

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
13 APRIL 2016

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold on Wednesday, 13 April 2016

PRESENT: Councillor Veronica Gay (Chair)

Councillors Haydn Bateman, Glenys Diskin, Chris Dolphin, Ian Dunbar, David Evans, Cindy Hinds, Hilary Isherwood, Colin Legg, Ann Minshull and Paul Shotton

APOLOGIES: Councillors: Brian Lloyd and Nancy Matthews

CONTRIBUTORS: Councillor Bernie Attridge, Deputy Leader and Cabinet Member for Environment; Councillor Derek Butler, Cabinet Member for Economic Development; Councillor Kevin Jones, Cabinet Member for Waste Strategy, Public Protection & Leisure; Chief Officer (Planning & Environment); Chief Officer (Streetscene & Transportation); Planning Strategy Manager and Transportation Manager

For minute number 68:

Project Engineer, Flood & Coastal Erosion Risk Management team of Flintshire County Council

Julian Hill (Regulations & Legislation Manager), Miriam Wasik-Evans (Project Engineer) and Henry Jones-Hughes, (Development Control Officer for the North East region) of Dŵr Cymru Welsh Water Developer Services

For minute number 69:

John Rooney, Project Manager - Connectivity & Infrastructure, North Wales Economic Ambition Board

IN ATTENDANCE: Housing and Learning Overview & Scrutiny Facilitator and Committee Officer

66. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

There were no declarations of interest.

67. MINUTES

The minutes of the meeting held on 17 March 2016 were submitted.

Accuracy

Councillors Hilary Isherwood and Ann Minshull had both given apologies for the meeting and asked that this be reflected in the minutes.

RESOLVED:

That, subject to the amendment, the minutes be approved as a correct record and signed by the Chair.

68. DESIGN OF DRAINAGE FOR NEW DEVELOPMENT SITES

The Project Engineer from the Council's Flood & Coastal Erosion Risk Management team gave a detailed presentation on the management of surface water for new developments and assessment of flood risk mitigation measures. The presentation comprised the following information:

- Risks to and from new developments
- The roles of Risk Management Authorities: the Council, Welsh Water and Natural Resources Wales (NRW)
- The planning process
- Supplementary Planning Guidance Note 29
- Challenges
- The future of surface water management

The Project Engineer spoke about the responsibility of private landowners and management companies outside that of the Risk Management Authorities. He went on to refer to the potential cost implications if early consideration was not given to drainage schemes as part of planning new developments and to the Supplementary Planning Guidance which had been produced with colleagues from Welsh Water and NRW. In terms of future challenges, there was ongoing uncertainty due to a delay in the enforcement of Schedule 3 of the Flood Water Management Act 2010 relating to Sustainable Drainage Systems (SuDS). As part of this, the additional powers to be granted to local authorities as SuDS approval bodies could create opportunities for efficiencies.

The Chair then invited Miriam Wasik-Evans and Henry Jones-Hughes of Dŵr Cymru Welsh Water to give their presentation which covered the following points:

- Welsh Water - who are we
- Developer Services
- Planning function
- Types of sewer network
- Key considerations through the planning process
- Design and build
- Approach to surface water
- Relationship with Flintshire County Council

Members were advised that Welsh Water was now a statutory consultee on major planning application: previously this was at the discretion of the planning authority. The importance of consultation on surface water drainage for certain types of applications at the planning stage was highlighted, along with the availability of a pre-application advice service to customers. Whilst explaining the approach to surface water, it was clarified that Welsh Water did not have powers to stop developers connecting surface water into the system and therefore there

was a reliance on the planning process to impose conditions to allow some controls. It was also stated that Welsh Water was unable to instruct developers to fix problems on its network and could only request them to fund reinforcement to ensure no detriment occurred to current service levels experienced by their customers.

Councillor Hilary Isherwood called for the Council to lobby the government for a change in policy and legislation on drainage schemes and planning enforcement to avoid the need for residents to pursue civil action. She spoke about the need for accountability to improve road surfaces damaged by underlying water and the expectation for developers to comply with their responsibilities.

Mr. Jones-Hughes said that run-off rates on the highway would be the responsibility of the Highway Agency whereas the requirement for management of surface water on planning development sites involved developers submitting details to the local authority. Ms. Wasik-Evans spoke about the role of the local authority in undertaking monitoring site visits. Mr. Julian Hill referred to the Pitt Review in 2007 leading to proposals in the Flood & Water Management Act 2010 some of which had stalled. He said that a joined-up approach was needed on surface water drainage and that there were misconceptions on SuDS with concerns around funding. He pointed out that fees associated with preparing surface water design could generate income for local authorities and urged authorities to make representations to the Welsh Government to recommend statutory enforcement of Schedule 3 of the legislation.

The Chief Officer (Planning & Environment) said that the Supplementary Planning Guidance already clarified requirements for the management of surface water. In respect of Councillor Isherwood's comment, he pointed out that generic issues on planning enforcement had been scheduled for the May meeting of the Committee and that specific issues raised with officers, including breaches of conditions, had been followed up.

Councillor Paul Shotton remarked on increased levels of flash flooding. He asked whether there had been a similar increase in reported problems with sewer systems, perhaps due to collapsed or blocked drains, which could be avoided by more education on household waste. Welsh Water representatives said that there had been an increase in calls due to ageing assets transferred through the Private Sewer Transfer of 2011 and that a public campaign 'Stop the Block' had highlighted the problem of sewer blockages amongst communities and schools. Sewer networks on new development sites were monitored throughout the construction stage and for 12 months after. Welsh Water worked with developers on solutions to issues identified at the planning stage and raised with local authorities.

When asked about levels of resources, the Welsh Water representatives said that the company's business plan had been subject to thorough scrutiny, however there was a balance between reducing bills for customers and investing in the business.

Following comments from Councillor Cindy Hinds on an issue with a development in Penyffordd, Ms. Wasik-Evans said that this had been identified at

an early stage and that she would provide a separate response on plans for the area as part of the investment plan for North Wales. In relation to the outcome of the proposed development at Rhos Road, the Chief Officer said that the Council had consulted with Welsh Water on the capacity of the network, prior to it becoming a statutory consultee. He went on to stress the importance of Welsh Water as part of the Council's key stakeholder group for Local Development Plan proposals.

Councillor David Evans asked about the requisition of new connections where developers struggled to connect to Welsh Water assets and was informed that such cases in North Wales were rare and that the initial approach was always to encourage negotiations with the landowner. In relation to concerns about saturation points on certain fields in Saltney and in Balderton, the Project Engineer explained that these were mostly ground water issues on low-lying land and that local flooding was mainly due to surface water and ground water. Officers noted the suggestion made by Councillor Evans for the Project Engineer to be invited to a future training session for the Planning Committee.

Councillor Chris Dolphin questioned the role of local authorities as the local flood authority and felt that ongoing surface water problems on roads should be a major factor in refusing planning applications in those areas. The Project Engineer explained that more responsibility on flood water management had been given to local authorities following the Pitt Review. On the latter comment, he said that developers could improve the situation if they were able to put forward a scheme to match Green-field run-off rates without contributing to the existing problem.

Councillor Colin Legg expressed his gratitude to Welsh Water for their prompt assistance in responding to a particular drainage issue.

In response to comments from Councillor Haydn Bateman, Ms. Wasik-Evans provided explanation on the Build Over Sewer 'BOS' agreements between Welsh Water and developers to assess and protect assets underneath proposed extensions.

Following the item, Councillor Dolphin made a suggestion on limiting the number and length of presentations given at future meetings.

RESOLVED:

That the presentations be noted.

69. REGIONAL RAIL ISSUES

Mr. John Rooney of the North Wales Economic Ambition Board (NWEAB) gave an update on rail modernisation work. His presentation covered:

- NWEAB Workstreams
- North Wales Mainline Electrification (including Crewe/Warrington - Chester) Update
- Borderlands Line (Wrexham to Bidston) service enhancement
- The Next Wales and Borders Franchise

In outlining the four strands to Connectivity & Infrastructure, Mr. Rooney explained that these were about economic development across North Wales. The role of rail was to facilitate other benefits such as access to work, ie commuting, business and leisure travel. As part of an update on North Wales mainline electrification, he highlighted the importance of this in the context of the wider network electrification schemes. An upgraded medium value Strategic Outline Business Case had been submitted by the Welsh Government and if successful, would proceed to the next stage, which was an Outline Business Case.

Councillor Hilary Isherwood welcomed the potential for a new service between Wrexham and Manchester, which could be particularly beneficial for young people accessing employment. Mr. Rooney said that this was one of a number of important new routes requested by the NWEAB in its response to the Welsh Government (WG) consultation on the Wales and Borders franchise in March. If agreed by WG, a significant level of infrastructure work would be required at Wrexham General. Other requested services included a direct route to the south Liverpool area via Halton Curve which could also enhance employment opportunities.

Councillor Derek Butler spoke about plans by Merseyrail to take over the Bidston line from Arriva. He also referred to pinch-point problems at Hoole Bridge and stated the importance of progressing work on the Northern Powerhouse.

Councillor Paul Shotton congratulated the NWEAB on progress made and spoke about the need for the Hawarden Bridge upgrade. Mr. Rooney said that the NWEAB wanted to work in partnership with WG and were highlighting the Borderlands line and other improvements for inclusion in the next franchise.

The Chief Officer (Streetscene & Transportation) said that he had given a presentation on general transportation issues to the Deeside Forum and that the business case aimed to encourage more rail users. An outline plan would be produced to improve Hawarden Bridge linked to a shuttle bus service which could serve the Deeside Industrial Park.

Concerns were raised by Councillor Chris Dolphin about the disparity in rail fares which he felt should be standardised to encourage more use of the rail network. Mr. Rooney was in agreement and advised that the NWEAB had made representations on rail fares within its response to the WG consultation.

Following the item, Mr. Rooney said that any further questions from Members could be forwarded to himself via the Chief Officer.

RESOLVED:

That the presentation be noted.

70. UPDATE ON PROGRESS MADE TO INTRODUCE AN INTEGRATED TRANSPORT UNIT

The Transportation Manager introduced an update on progress to deliver the new Integrated Transport Unit (ITU) within the Streetscene & Transportation portfolio, as previously recommended by the Committee and endorsed by Cabinet in 2015. She advised that this was an operational matter as policy changes were under the remit of the Education & Youth Overview & Scrutiny Committee. The main operational changes as set out in paragraph 1.09 of the report were summarised.

Councillor Ian Dunbar thanked the Transportation Manager for meeting with Connah's Quay Town Council. He raised queries on community transport bus companies, hub collection points, student bus tickets for the hub at Coleg Cambria and accessibility for people with mobility issues. In response, the Transportation Manager agreed to send Councillor Dunbar details of the community transport workshop on 26 April to which all Town and Community Councils had been invited. Councillor Bernie Attridge advised that the Council was working closely with Coleg Cambria on a scheme involving the hub. The Transportation Manager added that the college was well served by the bus network and that the Road Safety team would assess services once the hub was operational. She referred to an arrangement at Coleg Llandrillo where students were able to purchase bus tickets from an on-campus travel centre.

Officers noted the Chair's request to explore direct link services from Saltney to businesses in Flintshire.

RESOLVED:

- (a) That the progress made to introduce the Integrated Transport Unit within the Streetscene and Transportation portfolio be noted;
- (b) That the intended approach for the implementation of the operational recommendations from the diagnostic review be supported; and
- (c) That the retention of the appointed business partner on a gain share basis in order to support the Integrated Transport Unit in delivering and implementing the operational proposals contained within the report be supported.

71. FORWARD WORK PROGRAMME

The Facilitator presented the current Forward Work Programme for consideration and reminded Members that the meeting scheduled for 18 May had been changed to 11 May 2016.

The following changes were agreed:

- Items on Environmental Enforcement and the Improvement Plan 2016/17 (section relevant to the Committee) to be included for the May meeting.

- The update on the North Wales Waste Project to be moved to the June meeting.
- The item on the Rogue Traders App to be moved to the July meeting.

RESOLVED:

- (a) That the Forward Work Programme be amended as necessary; and
- (b) That the Facilitator, in consultation with the Chair and Vice-Chair of the Committee, be authorised to vary the Forward Work Programme between meetings, as the need arises.

72. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the press or public in attendance.

(The meeting started at 2.00 pm and ended at 4.20 pm)

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Chair