

PROGRESS ON COUNCIL'S NOTICE OF MOTION: THE IMPACT OF VARIABLE RAINFALL IN WIRRAL

1.0 EXECUTIVE SUMMARY

1.1 This report sets out the progress made to date following the Council's resolution (Minute 83) on "The Impact of Variable Rainfall in Wirral".

2.0 BACKGROUND

2.1 On 18th December 2006 a Notice of Motion was put to Council recognising the impact climate change has had on Wirral's drainage infrastructure and water resources and the need to encourage a more sustainable approach to development by working with stakeholders to address these issues and to promote greater use of water saving initiatives and Sustainable Urban Drainage Solutions (SUDS).

2.2 In response to this Motion it was resolved that officers should:-

- (i) Seek the views of the local water companies and drainage authorities on the issues of run-off, water saving and promotion of diversion kits;
- (ii) Seek the views of the Local Government Association and DEFRA on the need for effective guidance to contractors on the impact of their works on groundwater and run-off;
- (iii) Seek the advice of the Environment Agency on these issues having regard to their role;

2.3 The issues arising from the resolution have been discussed within the Department of Technical Services, across Council departments and with officers from other Merseyside Local Authorities. Details of these discussion are summarised within the following paragraphs.

2.4 Drainage Engineers, Development Control and Building Control officers from the Department of Technical Services have highlighted a number of areas which either have been, or could be developed to control or regulate the rate of rainwater run off to the Borough's drainage infrastructure.

2.5 In the case of new developments where the Council is the developer, the design and specifications have been amended in recent years to meet sustainable drainage requirements. The re-use of rainwater and disposal of wastewater in a sustainable manner is also considered for all Council owned redevelopments.

2.6 As a measure to control additional run-off generated from new properties built by developers other than the Council, the Council may wish to give some consideration to removing deemed consent for subsequent drainage-related development under the Town & Country Planning Act (General Permitted Development) Order 1995 Schedule 2, Part 1, Class F. This would include alterations to the existing above and

below ground drainage infrastructure and changes to surfacing which would affect the rate of runoff within the property, ie; paving over gardens and creating additional hard standing for parking and patio areas.

2.7 Drainage issues relating to modification of existing buildings however are more difficult to control. This particular issue was recently highlighted by the Institution of Civil Engineers in a paper entitled “The Environmental Importance of Front Gardens” published in Volume 159, Issue ME4 of the proceedings of the Institution of Civil Engineers. Included in the paper is a table which shows that in the Northwest a quarter of households have 75% or more of the area of their front gardens paved.

<http://www.thomastelford.com/journals/DocumentLibrary/muen.2006.159.4.239.pdf>

2.8 It is not practicable to regulate changes to existing premises which may produce more rainwater runoff through the existing planning or building control processes. However, one of the recommendations contained within this paper which Council may also wish to consider is an amendment to the Local Development Framework requiring all pavement crossings to be subject to planning approval. This would enable Officers to promote the use of permeable rather than more conventional impermeable surfacing materials and to encourage SUDS.

2.9 As part of the Council’s developing Climate Change Strategy, the Development Control team are working with the Nottingham Declaration Working Group to produce a Sustainability Design Guide for developers. This is a good opportunity for the Council to influence the design process by including specific information relating to the following drainage related issues:

- Promotion of the hierarchical approach to discharge of surface water drainage contained within part H of the Building Regulations – Soak Away, Watercourse & Sewer
- Early consultation with the Water Companies and the Environment Agency to identify potential flood risk and other drainage issues or constraints
- Flood risk assessments
- To discourage in-curtilage parking or where not practicable to promote the use of sustainable permeable surfacing materials

2.10 At the last meetings of the MDEG Drainage and Flood Defence Group and the Cheshire Drainage and Flood Defence Group, officers from Technical Services sought the views of officers from neighbouring Authorities on Wirral’s Notice of Motion. All members of both groups expressed an interest in the Motion and indicated they were experiencing similar problems within their respective areas. To develop this further a workshop is planned to discuss the issues arising from the Motion, share experiences and best practice.

2.11 Looking at the national context, in July 2004 DEFRA published a consultation document “*Making Space for Water*” aimed at developing a new Government Strategy for Flood and Coastal erosion risk management in England. My report to the Streetscene and Transportation Overview and Scrutiny Committee on 3rd November 2004 formed the basis of the Council’s response to DEFRA on this issue. The LGA also submitted a response.

<http://10.107.1.50/minute/scripts/viewer/viewagenda3.asp?mtg=1326#17>

2.12 Following on from this initial consultation exercise, DEFRA recently announced the launch of 15 pilot studies to test a new approach known as “Integrated Urban Drainage” to reduce the future impact of urban flooding on peoples lives and businesses. The studies will see key stakeholders working together to reduce the risk of flooding in the future and will help Government consider possible changes in legislation and the responsibilities of regulatory bodies.

<http://www.defra.gov.uk/news/2007/070115b.htm>

2.13 Work has also commenced to seek the views of other key stakeholders on the Council’s Notice of Motion. On the 24th April 2007, United Utilities (UU) attended a meeting with officers from the Technical Services Department. Mr David Parkinson and Mr Tony Griffiths of UU’s Wastewater Division attended.

2.14 UU fully endorsed the Motion and commended the Council for its foresight in recognising the impact of variable rainfall both on surface water run-off and water resources.

2.15 During the meeting UU provided details of a joint campaign they had recently run with the Environment Agency involving newspaper and radio adverts called “*Don’t Waste it. We Need it*” to encourage everyone to consider how they currently use water and look for ways to use it wisely.

2.16 Free information packs can be ordered from UU containing information on how to save water in the home and garden as well as a “save a flush” devise which can be easily fitted in the toilet cistern and will save a litre of water with every flush. Water diversion kits can also be purchased from UU’s web site and are delivered free of charge.

2.17 UU advised officers from Technical Services that once planning permission has been granted developers have a right to connect to the public sewer. The only real control UU have on connections to the sewer is through planning legislation and by attaching conditions to planning applications. When developers approach UU for a S104 agreement for vesting of the new sewers in the Water Company the development designs are usually fairly well advanced. Better consultation with local planning authorities could prevent costly problems further down the line.

2.18 Dave Hardman from UU and Mark Rees from the Environment Agency (EA) recently gave presentations on planning consultations and Planning Policy Statement 25 (PPS25) respectively to the Cheshire Drainage and Flood Defence Group. The presentations included a checklist for local authorities to follow to determine which applications should be referred to UU for consultation and the requirements of PPS25.

2.19 On 1st October 2006 the EA were given statutory planning consultee status for developments within the flood zones, within 20 meters of main rivers or which involve culverting or controlling the flow of any river or stream. Consultation with the Water Companies however still remains voluntary. Currently Wirral only consult with the Water Companies for major development.

2.20 The Development Control team within Technical Services are continually looking at ways to improve Wirral’s performance figures for processing planning applications. Should Wirral introduce UU’s proposed checklist for consultation with the Water

Company this could increase the complexity of the current planning validation and determination processes. Applications with potentially complex drainage issues would need to be carried out by more senior planning officers and could lengthen the time taken to process and determine applications. Currently there is no statutory requirement to follow UU's checklist.

- 2.21 Notwithstanding this, officers from Technical Services and UU's representatives recognise the importance and benefits to be achieved through early consultation by developers with the Water Companies and EA. Therefore, in order to continue the debate and foster better working relationships, Dave Hardman and Mark Rees from EA are to be invited to Wirral to present to Technical Services officers within the Development Control and Building Control Teams.
- 2.22 Members may also wish to consider inviting Dave Hardman and Mark Rees from EA to present to a future meeting of the Environment Overview and Scrutiny Committee.
- 2.23 UU are acting as lead Authority for the Integrated Urban Drainage pilot study in the Salford area of Greater Manchester, commissioned by DEFRA as part of the Making Space for Water initiative. As part of this study UU intend to put forward their vision for a sustainable, idealistic drainage strategy for a new development. This will include the use of green roofs, balancing ponds, swales, grey water etc. UU will also look at the obstacles in place which prevent developers from implementing these solutions i.e. building regs/uneconomic/legislation. Once complete, the study will be presented to DEFRA and it is hoped may lead to changes in legislation to remove these obstacles and encourage more collaborative working and sustainable solutions. UU have agreed to share the outcomes of this study with Wirral.

3.0 PROPOSALS

- 3.1 It is proposed that Officers from the Technical Services Department continue to meet with and seek the views of partner organisations and other stakeholders on the Councils Notice of Motion to help develop strategy to reduce the impact of variable rainfall in Wirral.
- 3.2 The results from these ongoing discussions and any subsequent recommendations that emerge will be reported to Members of this Committee at its November 2007 or January 2008 meetings.

4.0 FINANCIAL AND STAFFING IMPLICATIONS

- 4.1 Ongoing discussions will be carried out by existing staff as part of their normal duties.
- 4.2 Recommendations arising from future reports may have financial and staffing implications for the Council.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 There are no specific ethnic minority, elderly persons or equal opportunities implications under this heading.

6.0 PLANNING IMPLICATIONS

6.1 Recommendations arising from this report may have implications for the way the Council's Development Control and Building Control teams currently deal with applications. .

7.0 COMMUNITY SAFETY IMPLICATIONS

7.1 None.

8.0 HUMAN RIGHTS IMPLICATIONS

8.1 There are no specific human rights implications arising directly from this report.

9.0 LOCAL AGENDA 21 IMPLICATIONS

9.1 The Council's Motion "The Impact of Variable Rainfall in Wirral" supports the Authority's Local Agenda 21 policy, and is consistent with and supports the work of the Nottingham Declaration Working Group and the Council's developing Climate Change Strategy.

10.0 ACCESS TO INFORMATION ACT

10.1 None.

11.0 LOCAL MEMBER SUPPORT IMPLICATIONS

11.1 The Council's Motion affects all Wards.

12.0 RECOMMENDATIONS

12.1 It is recommended that Members note and endorse the ongoing work by the Technical Services Department to seek the views of partner organisations and other stakeholders on the Council's Notice of Motion to help develop a strategy to reduce the impact of variable rainfall in Wirral.

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