



## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)

### MEETING HELD AT THE TOWN HALL, BOOTLE ON TUESDAY 7TH NOVEMBER, 2017

PRESENT: Councillor Sayers (in the Chair)  
Councillor Michael O'Brien (Vice-Chair)  
Councillors Carragher, Dan T. Lewis, Roche,  
Webster, Bill Welsh and Keith

ALSO PRESENT: Councillors Atkinson and Maher

#### **23. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bliss (and his Substitute Member Councillor Jones), Pullin and Weavers.

#### **24. DECLARATIONS OF INTEREST**

No declarations of disclosable pecuniary interest were received.

#### **25. MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the Minutes of the Overview and Scrutiny Committee (Regeneration and Skills) held on 19 September 2017 be confirmed as a correct record.

#### **26. FLOOD AND COASTAL EROSION RISK MANAGEMENT ANNUAL REPORT**

Further to Minute No. 26 of 8 November 2016 the Committee considered the report of the Head of Locality Services – Commissioned seeking, in accordance with the Flood and Water Management Act 2010 (the Act), a review and scrutiny of the exercise by the Council as a Lead Local Flood Risk Authority of its flood risk management functions and coastal erosion risk management; and the submission of comments to the Cabinet Member - Locality Services.

The report indicated that Sefton's Flood and Coastal Erosion Risk Strategy (the Strategy) was a requirement under section 9 of the Act; that the Strategy was adopted by Cabinet on the 1 October 2015; that the Strategy set out how Sefton would deliver flood and coastal erosion risk management, what investment would be needed to deliver this and the manner in which this service would be delivered and defined the outcomes, outputs and actions for this service area; and that the Strategy was due to be updated in 2018 and work was currently underway to review the risk, update actions and review outcomes to see if they were still relevant for the next strategy period.

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - TUESDAY 7TH NOVEMBER, 2017

The report also detailed flooding incidents that occurred in the Southport and Formby areas on 5 September 2017; work that had been developed to help deliver Sefton Council's priorities to create resilient communities and outlined that projects aimed to support communities to become more resilient during flood events and to have an input in the decisions made about flood risk management; work undertaken with the Formby Flood Group, Maghull Flood Committee and Thornton Parish Council on flooding issues; staffing issues within the Flood and Coastal Erosion Risk Management Team; the work undertaken as a statutory consultee for major planning applications and the provision of technical support and advice to the planning authority throughout the Local Plan inquiry; grant in aid has been secured from the Environment Agency to undertake investigations and studies into two watercourses that serve Southport and Birkdale (Nile and Pool Investigations); that £30k funding had been secured from Environment Agency to undertake the Merseyside Natural Flood Risk Management project; and regarding coastal risk management there had been no significant incidents of flooding or erosion along the coast.

The report also detailed partnership working with Merseyside Tactical and Strategic Flood Risk Partnership, North West and North Wales Coastal Group, Liverpool Bay Coastal Sub Group, Northern Coastal Sub Group, the Environment Agency and United Utilities.

The report concluded by setting out the priorities for 2018 relating to Supporting the Local Planning Authority, Community Engagement/SUDS Hubs, Crosby Coastal Schemes, Flood and Coastal Erosion Risk Strategy Review, Securing Capital Funding, Natural Flood Risk Management, Performance management and the Green Infrastructure Service.

Members of the Committee asked questions/raised matters on the following issues:-

- Planning conditions relating to flood risk/drainage attached to the approved residential development application at Damfield Lane
- Concerns about the degradation of the River Alt Training bank at the northern end of Crosby beach and the potential increased risk of erosion to existing defences
- Funding responsibility for the maintenance of the MEPAS rising main sewer that runs behind the coastline serving a large part of northern Crosby
- Work to protect the frontage section between the Alt training bank and the coastguard station
- Planning policy and awareness raising of the negative flood risk impacts of paving over gardens to create driveways
- Funding difficulties associated with the Crosby coastal defences that run from the Hall Road car park south to Seaforth Docks
- The use of the Corporate Communications Team to provide briefings, or messages via Instagram, for Members on flood risk management functions and coastal erosion risk management

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - TUESDAY 7TH NOVEMBER, 2017

- The potential use of planning conditions to require the provision of sumps in new residential developments to aid with sustainable drainage
- Projections for coastal erosion at Formby Point
- Enforcement issues and disputes between the developer and United Utilities in relation to the residential development at the Parkhaven site in Maghull
- Concerns about developers using private building regulation companies of their choosing to sign off their works on site
- Concerns about Section 189 of the National Planning Policy whereby local authorities cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they do offer; and that they should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community before submitting their applications.

RESOLVED: That

- (1) the Flood and Coastal Erosion Risk Management Annual Report be noted; and
- (2) the Head of Locality Services – Commissioned be requested to submit an update report to the meeting on 13 March 2018 on the Flood and Coastal Erosion Risk Strategy Review.

### **27. PRELIMINARY FLOOD RISK ASSESSMENT REVIEW**

The Committee considered the report of the Head of Locality Services – Commissioned on the Preliminary Flood Risk Assessment.

The report indicated that the Flood Risk Regulations 2009 (FRR 2009) required each Lead Local Flood Authority (LLFA) to complete a Preliminary Flood Risk Assessment (PFRA) and identify Flood Risk Areas (FRA) for local flood risk, primarily surface water runoff, groundwater and ordinary watercourses; that in Sefton this was completed in 2011; that FRR 2009 required a review of the PFRA on a 6 year cycle to be coordinated by the Environment Agency; that LLFAs must therefore submit their draft reviews to the Environment Agency by 22 June 2017 to enable the Environment Agency to undertake an internal review and request any changes; and that Sefton Council's draft review was submitted to the Environment Agency in April 2017.

The report also identified that the Environment Agency provided a self-assessment template to be completed by each LLFA and Sefton's completed template was attached to the report as Appendix 1; that the September 2012 significant flood event report, investigated as required by the Flood and Water Management Act 2010, was contained in annex 1 of the review attached to the report as Appendix 2; and that overall there had been little change to the 2011 PFRA (attached to the report as Appendix

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - TUESDAY 7TH NOVEMBER, 2017

3) following the review with much of the understanding remaining unchanged or with minor amendments. There had, however, been improvements or confirmation of understanding particularly in respect of Sefton's future flood information and the following pieces of work have contributed to our understanding:-

- Sefton Council PFRA desktop study 2013 to improved understanding of initial PFRA assessment and flood risks.
- Modelling of catchments in Formby, Maghull and Seaforth/Litherland.
- Groundwater monitoring locations across Sefton.
- Sefton Council Local Plan. The plan identified flood risks on development sites.

The report concluded by detailing future developments that the PFRA review would feed into the update of Sefton's Flood and Coastal Erosion Risk Management Strategy 2015-2018, which was currently underway; that the PFRA review would feed into the review of the Environment Agency's Flood Risk Management Plans that operated at a catchment wide scale; that Sefton would continue to seek funding to improve the situation for residents and communities at risk of flooding or coastal erosion; and that Sefton would continue to review and update its understanding of flood risk.

Members of the Committee asked questions/raised matters on the following issues:-

- The use of information technology in the review of how the Council, Environment Agency and United Utilities share intelligence and co-ordinate responsibilities
- The use of the planning process to ensure flooding risks are mitigated in residential developments

RESOLVED:

That the report advising of Sefton's Preliminary Flood Risk Assessment be approved.

### **28. TOWN CENTRES (SCRUTINY REVIEW WORKING GROUP) REPORT**

Further to Minute No. 27 of 8 November 2016 the Committee considered the report of the Head of Regeneration and Housing indicating that on 26 February 2015, Cabinet resolved to accept the Final Report of the Town Centres Working Group Final Report; and that one recommendation within the Final Report was that all recommendations contained within it be monitored and progress reported to This Committee every six months.

The report indicated that the Head of Investment and Employment provided a comprehensive update to this Committee on 8 November 2016 that detailed completed actions or highlighting actions that were now

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - TUESDAY 7TH NOVEMBER, 2017

redundant as a result of other actions; and that significant progress had now been made in relation to town centres and that high level visions for future investment and a direction of travel had been prepared and published for each of the following Town Centres:

- Bootle Town Centre Investment Framework, published October 2016
- Crosby Development Strategy, published November 2015
- Southport Development Framework published November 2016

The report continued that Action Plans had been drawn up for Bootle, Crosby and Southport, illustrating the work streams and themes that would be progressed for each Town Centre; that each Action Plan was a long-term living document and would evolve as new opportunities and developments emerged; and that the work streams identified for each Town Centre were being actively progressed.

The report concluded by recommending that no further formal update reports be submitted to the Committee but that instead, updates be provided via the Cabinet Member - Regeneration and Skills report to each Committee.

RESOLVED:

That in future, updates on Town Centres be reported to the Committee via the Cabinet Member - Regeneration and Skills report.

### **29. CALL-IN PROCEDURE**

Further to Minute No. 12 (3) of the meeting of the Overview and Scrutiny Committee (Regeneration and Skills) held on 7 September 2017 the Committee considered the report of the Head of Regulation and Compliance on the proposed procedure to be adopted by the Overview and Scrutiny Committees when considering a decision that had been called in.

The report indicated that following consideration of a called-in item the Overview and Scrutiny Committee (Regeneration and Skills) resolved to refer the Procedure Note for "call-in" to the Overview and Scrutiny Management Board for consideration; that the Management Board considered the current Procedure Note, attached as Appendix 1 to the report, on 26 September 2017; and resolved that the amended Procedure Note, attached as Appendix 2 to the report, be referred to all four Overview and Scrutiny Committees with a recommendation to adopt the amended Procedure Note.

RESOLVED:

That the amended “call-in” Procedure Note, as detailed in Appendix 2 to the report, be adopted as the procedure to be followed by Overview and Scrutiny Committees when considering a decision that has been called-in.

**30. WORK PROGRAMME 2017/18, SCRUTINY REVIEW TOPICS AND KEY DECISION FORWARD PLAN**

The Committee considered the report of the Head of Regulation and Compliance that updated on the draft Work Programme for 2017/18; and seeking the identification of any items for pre-scrutiny from the Key Decision Forward Plan.

The Head of Regulation and Compliance advised the Committee that further to Minute No. 20 (4) of the meeting held on 19 September 2017 (which established a Working Group to review the topic of Sefton’s Housing Development Company) the Head of Regeneration and Housing now considers that at this stage, because the Housing Development Company hadn’t formally been set up, there was a significant amount of work to do to get the company to the go live stage; and it was not envisaged that this stage would be reached until early 2018 at the earliest. Furthermore, It would then be some time before the company commenced its operations, and longer still until the Council would be able to judge whether this venture was producing tangible benefits. Accordingly, the view was that due to the infancy of the Housing Development Company, this was not a suitable topic for a Scrutiny and Review Working Group.

However, the Head of Regeneration and Housing did consider there was merit in establishing a Working Group to review the proposed performance framework associated with the Private Rented Sector Housing Selective Licensing and additional Houses in Multi-Occupation Licensing Schemes; and a scoping document had been produced.

RESOLVED: That

- (1) the Work Programme for 2017/18, as set out in Appendix 1 to the report, be approved:
- (2) bearing in mind the comments of the Head of Regeneration and Housing “Sefton’s Housing Development Company” be not selected as a topic for review by a Working Group;
- (3) a Working Group be established to review the proposed performance framework associated with the Private Rented Sector Housing Selective Licensing and additional Houses in Multi-Occupation Licensing Schemes; and
- (4) the Head of Regulation and Compliance be requested to circulate the scoping document to Members of the Committee and to seek their willingness to serve on the Working Group.

**31. CABINET MEMBER REPORTS – SEPTEMBER 2017 – OCTOBER 2017**

The Committee considered the report of the Head of Regulation and Compliance that included the most recent report from the Cabinet Members for Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills.

RESOLVED: That

- (1) the update report from the Cabinet Members for Communities and Housing; Locality Services; Planning and Building Control; and Regeneration and Skills be noted; and
- (2) Councillor Atkinson be thanked for her attendance at the meeting.