

Monmouthshire Select Committee Minutes

Meeting of Economy and Development Select Committee held at on Thursday, 24th September, 2020 at 10.00 am

Councillors Present

County Councillor P.Pavia (Chairman)
County Councillor (Vice Chairman)

County Councillors: J.Becker, A.Davies,
D. Dovey, D. Evans, R.Roden, B. Strong and
J.Pratt

Officers in Attendance

Robert McGowan, Policy and Scrutiny Officer
Hazel Ilett, Scrutiny Manager
Craig O'Connor, Head of Planning
Ross Price, Engineer
Jill Edge, Senior Planning Policy Officer
Ruth Donovan, Assistant Head of Finance

APOLOGIES: Councillors D. Blakebrough and M.Feakins

1. Public Open Forum

No members of the public were present.

2. Replacement Local Development Plan Sustainable Settlements Report ~ Scrutiny of a background policy report.

Officers Craig O'Connor and Jill Edge delivered the report, informing the committee of the Sustainable Settlement Appraisal, which has been prepared to inform the Replacement Local Development Plan.

Challenge:

Should the scoring system used for the diagram on p2 have negative points to reduce scores, if negative issues exist? e.g. in Monmouth we have a lack of sewage capacity, and less car parking than most other large towns.

The items in the diagram came from Welsh Government as a manual for what needs to be considered. This exercise looks at the quantitative measures i.e. the facilities that *do* exist. Going forward, the other elements on the diagram will be considered but that doesn't form part of this appraisal. There will be that qualitative assessment then, and discussions with the Health Board, Education authority, Welsh Water, etc. We have a meeting in a few weeks' time about Monmouth's sewage capacity. We will therefore look at those things, and we will look to get money from developers if sites are promoted to enhance our infrastructure. This current exercise only looks at which settlements in Monmouthshire are considered to be sustainable, based on the quantitative information we have at this time.

Broadband penetration can vary across very small areas, given the hilly nature of our county. Is that taken into account?

We didn't look at broadband penetration. We considered speed, based on the information we were able to acquire at the time of the survey. We will update that. It's not clear how we would assess penetration, how it would be measured. If members have ideas about that then we can take them on board when we do this work again.

What do these analyses allow us to do? What can we insist that developers do for us, as a result?

This appraisal underpins our replacement Local Development Plan in terms of where we should look for potential growth, and housing and employment opportunities. It is for us as a council to consider where the most sustainable places are for us to develop growth. These developments in growth can enhance areas, potentially improving the negative points we have discussed. In the last development plan a doctors' surgery was going to close, but thanks to the housing growth in that area it was retained for that community. Housing developments therefore ensure that some services are retained; we want to keep local businesses open and our local areas thriving.

It is good to know which communities are sustainable, and what we would like to build, but unless we have the political will to enforce what we would like to build, is this exercise not about what we can demand of developers?

Yes, what we want from developers – what type of development, and the level of growth we want for Monmouthshire – will come through this Local Development Plan process. This is one stage in a long process of many years developing this plan. We have had many conversations about the housing mix, and sustainable forms of development and design that we want. But those detailed policies and requests of developers will come later. This is merely the first step, identifying which areas are the most sustainable, and where additional growth could be.

When formulating the strategy, should we not also consider the importance of attracting the right sort of employers, and putting in the necessary infrastructure?

Yes, a holistic approach is needed. The plan is about growth, housing and employment, and ensuring we build in the right place. We need to ensure that all services are within easy reach for people. Covid has magnified the importance on 'local' – going to work at local hubs, etc. Many conversations are taking place about focussing more on local things, and the work/life balance. We want to enhance our existing settlements to allow for or improve this. It is certainly very important to consider the overall picture, which is why we need to base our decisions on robust evidence.

Do we have an idea of what the new data from Welsh Government suggests? Is it likely to change anything substantially?

We are still working through the detail at the moment. We are speaking to consultants about how the new population projections affect Monmouthshire, so it is probably too soon to say how that will play out in terms of growth levels. In the coming months we will revisit the growth options, based on these new figures, and go out to public consultation. We can engage with our communities to see where they think we should go. There are key issues in Monmouthshire that still need addressing: affordable housing, ageing population, reliance on cars etc. We need to review the new figures and evidence, and address matters subsequently, ensuring we make the right decisions for our communities. When we reassess this settlement appraisal, using the same methodology, it will be sent out to all community councils.

Chair's summary:

We have commented on some of the report's aspects, with the suggestion of looking again at the scoring capacity – the officers have emphasised the qualitative and quantitative data, but we need to balance the limitations that could make further development in those areas more problematic. Equally, we have heard how development can bring opportunities for business growth; sometimes, communities experience difficulty before the process is reassessed, and new infrastructure is put in place. The officers noted that the aim is to enhance communities, and make them more sustainable long term. The LDP workshops are due to resume, which will be important for feeding into this process. We heard concerns about broadband penetration and speed; Councillor Becker suggested that for assessing broadband penetration, we look at how many people Open Reach says it has lit up in an area for fibre, specifically, fibre to the cabinets vs. how many homes are served by those cabinets. Councillor Roden proposed that a fourth scoring principle for negative factors be introduced.

3. Flood Management ~ lessons learnt ~ feedback for the Environment, Energy and Rural Affairs and the Climate Change, Environment and Rural Affairs Committees

Officer Ross Price and Ruth Donovan presented a verbal report:

Welsh Government is holding its own scrutiny session on 8th October with the minister for the environment to review their response to last winter's flooding. Welsh Local Government Association is leading on a combined response from all local authorities, with their own Flood Officer, Jean-Francois Dulong. He will collate the responses from local governments, to present to the scrutiny session on 8th October. We received an email from Welsh Government with questions, which give a good focus for

our response; we are putting that together at the moment. We are in regular contact with the Flood Team from Welsh Government, with whom we have a good relationship.

The first question from Welsh Government is whether the current funding provided by them for flooding and coastal erosion management, and for relevant authorities to provide emergency flood response, is sufficient. We have statutory duties under the Flood and Water Management Act to manage flood risk, which in our case is from ordinary watercourses, and ground and surface water flooding. The risk management authority for main river flooding, which is what affected Monmouthshire most last winter (from the Wye, Monnow and Usk), is Natural Resources Wales. We are therefore quite limited in what we can do, and what schemes we can deliver, regarding main river flooding. We get a revenue fund of £105k a year, to deliver our statutory duties, which include delivering all of our activities that are set out in our Flood Risk Management plan and strategy. We also have statutory duties to undertake assets maintenance, inspection, recording, mapping, investigations, and keeping up with training and software. Most notably, from January 2019, we became an approving body for drainage matters on new developments. We haven't had additional funding to cover this cost, which has been considerable. The responses to last winter's flooding has led to a backlog in other workstreams, such as applications in the SAB process, but also delivering our day-to-day duties. Additional funding would help us to deal with this.

The capital element of funding is slightly better than the revenue. It covers all of the flood schemes that we promote. Typically, there is a flood event, we investigate its sources and mechanisms, identify who is affected, then put in an application to Welsh Government to deliver a flood scheme, which might be building flood walls or barriers, etc. In recent years, we've been very successful in getting this funding. Last year's flooding has increased the number of schemes that are required, and brought to the fore longstanding issues. We are developing a five-year forward programme now. Over the last three years we have received about £160k of grant funding to deliver flood schemes; this year, we have £130k alone. The total figure is likely to increase due to last year's flooding, but we're in competition with the other local authorities.

Following the winter flooding, Welsh Government made available an emergency flood response grant; we were successful in applying for just over £100k, for dealing with the immediate response of the flood event: sandbagging, emergency clearance of culverts and watercourses, etc. This important work was performed excellently; recouping the cost was a big bonus.

The next element of funding is a grant made available by Welsh Government for flood-affected citizens. This was limited to £1k for people without insurance, and £500 for those with insurance. As a local authority, we administered this grant, which involved inspecting the properties and establishing

contact centres for the public to call to request it. This was another strain on our resources, for which we haven't been able to recoup any costs – we will highlight this in our response.

The major piece of funding was the Emergency Financial Assistance scheme (EFAS), which was split into two phases: response and recovery. This is the main area where we have had difficulties. The scheme is not an automatic entitlement, but has to be activated by Welsh Government for a particular event (they did so for the floods in February.) Certain thresholds then apply: in 19/20 our threshold was £313k, which means we have to spend up to that amount before we are eligible for any assistance. Any money received over that £313k, we then receive 85% of that – therefore, the authority has to find 15% of that fund. Terms and conditions apply to this fund. For us, the main conditions which we had from Welsh Government at the time were that they would be flexible with the funding, that they might not enforce the 85% threshold, and that they were in fact encouraging local authorities to apply, even if their spending was likely to be below the threshold, giving us an indication that we would be eligible. They also added an element about awarding council tax and business rate discounts to households and businesses affected by the floods. They encouraged us to give those households three months' relief, and claim it under the scheme.

Collating these response costs was a big job. We did so, and found that we had only spent £321k, meaning an £8k difference to our threshold; once the 85% was applied, we could claim £6857. Overall, therefore, it was very disappointing because the actual terms and conditions that we received for the grant were the standard ones. Many of the things we had been led to believe we might receive didn't happen. The general feeling across Wales is that it was a pointless exercise, with very little funding coming out of it.

We are also looking to collate recovery costs for Welsh Government colleagues. We identified £8.8m in costs over three years that we are going to incur for Monmouthshire. We have recently received an indication that we will get some of that funding: around £2.3m for 2021. We have a very short window to spend that money, and it's not an ideal time of year for works such as resurfacing roads. Unfortunately, the money has come with very little information as to whether we can slip any of it into next year if we don't spend it.

The second question is whether more emergency funding will be necessary this winter to assist local authorities to deal with flooding. Last winter highlighted the limited resources that we have to respond to these events while maintaining other duties. The work done by Highways and Grounds teams also needs to be considered. We will certainly need additional funding if we have another event like last year. One issue with emergency financial support last year was that the cost had to be incurred and claimed by the end of the financial year – the flood event occurred in mid-February and continued into

mid-March, so our work clearing watercourses etc. continued a long time beyond the end of the financial year. As that pot of money therefore disappeared, we tried to claim the money back through EFAS but, as mentioned, we were unsuccessful in recouping some of those costs.

The third question is whether local authorities are sufficiently supported to recover from a major flooding event; we are still in this recovery phase from last winter, and are likely to remain so for a long time. This question hinges also on financial matters (through EFAS), as has been described. It also goes on to mention undertaking investigations and making changes to manage the risk of recurrence: we are looking at many flood schemes now, and are pushing NRW regularly to progress matters with the various main river flooding throughout the county. One of the major issues we had last winter concerned private flood defences and bunds, which tend to be in rural areas; most notably, there are bunds in Llanwenarth, Prioress Mill Lane and Llanbadoc. These are large, earth bunds that are not currently managed by NRW or us, and are not subject to inspections or maintenance. These three bunds failed catastrophically last winter. The Llanbadoc bund has now been recognised as a NRW asset, which is very good news. Our Leader, Councillor Fox, is in regular contact with NRW on this matter. We are limited as an authority in what we can do, as they are main river assets. With the rains already starting this Autumn/Winter, the residents in these areas are becoming very anxious. We will continue to pressure Welsh Government and NRW, especially for the former to release funds much quicker.

The fourth question is how effective the Flood and Coastal Erosion Committee is in providing an advisory and coordinating role to Welsh Government. We are not particularly involved in these matters. The committee is fairly new. We can't really provide a response other than to say that as we don't have a direct dialogue with the committee, perhaps that could be improved.

Cabinet Member Jane Pratt made the following additional comments:

The picture presented today is a very worrying one. Our officers dealt in an exemplary way during the flooding. Officer Price and I attended a conference last year, at which the Met Office clearly told us what we will face: we can be certain that very wet winters and very hot summers will continue. It is very difficult because we can't start work for the additional money (beyond the £2.3m we have received) as there is no guarantee we will recoup it from Welsh Government. We do not have the significant financial reserves of a county like RCT, which also experienced terrible flooding. Another great concern is NRW: it is poorly funded, slow to respond, and under-resourced. Coal levels with rising floodwater are also a problem. I have been in post since last May, and have not been invited to any meetings by the Flood and Coastal Erosion Committee, which is disgraceful. The impacts are still being felt: for example, NRW did not do the necessary work on the A466 road (following a landslide), which

means we will have to close it next year. Inefficiencies in these organisations are having far-reaching impacts.

Challenge:

In Usk, over the years there has been build up in the river either side of the bridge. Is it correct that NRW is responsible for dredging rivers, and will funding become available for them to do so with the Usk?

Yes, NRW is responsible for rivers. They don't routinely dredge them, however. Unless a river is dredged all the way to its outfall, dredging in one location merely creates a low spot that then naturally fills back up. But, NRW does remove accumulations of gravel, so we will approach them about the islands that have gradually formed in Usk, to see if they can inspect them, with a view to removing them.

What is the deadline for responding to WLGA?

The deadline to respond to WLGA is the end of the day tomorrow.

Chair's summary:

The members have all recognised the strong response to last winter's flooding by MCC, and voiced their appreciation for the efforts made by officers during this crisis, as well as by residents raising money for the relief fund. Councillor Roden suggested that 1015 regulations be reconsidered if we are to have wetter winters constantly, and suggested that there might come a time when houses that are being flooded regularly shouldn't be reinstated, with the floodplain areas returned to meadows.

Councillor Pratt highlighted the importance of engagement opportunities, and ensuring direct dialogue with ministers and senior officials. We will submit a robust response to Welsh Government, as the officers have explained, but it is important that each local authority has the opportunity to converse directly with ministers, and highlight their particular issues. There were concerns at the outset, when NRW was established, about the long-term funding commitment; the information we have been given today is yet more concerning.

4. Economy and Development Forward Work Programme

A Members' Seminar on budget recovery plans was planned for October, but will now be rescheduled. Towards the end of October, there will be a joint meeting with Strong Communities to discuss car parking. Procurement and Cardiff Capital City Deal need to remain on our agenda – there will be a

gateway review of the latter next spring. The chair welcomes opinions from members as to whether this committee could host the wider council seminar on the local government funding formula.

5. Council and Cabinet Forward Planner

6. To confirm the minutes of the previous meetings

- 30th January 2020
- 21st July 2020 (Joint Select Committee)

The minutes were confirmed and signed as an accurate record, with the following amendment for 30th January: a Member asked about the impact of coronavirus, should the problem escalate, particularly concerning supplies from Chinese manufacturers. An Officer responded that should WHO escalate the problem, Welsh and UK government would make an assessment, with the risk then assessed at a local authority level. The implications of escalation were not known at this stage.

7. To confirm the date and time of the next meeting as 19 October 2020 (Special Meeting)

8. Declarations of Interest

There were no declarations of interest.

The meeting ended at **11.35 am**