

OVERVIEW SELECT COMMITTEE

10 March 2015 at 6.00 p.m.

Present: - Councillors English (Chairman) Dingemans (Vice-Chairman), Britton, Mrs. Daniells, Edwards, Hitchins, Mrs Maconachie, Mrs Oakley, Oliver-Redgate and Dr Walsh.

Councillors Bower, L Brown, Chapman, Elkins, Haymes, Maconachie and Patel were also present for either all or part of the meeting.

[Note:- Councillor Dr Walsh was absent from the meeting during consideration of the matters referred to in Minutes 584 (part to 587)].

580. WELCOME

The Chairman, welcomed Members, officers, visitors and a representative from the Environmental Agency to the meeting.

581. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Clayden, Jones and Nash and from the Leader of the Council, Councillor Mrs Brown, the Deputy Leader of the Council and Cabinet Member for Corporate Governance, Councillor Wensley and the Cabinet Member for Leisure & Amenities, Councillor Dendle.

582. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the Government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions on the new local code of conduct.

Overview Select Committee
10.03.15

- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a “Prejudicial Interest”, this will, in the interests of clarity for the public, be recorded in the minutes as a Prejudicial and Pecuniary Interest.

Councillor Dr Walsh declared a Personal Interest in Agenda Item 5 (i) (Coast Protection annual Review 2015 – Engineering Services Manager’s Report) as a Member of the Littlehampton Harbour Board. Councillor Hitchins also declared a Personal Interest in the same item as he was a member of the Pagham Yacht Club.

583. MINUTES

The Minutes of the Committee meeting held on 27 January 2015 were approved by the Committee as a correct record and were signed by the Chairman.

584. COAST PROTECTION ANNUAL REVIEW 2015

The Engineering Services Manager presented an annual update on the Council’s coastal defence assets and its coastal defence strategies as well as an outline of the information produced by the Department for Environment, Food and Rural Affairs [DEFRA] and the Environment Agency [EA] regarding the future management of the coast.

The Council’s medium term plan [MTP] with DEFRA and the EA was noted and Members were informed that the outcome of the Council’s MTP bid 2014 for monies was expected to be announced within the next two weeks. It was pointed out that Partnership Funding continued to be part of the funding process. An important factor to note was that proposed schemes would usually require these Partnership Funding third party contributions and the lower the priority of the scheme the higher the level of local contribution(s) would be required for the scheme to proceed.

The Engineering Services Manager explained that the Government’s High Level Targets contained a requirement for coastal defence assets to be inspected and the results logged to a common IT system. It was reported that discussions would take place with the EA to establish a common system and consider how local authorities could meet the High Level Targets.

The Engineering Services Manager then outlined the part of the report referring to Pagham Beach with respect to the Church Norton shingle spit at the Pagham Harbour entrance and the resultant erosion and scour problems that were being experienced along the Pagham Beach frontage. It was noted that previous reports to Cabinet set out the problem and mitigation measures. It was noted that £100,000 had been allocated by Arun District Council to undertake repairs to the revetment with a further £250,000 allocated by the Council in October 2014, to help combat the very rapid erosion that was experienced at that time and to effect repairs over the winter. Approximately £250,000 of the (combined) £350,000 has been spent leaving £100,000 remaining. Further smaller sums had been made available from the EA's Flood Defence Grant in Aid [FDGiA] and under the Bellwin Scheme. It was reported that a further £18 to £19k had been used for the repair of groyne 3 after recent spring tide erosion.

It was noted that Arun District Council had worked and would continue to work closely with Pagham Parish Council with respect to the issues at Pagham Beach. The Committee was informed that the community favoured solution to combat erosion was to cut through the spit. Pagham Parish Council had engaged consultants to investigate this option initially with an assessment of that option and the preparation of an Environmental Impact Assessment [EIA] leading to a Planning Application.

The Engineering Services Manager informed the Committee that given the strong feeling about this issue in the community and the need to seek a long term solution, Officers from the Council; the EA; and Natural England had joined Pagham Parish Council in meeting with the Secretary of State in London on 29 October 2014. Dan Rogerson MP, the Under Secretary of State had visited the site in December 2014. The report by DEFRA, following the London meeting and the site visit, was issued to the Council on 4 February 2015. This report outlined what the next steps for Pagham Beach should be and it was noted that a further report would be presented to Cabinet, on this subject, in due course.

The Engineering Services Manager then referred to Flood and Erosion Management Strategies with respect to the Climping and River Arun frontage proposals. It was noted that, following consultation, the proposed strategy for this coastal frontage would be to undertake minimum maintenance for as long as is practicable.

In looking at the commentary that had been provided within the report on Arun's Managed Beaches, the Committee was advised that in respect of Elmer, there was a collaborative scheme coming forward (Arun/EA) within EA's programme to address the loss of shingle situation.

Overview Select Committee
10.03.15

The Assistant Director of Environmental Services drew Member’s attention to the development at East Bank – the Littlehampton Flood Defence Scheme. Although this was noted as being a predominately EA scheme Arun had substantially contributed Partnership Funding and further monies to provide enhancements and help with the regeneration of the water front. The success of this scheme was praised by Members and Officers. It was agreed that the overall effect of the walkway and enhanced area had been not only a necessary flood defence scheme but had been a positive achievement in terms of regeneration.

The Engineering Services Manager concluded his report by highlighting the possibility of closer working arrangements with Worthing and Adur and Chichester Councils particularly in terms of Land Drainage issues. He also provided the Committee with a financial statement that detailed the planned Capital and Revenue Coast Protection programmes for 2015/16.

The Chairman thanked the Engineering Services Manager for his comprehensive report. The Committee then discussed the report and asked questions.

Members expressed their frustration that the issues at Pagham Beach had been taking a prolonged time to resolve. The Engineering Services Manager pointed out that Pagham was a special case. It was noted that the spit had been expanding for over ten years and grown 1 km in that time. The Council had been working closely with Pagham Parish Council to work on long-term solutions.

Comment was made with respect to the blockage of private land drainage outfalls and the effect on the loss of Bognor Regis Beach’s Blue Flag awards. It was pointed out that sewage was a Southern Water responsibility but the Council was involved with influencing landowners to change farming methods to limit run off that could also have a detrimental effect on the Blue Flag awards. Private landowners were being educated to not ‘fill in’ drainage ditches and where this advice was ignored legal action would be pursued.

A question with respect to Asset Management was raised requesting a time scale for when compatibility could be reached for the logging of coastal defence assets to a common IT system. The Engineering Services Manager confirmed that the information was logged and it was a matter of feeding this to partner councils and the EA to work on a suitable system.

The Chairman then referred the Committee to the tabled questions that had been submitted in advance of the meeting. The questions asked and the responses given are as follows:

1.Question

In the Wallingford report of 2004 Middleton is designated as a "maintain and sustain" area. "Sustain" presumably will involve consideration of sea level rises. What thought/action is being given to plans in years of 5/10 years, 10/20 and 20/50?

Answer

The 2004 report referred to was a draft Coastal Defence Strategy; for various reasons, this Strategy was not concluded. It was however, later revisited by the Environment Agency and is referred to in 6.1 of the report. 6.1 referred to the Climping frontage proposals which have changed following the consultation in 2010. Cabinet adopted the remainder of the frontage in 2010. It was stated that Middleton had a policy of Hold the Line – Maintain.

The Strategy, which was yet to be formally agreed by the EA, also put forward a Beach Management Plan. Members were referred to the report's Appendix to note that it was planned to start this BMP in the coming year – the Medium Term Plan (MTP) was yet to be formally issued but the Council was hopeful that funding would be available for this.

2.Question

The beach around Pagham Yacht Club is popular with families visiting Pagham and the often swim off the Beach with their children. The Church Norton spit has continued its drift East and is almost opposite the popular bathing area. Has anyone checked on the increase in tidal flow and its speed to see if this stretch of beach is still safe for adults and children to swim?

Answer

The configuration of the channel almost constantly changes, bringing changes to flow characteristics; the flow out of the channel was typically most noticeable in the bay between the third and fourth groynes and to a lesser extent between groyne two and three. Signs had been erected to advice of the strong currents and that there were no lifeguards on duty. Life-rings had been made available on site with extended length lines which were regularly checked.

It was then asked if the tidal flows had been measured by the Parish Council's Consultant and the Engineering Services Manager responded by stating that he would forward the data collected. No measurement had been taken in specific regard to bathing safety.

3.Question

The Chairman put forward a question from Kingston Parish Council in their absence. Where agreements for groyne maintenance state "to replace worn planking where appropriate", could "appropriate" be defined.

Answer

The Engineering Services Manager stated that he was not certain of the 'agreements' being referred to. Whilst the condition of individual groynes was important, it was more important to manage them as 'groyne-fields' and also to consider what effects there may be up or down drift. An example was given that the top plank may appear to be worn but that plank may have done its job to help establish a good shingle beach – it may not be necessary to replace it – indeed to build the beach further may have a detrimental effect on adjacent beaches.

4.Question

Why do we continue with 'soft' sea defence measures i.e. use of stones to protect our sea walls, and do not consider offshore protection in other areas, as we have employed at Middleton and Elmer. For example, an offshore reef at Bognor Regis would combat the force of the waves, provide an ideal habitat for crabs, lobsters etc. and permit the return of Bognor's famous 'golden sands', thus making an important contribution to regeneration.

There are many successful examples all over the world of this approach, and the continual dumping of stones and flints on our beaches, which trap oil and cut feet, will eventually be unsustainable, as the Pagham experience is showing due to foreshore drift.

Answer

The Committee was informed that the vast majority of beaches in this area (Selsey to Brighton and beyond) were naturally formed of shingle and for most part were eroding or rolling back dynamically under wave action. Worthing, Brighton, Hastings for example were all shingle beaches – it was pointed out that even the dunes at Climping had a shingle band between the dunes and the wide sandy lower foreshore

It was explained that seawalls, usually provided in built up areas, could halt this erosion but if not protected by a 'soft' defence they were liable to suffer lowering beach levels in front, as wave energy is not absorbed, but reflected back out and scouring usually occurs. It was further explained that this led to rapid deterioration of the structure, the need for increased maintenance and the risk of overtopping. Sand was

also transported along the coast by waves and currents and Members were reminded of the muddy conditions that have prevailed recently near to the pier, when the sand has been disturbed and carried away.

It was noted that the groynes along the central part of Bognor Regis were in good condition and were not anticipated to need replacing for around 20 years or more. There was no chance of Central Government Grant being available to abandon these groynes now and to construct offshore reefs. Whilst they were shown to be the preferred option for Elmer, they were extremely expensive in comparison to a timber or rock groyne. They would be considered in an options appraisal, but it is extremely unlikely that they would be the preferred option.

5.Question

Shingle on the beach fronting part of the Southdean Estate - especially Southdean Close - is now so high that it is level with the sea wall with the inevitable risk of the tide sweeping up and into the gardens and houses. When will action be taken to redistribute the shingle towards the sea and to reveal the sea walls to around three to four feet?

Answer

It was responded that a good shingle beach was considered the best defence; it was cited as dynamic with the ability to absorb wave energy. Accordingly, the Council did not intend to remove re shingle from in front of the wall at Southdean Close, as that would expose the wall to wave attack and would induce unnecessary wave reflections and scouring. It was explained that the Council could form a trench close to the wall as has been done successfully in other areas.

6.Question

The Chairman put forward a question on behalf of the West Felpham Flood Action Assembly - Did the Council have a programme in place to replenish the shingle on the eastern frontage of Felpham beach, particularly in front of the Beach Estate? Thus protecting the sea wall. The alarming rate at which the sand was disappearing was also brought to the Committee's attention.

Answer

The Engineering Services Manager stated that addressing the shingle issue on Felpham beach would be included in the proposed Beach Management Plan (BMP). This had been referred to as part of the response provided to Question 1.

The issue of sand on the frontage was seen as interesting. In recent years, the sand tended to reduce over the winter period, when wave activity was greatest and build in the summer, when currents were predominant.

Lately, noticeable first in the east of the District, and latterly with the stormy conditions last year, the sand had seen a net reduction.

However, the sand was noted as only a thin veneer over the underlying bedrock (of chalk or clay) and does not provide a meaningful part of the coastal defence, as it was easily stirred up and transported. It was also noted as quite difficult to effectively manage sandy beaches when there was not much sand in the system. The Engineering Services Manager appreciated that the sand had gone and that it could affect tourism but emphasised that there was not a great deal a Coastal Engineer could do about that.

7.Question

Would the EA please provide information with regard to the average time taken from being notified of a problem and a decision being made, and the time taken from that decision to implementation.

Answer

The representative from the EA responded that if there was an emergency there would be an immediate response and no time delay. With respect to issues that could be dealt with in the longer term a collective plan would be adhered to as the Engineering Services Manager referred to in his report. It was stated that the EA would support the Council through the process of the submission of a business case for grant aid and would normally respond within 3 to 4 months.

The Engineering Services Manager responded that, in essence, schemes could come forward in a number of ways. It was explained that this was usually through regular monitoring or the SMP & Strategy process; schemes were therefore identified well in advance and were fed into the MTP (Medium Term Plan) for Flood Defence Grant in Aid consideration alongside every other scheme in the country. There was the possibility of an emergency scheme or something unexpected occurring but grant aid would not be guaranteed.

It was further explained that the financial approval was not the only issue that had to be considered – there was always the technical and environmental approval process to be met with a number of processes

that had to be satisfied e.g. Planning Permission (and Environmental Impact Assessment (EIA) in designated areas), Water Framework Assessments, Marine Licences, EU procurement regulations (although frameworks could help reduce the impact)

The issue of Partnership Funding also had to be resolved well in advance, as very few schemes would get 100% grant aid.

8.Question

In the absence of Kingston Parish Council the Chairman put forward their question; Will piles be replaced where they are in poor condition?

Answer

The Engineering Services Manager responded that this would probably not be the case. It was noted that when a pile became worn or rotten, it was usually better to fix a strengthening piece to it – the cost of mobilising pile driving equipment for replacing a single pile would be prohibitive. The portion buried in the beach was almost always still in good condition.

9.Question

Parts of the old groins, where the steel posts are now exposed, to the east of the yacht club, should be marked as they pose a danger to swimmers and anyone diving off a dingy. Some old tank traps had been exposed, which also should be marked.

Answer

It was responded that only around 10% of 280 groynes had been marked and most were clearly visible (position and orientation) where they made landfall. Guidance was taken for the need of markers from Department of Transport and Trinity House.

Trinity House had recently inspected the existing marks and had called for a change at Pagham. As a result the Council would be implementing this shortly; the existing red can top marks would be changed to yellow crosses (on the same supporting pile).

There were a couple of old groynes that had become exposed at Pagham due to the erosion; there was no call from Trinity House for these to be marked. However, it was noted that the Council could erect signs at the landward end. The Engineering Services Manager informed the Committee that he was not aware of any tank traps but

would investigate this further. He stated that it should be noted that Arun did not own the beach above the High Water Mark.

10. Question

A further question from Kingston Parish Council was put forward – this asked where shingle was now over the top of the groynes was there any intention to move any of this shingle? If not, what were the implications for future movement of shingle and protection against high tides?

Answer

The Engineering Services Manager responded that where a groyne bay had become full and the groyne was covered in shingle it typically showed that the groyne had done its job. Providing that there was a sufficient crest width then there was little need to move the shingle again and it was important to manage a series of groynes and consider what impact actions may cause on adjacent beaches.

11.Question

The Chairman of Pagham Parish Council had forwarded a question as follows: Might I ask for confirmation of the Joint Western Arun Area Committee (JWAAC) Resolution of 2013 that Pagham Parish Council and Arun District Council will continue to work in partnership as “Promoting Authority” and “operating Authority” respectively in seeking implementation of a sustainable solution to the erosion at Pagham?

Answer

It was explained that the report presented this evening was an overview of the whole District’s defences; and whilst a page of it was concerning Pagham, it could be seen in Paragraph 5.7 that it was expected that a further detailed report would be presented to Cabinet. The Engineering Services Manager fully expected the issue of how the two Councils were working together to be discussed then. It was stated that although he did not wish to pre-judge elected Members’ views, the Engineering Services Manager could not see a reason why the two Councils could not continue to work together, to the best of their abilities, for the benefit of the residents of Pagham.

12.Question

The Chairman of Pagham Parish Council had forwarded the following question: Can I also ask for support, subject to our consultant’s successful deliberations, in our endeavour to engineer a “controlled breach” of the Church Norton Spit to release massive quantities of shingle to facilitate “beach” recharge by the Council?

Answer

It was noted that the answer had been covered within question 11.

The Committee continued to discuss the Coastal Protection Review. A question was asked with respect to the priority of the repair to the Sea Lane outflow in Ferring. It was confirmed that this outflow pipe was owned by West Sussex County Council and they would be providing a new outfall.

Returning to the report, a concern was raised with respect to the Arun to Pagham Strategy on Climping and River Arun frontage to do the minimum as long as was practicable. The concern was that the minimum could mean flooding in the Littlehampton areas if there was a breach in Climping. The Engineering Services Manager and the Flood and Coastal Risk Manager from the EA explained that maintenance would be done for as long as possible but once a groyne was beyond repair it would be replaced. He also stated that the rocks placed beside groynes would give the beach crest a longer life.

The Committee then

RECOMMEND TO CABINET – That

- (1) Agreement be given to the report forming the basis of the Coast Protection Capital Budget for future years, subject to sufficient resources being available to fund the Council's proportion of the total costs (i.e. the minor ineligible costs);
- (2) Authorisation be given to the Engineering Services Manager to prepare details and make the necessary applications to enable the schemes noted in the body and annex of the report to proceed to the appropriate next stages. Further reports to Cabinet will be necessary regarding the proposals and/or funding;
- (3) Authorisation be given to the Engineering Services Manager to send a letter of support for the draft Arun to Pagham Strategy Flood and Erosion Risk Management Strategy to the Environment Agency for inclusion with documents to be presented to the LPRG and the Cabinet Member for the Environment be authorised to adopt the Strategy following its consideration and approval by LPRG; and

Overview Select Committee
10.03.15

- (4) Authorisation be given allowing a copy of this report to be sent to the Environment Agency [EA] for the benefit of the Agency’s supervisory role in coastal defence.

585. CABINET MEMBER FOR ENVIRONMENTAL SERVICES REPORT

The Committee received a briefing report from the Cabinet Member for Environmental Services that provided an overview of the key issues linked to the Environmental Services portfolio.

The Committee was informed of a number of significant achievements within the Portfolio. Members were particularly pleased to note the retention of the Council’s Green Flag Awards as follows:

- Marine Park Gardens – awarded for the last 4 years
- Hotham Park – awarded for the last 6 years
- Mewsbrook Park – awarded for the last 11 years

Another success outlined was the operation of the Local Community and Volunteer Groups. It was noted that the Council currently had 17 valued local Environmental Community Groups who work with the Greenspace team on various projects. They helped to improve the environment and their work led to better social cohesion with a reduction in social isolation. Some of the projects underway were noted as:

- Littlehampton Big Tree Plant, a total of 1,345 trees had been planted
- Meadows to commemorate the recent anniversary continued to be created with the help of these groups. The WW1 Meadows was noted as a 2014 – 2018 project with a total of 14 meadows that would be created during this time with a total of 3500sqm being sown
- New Community Orchard in West Park, Bognor Regis to complement others that had already been established in the District.

The East Bank Scheme at Littlehampton was noted as an achievement which had seen Arun District Council partner with the Environment Agency to improve flood protection and regeneration. It was expected that the completed scheme would create strong links between the town centre and the beach and improve the resident/visitor experience. The Bognor Regis Public Realm project was also praised as a high quality public realm scheme which

had produced improvements to the town centre with new paving, lighting and street furniture.

The Cabinet Member for Environmental Services drew Members attention to the potential for sharing Emergency Planning Services with Chichester District Council. It was noted that discussions were underway and this could start within the next few months.

Matters relating to Coast Protection and Land Drainage were outlined. It was noted that the Coast Protection items had already been covered in the report made earlier to this meeting and a report with respect to Land Drainage had been presented to the Environmental Services Working Group on 18 February 2015 with recommendations to Cabinet.

Environmental Health issues were highlighted with respect to various tasks and objectives of the service. This included taxi licensing, introduction of a Tattoo Hygiene Rating Scheme and promoting the ‘Eat Out, Eat Well’ campaign.

The Committee was keen to praise the Arun Youth Council and it was reported that the Youth Council Awards, sponsored by The Rotary, would be held again shortly at the Windmill Theatre.

Members discussed the report and the following key points were raised:

- It was asked why Sustainable Drainage System responsibility was being passed back and forth between this Council and West Sussex County Council. The Engineering Services Manager responded that The Engineering Services Manager advised that it was considered necessary for this Council to adopt a policy relating to SuDS in new development so that, subject to the anticipated direction from the Department of Communities and Local Government (DCLG), the issue could be properly incorporated into the planning system. Members were informed that a draft policy was yet to be drawn up and that discussions were taking place with the Assistant Director of Planning & Economic Regeneration exploring how the drainage expertise in Engineering could be utilised in the new SuDS delivery route.
- It was confirmed that the Sponsor for ‘Eat Out and Eat Well’ was East Sussex County Council and was linked through wellbeing hubs and other voluntary agencies.

Overview Select Committee
10.03.15

- Although the overall Bognor Regis Public Realm Scheme was seen as a success comment was made with respect to the damage being caused by large lorries to road surfaces and trees. Comment was also made that the littering of chewing gum was causing paving areas to become unsightly. The Assistant Director of Environmental Services responded that the condition of the trees would be monitored and a solution to these issues would be addressed. There was general observation that the Bognor Regis Public Realm had increased footfall but no actual footfall figures were available for the Committee.
- Returning to the subject of SUDS the Committee expressed their concern that landowners should be held to account for any ditch filling and subsequent drainage problems. The Engineering Services Manager explained that West Sussex County Council was providing an educational media campaign and this was an area given attention to by the Council’s Land Drainage Engineer.

The Chairman thanked the Cabinet Member for Environmental Services for his report.

586. CABINET MEMBER QUESTIONS AND UPDATES

The Committee had no questions to ask Cabinet Members and no updates were reported.

587. WORK PROGRAMME 2015/16

The Committee received and noted the draft work Programme for 2015/2016.

(The meeting concluded at 7.48 pm.)