

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **PLANNING, TRANSPORT AND ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY PANEL**

Tuesday, 7th May, 2013

**Present:-** Councillors Marie Longstaff (Chair), Ben Stevens (In place of Caroline Roberts), Geoff Ward, Ian Gilchrist, David Martin, Douglas Nicol and Liz Richardson

**Cabinet Member for Transport:** Councillor Roger Symonds

**Also in attendance:** David Trigwell (Divisional Director for Planning and Transport), Matthew Smith (Divisional Director for Environmental Services), Simon De Beer (Policy & Environment Manager), Carol Maclellan (Waste Services Manager, Steve Froggatt (Design & Partnership Manager), Jim Collings (Senior Engineer) and Tom Redfern (Technician, Flood Risk Management)

#### **95 WELCOME AND INTRODUCTIONS**

The Chairman welcomed everyone to the meeting.

#### **96 EMERGENCY EVACUATION PROCEDURE**

The Chairman drew attention to the emergency evacuation procedure.

#### **97 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Caroline Roberts sent her apologies to the Panel. Councillor Ben Stevens was present as her substitute.

#### **98 DECLARATIONS OF INTEREST**

Councillor Liz Richardson declared a non-pecuniary interest in Agenda Item 6 (Items from the public or Councillors – To receive deputations, statements, petitions or questions relating to the business of this meeting). She acknowledged that some members of the Stanton Wick Action Group were due to address the Panel and that she had been previously involved in the group.

#### **99 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

**100 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING**

Karen Abolkheir, Stanton Wick Action Group addressed the Panel. A copy of her statement can be found on the Panel's Minute Book, a summary is set out below.

My representation today covers the status of the Council's Gypsy Traveller Development Plan Document and the processing of a Planning Application on the Shale Tip at the Old Colliery, Stanton Wick, which has subsequently been withdrawn. Last month I presented to Cabinet on these subjects and I have not yet had a response.

The local community has serious and justifiable concerns regarding the processing of this application and we would invite the Committee to investigate and scrutinize.

There are unexplained significant errors in the processing of this major application and we intend to ascertain how and why they occurred. We respectfully ask you to press the Cabinet to investigate fully and openly publish their findings without further delay.

I also want to bring to your attention today, the lack of reported progress on the DPD and the provision of sites. Our concerns can be summarised as follows;

- DPD debate postponed twice until June and will not be adopted until Spring 2014, some 16 months delayed.
- No reporting of progress or otherwise at Lower Bristol Road, despite resolution (5) at September 2012 Cabinet which stated that the Council should progress a planning application for gypsy and traveller pitches thus there should be no need to wait especially in light of the deferment of the DPD.
- Communities deserve a full and detailed update on progress of the DPD together with a definitive timetable for the resolution of site provision in such time that the defence of any planning appeal in the district will be robust.

The Council need to be open and rigorous and we implore you to help achieve this.

The Chairman said that she would ask for this statement to be passed to the Cabinet Member for Homes & Planning so that he could issue a response.

Councillor Geoff Ward asked in what way were the Council deficient in advertising the planning application.

Karen Abolkheir replied that it had been advertised in the Bath Chronicle which does not cover the Chew Valley area. She added that this fact had been previously reported to the Council. She continued by informing them that no notification had been placed on the site and that no notification had been to the local neighbourhood or Parish.

Clarke Osborne, Stanton Wick Action Group addressed the Panel. A copy of his statement can be found on the Panel's Minute Book, a summary is set out below.

He said that he wished to speak regarding the report commissioned by the Council to update the needs assessment for the provision of pitches for Gypsy and Travellers and yards for Travelling Showpeople.

The genuine concerns of the Community centre around the brief provided by the Council, the process and over haste of procurement and the text of the report provided by Opinion Research Service.

He asked for the Panel's help in finding answers to the following questions.

- Why did the brief for the update of the Needs Assessment include reporting on individual site preferences which must seek to mislead the reader and cause concern to specific settled communities?
- Why was the procurement process so rushed and why was the contract awarded in the absence of any competing bid?
- Why was the report not published until the 2<sup>nd</sup> March?
- Why was a Gypsy & Traveller who is not resident in the district interviewed?
- Why was the conflict of interest by Maggie Smith-Bendell not disclosed?
- Why was the comment made by a Showman regarding the Stanton Wick site removed from the report and the three comments by Maggie Smith-Bendell allowed to remain?
- Why have the Cabinet failed to respond to the questions and serious concerns raised at their meeting on 10<sup>th</sup> April?

The Chairman said that she would ask for this statement to be passed to the Cabinet Member for Homes & Planning so that he could issue a response.

Judith Chubb-Whittle, Chair of Stanton Drew Parish Council addressed the Panel. A copy of her statement can be found on the Panel's Minute Book, a summary is set out below.

Last year the Parish Council came to you to ask you to scrutinise the Gypsy & Traveller DPD due to the deeply flawed process carried out in 2012 concerning the Old Colliery site at Stanton Wick.

The Cabinet resolved in September [2012] to remove that site as a preferred option because of the arguments the parish & action group put forward.

Then in January [2013], a planning application was lodged by the land owner & agent well known to this Council, for a gypsy site, which was classed as a major development. The application was withdrawn last week just prior to determination.

I come to you to ask you to scrutinise the process by which the planning application was allowed to proceed in the first instance.

The parish council asked questions of the land agent & owner and invited them to consult with us to answer such questions as; 'What is a sewage treatment package?' No answer was received.

Many hours have been spent over the last 12 months by my parishioners highlighting errors made by BANES during the DPD to prevent gypsies & travellers being

denigrated to this isolated, contaminated spot. Now, many more copious hours have been wasted having to highlight once again a multitude of errors that should have meant the application being turned down as soon as it hit the BANES' Planning Dept reception desk. I respectfully ask the panel to look into the process by which planning application 013/0125/FUL has been managed in the light of such a poor quality application.

The Chairman said that she would ask for this statement to be passed to the Cabinet Member for Homes & Planning so that he could issue a response.

#### **101 MINUTES - 15TH JANUARY 2013**

Councillor Geoff Ward referred to Minute Number 89 and wished to reiterate the question that he had asked during the debate, as he had not received an answer. He asked 'How much money had been spent on the Gypsy & Traveller project so far?'

The Chairman said that she would ask for this question to be passed to the Cabinet Member for Homes & Planning so that he could issue a response.

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chairman.

#### **102 BUS PRIORITY MEASURES IN DORCHESTER ST, MANVERS ST AND PIERREPOINT ST., BATH**

The Chairman asked the Lead Call-In Member, Councillor Tim Warren to address the Panel.

He stated that he wanted the Panel to send the ill thought out scheme back to the Cabinet to be reconsidered. He claimed that the proposal would cause major harm and disruption and that any easing of congestion around Dorchester Street would simply be moved elsewhere, not alleviating the problem, just moving it and exacerbating the problems in other places.

He said that the most obvious of these was Rossiter Road. The scheme proposed for this road is about the urban realm more so than a traffic scheme, it will improve the street scene and enable the public to sit outside and breathe more air and less exhaust fumes. The Rossiter Road is a major scheme and will undoubtedly cause traffic problems once the construction phase starts, this is inevitable, so why add to these problems.

He spoke of his concerns that the one way, restricted traffic flow in Dorchester Street will be confusing for pedestrians and cyclists alike. He said that he was afraid that they could be lulled into a false sense of security thinking that the road is less used than it actually will be.

One way will be barely affected and the other will still be subject to buses and taxis. Hardly a pedestrian paradise or cyclists haven.

He asked how easy it would be for the public to access the train station.

He asked what effect the proposal would have on visitors and traders. He said that a lot of the traders in the area sell consumable goods which have to be restocked regularly. The proposal makes it difficult for deliveries to happen outside of the restricted hours, which changed at the very last minute.

He stated that all of the consultation was done on the hours of between 10.00am and 4.00pm. Then at the Cabinet meeting 4.00pm was changed to 6.00pm! He said that this should be reason enough to send the idea back to where it came from as there had been no consultation whatsoever on the proposed times.

Bath is a major world-wide tourist attraction, it is a beautiful city where people want to visit. Understandably this plays a major part in the region's economy. In this difficult time businesses need all the help they can get, not some crazy scheme that someone wants to impose, without any thought on the effect this will have on individuals trying to run their business.

We don't want people spending their money on Bus gate fines rather than on enjoying their time here. That is not conducive for a return trip!

We cannot keep on coming up with traffic tinkering schemes without having an overall strategy. This is not only ineffectual but potentially dangerous.

He called for the proposal to be returned to the drawing board, for the Rossiter Road scheme to be completed and hoped that by then the Council would have at least the beginnings of a Transport Strategy. They then could look at this again, and see if it fits in.

He said that an East of Bath Park & Ride or even Park and Rail system was essential to a successful city centre scheme.

He said it would be fair to the incoming Cabinet Member for Transport to give her the opportunity to revisit this very unpopular decision, and quoted a poll in the Chronicle that showed 72% of respondents were against the decision.

Councillor Roger Symonds, Cabinet Member for Transport addressed the Panel. He said that the reasons given for the Call-In were pure speculation and cited a previous road closure, that of Churchill Bridge where the traffic flowed just as well, if not better while the road was closed.

He stated that four pedestrian crossings would be available to use in the area for the public to use. He also hoped to encourage people to walk more, cycle or use public transport.

He said that First would be undertaking a fare review within the area and that a Bus Improvement Panel had been set up.

He stated that the scheme was in line with existing Council plans and that the Liberal Democrats would produce a Transport Strategy within the next two years, which something the Conservatives had failed to do while in power.

He said that he had always had the operational hours of 10.00am – 6.00pm in mind as that would be in line with the current bus gate scheme. He added that these hours were supported by the bus operators First and Wessex Connect.

Councillor David Martin asked how the public would access the city centre for general activities.

Councillor Roger Symonds replied that all car parks would remain accessible. He added that the proposal was an attempt to stop people coming in and driving around in circles.

Councillor David Martin asked how the success of the scheme will be measured.

Councillor Roger Symonds replied that it would be measured by bus punctuality and whether businesses in the area were prospering.

Councillor Geoff Ward asked how many North East Somerset residents had access to regular, reliable bus service.

Councillor Roger Symonds replied by saying that First have agreed to hold a rural bus summit. He added that a Transport Strategy for Bath will be devised and then expanded over the wider area of the Council. He also said that keeping the supported bus services was vital.

Councillor Liz Richardson commented that the layout of the railway station was making it increasingly difficult to access and asked if any residents on the south side of the City would now attempt to access it.

Councillor Roger Symonds replied that he felt the site was a brilliant interchange for both train and bus. He said that he envisaged no hardship in accessing it as people could use the drop off point in Rossiter Road.

Councillor Geoff Ward asked if the Rossiter Road drop off point would be made safer.

Councillor Roger Symonds replied that some work would be done to it under the Rossiter Road scheme, but felt that it was not unsafe at the moment.

The Chairman commented that she believed the proposal was flawed and was concerned over the potential speed of east bound traffic when the measures were in place.

Councillor Roger Symonds replied that the flow of traffic in that direction would not be of a high speed as a 20mph zone for the City would be in place.

The Chairman asked how the cost of the scheme would be met and how would the loss in revenue at Manvers Street Car Park be covered.

Councillor Roger Symonds replied that there is no cost to the Council over the scheme as it comes under the Section 106 Agreement of the Southgate development. He added that the Manvers Street Car Park was still accessible and did not foresee a loss in revenue.

Mr David Redgewell addressed the Panel. He said that the scheme had support at the highest level from the local bus operators and that the original plan was to have minimal traffic in the area.

He added that managing the project would be key and said that First would work with the Council to ensure that adequate signage is provided.

He called for more spaces to be created so that the public can enjoy themselves within the City. He added that Network Rail were to encourage more use of retail outlets on site.

Councillor Brian Webber addressed the Panel. He stated that he simply does not recognise the problem which the proposed bus-gate purports to tackle. He said that he is in his ward, often several times a day and observes that for much of the day the traffic in Manvers Street and Dorchester Street is light and free-flowing, with brief interruptions at the signals controlling the pedestrian crossings and the exit from the bus-station.

He said that there is some congestion at the beginning of the working day – ironically before the proposed 10 am commencement time of the bus-gate – and at the end of the working day. But that is the situation on any street in this busy city.

He said that First contend that their buses are delayed by other vehicles, but First have not, as far as I am aware, provided any quantified evidence.

He commented on the suggestion that the new bus-gate would eliminate through traffic. He asked what other eastbound through traffic in Dorchester Street can there be heading for Bathwick and the London Road? He said that the through traffic most likely to use the Dorchester Street/Manvers Street route comes from the Green Park area via Green Park Road or St James Parade. He added that if those vehicles are banned from entering Dorchester Street some will opt to head for Bathwick and the London Road via Queen Square, George Street and the Paragon – streets which are already congested and with unacceptable levels of air pollution. He said that the principal officer advising the Cabinet, had told him that no modelling of the diversion of traffic via Queen Square had been done.

He felt that residents who were returning to their homes in the city centre, visitors to the shops and hotels, worshippers at the Abbey and other central churches, and traders delivering to and from their shops would be forced to take a circuitous route via North Parade. He stated that this road was already busy. He asked why all of those vehicles bent on entirely legitimate and necessary journeys should be inconvenienced for no sufficient reason.

He asked the Panel not to overlook the decision to ban left turns out of Manvers Street car park. He added that if this was obeyed, it would force all exiting vehicles to cross the path of the unrestricted southbound traffic. Vehicles which have been compelled by the proposed bus-gate to take a circuitous route via North Parade to reach the car park will have the inconvenience inflicted on them again for no good reason on their return journey. He called upon this element of the proposal to be dropped whatever else happens.

Mr Roger Houghton addressed the Panel. He informed them that he lived in New King Street and has at times driven via Dorchester Street to both the railway station and the sorting office. He stated that even though he would therefore be adversely affected by the proposal, he fully supported the plan. He added that his only objection would be that it does not go far enough.

He said that in 2011/12 the number of users of the railway station were 5.676 million (Office of Rail Regulation figures), an increase of 70% over the previous nine years. He added that the vast majority of those five-and-a-half million users will not have reached or left the station by private car. A significant proportion will be visitors, on foot, all of whom are likely to need to cross Dorchester Street.

He said that the document "Reclaiming city streets for people", details that after an initial period of adjustment, some of the traffic that was previously found in the vicinity of a scheme 'disappears' or 'evaporates' due to drivers changing their travel behaviour. He explained that this was most recently demonstrated with the lack of predicted chaos following the closure of Churchill Bridge. He added that despite this experience Highways is claiming that 160 of 170 displaced peak-time vehicles per hour will transfer to Rossiter Road. (Even so it should be borne in mind that this is fewer than one additional vehicle every 22.5 seconds.)

He said that in a consultation of local residents and traders only 88 out of around 450 made a formal objection; 51 were in favour while over 300 gave no opinion. Moreover this was in response to the Appendix E proposal of a 24 hour restriction in both directions. The scheme that has been called-in is merely for an eastbound restriction between 10am and 6pm.

He asked the panel not only to reject this call-in but to recommend the adoption of the full scheme as set out in Appendix E.

Mr Brook Whelan addressed the Panel. He said that he felt the proposed scheme was flawed and that the decision should apply on both directions of the road.

Councillor Anthony Clarke addressed the Panel. He called for a Transport Strategy for the City to be in place as soon as possible and commented that he was concerned over the lack of public support for the proposal.

Councillor Roger Symonds commented that he had received advice from the Council's legal team not to pursue the option of imposing the restriction in both directions of Dorchester Street. He added that the Council as a whole needed to become more determined to improve air quality and congestion.

He said that the next two years represented a great opportunity to make Bath a more welcoming City to visit.

Councillor Tim Warren commented that rural bus services needed to be vastly improved and called for the Rossiter Road scheme to be implemented before this proposal.

Councillor Geoff Ward said that the City would suffer economically by not allowing car users more freedom as one was essential for moving between different sites. He added that he felt that the current administration was anti-car and that footfall would not increase under the current plans.

Councillor Ben Stevens commented that he was confused by the claims of the Conservative group that the non-existing traffic will be displaced elsewhere and did not understand why they felt that drivers entering the City from Twerton would avoid Avon Street car park.

He added that he was aware of the needs of Rossiter Road and that he felt that the proposal would be an improvement to the City.

Councillor Douglas Nicol commented that similar schemes in York and Chester had seen an increase in footfall of 27%.

Councillor David Martin commented that the City has a very good Park & Ride system. He also suggested that the Public Realm & Movement Strategy should be incorporated into the Transport Strategy for the City. He added that if the proposal went ahead the Panel should receive a report 1 year after implementation to analyse it.

He said that the economic base of the City would be improved by making it more user friendly.

Councillor Liz Richardson commented that the decision would drastically change the way in which residents were able to access their property. She then proposed that the Call-In be upheld and referred back to the Cabinet.

Councillor Geoff Ward seconded the proposal.

The Panel voted (3 for, 4 against and 0 abstentions).

Councillor Ben Stevens then proposed that the Call-In be dismissed.

Councillor Ian Gilchrist seconded the proposal.

The Panel voted (4 for, 3 against and 0 abstentions).

The majority of the Panel therefore voted to dismiss the Call-In and allow the Cabinet decision to be implemented.

### **103 CABINET MEMBER UPDATE**

On this occasion there was no Cabinet Member present to deliver an update.

## 104 PLACEMAKING PLAN LAUNCH DOCUMENT

The Policy & Environment Manager introduced this item to the Panel. He explained that the purpose of the Placemaking Plan is to facilitate the delivery of key development sites and in a way that meets community aspirations. He added that the Placemaking Plan will complement the strategic framework in the Core Strategy by setting out detailed proposals for identified development sites including the new urban extensions proposed in the Core Strategy.

The plan is intended to be produced in a collaborative way drawing on the principles set out in the Council's emerging Local Engagement Framework. This will ensure that B&NES work closely with local communities and other key stakeholders to identify valued assets for protection, opportunities for development and necessary infrastructure requirements.

There is an aspiration to adopt the Placemaking Plan by the end of 2014, and this is acknowledged as a very ambitious programme. The details of the collaborative process of producing the Placemaking Plan will need to reflect this target programme.

In the Somer Valley and the rural areas where specific sites are not identified in the Core Strategy, preparation of the Placemaking Plan will require close working with local communities to identify appropriate sites for development within the context of the Core Strategy as well as to identify key assets to be safeguarded. However in light of the limited weight that can be attributed to the Core Strategy in advance of the Inspector's report due later this year, there will still be pressure for new development linked to the National Planning Policy Framework (NPPF) in the interim.

The document will be presented to the Cabinet on May 8<sup>th</sup> and it is hoped that a draft plan will be in place at the end of the year.

The aspiration to adopt the Placemaking Plan by the end of 2014 has the political support of the cross party LDF Steering Group, who recognise the benefits that the Placemaking Plan will provide to the communities of Bath and North East Somerset, and to enabling the delivery of corporate priorities such as the Enterprise Area, and housing delivery. They support the collaborative approach towards the production of the Placemaking Plan, whilst recognising the need for this to be tempered with the demands of the programme.

Mr David Redgewell addressed the Panel. He spoke of his concerns regarding the lack of a link to sustainable transport in the document. He added that all sites should be well served by bus services and that developer contributions should be sought for these to be provided.

Councillor David Martin asked how residents in Bath would be consulted on the plan as they had no Parish Council facility available to them.

The Policy & Environment Manager replied that they were working on ways in which to engage with Bath residents and in the process of drawing up a timetable of activities for the next six months.

Councillor David Martin suggested that the final document should contain maps when referring to sites.

The Policy & Environment Manager replied that indeed the final document would contain maps and diagrams when referring to sites.

Councillor David Martin suggested that the section on energy minerals could be expanded further to explain coal bed methane and shale gas extraction. He also asked for a reassurance that resources were in place to meet the ambitious timescale for the plan.

The Divisional Director for Planning and Transport replied that it was indeed a very challenging but achievable programme that relied upon input from across the Council. He added that Members would also need to support officers in this process to provide a focus.

Councillor Ben Stevens commented that the cover report for the item appeared to be critical of Neighbourhood Planning.

The Divisional Director for Planning and Transport replied that officers were not against Neighbourhood Planning and were simply asking whether that route or this is the best. He added that he felt the public were keen to see what this process had to offer.

Councillor Ben Stevens asked if any comment could be given on the progress of the Freshford Neighbourhood Plan.

The Policy & Environment Manager replied that he was aware of a large amount of support for the plan and that the community had put a great deal of effort into it.

Councillor Geoff Ward commented that he felt Neighbourhood Plans should be promoted. He added that Economic Regeneration should be considered a priority within the plan and that a realignment of priorities would almost certainly gain support from the Conservative group. He also wished to highlight that the plan does not mention the use of brown field sites in the first instance.

Councillor Liz Richardson asked if the plan provided any protection to areas such as Whitchurch given the lack of an approved Core Strategy.

The Policy & Environment Manager replied that until the Inspector gives his judgement on the Core Strategy there remains a window of vulnerability.

The Chairman wished to thank officers on their production of the plan and acknowledged the pressures that they were currently working under.

The Panel **RESOLVED** to:

- (i) ask that their comments on the Placemaking Plan Launch Document be passed to the Cabinet meeting on May 8<sup>th</sup> 2013;
- (ii) approve the broad programme of activity and actions contained in the introduction of the Launch Document; and

(iii) support the collaborative approach that the Council is proposing to take with the production of the Placemaking Plan.

## **105 COMMERCIAL WASTE COLLECTION - SINGLE INQUIRY DAY UPDATE**

The Waste Services Manager introduced this item to the Panel. She wished to highlight to them some of the updated responses to the recommendations within the report.

Recommendation 1: The Waste Services team worked extensively on the BathBID waste and recycling tender exercise, repricing our business to tender a competitive offer and successfully getting into the final shortlist of 2.

The contract was awarded to a national waste collection company to start on 1st May 2013. We have completed a comprehensive review of our business waste and recycling operations and services and have been able to re-position ourselves in terms of price and service offer. We are proactively marketing our new service now.

There is likely to be a significant budget shortfall as a result of re-pricing our service, and the loss of our city centre business (circa £200k is our current estimate). The budget impact and our customer base will be closely monitored throughout 13/14 and revised proposals tabled as part of the MTSRP in 14/15. This risk is flagged on the financial risk robustness statement.

Recommendation 2: Our Business Waste and Recycling webpages have been updated and there is a waste and recycling guide available to download as a pdf. We have also produced a new sales leaflet for our own waste and recycling services, also available on these public webpages and being mailed to prospective customers in our sales drive.

Recommendation 4: The Access Restrictions (Bath Package) is now being consulted on. Further consideration will be given to reviewing our trade waste enforcement regulations in advance of this scheme being implemented.

Recommendation 5: A review of enforcement activity is being undertaken by the Director of Environmental Services with a view to increasing resource through generic working practices across a range of enforcement functions.

Recommendation 6: The footway obstructions policy was adopted by Council in November 2011. A face to face campaign to introduce and educate city centre businesses was carried out early in 2012. We offered bulk bins as part of our city centre proposals for the BID contract.

Councillor Geoff Ward commented that it was a real shame not to win the contract as it would have enabled the Council to get a real grip of the whole situation. He asked why did the bid fail.

The Waste Services Manager replied that it was simply a case of price. She added that the Council tender was slightly more expensive than the competition.

Councillor David Martin asked how the successful bidder would be dealing with recycling commercial waste.

The Waste Services Manager replied that they would be using a recovery service at Avonmouth.

The Chairman, on behalf of the Panel thanked her for the update.

## **106 FLOOD AND DRAINAGE MANAGEMENT - FLOOD & WATER ACT**

The Design and Projects Manager gave a presentation to the Panel regarding this item. A summary is set out below.

### **Legislation: How it all started?**

Pitt Review 2007

92 Recommendations  
LA' to take "Lead Local Flood Authority Role"  
Raise awareness of Local Flood Risk  
Collate & Map Flood Risk  
Enhance Flood Risk Technical Capability

Legislation - Flood Risk Regulations 2009 / Flood and Water Management Act 2010 / Land Drainage Act 1991

### **Preliminary Flood Risk Assessment (PFRA)**

The main objectives of this report (as set out in Flood Risk Regulations 2009) are:

Identify the probability of flooding  
Identify all sources of flooding  
Review Historical Flooding Events  
Determine Flood Risk Areas  
Support local flood risk management strategy

### **Flood & Water Management Act 2010 (FWMA)**

The Act aims to improve the way we manage flood risk and creates the new role of the Lead Local Flood Authority (LLFA).

New Roles and Responsibilities

Setting Local Flood Risk Management Strategy  
Mapping & Planning  
Duty to Maintain Register of Assets/ Features  
Investigation of all significant Flooding Incidents  
Local Surface Water Management Plans  
Consent Powers over Ordinary Watercourses  
Greater Powers to Undertake Works  
Sustainable Drainage Systems  
Staffing & technical Competence

## **Flood Risk Management Function**

### **Local Flood Risk Management Strategy**

The Act requires LLFA to develop, maintain, apply and monitor a strategy for local flood risk management for its area.

Local Flood Risk includes surface water, ground water and ordinary watercourses including lakes and ponds.

### **Duty to act consistently with National Flood Risk Management Strategy**

The Act requires that the Local Flood Risk Management Strategy is consistent with the National Flood Risk Management Strategy.

Local Flood Risk Strategy will be based on the national Strategy but will have distinct objectives to address and manage local flood risk from all sources.

### **Duty to Investigate Flood Incidents**

Under the Act the LLFA has a duty to investigate flood incidents in its area and publish the results of any investigations.

### **Works Powers**

The FWMA provides LLFA to undertake works to manage flood risk from surface water runoff and groundwater. All works must be consistent with the local flood risk management strategy for the area.

### **Powers to request information**

The Act empowers LLFA to request information from others for their flood management functions

### **Powers to delegate functions to other authorities**

Internal Drainage Boards  
Environment Agency

### **Duty to maintain register**

LLFA will maintain a register of structures/ features which they consider have a significant effect on flood risk. The Assets register has to be available for inspection.

## **SUDS**

The Act establish SUDS Approval Body (SAB)

SAB will have responsibility for the approval of any proposed drainage system for new developments and redevelopments. Approval must be given BEFORE developer can commence construction

In order, to be approved, the proposal must meet the new national and local standards for SUDS.

The SAB will determine the drainage application.

The SAB will be responsible for adoption and maintenance of SUDS that serve more than one property.

Highways Authority will be responsible for maintaining SUDS in Public Roads to National and Local Standards.

Water and Sewage Companies, the Environment Agency, British Waterways and the Highway Authority will be statutory consultee to SAB

SAB will be statutory consultee to planning process

### What is required?

To establish the Flood Risk Management and Drainage Team as the Lead Local Flood Authority. This team would not only coordinate all the drainage matters but also all the Flood Risk Management issues.

It should be noted that Lead Local Flood Authority is the new Statutory Function for BANES set up in the legislation.

There is a need for clarification of all the roles and responsibilities and to establish relationship between the Flood Risk Management and Drainage Team and other Council teams.

### Benefits

Single point of contact – Members of the Public and other departments will be well informed who should be contacted regarding drainage and flood management issues

The Team will ensure that all the new statutory duties will be fulfilled

More effective way of working

Councillor Ian Gilchrist asked if there was any funding being provided from the Government for this role.

The Design and Projects Manager replied that the Council would receive £108,000.

Councillor Geoff Ward asked what was being done to tackle the issue of fats, oils and greases within the City.

The Senior Engineer replied that this was exactly why SUDS was introduced and that the Council was working in close partnership with Wessex Water to identify where the problem is.

Councillor Liz Richardson wished to thank the team for all their help over the past year.

The Divisional Director for Environmental Services commented that he wanted to make the Council as a whole more aware of this work area and for the Panel to oversee the work. He also suggested that a representative from the Environment Agency be invited to a future meeting of the Panel.

The Chairman asked when it would be feasible to have an update on the progress of this work.

The Divisional Director for Environmental Services replied that to report back in around three to six months would be his suggestion.

The Panel agreed to this proposal.

## 107 PANEL WORKPLAN

The Chairman introduced this item to the Panel and asked if any Member wished to comment on the workplan.

Councillor Ian Gilchrist suggested that the Panel receives a report on the proposed Rossiter Road scheme in light of the debate that had been held earlier in the meeting.

Councillor David Martin suggested that the decision on the Dorchester Street Bus Priority Measures should be analysed after 12 months of being in place.

The Chairman suggested receiving a report on Cross Boundary Bus Services (Wiltshire / Somerset) at a future meeting.

The Panel **RESOLVED** to agree with all of the above proposals.

The meeting ended at 1.30 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**