

**MINUTES OF A MEETING OF THE SUSTAINABLE GROWTH SCRUTINY COMMITTEE
HELD AT THE BOURGES/VIERSEN ROOM - TOWN HALL
ON 7 JUNE 2011**

- Present:** Councillors C Burton (Chairman), S Allen (Vice Chairman),
N Arculus, D Day, J Peach, E Murphy
- Also Present:** Paul Phillipson, Executive Director of Operations
Richard Kay, Group Manager Strategic Planning & Enabling
- Officers Present:** Jennifer Harris, Lawyer
Paulina Ford, Senior Governance Officer, Scrutiny

1. Apologies for Absence

There were no apologies for absence.

2. Declarations of Interest and Whipping Declarations

Councillor Murphy declared a personal interest with regard to an item listed in the Forward Plan regarding Delivery of Council's Capital Receipt Programme through the sale of land and buildings at Vawser Lodge, Thorpe Road. Councillor Murphy declared that he owned property in the area and was a school Governor at a school adjacent to the site.

3. Minutes of Meeting Held on 16 March 2011

The minutes of the meeting held on 16 March 2011 were approved as a correct record with the exception of the following amendment under item 8; Progress on the Development of the City Centre Area Action Plan. The word 'arguably' to be included in the following sentence:

"Including the PDH site was arguably sensible but the Railworld site was not as you could not access it without leaving the city centre."

4. Minutes of Meeting Held on 23 March 2011

The minutes of the meeting held on 23 March 2011 were approved as a correct record with the exception of the following amendments:

- Bullet point 18 under questions and observations. To correct the spelling of the word 'to' and replace it with the word 'too'. The sentence would therefore read:

"The number of consultancy firms used for contracts over £50,000 was lower than those worth under £50,000, was £50,000 too high."

- Bullet point 30 under questions and observations. After the sentence:

"If we did not have details of sub-contractors how did we ensure that our policies were being complied with?"

Add the following sentence: *It was indicated that there was no effective enforcement measure in place.*

5. Call in of any Cabinet, Cabinet Member or Key Officer Decisions

There were no requests for call-in to consider.

6. Peterborough Preliminary Flood Risk Assessment (PFRA)

The report informed the Committee about the Peterborough Preliminary Flood Risk Assessment (PFRA). The Group Manager Strategic Planning and Enabling provided context around the development of the PFRA stating that in 2007 there were a lot of floods across the UK and Europe. A European Floods Directive was put in place and from this the UK Government issued the Flood Risk Regulations (2009) in order to implement the European Floods Directive. To meet the requirements of the EU Directive and to tackle other national water and flood related issues, the UK Government had also put in place the Flood and Water management Act (FWM Act) in 2010. Peterborough City Council had been made a 'Lead Local Flood Authority' (LLFA) responsible for the management of surface water flood risk. The PFRA was a mix of policy and facts and it was about surface water flooding not flooding from main rivers and assessed what may happen in the future. The high level document had been prepared from readily available information not from new research. A PFRA would be prepared every six years. The Peterborough PFRA had concluded that Peterborough did not have a 'flood risk area' of national significance.. However, the risk of localised flooding from main river, other watercourses and from heavy rain still existed and the future Peterborough Local Flood Risk Management Strategy would need to present the approach of the Council and other water and flood risk management authorities to this risk. The Peterborough Flood Risk Partnership (PFRP) chaired by the Executive Director of Operations and consisting of council officers, the Environment Agency, Anglian Water and Peterborough's Internal Drainage Boards had approved the PFRA.

Members were informed that the PFRA was not a local strategy and that a Local Flood Risk Management Strategy was still to be prepared and would be brought to Scrutiny at a later date. The Committee were asked to comment on the draft PFRA presented before them and those comments would then be submitted to Cabinet.

Questions and observations were made around the following areas:

- How well were Peterborough City Council working with partners. *The Flood Partnership has been working together for approximately twelve months and has worked very well with good attendance at all meetings.*
- How long has it taken to prepare the PFRA and have there been any costs associated with the preparation? *The final guidance on how to prepare the PFRA was issued in December 2010 and work had started following this. There had been no additional costs associated with the preparation.*
- Had any consideration been given to going down the exemption route that would allow Local Authorities not to prepare a PFRA? *This had been considered but as the PFRA guidance included specific things that needed to be delivered in the report, it would have been hard to demonstrate not needing to produce a PFRA. Information had also been readily available so it had been easy to prepare.*
- Opportunity Peterborough has undertaken a lot of work on mapping future development. Had this information been used? *Opportunity Peterborough had completed a mapping exercise for the Integrated Growth Study (IGS) from a flood point of view to establish where not to put future developments but this had not looked at surface water flooding. However the IGS had been useful.*
- Members were informed that any local issues or concerns of flooding should be fed into the Local Flood Risk Management Strategy. *Any comments regarding past local flooding events should be given to Julia Chatterton or if it was about a particular asset e.g. a drainage ditch or pump then it should be given to Andy Tatt.*

- Was there a real problem for flooding at Magna Park? *The Magna Park area was in a higher risk zone for river flooding but not for surface water flooding which the PFRA covered. The Environment Agency has been actively involved in discussions with the developers in order to try and reduce any flooding issues.*
- Legislative requirements in the future states that developers will need to have an approved SuDS Certificate in place before development can take place. What would be the knock on effect of costs to the Council if this were implemented? *Before any developments could take place a developer would need to obtain approval for their Sustainable Urban Drainage Systems (SuDS). The Council would be responsible for issuing this approval. If the Council did approve the SuDS for a particular development it would then have to adopt the particular Sustainable Drainage System and maintain it. SuDS approvals were a new initiative and not yet in force therefore guidance was still not clear. The Council would have to be careful of what it adopted and there would be a cost of maintaining the SuDS. The full costs that would be incurred were not clear at this point or whether funding for this would be received.*
- Will the Local Flood Risk Management Strategy come to Scrutiny for comment? *There would be a period of public consultation and it would come to Scrutiny.*
- How does this Flood Risk Assessment dovetail in with the problem of the flooding of the river? *River flooding was the responsibility of the Environment Agency, but was interlinked with surface water flooding and hence therefore a close working relationship between the Council and the Environment Agency.*
- When the Local Authority becomes responsible for surface water drainage will they be able to collect the surface water drainage charges. *This would only be relevant to new developments and not in retrospect. It would not impact on the drainage charges that goes through to Anglian Water as the surface drainage would not go through the main drainage system.*
- One of the requirements under the Act was that the assessment identified the consequences of key flood risk indicators which were; human health, economic activity, cultural heritage and environmental. There does not seem to be any mention of these in the PFRA. *The Environment Agency had used those criteria and advised Peterborough that it did not fall into the category of a National Flood Risk Area. The PFRA was prepared on readily available evidence.*
- The whole infrastructure of the Fens is reliant on the internal drainage boards operating. The mechanism of the internal drainage board should be stated on the asset register and protected assets. *The asset register was a separate item under the Flood and Water Management Act and not part of the PFRA. An asset register was being prepared and all the drains, locks etc would be listed.*
- Sites mentioned in the PFRA that have flooded in the past do not mention the flooding at Wansford in 1996 and 1998. Can this be incorporated? *The ones listed were the ones that met the threshold criteria and were flooding from surface water flooding, not main river. Wansford had not met the threshold criteria.*
- Is there a summary table of flood events contained within the document? *There was a table but the EU Directive only required information about nationally significant events and Peterborough had none,*

RECOMMENDATION

The Committee:

- I. Endorsed the proposed Peterborough Preliminary Flood Risk Assessment (PFRA) and
- II. Recommended the adoption of the Peterborough Preliminary Flood Risk Assessment (PFRA) to Cabinet with the proviso that;
 - a) In the report to Cabinet it is noted that the Committee is concerned about the potential future maintenance (revenue) costs which Peterborough City Council may be liable for as a result of the new Sustainable Urban Drainage Systems (SuDS) approval and adoption

regulations (as part of the Flood and Water Management Act (FWMA) 2010), due to come into force from April 2012.

- b) That the future Local Flood Risk Management Strategy, once prepared, be considered by the Sustainable Growth Scrutiny Committee prior to its adoption.
- c) That the seventh paragraph of the Executive Summary be reworded to make it clearer.
- d) That a number of typographical errors are corrected and clarifications added in particular:
 - The Contents page – page numbering error to be removed and correct page numbers inserted.
 - Para 2.2.1 – add at the end of the first sentence the date at which the Peterborough Flood Risk Partnership first met
 - Para 2.3.1 – delete “Environment Capital Scrutiny Committee” and replace with “Sustainable Growth Scrutiny Committee”

7. Review of 2010/11 and Future Work Programme

The report provided information on the work undertaken by the Committee during 2010/2011 and recommendations made. The Committee were asked to identify items for monitoring during 2011/2012 and any new items for the work programme.

Items identified for inclusion into the work programme were:

- Enterprise Contract
- Use of Consultants – Monitoring of Recommendations from the review
- Draft Housing Strategy
- Prestige Homes in Peterborough – quarterly update
- Opportunity Peterborough – update
- Vawser Lodge – Sale of Land and Buildings

There being no items of business on the work programme for the July meeting the Chair proposed that the meeting scheduled to be held on 12 July 2011 be cancelled. The Chair asked the members of the committee if they were in agreement, following a brief debate it was agreed to cancel the next meeting.

ACTIONS

With the agreement of the Chairman and in consultation with the Committee Members it was decided that due to lack of business the meeting of the Sustainable Growth Scrutiny Committee scheduled for Tuesday 12 July 2011 would be cancelled.

8. Forward Plan of Key Decisions

The Committee received the latest version of the Council’s Forward Plan, containing key decisions that the Leader of the Council anticipated the Cabinet or individual Cabinet Members would make during the course of the following four months. Members were invited to comment on the Plan and, where appropriate, identify any relevant areas for inclusion in the Committee’s work programme.

Questions and observations were raised around the following areas:

- Councillor Arculus raised concerns about the proposed decision around Vawser Lodge. This had been on the Forward Plan for a number of months and kept being slipped back.

- Councillor Murphy expressed concern regarding major decisions that were being made without being scrutinised first.
- Councillor Arculus requested more information on the Local Authority Mortgage Scheme.

ACTION AGREED

To note the latest version of the Forward Plan.

9. Date of Next Meeting

6 September 2011

CHAIRMAN 7.00 - 9.05 pm

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