Buckinghamshire County Council
Select Committee
Environment, Transport and Locality Services

Minutes

ENVIRONMENT, TRANSPORT AND LOCALITY SERVICES SELECT COMMITTEE

MINUTES OF THE ENVIRONMENT, TRANSPORT AND LOCALITY SERVICES SELECT COMMITTEE HELD ON TUESDAY 17 MARCH 2015, IN MEZZANINE ROOM 2, COUNTY HALL, AYLESBURY, COMMENCING AT 10.00 AM AND CONCLUDING AT 11.55 AM.

MEMBERS PRESENT

Mr T Butcher, Mr W Chapple OBE, Mr P Gomm, Mr S Lambert and Mr W Whyte (Chairman)

OTHERS IN ATTENDANCE

Ms K Fisher, Ms C Marriott, Ms A Poole, Mrs K Sutherland (Secretary) and Ms K Wager

1 APOLOGIES FOR ABSENCE

Apologies were received from David Carroll and Dev Dhillon.

2 DECLARATIONS OF INTEREST

Phil Gomm declared an interest for Agenda Item 7 due to his involvement with Crimestoppers. Steve Lambert declared an interest for Agenda Item 7 as the Chairman of Trustees for Youth Concern Aylesbury.

3 MINUTES

The minutes of the meeting held on 3rd February were confirmed as a correct record subject to the following minor amendments:

On Page 9, remove the word ‘there’ from the final bold paragraph so it would now read ‘Can assurance be given that these problems will not re-occur in the future……’

On Page 10, insert the word ‘be’ into the second question in bold type, so it would now read ‘The Select Committee needs to be assured……’. At the bottom of Page 10, ‘DFG’ should be amended to read ‘DFT’.

Finally Steve Lambert was present at the meeting but was not included in the attendance section.

The Chairman noted that a number of actions for the Cabinet Member for Transportation, Mr Freestone and Mr Dando had not all been completed, although the issue of contract variations had been clarified for members.

Miss Kama Wager, Policy Officer – Scrutiny confirmed that the Committee's assessment of progress against recommendations had been recorded in the new format and this chart had been circulated to the Finance and Resources Select Committee and to Cabinet Members. It would also be appended to the Annual Scrutiny Report which would be presented to County Council in April 2015.

4 PUBLIC QUESTIONS

There were no public questions.

5 CHAIRMAN'S REPORT

The Chairman confirmed that the draft report on S106 would be presented to the Committee at the April 14th meeting, with a view to taking the report to Cabinet in May.

During the TfB review with Mike Freestone the Committee had raised some issues regarding value for money and although benchmarking was happening now it was still felt that TfB could be more proactive in this area. The Committee would keep this on the agenda going forward.

The Chairman thanked Miss Kama Wager for all her hard work in support of the Committee over the past two years. Kama Wager would be supporting the Health and Adult Social Care Select Committee from April and the Committee wished her well with this new challenge. The Chairman welcomed Mrs Kelly Sutherland who would be supporting the Committee from April 1st, in her new role of Committee Adviser.

6 THE COUNCIL'S APPROACH TO SUSTAINABLE DRAINAGE (SUDS)

The Chairman welcomed Mrs Karen Fisher, Strategic Flood Management Officer and Mr Martin Dickman, Director of Environment Services to the meeting. The Chairman invited Mrs Fisher to provide members with an overview of the Council's approach to Sustainable Drainage (SUDS) before he invited member's questions. During the presentation and in response to subsequent questions, the following main points were noted:

- The Flood Water Management Act 2010 Schedule 3, introduced the idea of a SUDS Approval Body (SAB) which would be run by the Lead Local Flood Authority (LLFA) but this would not now be enacted. Instead the drainage aspects of planning applications would be referred to the LLFA for advice – in Bucks, this is Buckinghamshire County Council(BCC). This had been confirmed as a statutory duty in the past few days and LLFAs would be expected to deliver this from 15th April 2015.

- In practice, this meant that the Local Planning Authorities (LPAs), the four district councils in Bucks, would consider the LLFA's comments on drainage for all major applications. A major application consisted of 10 properties or more or a site over one hectare in size. Drainage maintenance and management plans would have to be submitted as part of the planning application.
- Internal Drainage Boards would not be statutory consultees, but BCC would speak to them to gain from their expertise, especially in the North of the County. Also water companies would not be statutory consultees, but they were happy to give their feedback.
- Based on the level of major applications this year, it is anticipated that there will be approximately 160 per year for BCC as the LLFA to respond to. There may be some funding from Government to support the new arrangement but this is still to be confirmed and may be in the order of £200-250 per application. As a result of a previous MTP bid, £100,000 base funding was available to cover staff costs and some level of technical advice, but the exact level of funding required will depend on the level of response that BCC choose to provide. In addition three of the four LPAs have indicated that they may also wish to ask for comments on the drainage aspects of minor applications and BCC could charge for this additional service. BCC could also offer pre-application advice for a fee as a way of generating additional income.
- The report in the agenda papers set out three different options for how BCC could discharge these new statutory duties and Option 2 was the recommended option. This involved a risk based approach, with higher risk applications receiving a more detailed response – this was likely to be approximately 80 applications per year. It was envisaged that £110,000 total resource would be sufficient to meet the demand, possibly rising to £150,000 if the number of applications increased. This would be met by a combination of MTP budget, Government funding and charging for pre-application advice.
- Job descriptions had been drawn up but it was unlikely that anyone would be appointed to the new roles until early Summer, therefore in the interim it was proposed that consultant staff from Jacobs would provide responses to the LPAs on a three days per week basis. This would be funded by DEFRA funding that was held over from 2014-15 for setting up SUDS.
- In addition BCC officers were working closely with the LPAs to agree how to process applications efficiently and what information will be needed on the drainage aspects of an application before it is passed through to BCC for a response. Pre-application advice charges were being researched and a proposal on how BCC can introduce this will be developed.
- There were concerns about the inspection and enforcement aspects of SUDS as this responsibility lies with the LPAs, therefore alternative options were also being researched and costed in preparation for further discussions.
- The Strategic Flood Management Officer was asked what sort of comments would be made on applications and whether the LLFA would have any 'teeth'. She explained that current mapping for surface water and ground water would be used and flood hotspots had been identified over the past two winters. Drainage schemes would have to be presented in detail and greenfield run off would be a key consideration. The principle of

SUDS is to contain water as near to the source as possible and not all within a traditional pipe system, which impacts the number of houses that can be built on a site. Karen Fisher expressed the view that there needed to be more power in the Planning policy - each of the LPAs needed to strengthen their Planning policy to take SUDS into account.

- There were concerns about the LLFA's lack of inspection and enforcement powers. SUDS could be designed well but if not implemented properly, then issues could arise. The LPAs would be responsible for enforcement during the development. The Chairman asked who would own the drainage system of a development once it had been completed. If SUDS related to a highway then BCC would adopt it, but if it was not obviously related to a highway then it would be adopted by a management company.
- The Environment Agency (EA) will remain as a statutory consultee for developments at risk of fluvial flood. The EA have standing advice that will be useful for low risk sites and they are offering training during this transition period.
- SUDS would not impact on BCC's S19 flood investigation responsibilities, indeed S19 investigation reports would constitute a body of evidence to add weight to SUDS recommendations.
- The Strategic Flood Management Officer was asked how other local authorities were approaching the new SUDS duties. Some authorities were further ahead – Kent, Essex and Hertfordshire had appointed people last year in anticipation – whilst others have a recruitment freeze and will be looking at a service similar to Option 1 outlined in the agenda papers. Cambridgeshire had opted for something similar to Option 3, so BCC would monitor their progress.
- A member challenged why BCC should progress Option 2 when it had been acknowledged that there would be no inspection or enforcement rights and BCC could only advise the LPAs – surely Option 1 would be sufficient. Alternatively could it be self-financing through charging for pre-application advice? In response, Karen Fisher explained that Option 1 could mean missing out on surface water issues, which would store up problems later on for BCC as the Lead Flood Authority. Also this would not really be complying with the spirit of the Act. BCC would be investigating charging for pre-application advice, but it was not compulsory for developers to seek such advice.
- Another member supported the approach outlined in Option 2, but asked if consideration had been given to varying the TfB contract to allow Jacobs to continue to respond to applications on a permanent basis. It was acknowledged that this could be an option as Jacobs gave a good service and were very highly skilled. Members noted that the report did not indicate if other market options had been thoroughly investigated.
- Funding arrangements from the Department for Communities and Local Government had yet to be confirmed. The Chairman commented that this was unacceptable when the statutory duty would begin in two weeks' time and he requested that officers should write to the Minister to express concern at the lateness of the decision.

ACTION: Karen Fisher/Martin Dickman

In conclusion, the Chairman considered each of the eight Actions and Recommendations at the end of the report and summarised the Committee's view as follows:

- Members had challenged the proposed arrangements for the short and longer term, weighing up the statutory duty against the longer term benefits for BCC, as the Leading Flood Authority and therefore considering what arrangements should be put in place.
- It was important that close working with the LPAs continues to ensure there was clarity around processes and how BCC would judge the drainage elements of major applications.
- If BCC were to go down the route of also responding on drainage aspects of minor applications as well, there would need to be a robust business case.
- It was important that a charging structure for pre-application advice was developed promptly, as this would need to go through the Cabinet Member Decision process.
- The Committee would welcome investigation into the options for inspection/enforcement and adoption of SUDS and the development of a business case to support this.

The Chairman thanked Mrs Karen Fisher and Mr Martin Dickman for attending the meeting. The Committee noted the report and asked the officers to consider their points before the report was taken on to Cabinet.

7 SAFER BUCKS COMMUNITY SAFETY PARTNERSHIP PLAN

The Chairman welcomed Mrs Cath Marriot, Community Safety Manager and Mrs Amanda Poole, Head of Trading Standards and Community Safety to the meeting. Cath Marriott reminded members that the draft priorities for the Safer Bucks Plan had been discussed with the Committee at their December 2014 meeting and whilst the Committee was broadly supportive of the priorities, it had been suggested that the Community Safety team should obtain direct feedback from Bucks residents. Following initial stakeholder discussions, the draft priorities were reduced from seven to five and were reworded to make them more accessible for the public, before being included in a short online survey for residents and other key groups, e.g the voluntary sector.

Members were keen to discuss the survey responses, as it was noted that there was a very low level of response from Aylesbury Vale and from young people, who were at high risk of being the victim of crimes against the person. It was therefore very important to gain their views on the plan. In response, the Community Safety Manager explained that the Police had used the Thames Valley Alert system to publicise the survey in Chiltern and South Bucks but not in Aylesbury and this might explain the geographical split of the responses. She would request that the survey be sent out specifically to Aylesbury via the Thames Valley Alert system to see if further responses would be forthcoming. In addition, Community Safety had incorporated some questions into a forthcoming Children and Young People's survey which is distributed via schools. Children and Young People's Boards could also be consulted to make use of their evidence base.

The Chairman commented that the county level priorities included in the draft Safer Bucks Plan were very broad. The Community Safety Manager explained that once the Plan was agreed more specific Action Plans would be drawn up for each priority, utilising existing plans that were already in place across the Partnership.

The Community Safety Manager was asked how successful the Partnership had been in implementing the Plan last year. She explained that a Performance Report was delivered to Cabinet and for the past year Violent Crime had reduced by 3% in total, with night time violence falling by 13% and Domestic Violence by 8%. Acquisitive crime had also reduced by 28% in total, with household burglary falling by 30% and car theft by 40%.

A member commented that page 31 of the agenda papers showed a high level of repeat offending in Bucks and he asked what work was being done to help deter young offenders from reoffending. Cath Marriott reported that there had been a £10,000 increase in the grant to the Youth Offending Service to help target reoffending. Also Wycombe Youth Action target children in need to encourage them not to fall into crime.

A member asked how much of the crime reduction figures could be attributed to the Safer Bucks Plan and how much was simply down to the Police. The Community Safety Manager explained that the Police were a key part of the Community Safety Partnership but their main role was enforcement, while other partners take responsibility for prevention, raising awareness and information and drugs intervention etc.

Members considered the breakdown of the Community Safety Fund Plan and asked how certain elements of the funding would be used in practice. Cath Marriot advised that some funding was related to posts, for example, £85,000 for Independent Domestic Violence Advocates (IDVA) equated to approx. 2.5 full time equivalent posts out of 8 in total in Bucks. Partnership Crime Analysis Capacity showed the rounded down value of analysis work that had been undertaken by BCC on behalf of the Partnership in the last financial year. Previously each of the district councils and Police and Fire had their own analyst, but now this was a shared role, with one full time and one part time analyst at BCC offering this service to the other partners. A member questioned the value of analyst reports versus action on the ground. The Community Safety Manager was able to demonstrate that reports do add value – she had questioned the Thames Valley Scorecard and had developed new, different measures for Bucks in an Integrated Offender Management System. This had subsequently been adopted to replace the Thames Valley Scorecard as it was seen to be producing more meaningful data.

A member asked if there were any funding concerns for the Safer Bucks Plan. The Community Safety Manager advised that she had met with the Police and Crime Commissioner's team to flag up changes to funding and they were broadly happy with the Plan and the evidence base behind it.

The Committee agreed to note the report. The Chairman thanked Mrs Cath Marriott and Mrs Amanda Poole for attending the meeting and asked for clarification of the timetable for the Plan going forward. Members were advised that the Community Safety Manager would consult with the Buckinghamshire Safeguarding Children's Board and the Youth Parliament and send out the online survey via Thames Valley Alerts to residents in Aylesbury Vale, feeding back any significant feedback for the Committee to Kama Wager, Policy Officer – Scrutiny. Then it was hoped that the final version of the Safer Bucks Plan would be presented at Cabinet on 13th April 2015.

ACTION: Cath Marriott

8 FIRST CONSULTATION FOR THE REPLACEMENT MINERALS AND WASTE LOCAL PLAN

The Committee noted the report and that the consultation would run until 2nd April 2015.

9 COMMITTEE WORK PROGRAMME

The Committee discussed agenda items for forthcoming meetings which were itemised on the Work Programme. Members were asked to send any further suggestions of issues for consideration to Kama Wager or Kelly Sutherland.

ACTION: All members

10 DATE OF THE NEXT MEETING

The next meeting is due to take place on Tuesday 14 April 2015, 10am, Mezzanine 2, County Offices, Aylesbury. There will be a pre-meeting for Committee Members at 9.30am.

CHAIRMAN