

OVERVIEW AND SCRUTINY COMMITTEE

24th October 2007

**PRESENT:-**

**Conservative Group**

Councillor Atkin (Chairman), Councillor Jones (Vice Chairman) and Councillors Mrs. Farrington and Mrs. Hood.

**Labour Group**

Councillors Bambrick, Lane and Mrs. Mead.

**APOLOGY**

An apology for absence from the Meeting was received from Councillor Mrs. Plenderleith (Conservative Group).

OS/28. **MINUTES**

The Open Minutes of the Meeting held on 12th September 2007 were taken as read, approved as a true record and signed by the Chairman.

OS/29. **FLOODING ISSUES**

a) Update from the Environment Agency

The Chairman welcomed and introduced Peter Coxhill from the Environment Agency's (EA) Flood Incident Management Team. Mr Coxhill explained his current role at the Agency and confirmed that South Derbyshire was covered by two different sections of the Agency.

The Chairman advised that in anticipation of today's Meeting, questions had been circulated to Mr Coxhill. The first of these concerned arrangements for funding flood prevention works in South Derbyshire. Mr Coxhill gave an overview of the national funding arrangements for the Agency. Previously this had been through a levy via county councils and more recently it was through a Government allocation of £600 million each year for all capital and revenue schemes. This amount was likely to increase to £800 million, due to the flooding problems in the summer of this year.

Flood alleviation schemes were prioritised through the use of a scoring system, which took account of such things as economic and social benefits and the number of properties that would be protected. The Chairman pursued this point, questioning the impact for more rural areas like South Derbyshire. Mr. Coxhill confirmed that there was a cost/benefit analysis. The EA needed to achieve value for money for tax payers to protect as many people as possible.

The Director of Corporate Services questioned whether there was a forward plan of schemes that could be provided to the District Council. In reply, Mr Coxhill confirmed the recent pre-feasibility work undertaken in Scropton, Hatton and Egginton. This had identified that it would be viable to

undertake further schemes in Hatton and Scropton, but it was unlikely that improvements would be undertaken in Egginton, because of the cost/benefit test. As a next stage, a full appraisal would be undertaken of different options. Potential schemes included improvement of defences or providing additional storage areas, to reduce flooding impacts. Such schemes might have a related benefit for other villages downstream, particularly Egginton.

Mr Coxhill spoke about the area of the District affected by the River Derwent. The Lower Derwent Strategy would be circulated for consultation before Christmas.

In addition to the national funding, there was still a local levy raised from County Council precepts and this amounted to £3m for the Midlands Region. There was a greater degree of flexibility on the allocation of these resources, as they were not subject to the points scoring mechanism.

The Chairman asked whether there was anything that the District Council could do to help secure grant funding, such as providing matched funding. Mr. Coxhill confirmed that the only District Council expenditure related to non-critical ordinary watercourses (COWS). He reminded Members of the previous transfer of those COWS at the highest risk of flooding. In response to a related question, Mr. Coxhill confirmed that the EA determined where expenditure took place through an executive committee and he gave an outline of its composition.

The Chairman asked what reassurances the EA could give Members regarding the current flood defence measures in South Derbyshire. Mr. Coxhill first referred to the Dove catchment area, explaining the close working relationship with the District and Parish Councils and the Member of Parliament. He spoke about the Dove modelling exercise and flood defence levels in the Hatton and Scropton areas. He reminded of the works undertaken in the 1960s to provide flood defences and the various issues which would have affected them over the last forty years. There were now revised calculation methods, that were more accurate and it was considered that the flood defences were not up to the one in one hundred year flood level. Accordingly, the pre-feasibility work had been undertaken and the EA was looking to improve these flood defences. Some further modelling had just been commissioned to assess the current levels of protection. Councillor Atkin pursued this point and Mr. Coxhill considered that the level of protection was at a good standard and at least to that of a one in fifty year flood.

Mr. Coxhill then referred to the Shardlow area of the District and confirmed that £200,000 of expenditure had taken place to improve the condition of those flood defences. He touched on the works to improve the Salt Brook at Hatton and reminded of the other COWS that the EA had taken over.

Improvements had also been made to the flood warning service. In response to a question from the Chairman, Mr. Coxhill confirmed that water was not released routinely from reservoirs, but there was a regulated approach where consent could be sought from the EA. Mr. Coxhill also commented that, following representations at a District Flood Liaison Meeting, the Agency had employed an Enforcement Officer for land drainage issues.

The Chairman asked what steps the EA took when considering planning applications for development in the flood plain. Mr Coxhill referred to Planning Policy Statement 25, which the District Council was also required to take account of. He explained the different categories of flood zone and the requirements for flood risk assessment. The EA recognised that it could not stop development in the flood plain, but it did require that such developments had their floor levels positioned at a minimum height above the one in one hundred year flood level, including an allowance for climate change. Each application had to be considered on its own merits. He also confirmed that there was an obligation for the District Council, through the Local Development Framework process to undertake strategic flood risk assessments.

Councillor Lane asked if the EA published its points scoring system and whether a copy could be provided. Mr. Coxhill confirmed it was not a published document, but offered to research this and if possible, to provide information on the criteria and weightings used. It would be useful to receive details of other projects competing with those in South Derbyshire. Mr. Coxhill explained the variety of factors that impacted on the capital programme, including urgent schemes or the inability to progress schemes elsewhere. Councillor Lane had some reservations and he questioned how many feasibility studies were currently being progressed. Mr. Coxhill acknowledged that there would be an increase in the number of areas requiring flood alleviation works, following the problems this summer. It was noted that for South Derbyshire a feasibility study was already programmed for next year, but this could not be pre-empted. Mr. Coxhill did confirm that this would give an assessment of the works required, if any, in the Hatton and Scropton areas.

Councillor Lane asked if all feasibility studies would be completed during 2008, but it was explained that this was a rolling programme. The Director of Corporate Services made a comparison to the District Council's budgetary process, to assess the costs and benefits of various schemes. She also outlined the likely process to be undertaken before works could commence, whilst stating that Members were keen to know when the proposed works would start. Mr. Coxhill expanded on those other issues, which the EA had to address before any works could commence. Councillor Bambrick asked whether some flood alleviation works could effectively move the problem further downstream. Through the use of modelling, the EA hoped its improvement works would avoid such problems. The Chairman considered that there had been an impact on the Shardlow area from such schemes elsewhere. Mr Coxhill found this difficult to answer, but confirmed that if works did cause a problem further downstream, the EA would have to address or resolve those issues.

There was a discussion about minerals and waste planning applications and the use of monies from Section 106 agreements. In response to a question from Councillor Lane, the Committee then discussed how the EA's representations on flooding issues were implemented, either through planning conditions or by the developer undertaking works to the standards required by the EA.

Councillor Atkin asked about the liaison between the EA and bodies such as DEFRA and Severn Trent Water. An outline was given of the relationships with both bodies. There were a number of reviews ongoing, mainly as a

result of this summer's flooding problems. Related to this, the Chairman asked about the risk of water contamination or interruption to power supplies in the South Derbyshire, area given the problems experienced in Gloucestershire. Mr. Coxhill explained the particular circumstances and his own involvement in that flooding problem, but he did not think there was the likelihood of similar problems within South Derbyshire. Mr. Coxhill agreed to provide further information on how the EA prioritised its capital expenditure schemes. Councillor Bambrick also requested that any suitable information on flood modelling be circulated to the Council.

The Chairman thanked Mr. Coxhill for his attendance and the information provided.

b) Update on flash flooding within the District

It was proposed to defer this aspect of the report to the next meeting, in order that the Director of Community Services could provide an update. The Vice-Chairman also sought input from the Planning Division with regard to the Planning Policy Statement 25, referred to earlier. Councillor Lane requested an update about flood liaison arrangements for the Urban Core and it was understood that the Director of Community Services was pursuing this matter, possibly through the use of Area Meetings. **It was agreed to defer this aspect of the report to the next meeting and to receive information on Planning Policy Statement 25 at that time.**

OS/30. **BROADBAND UPDATE**

The Head of IT and Customer Services gave a brief outline to Members of those matters which influenced broadband speed. It was noted that all internet service providers used BT lines and the distance from the exchange was the main reason for slower connection speeds. A further key issue was the contention ratio. Businesses were able to pay for lower ratio connection, which gave a faster broadband speed. Other issues included the volume of users and at peak times, broadband speed would be slower. Finally the quality of equipment, including the telephone line and website capacities also had an impact on connection speeds.

Discussions had taken place with British Telecom, with a view to someone attending a future meeting of the Committee to explain their proposals to improve the network locally. The Officer explained the locations of exchanges in South Derbyshire and made a comparison between published broadband speeds and the actual speeds achieved. The Chairman asked if information could be sought on the BT development plans for its infrastructure and the Officer explained this was already available via the Company's website.

**It was agreed that the Head of IT and Customer Services continue to pursue an appropriate representative of British Telecom attending a future meeting of the Committee and it was acknowledged that a special meeting may be required for this topic.**

OS/31. **BRIEFING NOTE – DERBYSHIRE COUNTY PRIMARY CARE TRUST**

Under Minute Number OS/27 of 12th September 2007, the Committee agreed to undertake research about the newly established Derbyshire County Primary Care Trust. Members were reminded that prior to October 2006,

services for South Derbyshire residents were provided in the main by the Derbyshire Dales and South Derbyshire PCT, with Melbourne and the Derby fringes receiving services from the Derby and Greater Derby PCT. Two new PCTs had been established and the Derbyshire County PCT would now provide health services for most residents of the District. The remaining residents would receive their health services from the Derby City PCT. The areas covered by the new PCTs were still not congruous with the District Council's geographic boundary.

The report provided an outline of the role of the PCT and its responsibilities. It then looked at the Derbyshire County PCT Strategy for the period 2007-2009. The Strategy was set out in three parts, comprising an introduction, commissioning and PCT managed services. The report then looked in more detail at each element of the Strategy. Finally, the report discussed health scrutiny arrangements and measures proposed by the Local Government and Public Involvement in Health Bill.

There was a discussion on the role that the District Council could have in the scrutiny of health services. This could be through Derbyshire County Council's reviews, but reference was also made to specific working on issues like chronic disease. The Chairman proposed an approach to Derbyshire County Council, to visit that Authority and to seek to be consulted on its health scrutiny work affecting the South Derbyshire area. Councillor Bambrick chaired a Local Government East Midlands Committee and spoke about a free event being held at Notts County Football Club on health scrutiny, which Members might wish to attend. **It was agreed that the Policy Officer circulate an email to all Members of the Committee, with further information on this event.**

Councillor Lane spoke about other areas for health input, including the Local Area Agreement. He was concerned about the delivery of front line services in the Urban Core and felt that the Council should be pro-active, particularly given its role on community wellbeing. If it was felt that Derbyshire County Council's work did not address the areas of interest to South Derbyshire, this Council should pursue those issues separately. Councillor Mrs. Farrington explained that an open meeting was planned between the PCT and the public, to discuss and seek views on service provision. She explained that presently there were no arrangements for palliative care in the area and she considered that the levels of care for the elderly were lacking. She added that the PCT was aware of the concerns over some services. The Director of Corporate Services hoped that the County Council's Scrutiny Committee would be looking at the relevant issues already. Councillor Lane considered that the PCT Strategy was full of aspirations, but there appeared no detailed arrangements for service delivery. He felt that the document should be treated with caution and challenged robustly on service delivery issues for South Derbyshire.

**It was agreed to write to Derbyshire County Council to enquire about its scrutiny arrangements for health issues and to request that this Council be involved in the scrutiny of health services affecting South Derbyshire.**

OS/32. **WORK PROGRAMME**

The Policy Officer circulated a schedule showing the proposed projects for consideration during the remainder of the municipal year. Each project was reviewed in turn. The Director of Corporate Services referred to the senior management restructure and gave an outline of the future Officer support arrangements for the Overview and Scrutiny Committee.

With regard to public transport, information was awaited from Derbyshire County Council. This would be pursued and a report submitted to the next Meeting. There was discussion about the report on rural Post Offices, which had been submitted to the Finance and Management Committee, but was yet to be referred back to Scrutiny. Councillor Lane spoke about the Officer working group established to look at this issue further, particularly around signposting services. This was a Corporate Plan objective and Officers understood the group had fulfilled its role. Councillor Lane did not feel that this work had been completed. A report was to be submitted to the Council at its Meeting on 8th November, regarding the Post Office consultation on the Area Plan Proposal for the East Midlands.

The Partnership Working Project was then discussed. Particular reference was made to its scope and the need to focus on a specific area or issue. It was suggested that Members give further consideration to this matter, possibly with a view to undertaking the project next year.

The Director of Corporate Services suggested training for Scrutiny Members just prior to the 16th January Committee, to assist them in undertaking the budget scrutiny. Councillor Lane voiced concerns that the strategic planning cycle appeared not to have been followed and there were a number of issues that were not being progressed at the present time. Officers understood that the controlling group would shortly be looking at budget priorities and then consulting on these.

Finally, consideration was given to the scrutiny aspects of the Council's website. It was noted that despite the inclusion of a feedback form, no feedback had yet been received. The Vice-Chairman had previously expressed a desire to have a 'shortcut' from the home page of the website, but it was appreciated that there were many demands for such shortcuts. **The Committee noted the update on the Work Programme.**

N. ATKIN

CHAIRMAN

The meeting terminated at 3.55 p.m.