

DURHAM COUNTY COUNCIL

At a Special Meeting of **Environment and Sustainable Communities Overview and Scrutiny Committee** held in Committee Room 1B, County Hall, Durham on **Wednesday 4 February 2015 at 9.30 am**

Present:

Councillor B Graham (Chairman)

Members of the Committee:

Councillors E Adam, J Armstrong, D Bell, J Clare, J Clark, J Gray, D Hall, G Holland, I Jewell, P May, S Morrison, P Stradling, L Taylor and S Zair

Also Present:

Councillors K Henig, T Smith, J Turnbull and M Wilkes

1 Apologies.

Apologies for absence were received from Councillors E Bell, K Hopper and Mrs P Spurrell.

2 Substitute Members.

There were no substitute Members in attendance.

3 Declarations of Interest, if any

There were no declarations of interest.

4 Any items from Co-opted Members or interested parties.

There were no items from Co-opted Members or interested parties.

5 Flooding Scrutiny review report - Update on recommendations: Joint Report of the Assistant Chief Executive and Corporate Director Neighbourhood Services.

The Committee considered a joint report of the Assistant Chief Executive and the Corporate Director, Neighbourhood Services which gave details of the progress made with regards to the recommendations contained within the Flooding Scrutiny Review report published in September 2014.

The Civil Contingencies Unit (CCU) Programme Office Manager gave the Committee an update on work which had been or was being undertaken since the Flooding Scrutiny Review;

- County Durham's 14 AAP's had received a presentation
- A bus had visited major settlements in County Durham
- 5 Community Engagement Plans were in the process of being drafted
- 30 volunteers recruited
- Engagement with Durham University
- Members training to raise awareness
- A conference in London had been attended to promote resilience
- Liaising with neighbouring Authorities, Cleveland, Redcar, Middlesbrough to share knowledge and experience
- Junior Neighbourhood Warden Scheme had been established and work was being undertaken with Girl guides and Scouts
- Promotion in Libraries were planned in 2015
- Durham Carers Forum to identify vulnerable people
- Business Hubs, to help build their own resilience

Councillor Clare complimented the training given to Members, which he had attended, however he queried the decision not to introduce a flooding hotline number during flooding emergencies. In response the Head of Projects and Business confirmed that the Council had a responsibility to ensure that people could access services as soon as possible and had therefore reduced the number of telephone numbers customers needed to know in order to provide the best service possible. This had resulted from a Customer First Task and Finish Group which had recommended the rationalisation of core Council Telephone numbers advertised. There was now one main switchboard number and calls would be directed to key service areas. In addition, it had been agreed that during emergencies when high call volumes were expected, a message would direct users to press "0" for flooding and they would be instantly directed to the correct call handlers.

Councillor Armstrong reminded Members of the amount of work which had been previously undertaken by the Council to ensure that the switchboard was able to respond quickly and efficiently to customers via the one main telephone number. However, a detailed written response could be given by the Cabinet Portfolio Holder to the member.

RESOLVED

- i. That the progress in relation to the recommendations contained in the scrutiny review report be noted.
- ii. That the Environment and Sustainable Communities Overview and Scrutiny Committee receive a further report detailing progress made against the recommendations contained in the Flooding Scrutiny Review report at a future meeting of the committee.

6 Flood Risk Management Authorities for County Durham - Updates:

The Head of Technical Services provided members with a presentation regarding the Flood and Coastal Protection Team and detailed the following;

- Schemes which the Council were undertaking during 2014/15 – a further 17 schemes for County Durham via the Environment Agency six year programme,

including the review of schemes to put forward for the 2021/27 programme. In addition, the development of the Local Flood Risk Management Plan and schemes for DCC capital funding for 2015/16

- Medium Term Financial Plan
- Going Forward – the development of the interim Sustainable Urban Drainage Systems (SuDS) Policy and the establishment of a payment mechanism
- Current issues – regarding the highway drainage network and the build-up of silt in pipework which led to increased flood risk

Councillor Adam queried the lack of commitment with regards to establishing the appropriate mechanisms to enable the Council to collect charges in relation to adopted SuDS. The Head of Technical Services confirmed that the Council were not obliged to adopt SuDS, however they would be an asset in the future and he confirmed that money would be collected as an additional charge to Council Tax. If people refused to pay, the Council had liaised with Legal Services to ensure the system to recover the costs was within their powers and robust enough to recover them effectively.

Members queried the Council's maintenance regime and in particular whether they would be working towards a proactive level of service in order to minimise flood risks. The Head of Technical Services confirmed that the Council were responsible for 80000 km of gullies and therefore had allocated maintenance on a risk basis. The maintenance was carried out as frequently as quarterly up to once every 2 years and the average clean was every 1.5 years. The £250k cost of the service had been funded previously on an annual basis and that current funding ended at the end of the year. The service was investigating various funds in order to continue with the maintenance plan.

Councillor Wilkes, local Member, suggested that planning should insist that all surfaces were constructed from soak away materials and in response the Principal Policy Officer confirmed that the Council was awaiting a decision from the Planning Inspector following the inspection of the County Durham Plan. The County Durham Plan included Water Management in Policy 46, which ensured that there was no net increase in surface water runoff for the lifetime of the development on all new development. Where greenfield sites were to be developed the runoff rates would not exceed current greenfield run off and where possible would reduce the existing runoff rates on brownfield sites were by 50%. The New Development Manager, Northumbrian Water Limited (NWL) confirmed that Durham did not have the opportunities that other areas of the Country had with regards to SuDS and Policy 46 dealt with surface water runoff by ensuring it was reduced or at the least, there was no additional flow following new development. He continued that Policy 46 was regarded as an example of good practice for the rest of the region.

Councillor Turnbull, local Member, had experienced flooding in his local area, Brandon. He referred to a new development at Browney which had been granted planning permission for the inclusion of a 2.4m deep pond and he queried who was ultimately responsible for ensuring it was safe and maintaining its safety. Councillor Clare referred to a similar development at Cobbler's Hall and queried why there was a need for any standing water at all. In response the Drainage and Coastal Protection Manger confirmed the safety of SuDS were incorporated into the design and would aim to reduce accessibility. In relation to Cobbler's Hall, this was a haven for wildlife, which tapered gradually down to the water, however it was surrounded by weed beds which would not be easily accessible by children.

The ponds were not designed to be at full capacity, only in during bad weather would they fill up.

In response to a query from Councillor Holland regarding the consideration of road surface materials, the Principal Planning Officer confirmed that under Policy 17 there was an additional opportunity to attach a supplementary planning documents which would include details for the construction materials of new development.

The New Development Manager, NWL, gave a presentation which provided Members with the following information;

- An update on current schemes within County Durham – including the £8.5m investment in Tudhoe Mill and Chilton and Windlestone Sewage Treatment Works and other sewer flooding projects throughout the County.
- Asset Management Plan 6 – investment within County Durham – sewage treatment schemes 2015-20 – an additional £18.6m was to be invested in upgrading Sewage Treatment Works in East Tanfield, Barkers Haugh, Wolsingham, Durham University, Witton Gilbert, Bear Park/Aldin Grange, Tow Law and Aycliffe. In total the plan contained £109.5m investment in sewer flooding projects in County Durham and included strategic projects, property level protection, tree root removal new drainage area studies model and proactive risk reduction of sewer flooding.
- Drainage Area Studies were to be developed according to identified need and this was a proactive step in reducing the risk of sewer flooding before it occurred. Flood risk reduction – identifying work undertaken by NWL to reduce flood risk, which included collaboration and investment with a number of partners.

In addition a document entitled, Summary of Flooding Projects in Durham November 2014, was circulated and contained specific details regarding ongoing work or work to be undertaken.

Councillor T Smith, local Member, Chester le Street queried whether land owners were being reminded of their responsibilities regarding the maintenance of land as some of the flooding in her local area was as a result of surface water runoff from farmers' fields. The New Development Manager, confirmed that although steps were taken by farmers' in order to ensure they were ploughing in accordance with the guidelines, new horticultural machinery was having an impact on the drainage as heavy vehicles were effectively steam rolling the land and causing the soil to compact, whereas old style ploughing would enable water to be absorbed into the earth. The Head of Technical Services confirmed that the Council liaised with Natural England who were responsible for issuing farmers with grants towards the maintenance costs of land. In addition, the Regional Flood and Coastal Committee were potentially going to provide funding in order to look at the issue of farm land in more detail. The Vice-Chairman referred to the flooding review Group recommendation regarding work with private landlords and the Senior Advisor Partnerships from the Environment Agency confirmed that he would be able to provide members with detail of work being undertaken with private landowners within the County.

In response to a query from Councillor Turnbull regarding inadequate drainage at the former opencast quarry at pit house, the Drainage and Coastal Protection Manager confirmed that adequate drainage would have been installed under the conditions of the

planning permission and that there were likely to be alternative reasons why flooding was worse than it had been previously.

Councillor Wilkes had not been made aware of the Drainage Area Study which had been produced for Durham and Newton Hall and as a local Member this was something that he was very interested in. The New Development Manager recognised that although they did try and communicate information to local Councillors, it was sometimes overlooked. The Head of Technical Services confirmed that a dashboard was updated prior to every Flood Prevention Management Meeting and could be made available for Members to view.

Councillor Adam referred to the plans to upgrade Aycliffe Sewage Treatment Works and queried whether flood water would be alleviated by diverting it into the River Skerne. The New Development Manager confirmed that the Drainage Area Study model enabled a number of scenarios to be investigated and any risks to be identified. There were a number of rivers which had been identified as having poor quality areas, and since combined sewer overflow would impact further, they would be inspected and any flooding programme would be built around risk.

The Vice-Chairman referred to Schedule 3 of the Flood Water Management Act 2010 which contained standards for SuDS but had not yet commenced. The Council would have the responsibility as Lead Local Flood Authority a seminar should be arranged for Members which focused on Government regulations in relation to SuDS and the relevant policies and procedures put in place by DCC. The New Development Manager confirmed that SuDS were intended to be dealt with at the planning stage and indicated as before, that NWL were always consulted and their response was confirmed in the report, they were also willing to attend Planning Committees to reassure Members, or answer any questions relating to applications. The Vice-Chairman commented that flooding was a huge issue in relation to planning and asked if it would be possible for the committee to be advised of the supplementary planning detail sitting under Policy 16 once it is developed. The Principal Policy Officer confirmed that it would take in excess of 18 months to develop the supplementary planning document policy however this could be shared with the committee when it was available.

Councillor T Smith commented that there had been a lack of communication with regards to the ongoing scheme at Chester-le-Street Front Street and highlighted the effect it was having on businesses.

The Senior Advisor, Partnerships and Strategic Overview from the Environment Agency gave a presentation regarding the following;

- Update on EA Flood Alleviation Schemes in County Durham
- Update on the Six Year Flood and Coastal Erosion Risk Management Investment Programme
- Identifying and reducing potential flood risks – without continued work to identify flood risks there was a risk that the government would reduce the budget

The presentation included information which related to the overall Capital Programme for 2014/15 and also information which related specifically to County Durham. Work which was being delivered in 2014/15 included temporary works at Chester-le-Street, computer modelling at Staindrop and West Auckland (Tindale Beck), emergency repairs to the Dam

at Spring Gardens due to old mine workings, PLP for Menceforth Cottages at Chester-le-Street and improvements to the Bayhorse culvert entrance at Wolsingham. In addition 98 properties had benefited from the flood defence improvements at Stanhope.

In the six year plan there were 17 schemes planned by Durham County Council, 7 by the EA and they included Grant in Aid contributions and local levy.

With regard to land at Brasside, Councillor Wilkes confirmed that he had been requesting drains to be repaired but had found that the land was part of HMP Frankland and owned by the Home Office. The Head of Technical Services confirmed that in usual circumstances the Council had powers to force land owners to carry out work, however as the land belonged to the Crown, it had been granted immunity and could therefore not be forced into repair works.

The Vice-Chairman reiterated the importance of identifying flood risk areas with regards to further funding, reminding the Committee that the Council needed to be proactive with regards to reporting flood incidents.

RESOLVED

That the recommendations as outlined in the report be approved and the content of the report be noted.