

Bath & North East Somerset Council

DECISION MAKER:	Cllr Paul Crossley, Leader of the Council Cllr Caroline Roberts, Cabinet Member for Transport	
DECISION DATE:	On or after 1 st August 2014 (for single Member decision)	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2701
TITLE:	Implementation of charging for detailed drainage advice for major and minor developments.	
WARD:	All	
LIKELY TO BE TAKEN IN EXEMPT SESSION		
List of attachments to this report: APPENDIX 1 - Details and Schedule of Charges for detailed drainage advice for major and minor developments.		

1 THE ISSUE

- 1.1 Bath and North East Somerset Council (the Council) provides comments and drainage advice as well as the discharge of drainage conditions for building developments within its administrative area.
- 1.2 The Council currently provides free standard drainage advice on straight forward matters, however for any enquiry that requires checking developer submissions, detailed research or a formal response a fee should be payable to cover officer time. The Environment Agency is already charging for this service in areas which they have involvement.
- 1.3 Under the Flood and Water Management Act 2010 (FWMA 2010), the Council will become the Sustainable Drainage Systems (SUDS) Approval Body (SAB) required to approve drainage applications, undertake inspections, adopt and undertake on-going maintenance of drainage assets.
- 1.4 The Council needs to encourage early involvement in pre-application/ application discussions to ensure our standards and requirements are met, which will save time at formal submission.

2 RECOMMENDATION

2.1 That charges as outlined in Appendix 1 be approved.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 Currently the Drainage and Flood Risk Team review around 40 planning applications a week and for a majority of these applications, detailed technical drainage comments are provided and a detailed surface water drainage strategy requirement is put in place. Follow ups involve reviewing detailed drainage calculations, technical drawings and attendance at meetings.

3.2 In order to provide a high quality service and enable more complex proposals to be considered, additional resources are required which will be funded through the introduction of charging fees in accordance with the service standards and charges set out in this document.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 Section 93 of the Local Government Act 2003 gives Local Authorities the powers to charge for a discretionary service such as pre-application advice. That power must be exercised in such a way as to ensure that, taking one financial year with another, the income from charges does not exceed the cost of provision.

4.2 In addition the Schedule 3 of the FWMA 2010 also set up standard fees for SAB applications enabling SAB's to charge for their service.

5 THE REPORT

5.1 As part of drainage approval, developers will be provided with detailed drainage advice and requirements for surface water drainage strategy for the site will be setup. If a developer requires more detailed technical advice, the cost of this will be recovered. It is proposed to charge for giving detailed advice to any developer where their development is, or will be, the subject of an application for planning permission or a development consent order.

5.2 In order that a full response can be provided, a sufficient level of information will be required with the request. A comprehensive level of information should be provided to maximise the quality and level of advice provided.

5.3 The advice will be provided by a suitably qualified engineer. In providing advice, consultees in the process i.e. Environment Agency, Highway Authority, Wessex Water etc. can be invited to provide their opinion at an additional cost.

5.4 The scope of advice provided will depend upon the matters requested to be discussed.

5.5 Normally, the engineer providing the advice will also deal with any subsequent drainage/SUDS/planning applications when submitted.

6 RATIONALE

6.1 The advice that will be provided is technically detailed and includes information on current flood risks, requirements on flood risk mitigations/management, assessment of the submitted Flood Risk Assessments, requirements on drainage strategy, assessment of the submitted drainage strategies including drawings and calculations. Assessment of the historic drainage and land drainage features. Auditing developer's submissions. Assessment of proposed SUDS features including construction details, adoption and maintenance regimes.

6.2 This approach is beneficial and effective as it will provide applicants with full information at an early stage in the process to enable them to make an informed decision about their proposals and to ensure that the correct information is submitted as part of the application process.

7 OTHER OPTIONS CONSIDERED

7.1 None – Applying these charges brings us in to line with the Environment Agency and Water Utility Companies who charge for similar advice in their respective areas of drainage responsibility.

8 CONSULTATION

Leader of the Council, Cabinet Member for Transport, Section 151 Officer, Monitoring Officer, Strategic Director – Place, Divisional Director Environmental Services

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	Stella Davies – Senior Drainage Engineer Tel. no. 01225394276
Background papers	None
Please contact the report author if you need to access this report in an alternative format	