



# Public Document Pack

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17 March 2021

## ENVIRONMENT & LEISURE WORKING GROUP

A meeting of the Environment & Leisure Working Group will be held virtually by zoom on 25 March 2021 **at 6.00 pm** and you are requested to attend.

Members: Councillors Mrs Warr (Chairman), Brooks (Vice-Chair), Bicknell, Mrs Catterson, Clayden, Dixon, Gunner, Huntley, Jones, Kelly, Purchase and Ms Thurston

***PLEASE NOTE:*** *This meeting will be a 'virtual meeting' and any member of the press and public may listen-in and view the proceedings via a weblink which will be publicised on the Council website at least **24 hours** before the meeting.*

*Different meeting arrangements are in place for the period running from 4 April 2020 to 7 May 2021 from the provisions of the Coronavirus Act 2020 and the meeting regulations 2020, to allow formal 'virtual meetings'.*

*This Council's revised Rules of Procedures for 'virtual meetings' can be found by clicking on this link: <https://www.arun.gov.uk/constitution>*

*For further information on the items to be discussed, please contact: [committees@arun.gov.uk](mailto:committees@arun.gov.uk)*

## **AGENDA**

### 1. APOLOGIES

### 2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and Officers should make their declaration by stating:

- a) the application they have the interest in
- b) whether it is a pecuniary, personal and/or prejudicial
- c) the nature of the interest
- d) if it is a prejudicial or pecuniary interest, whether they will be exercising their right to speak to the application

3. MINUTES

(Pages 1 - 10)

To approve as a correct record the Minutes of the meeting of the Environment & Leisure Working Group held on 10 December 2020.

4. ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

5. SOUTHERN WATER

The Environment and Leisure Working Group reached out to Southern Water and invited them to this meeting to answer a number of questions that have been submitted. Representatives from Southern Water will be attending this meeting and providing detailed answers.

6. FLOODING UPDATE

(Pages 11 - 16)

The report outlines the types of, and responsibilities for, flooding risk within the Arun District.

7. PLACE ST MAUR

(Pages 17 - 20)

The report provides an update on the public realm project at Place St Maur and the Esplanade, Bognor Regis.

8. REPORT BACK FROM CABINET/FULL COUNCIL

The Working Group are requested to note that on 11 January 2021 Cabinet reviewed the recommendations put forward by the Working Group at its last meeting held on 10 December 2020.

The first was at Minute 20 [Safer Arun Partnership] where it was confirmed there were recommendations from Environment & Leisure Working Group for Cabinet to consider.

*The Cabinet*

*RESOLVED – That*

*(1) The work of the Safer Arun Partnership be endorsed and the importance of partnership working in contributing to reducing anti-social behaviour and addressing crime and disorder in Arun is recognised; and*

*(2) Recognition is given to the work of the Safer Arun Partnership in contributing to the delivery of the Council's strategic priority 'supporting you if you need help'.*

The Cabinet were also presented with the recommendation at Minute 21 [Tree Planting Strategy].

*The Cabinet*

*RESOLVED*

*That Arun endorses the principles outlined in the report which would form the basis of a Tree Planting Strategy 2021 to 2031 and an associated tree planting plan which would both be presented to the relevant Committee.*

9. WORK PROGRAMME

There is no work programme to review or approve, due to the change in Governance Structure that will be implemented by the Council in May 2021. The Work Programme for the new Environment & Neighbourhood Services Committee will be agreed by the new Committee at its first meeting on 27 May 2021, under the new Governance Structure.

Note : Reports are attached for all Members of the Working Group only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager.

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Note : Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – [Filming Policy](#)

## ENVIRONMENT & LEISURE WORKING GROUP

10 December 2020 at 6.00 pm

Present: Councillors Mrs Warr (Chairman), Brooks (Vice-Chair), Bicknell, Mrs Catterson, Clayden, Dixon, Gunner, Huntley and Ms Thurston

Councillors Mrs Staniforth and Mrs Yeates were also in attendance for all or part of the meeting.

Apologies: Councillors Jones and Kelly

### 17. DECLARATIONS OF INTEREST

There were no declarations of interest made.

### 18. MINUTES

The Minutes of the Environment and Leisure Working Group meeting held on 3 September 2020 were approved and agreement was given to allow the Chairman to sign the minutes as soon as practicably possible.

### 19. ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

The Chairman advised the Members of the Working Group that there was to be a change of order to the agenda. Agenda Item 7 – Safer Arun Partnership review would now be heard **first** tonight as we have Chief Inspector Carter in attendance for this item. So, this item will now become Agenda Item number 5 and the Place St Maur update will move to Agenda Item number 7.

### 20. SAFER ARUN PARTNERSHIP REVIEW

The Community Safety Officer introduced her report to the Working Group. She referred members to the strategic priorities and explained that the partnership existed with the object to reduce crime across the district and involved working closely with many other partnership groups from external organisations. She advised that Members had been provided with the full report at Appendix B and it covered how the partnership had performed against those targets. Furthermore, Appendix C covered case studies that demonstrated the wide working variety across the partnerships. She explained that the strategic intelligence was a statutory requirement and helped to decide the priorities for the partnership for the following year. She then drew members attention to section 1.4 of the report, the crime statistics, she explained that there had been a 10% total increase in crime for 2019/20 vs 2018/19. In section 1.4.2 of the report it outlined the different ways that crime was measured. She did confirm to members that the risk and likelihood of becoming a victim of crime in Arun did remain low.

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There were a number of questions then asked by Members and these have been summarised below;

- Cllr Dixon raised his concerns that overall crime had gone up significantly in the year to 31 March 2020 Pre-Corona virus. It was asked as how do we compare with other Districts in West Sussex, were we average, had we got bigger problems than other Districts or lesser problems? Chief Inspector (CI) Carter advised that the headline figures across the Sussex area including Brighton & Hove Unitary authority crime rose by just under 9%, the increase seen in Arun was slightly higher but not disproportionate. There were issues around social deprivation and probably behaviour driven by addiction i.e. stealing to feed a 'habit'. Together with the rest of the partnership we are tackling these individuals, but the challenge is what happens to the after care of these people after sentence or prison time.
- Cllr Gunner queried the figures in the report under 1.4.2 - an increase from 67 crimes to 76 was not a 10% increase it was actually a 13.5% increase. In terms of the actual strategic intelligence assessment I noted with interest it said that the five objectives for the year for 2019/2020 were serious violence, serious organised crime, community resilience, improving public confidence and tackling anti-social behaviour. How successful do you believe you have been in achieving all five of those priorities? The Community Safety Officer explained that these were very difficult areas to have sustained reductions in although it is our intention, they are very complex areas. Serious violence is made up of several different crime types some are to do with County Lines, some associated with domestic abuse. Serious violence feeds into serious & organised crime that feeds into community resilience so for a longer-term approach we need to work with the community to help educate them, so they are able to resist and defend themselves from exploitation. Crime statistics are only one way to measure what the Partnership does and can be highly variable and fluctuate in part on people's willingness to report.
- Cllr Gunner stated that reply did not answer his question. He went onto say that when you look at the reports, serious violence and serious crime have increased. Anti-social behaviour, he accepted there had been a decline in referrals from housing providers but what he did not understand was why the report and recommendations were not tougher based on the results of these statistics? What is the yard stick, measures of success? CI Carter responded that what we were talking about with the Arun Safer Partnership is how the partnership is working to tackle those issues. The reporting is down to a number of influencing factors, if we take the drug offences, the way the crime is recorded is set within rules from the Home Office. Drug offences are only recorded at the point of detection so the more active we are as a police service, in proactively targeting people who are using or dealing drugs the higher the number that will be. If we don't deal with it then it will be a lower number. Similarly, in sexual offences there had been a massive drive over the last 3 years to really support and encourage the reporting of offences many of which are historic. Cllr Gunner stated that he felt the last response showed that the Partnership had limited powers.

- Cllr Bicknell raised concerns about theft from shops and asked if more detailed information regarding the 50% increase in Arun was available? He also made comment that theft of motor vehicles was up by 30% and were any of these vehicles showing up for use in raids? CI Carter responded that a lot of shoplifting is driven by substance addiction, some was down to people who could not afford food and social deprivation. In respect of the theft of motor vehicles, a high number of these were motorbikes and scooters which were easy to steal and require minimal 'fencing' activity.
- Cllr Ms Thurston asked what connections could be made for funding for you as you had been working a lot on drug issues in Bognor? Do you think if you had more resources you could do more? And in terms of County Lines, I realise this must be a national priority, but do you think you are having enough help from Central Government to stop drugs coming into our area? The community Safety Officer responded if we had more resources our capacity to respond would be greater. One of things we were looking at doing was to provide more support for those who are vulnerable and victims of cuckooing. In respect to county lines, this had been linked to child exploitation. We get very good support from the Home Office. There is a reinvigoration of looking at a serious violence duty for safety community partnerships. We received additional funding to assist with serious violence within Arun.
- Cllr Clayden stated that the main thing that worried him was violent crime. Could our Cabinet Member for Community Wellbeing, who was also a member of the Police and Crime Panel give us feedback from the panel, what was happening to get these figures down? Cllr Yeates responded there had been a drive towards higher funding in the last year and the continuing recruitment of police officers. The figures relate to the year when this was only just beginning. We had just funded the digital shop radios in Littlehampton. The BID in Bognor run a similar thing. This year had been a hard one to judge how things were progressing. Cllr Clayden responded to say this didn't answer the question and although it was good to see the shop support radio system, the main worry was violent crime. We need to send a message back to the police commissioner that this was pre Covid and if these figures stay the same, we have a problem. CI Carter explained that violent crime included 9 different offence categories including dog bites and malicious communications. When we look at what people might commonly think of violent crime, 1368 offences were assault without injury because the legal definition of assault is an apprehension without violence you don't actually need to have any physical contact to be assaulted, legally speaking that is a battering. My starting point is that we shouldn't have any crime and we should always be challenging ourselves to find out as to why there is criminality at any level. One statistic around violent crime was the number that relates to domestic abuse, if we are talking about physical assault 41% of assaults in Arun happen behind closed doors, they are domestic abuse and if we take the bigger definition of violent crimes its drops to 36% but 36% of 5302 crimes is an awful lot and this is where a partnership has a clear role to play. The partnership and the Council as a whole, need to think about how we get in front of this abuse and reduce it. During the first lockdown we set up

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surgeries at supermarkets as people were encouraged to shop alone to be able to talk about domestic abuse without fear of their partner being with them. Cllr Clayden asked about government funding, this had resulted directly in 'Operation Safety' which was a National project trying to tackle the carrying of weapons.

- Cllr Brooks said although limitations had been put on machines in betting shops and just this week they had raised the age for scratch cards and the lottery to 18, were people stealing to fund their gambling habits? The Community Safety Officer commented that this is not something that had been raised across the Boroughs and would be dealt with by licensing. Cllr Jon Carter advised that he sits on a gambling harm group within Sussex Police who had discussed this. If people are committing crime to cover gambling debts it is hard to identify. The Gambling Commission was concerned about increases in problematic gambling therefore the new measures that had been put in place with age limits and regarding advertising.

The Chairman then, with permission of all Members from the Working Group took questions from non-Working Group Members where it was clarified that the recommendations from this report would be presented at the next Cabinet meeting in January 2021 and the n would feed into Full Council in March 2021.

The Working Group

RECOMMEND TO CABINET:

- 1) The work of the Safer Arun Partnership is endorsed and the importance of partnership working in contributing to reducing anti-social behaviour and addressing crime and disorder in Arun is recognised.
- 2) Recognition is given to the work of the Safer Arun Partnership in contributing to the delivery of the Council's strategic priority "supporting you if you need help".

21. TREE PLANTING STRATEGY

The Environmental Services and Strategy Manager covered the background of his report and explained to Members that tree planting projects have an important part to play in terms of helping to tackle climate change. He advised that the team wanted this strategy to be truly collaborative. The Tree Officer then explained the aims and objectives of the strategy to Members, he explained that it was important to leave a legacy that would be highly visible over time. The 10-year action plan over the course of 90 sites would enable the team to identify the best opportunity for tree planting. He advised that planting schemes do have a very high mortality rate and the plan was to build into the action plan a strategy to ensure high survival rates as well as ensuring that the right tree, was in the right place. In summing up he stated that careful planning and local knowledge would be invaluable to the strategy.



There were a number of questions asked by the Working Group and these are detailed below:

- Cllr Gunner commented that he hoped to see more urban and suburban tree planting and that the report did not constitute a strategy. He felt uncomfortable being asked to recommend to Cabinet a strategy that had not been seen. The Environmental Services and Strategy Manager advised that this report sought to agree the next steps for the development of a full strategy which at present is in draft form. The planting plan will be one of the key elements to the full strategy.
- Cllr Thurston asked if more information about where the first few projects would be started and how the Parish Councils would be involved? In response to Cllr Gunner, Cllr Ms Thurston said roadside trees were a West Sussex County Council (WSSCC) project and they had just released the West Sussex Tree Plan which would involve a West Sussex Tree Forum. The Environmental Services and Strategy Manager stated that if the working group required an updated report within the next 12 months that this could be done.
- Cllr Brooks asked in terms of disease, when we plant the right tree in the right place do, we plant a mixture of species in case of disease or pest attacks? He also asked if the Officers could take into consideration preserving larger open areas for events. The Tree Officer explained that in terms of inappropriate placement of trees impacting on events, that this was the reason why the strategy was being created to look at the correct placement of trees. Regarding pest and disease resilience, species diversity of the stock of trees was key to the strategy.

Further discussion was had by members in relation to the recommendation in the report, a proposal to amend the wording was put by Councillor Dixon and seconded by Councillor Ms Thurston that read;

To recommend to Cabinet that Arun **the creation of** a proposed Tree Planting Strategy 2021-2031 and the full development of an associated planting plan, based on the principles outlined in this report

On debating this proposal Members were quickly in agreement that the wording for the recommendation did need strengthening, several suggestions of different wording were provided by members, it was Councillor Gunner's proposal of;

'To recommend to Cabinet that Arun endorses the principals outlined in this report which will form the basis of tree planting strategy 2021 to 2031 and an associated planting plan which will both be presented to the relevant committee before being approved'.

That was favoured by the Working Group, at this stage Councillor Dixon and Ms Thurston withdrew their original proposal.

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## The Working Group

### RECOMMEND TO CABINET:

- 1) To recommend to Cabinet that Arun endorses the principals outlined in this report which will form the basis of tree planting strategy 2021 to 2031 and an associated planting plan which will both be presented to the relevant committee before being approved'

## 22. PLACE ST MAUR

The Principal Landscape Officer introduced her report and provided the Working Group with an update on the plans for Place St Maur in Bognor Regis.

There were a number of questions raised by the Working Group these are detailed below:

- Cllr Dixon expressed his concerns that the whole project is being based around the ice rink which takes up the whole of Place St Maur, therefore leaving no opportunity for above the surface infrastructure. He asked if the Ice Rink could be moved The Esplanade meaning Place St Maur could have trees, a central feature, raised beds, above the surface water features etc. The Principal Landscape Officer advised that it was very early stages in the design and the design team were looking at Place St Maur as being a very flexible area.
- Cllr Bicknell commented that the idea of this project was to link the town, seafront and the Regis Centre. Now the Regis centre project had been delayed, if we go forward with the Place St Maur scheme, we might lose the ability to link the three areas in the future. Regarding the cooling system for the ice rink that could be put underground and therefore other retail outlets could go above and this would also reduce the noise from it. He also queried the documented project team structure within the report. The Principal Landscape Officer confirmed that the client project manager was herself, and she would be overseeing the day to day delivery of the project and reporting to the project board on a regular basis, not daily. The project board will meet every few weeks and sign off milestones, this followed the process used for the delivery of the Littlehampton Wave project.

The Chairman then, with permission of the Working Group allowed questions from non-Working Group Members, where it was raised that there was confusion as to why these updates had not also been taken to the Bognor Regis Regeneration Committee. The Director of Services advised that the route for the project had been approved by Cabinet and that this point had also already been raised at the last Full Council Meeting in November 2020, where the confirmation was again provided that the route for this project had been approved by Cabinet and that the Cabinet Member for Neighbourhood Services, Councillor Mrs Staniforth, was overseeing the scheme. Also, at this time it was supported by the Cabinet Member for Technical Services and the Chairman of the Bognor Regeneration Committee, Councillor Stanley, that he was also in support of the project updates to be reported into this Working Group.

There were also further comments on the public consultation opportunity for the project, where it was confirmed by the Principal Landscape Officer that it would be widely advertised, and the details of the consultation could be circulated to members.

In responses to comments made about the lack of regeneration committee meetings, it was also confirmed by the Committee Services Manager that there was ongoing consultation with both the Chairman of the Bognor Regis Regeneration Committee and the Littlehampton Regeneration Committee to see if there would be further meetings of both these Committees in March 2021, however no confirmation could be given at this time as the decision was yet to be made.

The Working Group noted the update.

### 23. CLIMATE CHANGE UPDATE

The Group Head of Community Wellbeing and Group Head of Neighbourhood Services presented an update together with a power point presentation.

There were a number of questions asked by the Working Group these are detailed below:

- Cllr Clayden said it would be useful to know how much carbon Arun, as an organisation consumes and how that has changed.
- Cllr Thurston wanted to highlight that we are in a national and global emergency and everybody, Officers, Councillors and the public need to buy into this, in a big way. We need targets and regular reports once the new Environment and Sustainability Manager joins Arun together with regular reporting available to the public against our targets.
- Cllr Brooks stated the importance of the Planning department and inconsistencies in planning allowances needed to be looked at. He also stated that he was surprised that new homes would not be connected to the gas network after 2025 and if this was the case could Planning think about new housing estates being linked together so there is an opportunity for joint heating and cooling.
- Cllr Huntley said in respect of new builds, more pressure should be put onto developers to include geothermal heat pumps, solar panels, recycling of rainwater and grey water and all kinds of carbon saving strategies.
- Cllr Bicknell said he believed that members of the Planning committee think that composite window frames are wooden, but they are in fact plastic. He stated his concern about gas supply being stopped as people will become reliant on the electric grid system. He also felt that plans should incorporate more charging points for electric vehicles.
- Cllr Thurston said that leading on from what others have said about planning that this is what she meant about being joined up across the whole Council and in planning they were looking at revisiting the Local Plan to bring in items that the Government are asking for. She also stated that the Council could also look at having more green technology within Arun to train people to fit new boilers and air source heat pumps.

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- Cllr Clayden asked why we had recently installed gas into our housing stock when really the Council should have gone for some form of heat pump and felt this was a rather retrograde step. The Director of Services clarified that the Warm Homes Grant awarded was for gas heating systems only.

The Director of Services advised that this report was for noting and therefore did not need amending. The report was to reassure Members of what the Council had been doing and what we needed to be doing for the Climate Emergency via a Carbon Audit and Carbon Budgeting. She confirmed that the Council would the public aware and do regular reports to the Committee.

The Working Group then noted this report.

24. REPORT BACK FROM CABINET/FULL COUNCIL

The Working Group noted the verbal update provided by the Chairman.

25. WORK PROGRAMME 2020/21

The Group Head of Neighbourhood Services and the Group Head of Community Wellbeing presented the Work Programme for 2020/21 to the Working Group.

- The Work Programme attached to the agenda was emailed to Members on 16 November 2021 which addressed the requests that were put forward at the last Working Group meeting.
- Programme for March meeting includes:
  - Place St Maur
  - Enforcement Contract Update
  - Flooding – Roger Spencer, Engineering Manager will be attending the meeting
  - Wellbeing Review – standing Annual item
  - Local Community Network
- At the bottom of the report it was noted that the various other reports would be coming forward under the new Committee Structure meetings including
  - Place St Maur update
  - Littlehampton Keystone Project
  - Pollution – 2 reports from Nat Slade, Group Head of Technical Services
- Cllr Gunner referred to the minutes of last meeting and stated that the updated Work Programme did not address all of the concerns he raised at the last meeting, i.e. Coast & Foreshores, Parks & Open Spaces, Dog Fouling, Pollutions, Cycling and Cllr Dixon raised Southern Water. He asked for an explanation where the responses to these suggestions were. The Group Head of Neighbourhood Services explained that it was his understanding that all suggestions had been covered. The reports on climate change, parks and open spaces included climate change and initiatives on tree planting. If there were more specific requests, then these could be looked at. Dog fouling and

enforcement are part of the East Hants project, and this report, together with Pollution will be covered by the reports from the Group Head of Technical Services. Recycling is something that we haven't specifically identified but would be coming forward at part of the Cleansing Contract Review which would be going to the Overview Select Committee in March 2021.

- Cllr Thurston requested the biodiversity plan that was passed by Full Council in late summer for a plan which was easily accessible for the public. The Director of Services advised that we are very happy to do work on any of these subjects but to produce the biodiversity work is an officer capacity issue at present.
- Cllr Dixon commented Southern Water are a statutory consultee. Every planning application they confirm the work can be done but they are discharging into Pagham harbour and being fined. Can Southern Water be added to the work programme? The Director of Services said if the Working Group wished to invite Southern Water to a future meeting then the questions can be put forward. The Committee Services Manager advised that a request for Southern Water was made by the Overview Select Committee not at this Working Group. Cllr Dixon felt a way forward was that officers give a summary of Southern Waters contributions over the last two years, the number of planning applications that they have agreed and the breaches they have made in Pagham Harbour etc. Southern Water could then be invited to discuss. The Director of Services advised that the team present are not the team to complete this work and would be a Planning Officer role. She advised that she would, explore this request with the Group Head of Technical Services and The Director of Place to see if this would be something that the team could assist with. Cllr Bicknell advised that the information regarding Southern Water discharges could be obtained from the Environment Agency.
- Cllr Gunner asked for confirmation that the Working Group would amend the Work Programme tonight to include Southern Water for the meeting in March? He also asked for the outcome of those discussions that took place on his and Cllr Staniforth suggestions six months ago. The Director of Services advised that she believed Cllr Mrs Staniforth received the response and the answer from the Group Head of Neighbourhood Services and that was what we had incorporated into the Work Programme. She then requested for Cllr Gunner to contact her outside of the meeting for any further discussion on the matter and she would do her best to assist.

It was agreed that Southern Water would be added to the work programme subject to confirmation from them accepting the invite to attend a meeting with the Working Group.

The Working Group then agreed to note the update provided.

(The meeting concluded at 10:04pm)

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## ARUN DISTRICT COUNCIL

### REPORT TO AND DECISION OF ENVIRONMENT & LEISURE WORKING GROUP ON 25 MARCH 2021

#### PART A : REPORT

**SUBJECT: Flooding**

**REPORT AUTHOR:** Roger Spencer – Engineering Services Manager

**DATE:** February 2021

**EXTN:** 37812

**PORTFOLIO AREA:** Neighbourhood Services

#### **EXECUTIVE SUMMARY:**

The report outlines the types of, and responsibilities for, flooding risk within the Arun District

#### **RECOMMENDATIONS:**

This is an information paper.

#### **1. BACKGROUND:**

Flooding occurs, in essence, when a drainage system fails to convey the normal (or design) volume of water; systems can become surcharged unnoticed and without 'spilling out' to become a problem. Natural flood plains exist to allow excess flow to occur without causing a problem.

There are a number of drainage system types and, in turn, a number of ways in which they can fail, to result in flooding. This report outlines the various types of drainage system, how they would normally behave, who manages them and how they fail – together with the consequences. Normal maintenance operations are also described, where appropriate.

Land Drainage – can be streams, ditches, culverts, pipes, etc. – essentially, any form of natural watercourse. The Flood and Water Management Act of 2010 (FWMA) provided the mechanism by which the County Council, as newly designated Lead Local Flood Authority (LLFA), has oversight of ordinary watercourses (previously this rested with the Environment Agency) – those watercourses with Main River designation stayed with the Environment Agency.

The responsibility to look after watercourses ultimately rests with the owner of the land through which the watercourse runs. In the case of a watercourse not being on registered land, the adjacent or 'riparian' owners are responsible up to the centreline of

the watercourse. The Land Drainage Act 1991 sets out that owners (riparian or otherwise) should keep the watercourse in a condition to allow the free, unimpeded flow of water; owners must accept the natural flow from upstream (it follows that they should pass it on downstream).

Watercourses should be kept clear of vegetation and other impediments, with consideration given to regular silt clearance. Flows should not be impeded and 'land-grabbing' must be avoided – this can happen when land-owners do not appreciate the importance of watercourses within the scope of the overall network, and believe that if ditches have been dry for a long time, they are not needed anymore. Similarly, there should be enough space left alongside ditches etc. to allow room for maintenance access. It is not uncommon for fences to be moved across ditches and sheds and greenhouses to be erected on the space 'gained'. Watercourses can become filled in over time – by lack of maintenance or by direct intent to gain land.

The LLFA has powers to require reinstatement or maintenance to be undertaken; in the case of West Sussex and Arun, the County Council delegates most of these powers (investigation, advice and initial written contact) to Arun DC, retaining the formal Notice procedures and legal action.

Internal Drainage Boards (IDBs). In Arun there were two Internal Drainage Districts (IDDs) South West Sussex and River Arun. Two IDBs oversaw all matters relating to drainage within their respective Districts – these two IDBs (and others in the south east of England) were in effect governed by the Environment Agency. The National Audit Office opined that this should not be the case, as IDBs should be run locally – the EA being a national body with decision making being done in London.

Accordingly, papers were put before the Secretary of State to dissolve these two Boards. The South West Sussex IDB was abolished in 2016 but there were objections to the R Arun IDB being abolished; the situation was exacerbated by the outcome of the EA's Lower Tidal River Arun Study (LTRAS), which suggested withdrawal of maintenance for certain stretches of the R. Arun. Following a Local Inquiry, the Secretary of State was minded not to complete the process and accepted the Environment Agency's wish to withdraw the proposal; there now remains the question of how to proceed – this work is ongoing.

The reason for including reference to the IDBs here is to point out that with the abolition of the South West Sussex IDB, the responsibility has returned to the landowners – in several cases that is Arun District Council. The money that Arun used to pay by way of precept has been retained within the Land Drainage budget – in part, funding an extra post to deal with such matters and in part to allow for the increased maintenance liability. The precept in relation to the R. Arun IDB remains. More information on this matter can be found in a specific Cabinet report into the matter (2014) and in references made in regular Engineering Services Review reports.

Surface Water Drainage can take the same forms as Land Drainage but is more usually pipes and culverts. This type of drainage is where the flows are not natural but come from artificial or man-made sources – they will usually drain into natural watercourses but up to that point are the responsibility of the owner (of the source) or Southern Water Services (SWS), if the system has been adopted, as appropriate. There is a mixture in Arun, of private surface water systems and Public ones; adopted by SWS.

Fluvial / Pluvial / Tidal The source of flows in watercourses and surface water sewers can be pluvial (rain falling in the local area) fluvial (reaching the point by flowing in other



watercourses) or tidal (from the sea). Groundwater is also of importance and varies geographically and through the seasons.

The Environment Agency usually has powers in relation to tidal flooding (coastal and Main River) but ultimately the landowner is responsible.

Highway Drainage can be provided either through a dedicated system of pipework or road-side ditches; WSCC manages the drainage and flood risk to Public Highways, It should be noted that WSCC only accepts responsibility for road-side ditches that are solely for the drainage of the highway; any that serve other purposes revert to land or surface water drainage systems.

Groundwater Under the terms of the F&WMA, the LLFA (WSCC) manages flood risk due to groundwater. WSCC has developed a network of boreholes across the County to strategically monitor the level of groundwater on a strategic scale.

Foul Drainage Southern Water Services is the disposal authority and is responsible for a network of drains and public sewers (NB 'drains' serve just one property whereas 'sewers' serve two or more properties). The homeowner usually has responsibility up until the point where the drain leaves the property.

National Policy Defra's Flood and Erosion Risk Management Policy sets out Government policy and the EA's National Flood and Coastal Erosion Risk Management Strategy sets out "a vision of a nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100". These two documents are recently published and available on the GOV.UK website (see links provided below). They provide further background reading but are not described in depth here due their strategic nature.

New Development All proposed surface water schemes must consider sustainable surface water drainage principles. Arun Engineers comment on Planning Applications for developments over 2 units and all those in the Lidsey catchment area (to reduce the likelihood of the proposed method of surface water disposal compromising the foul system).

The Lidsey catchment is particularly susceptible to a high groundwater table and this can adversely affect the foul drainage system, where drains and sewers allow infiltration, leading to foul surcharging and flooding. This primarily in relation to older systems already 'in the ground' where older pipe joints allow ingress of groundwater.

If a development is proposed within Flood Zones, then the volume taken up must be mitigated for elsewhere, outside of the flood zone – this usually precludes development going ahead but there are cases where development can happen e.g. the new Rolls Royce facility at N. Bersted – a new lake was formed north of the relief road.

The EA has a dataset that deals with sea level rise and the software usually used to design drainage schemes has the ability to take account of submerged outfalls.

In line with national guidance, a hierarchy is adopted whereby the preferred method of surface water disposal is - infiltration back into the ground, followed by a controlled discharge to a watercourse followed by controlled discharge to a surface water sewer.

This is generally referred to a Sustainable Drainage System (SuDS). The design of SuDS systems and features requires a suite of information to be gathered before they can be designed and approved. This will involve groundwater monitoring (to determine how deep or shallow system needs to be). The worst-case scenario should be designed for, so winter period monitoring is required. The geology and the site's ability to infiltrate

also needs to be assessed. There is guidance in respect surface water disposal from the Construction Industry Research and Information Association (CIRIA) and the Building Research Establishment (BRE), BS8582 and Approved Document H of the Building Regulations also refer.

Designs are checked to ensure that excess water is stored (on site) and allowed to flow only at a rate that applied before the development (greenfield run-off rate – brownfield rates if site previously developed). We required rainfall rates for a 1 in 100 year storm to be catered for and an allowance of 40% for climate change is also applied. Additionally, there must be no adverse effect to neighbouring land in this condition and ‘exceedance’ flow routes must be allowed for.

We quite often get representations from the public, saying that development sites are not suitable, due to flooding. This obviously can be the case; however, it is common for development sites (especially the larger ones) to lay dormant for some time, with little or no watercourse maintenance undertaken while the landowner considers its future and the purchasing developer brings forward plans. Development can therefore be a process by which issues in the local watercourse network can be addressed, by bringing the local network back into good order and betterment provided in some cases. It is often the case therefore that a better overall situation can be achieved.

Consenting Whilst WSCC is the LLFA, the officers there concentrate on strategic matters and acknowledging the local knowledge held at a local level, delegate Consenting any changes to non-main river watercourses (under the Land Drainage Act 1991) to the District & Boroughs, as well as the Enforcement procedures mentioned above.

The WSCC initiative, ‘Operation Watershed’ allocates money from the Active Communities Fund (in the form of grants) to support community groups working in their local area to help prepare for, and reduce the risk and impacts of flooding from ground and surface water. However, it is not open to Districts and Boroughs but we help Parishes and Flood Groups develop bids to WSCC.

As noted elsewhere in the report, it is the landowner or riparian owner’s responsibility to maintain land drainage watercourses. This, of course, applies to Arun District Council as well as to private individuals and corporate bodies. The Engineers have a modest budget for this maintenance work required on Arun DC land (recently increased by virtue of the IDB dissolution) and we also assist / advise other Services (e.g. Housing, Greenspace and Estates) using their identified budgets where appropriate.

The EA and Arun DC are able to undertake capital improvement works where appropriate and where there is a demonstrable need that meets the national criteria framework. Flood Defence Grant in Aid (FDGiA) is available from Defra via the EA. However, this is rarely sufficient; a system of Partnership Funding is adopted to gap fund where 100% FDGiA is not available. Arun has a Community Flood Fund for this purpose, it is not intended to meet all of the shortfall, with other beneficiaries needing to contribute in most cases. It is not intended to be for general day to day drainage costs or minor improvements.

**2. PROPOSAL(S):**

This is an information paper

**3. OPTIONS:**

N/A

<b>4. CONSULTATION:</b>		
N/A		
Has consultation been undertaken with:	<b>YES</b>	<b>NO</b>
Relevant Town/Parish Council		
Relevant District Ward Councillors		
Other groups/persons (please specify)		
<b>5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)</b>	<b>YES</b>	<b>NO</b>
Financial		N/A
Legal		
Human Rights/Equality Impact Assessment		
Community Safety including Section 17 of Crime & Disorder Act		
Sustainability		
Asset Management/Property/Land		
Technology		
Other (please explain)		
<b>6. IMPLICATIONS:</b>		
N/A		

<b>7. REASON FOR THE DECISION:</b>
N/A

<b>8. BACKGROUND PAPERS:</b>
Defra Policy - <a href="https://publishing.service.gov.uk">Flood and coastal erosion risk management policy statement (publishing.service.gov.uk)</a>
EA Strategy - <a href="https://www.gov.uk">National Flood and Coastal Erosion Risk Management Strategy for England - GOV.UK (www.gov.uk)</a>
WSSCC - <a href="#">Managing flood risk - West Sussex County Council</a>
Partnership Funding - <a href="https://www.gov.uk">Partnership funding - GOV.UK (www.gov.uk)</a>

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## AGENDA ITEM NO.

# ARUN DISTRICT COUNCIL

## REPORT TO ENVIRONMENT & LEISURE WORKING GROUP ON 25 MARCH 2021

### PART A : REPORT

**SUBJECT: Place St Maur, Bognor Regis**

**REPORT AUTHOR:** Rachel Alderson – Principal Landscape & Project Officer

**DATE:** February 2021

**EXTN:** 37946

**PORTFOLIO AREA:** Neighbourhood Services

#### **EXECUTIVE SUMMARY:**

This report provides an update on the public realm project at Place St Maur and the Esplanade, Bognor Regis.

#### **RECOMMENDATIONS:**

This is an information paper.

#### **1. BACKGROUND:**

##### 1.1 Project Background

Public realm improvements to Place St Maur in Bognor Regis are intended to make a positive impact to the town and strengthen the connection between the seafront and town centre. Enhancements will create a flexible and functional active space and encourage visitors to stay longer and spend more, which will benefit local businesses and boost the local economy. Design proposals and traffic studies for the Esplanade will also explore the potential to close a section of the carriageway to vehicles at certain times of the year to support larger events.

##### 1.2 Progress Update

Cabinet Decision (C/032/16112020) approved the Project Proposal and that the designs for the scheme will be presented at future Cabinet meetings. The Decision also recommended to Full Council the approval of a supplementary estimate of £370K as partnership funding and that should the £1.2m bid to Coast to Capital be successful, the Council enters into a funding agreement with Coast to Capital and approve the drawdown and expenditure of external funding. These recommendations were ratified by Full Council at their meeting on 13 January 2021 (minute 414).

##### 1.3 Stakeholder Engagement

Initial stakeholder engagement was undertaken during November and December 2020,

including a virtual Members workshop, to seek knowledge about the site as well as suggested ideas for potential inclusion within the designs. A range of stakeholders were contacted to assist, including ADC Members and Officers, immediate neighbours of the site, local businesses, Bognor Regis Town Council, West Sussex County Council, Bognor Regis BID, Bognor Regis Regeneration Board and event organisers. The Council's appointed consultants, Land Use Consultants (LUC), worked with the information gathered to prepare concept designs which would test public opinion on a variety of elements through public consultation.

#### 1.4 Public consultation

The public consultation was launched on 11 February and will close on 8 March 2021. The plans are being displayed through an online hub and the consultation was widely publicised through posters, banners, press release, letters, emails and social media, taking into account the national lockdown restrictions. It was not possible to hold an exhibition for people to visit, therefore consideration was given to those residents who may not have online access. A booklet combining the consultation material with a questionnaire was sent to residents and businesses adjacent to the site. Hard copies were also available to anyone on request. At the time of writing the report more than 250 responses had been received.

LUC will review the consultation results and identify the most popular features from the concept designs. These will be used to develop a preferred option, to be presented for approval at the Cabinet meeting on 22 March.

#### 1.5 Project costs

The capital budget allocated to the Place St Maur project is £1.5m but there will be ongoing maintenance costs to be considered and allowed for as part of the ongoing commitment to the scheme.

#### 1.6 Next steps

Following approval of the preferred design LUC will work on technical designs for Place St Maur only to enable the scheme to progress to tender stage.

The project team is also working with officers from West Sussex County Council to produce a brief for the Esplanade traffic studies. It is hoped these studies could be carried out in Summer 2021.

### **2. PROPOSAL(S):**

N/A

### **3. OPTIONS:**

N/A

### **4. CONSULTATION:**

Stakeholder engagement was undertaken early in the design phase. A public consultation on the concept designs is running between 11 February and 8 March 2021.

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	✓	
Relevant District Ward Councillors	✓	
Other groups/persons (please specify) All ADC Members, residents and businesses adjacent to Place St Maur, Bognor Regis Town Council, Bognor Regis BID, Bognor Regis Regeneration Board, wider public	✓	
<b>5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)</b>	<b>YES</b>	<b>NO</b>
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability	✓	
Asset Management/Property/Land	✓	
Technology		✓
Other (please explain)		✓
<b>6. IMPLICATIONS:</b> <ul style="list-style-type: none"> <li>• Financial – The Council has committed to finance part of the scheme and will need to ensure there are sufficient funds in place to maintain the completed scheme long term.</li> <li>• Legal – The Council is required to enter into a legal agreement with Coast to Capital.</li> <li>• Sustainability – Sustainability is a factor when sourcing materials for the scheme.</li> <li>• Asset Management/Property/Land – ADC will retain responsibility for the land on completion and therefore its maintenance.</li> </ul>		

**7. REASON FOR THE DECISION:**

N/A

**8. BACKGROUND PAPERS:**

[Cabinet 9 March 2020 – Minute 499 refers](#)  
[Full Council 22 July 2020 – Minute 114 refers](#)  
[Environment & Leisure Working Group – 3 September 2020 – Minute 14 refers](#)  
[Cabinet 16 November 2020 – Minute 285 refers](#)  
[Environment & Leisure Working Group 10 December 2020 – Minute 22 refers](#)  
[Full Council 13 January 2021, Minute 414 refers](#)

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