it was circulated and that councillors should support the adoption of the revised strategy through their respective political processes.

Reason for recommendation:

- (a) The Sub-Committee heard that the Suffolk Flood Risk Management Strategy had been updated to take account of recent changes in legislation, particularly with regard to SuDS. The opportunity had also been taken to update protocols and templates to make them consistent across the county. Key objectives of the revised document included: improving understanding of all flood risk in the county; ensuring that the limited resources of the Flood Risk Partnership were used to best effect; preventing flood risk as a result of development; and encouraging a holistic approach to water, with a view to making Suffolk the greenest county; encouraging the maintenance of privately owned ditches; and sharing best practice with colleagues in neighbouring counties.
- (b) Members considered that householders would benefit from being signposted to guidance about their responsibilities with regard to maintaining their property where this could affect drainage.
- (c) Members heard that it was intended that the revised document would be circulated in draft form to all councillors at county and district level. It was anticipated that in February or March 2016 it would be submitted for approval by the County Council's Cabinet. Following that, the Strategy would be considered formally by the Councils of Babergh, Mid Suffolk, St Edmundsbury and Forest Heath, in order to raise awareness about the Strategy. It was not yet known whether the Strategy would be considered by the Councils of Ipswich, Suffolk Coastal or Waveney. The Sub-Committee wished to encourage district and borough councils to participate fully in the revision of the Strategy and to support the aims of the document.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None noted.

7. Implementation of Sustainable Drainage (SuDS) Legislation

At Agenda Item 7 the Sub-Committee considered a report, setting out the way in which the Suffolk Local Planning Authorities (LPAs) and Suffolk County Council were working together to implement SuDS legislation.

The Chairman welcomed the following witnesses:

Graham Thomas, Head of Planning and Environment, Essex County Council
Patsy Dobson, Development Manager Team Leader (Central Area), Suffolk Coastal District Council

Denis Cooper, Senior Engineer, Suffolk County Council and Ipswich Borough Council

Mr Thomas gave a presentation about the work of the Essex Lead Local Flood Authority.

Recommendation: The Sub-Committee agreed:

- (a) To recommend that, with the advice of the Suffolk Flood and Coastal Policy Manager, the Suffolk Chief Fire Officer should consider adopting the model of community engagement used by Essex Fire Service for communities affected by flooding.
- (b) To recommend that each planning committee (members and substitute members) in Suffolk should receive training on assessing possible flood risk, including understanding the wider context to which each planning application related.
- (c) To recommend that Suffolk County Council should consider providing a short video summary of the Suffolk Flood Risk Management Strategy, similar to that produced by Essex County Council.
- (d) To recommend to the Suffolk County Council Cabinet Member with responsibility for flooding:
 - i) That he should seek the support of Suffolk Public Sector Leaders to develop a consistent approach to charging for pre-application advice in respect of SuDs.
 - ii) That he should recommend to the County Council's Cabinet that adequate resources should be made available for the Council to administer its duties under the Flood and Water Management Act.
 - iii) That he should work with District and Borough colleagues to encourage communities to pick up their responsibilities in relation to flood risk management.
 - iv) That he should consider using council tax information to encourage individual householders to maintain their property to reduce the risk of flooding.
 - v) That he should ask the Cabinet to consider the Council's position with regard to supporting suitable arrangements for the adoption and long term maintenance of SuDs.

- vi) That he should recommend to the Local Government Association (LGA) that they work with the Royal Institute of British Architects (RIBA) proposing that where appropriate SuDs that are coterminous with green space be part of the infrastructure for new developments and encourage consideration of long term maintenance as part of the project design.

Reason for recommendation:

- a) The Sub-Committee heard that the Planning and Environment Team at Essex County Council worked very closely with the Essex Fire Service. A large number of volunteers assisted the Essex Fire Service, and some of this voluntary work involved proactive, small scale, low cost interventions to help prevent flooding. The Sub-Committee considered that such a model could work well in Suffolk.
- b) The Sub-Committee was aware that the members and substitute members of the county's planning committees were regularly offered training. Members considered that it would be helpful if this could include briefings to help planning committee members become more aware of flood risk generally and of national planning policies relating to SuDS in particular, bearing in mind the need to ensure that new developments did not create new flood risks elsewhere in the county.
- c) The Sub-Committee watched a five minute animated video about the Essex Flood Risk Management Strategy. Members considered this an excellent way of highlighting key messages about the Strategy, and thought there would be benefit in producing something similar for Suffolk.
- d)(i) The Sub-Committee was aware that many developers were seeking advice about how to fulfil their obligations under the new SuDS legislation. In Essex developers could take advantage of a pre-application service in return for a fee. In Suffolk some, but not all, planning authorities charged for providing such advice. The Sub-Committee considered that developers should be charged for advice, and suggested that the Public Sector Leaders would be the appropriate group to consider establishing a consistent charging policy in Suffolk.
- d)(ii) The Sub-Committee recorded its appreciation of the highly valuable work carried out by the Flood and Coastal Policy Manager and her colleagues. However, they noted that at the County Council there were five officers in the County Council's flood team, and 1.5 fte dealing with SuDS. Members were aware that in recent years, as a result of retirements and resignations, a great deal of expertise had been lost to the county in general. They therefore requested that the Cabinet Member should consider whether there were adequate resources to fulfil the Council's legal obligations.
- d)(iii) Members recognised that, in view of the limited resources available, there was a need to encourage a "self help" attitude, within a managed framework. They heard about some good examples of managed community schemes for clearing gullies and ditches. The Sub-Committee considered that parish councils should be encouraged to take part in such schemes.

- d)(iv) The Sub-Committee recognised there was a need to make householders aware of the measures they could take to reduce the risk of flooding, such as avoiding blocking drains with fats and oils. It was suggested that it would be useful to include information about this with the annual Council Tax letter which districts and boroughs sent to householders.
- d)(v) The Sub-Committee was aware that the success of the new SuDS legislation depended on appropriate arrangements being put in place to ensure that drainage schemes for new developments were adopted and maintained on a long-term basis. However, members heard that these arrangements had not yet been agreed. One alternative was for the maintenance to be the responsibility of a management company, but it was not clear where the responsibility would lie if the company ceased to exist. Another possibility was for the responsibility to rest with Anglian Water, but recently potential problems had arisen with this alternative. It was suggested that the Cabinet should consider how the County Council could support the establishment of appropriate arrangements.
- d)(vi) It was recognised that architects had an important role to play in ensuring the success of the new SuDS legislation, by paying greater attention to long-term maintenance of drainage as part of the design of new housing developments. The Sub-Committee considered that it would be appropriate to ask the LGA to take this up with the RIBA.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None noted.

8. Information Bulletin

The Committee noted the information bulletin at Agenda Item 8.

9. Forward Work Programme

The Sub-Committee considered its Forward Work Programme at Agenda Item 9.

Decision: The Sub-Committee agreed:

- (a) That the Head of Democratic Services would follow up the Sub-Committee's recommendations set out in the Minutes of the Meeting held on 17 February 2015 and provide an update to each of the Sub-Committee members by e-mail.
- (b) That if possible, the next meeting would include an opportunity to meet informally with stakeholders immediately prior to the Sub-Committee meeting and review the outcomes of an investigation into a recent flooding incident, subject to there being no legal constraints in doing so.

- (c) That an item on funding in relation to Flood Risk Management would be included on the Forward work Programme.
- (d) That an item on maintenance of SuDs would be included on the Forward Work Programme.

Reason for Decision:

- a) The Sub-Committee expressed its concern that recommendations from the meeting on 17 February 2015 had not been followed up and formally reported to the Sub-Committee members.
- b) Members acknowledged that there might be legal constraints in seeking to have an informal dialogue with all stakeholders following a review of localised flooding such as at Kesgrave in Ipswich. Nevertheless, they recognised the value in undertaking further scrutiny once a formal review had been undertaken.
- c) As a result of its review of the Suffolk Flood Risk Management Strategy and its scrutiny of the implementation of SuDS legislation, the Sub-Committee was aware that resources to support the work were limited. Therefore the Sub-Committee wished to consider in more detail how the county's flood risk management was funded.
- d) Members were aware that there was a considerable amount of work to be done to ensure that sustainable drainage was properly maintained on a long-term basis. Therefore they wished to give further consideration to this matter.

10. Urgent Business

There was no urgent business.

The meeting closed at 12:40 pm.

Chairman