

Lancashire County Council

Environment, Economic Growth and Transport Scrutiny Committee

**Thursday, 25th January, 2024 at 10.30 am in Committee Room 'B' - The
Diamond Jubilee Room, County Hall, Preston**

Agenda

Part I (Open to Press and Public)

No. Item

1. Apologies

**2. Disclosure of Pecuniary and Non-Pecuniary
Interests**

Members are asked to consider any pecuniary and non-pecuniary interests they may have to disclose to the meeting in relation to matters under consideration on the agenda.

3. Minutes of the Meeting Held on 5 December 2023 (Pages 1 - 6)

4. Lancashire Road Safety (Pages 7 - 12)

5. Water Resource Management (Pages 13 - 32)

6. Work Programme 2023/24 (Pages 33 - 40)

7. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the minutes, the chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the chief executive should be given advance warning of any member's intention to raise a matter under this heading.

8. Date of Next Meeting

The next meeting of the Environment, Economic Growth and Transport Scrutiny Committee will be held on Monday 11 March 2024 at 10:30am in Committee Room B – The Diamond Jubilee Room, County Hall, Preston.



County Hall
Preston

H MacAndrew
Director of Law and Governance



Lancashire County Council

Environment, Economic Growth and Transport Scrutiny Committee

**Minutes of the Meeting held on Tuesday, 5th December, 2023 at 2.00 pm in
Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

Present:

County Councillor Rob Bailey (Chair)

County Councillors

S Rigby	J Oakes
A Cheetham	J Purcell
G Dowding	A Schofield
J Mein	S Serridge

County Councillor Jennifer Mein replaced County Councillor Kim Snape for this meeting only.

It was reported that County Councillor Alan Hosker replaced County Councillor Stephen Clarke on a permanent basis.

1. Apologies

Apologies were received from County Councillor Julie Gibson.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None were disclosed.

3. Minutes of the Meeting Held on 26 October 2023

That the minutes of the meeting held on the 26 October 2023 be approved as an accurate record.

4. Lovecleanstreets App Review

The Chair welcomed to the meeting County Councillor Rupert Swarbrick, Cabinet Member for Highways and Transport, Phil Durnell, Director of Highways and Transport, Sarah Scott, Highways Operational Support and Liaison Manager and Ned Dave, Senior ICT Architect.



The committee was presented a report which provided details on changes that had been implemented in the Love Clean Streets application (app) in response to issues that had been raised. The report also outlined current work in progress, future steps and provided responses to specific questions from the committee.

Comments and questions raised by the committee were as follows:

- On the Customer Access Service, there had been a significant improvement in the reporting of Highways defects across Lancashire. Whilst the number of calls for the Highway line had increased year on year, the percentage of calls that needed to be logged and addressed by Customer Access Agents had fallen due to officers signposting callers to the app.
- On whether the quality of information in reports received through the app had improved capabilities to address defects, officers explained that the new system provided pinpoint locations and allowed users to submit photographs of the defects which made finding them easier and more efficient. Engineers were now able to identify the problem utilising desktop searches rather than carrying out site visits to identify the issue and then deploying staff to carry out the repairs.
- Officers explained that a project was underway to improve the automated communication provided and the language used by the app.
- Members were informed that any reports that were not scanned correctly via the app, or any suggestions to improve the service or request any additional categories should be sent to the Love Clean Streets email address. As this would allow officers to use the data to inform ongoing projects on further improvements to the app.
- On route optimisation to improve response times and the effective deployment of staff, it was reported that this requirement had been reported into the Highways Asset Management procurement exercise for action.
- Members of the committee suggested that emergency contact numbers should be circulated amongst county councillors to report incidents that required an immediate response and were deemed more serious than those reported through the app.
- Officers confirmed that, once project scopes had been mapped out for those projects listed on page 9 of the report, the dates for project completion would be circulated to all members of the committee.
- Officers highlighted that once reports were received through Love Clean Streets, the system was able to tell if the incident involved a Lancashire County Council or National Highways Asset, users would be provided the relevant contact number if the asset was managed by National Highways. Assurance had been provided in that county council officers already communicated with third party organisations when defects on assets that did not belong to the county council had been reported directly to them, rather than through the app. There was a suggestion that the app should simply forward reported issues directly to third party organisations rather than direct users to call the respective organisation.
- On reports made by residents that related to Borough Council duties or where joint responsibilities were in place between the county council and borough council, the committee was informed that currently there were only two



specific categories in two specific borough areas (Pendle and Fylde) where such reports were sent on accordingly via email. Officers were looking to expand this two-tier feature further.

- It was highlighted that the Highways Asset Management System (HAMS) was due to be replaced and a procurement process had just commenced. This meant that the integration between Love Clean Streets and the new highways asset management solution might need to be changed. There was also a possibility of Love Clean Streets being replaced once the procurement process was completed. However, this was dependent on the offer from prospective future suppliers for a new Highways Asset Management System. The new system projected to go live in April 2026.
- It was noted that complex queries should be sent directly to the District Lead Team at Lancashire County Council and simpler queries, such as a pothole, should be reported through the app.
- It was clarified that the Highways Councillor Dashboard was a system that collated management information on the number of defects reported across Lancashire specifically for use by county councillors.
- In noting that the top category for reported defects logged using the app related to 'blocked and flooding the road', it was highlighted that the information on reactive gully cleaning contained on the dashboard showed a significant number of reports had not been dealt with in one specific division in West Lancashire. It was felt that the committee should be appraised of the plans to reduce the backlog. Officers were aware that the number of reports were high and were actively looking at ways to address the numbers. One example was the encouragement of the public to safely unblock a gully if they were able to do so by removing those leaves. The point mentioned earlier on two tier working and reporting through the app was raised again as removal of leaves involved the borough councils as well.
- It was suggested that a briefing note on the future plans for the emptying of gullies be provided to the committee.
- It was also suggested that a further category for weeds be created in the app.

Resolved: That:

- (i) The Cabinet Member for Highways and Transport gives consideration to;
 - a) Expanding the Love clean streets app to include borough council issues (e.g., fly tipping, street cleansing) where they specifically affect the highway.
 - b) Creating a new category for weeds in the app's reporting system.
 - c) Providing emergency contact numbers for councillors, to avoid members reporting these via the app.
- (ii) The projected dates on the forward plan for developing the app be shared with the Environment, Economic Growth and Transport Scrutiny Committee.
- (iii) A Briefing Note on future plans for gully emptying be provided to the committee.



5. Levelling Up East Lancashire: Creating Opportunities through Safer, Greener and Healthier Travel

The Chair welcomed to the meeting County Councillor Aidy Riggott, Cabinet Member for Economic Development and Growth, and Andrew Mullaney, Director of Environment and Planning.

The committee was presented a report which provided the background to the Levelling Up Fund within East Lancashire, the County Council's successful bid and next steps. The opportunity was taken to consult and take feedback from the committee on how the county council might engage with residents and community groups those schemes set out at Appendix 'C' in the report.

Comments and questions raised by the committee were as follows:

- Some of the feedback received from residents and community groups during phase 1 of the consultation process had helped to shape the work and approach of the project. To date there had been unanimous support for the work that was intended to happen.
- On levelling up, it was expected that phase 2 of the project, would begin in early 2024.
- Detailed engagement with local residents in East Lancashire was expected to take place in January 2024 with a particular focus on the Safer, Greener and Healthier Streets initiative.
- It was stressed that the geographical locations of schemes set out at Appendix 'C' to the report would change as a result of the consultation process.
- On current timescales based on the Department for Transport's (DfT) requirement to produce a full business case, it was highlighted that construction work was expected to start in September 2024. However, it was reported that there was ongoing engagement with officials from the DfT with a view to taking a more relaxed approach to the county council in the light of the county council's good track record with delivering large scale capital projects.
- It was confirmed to the committee that the total amount of funding for the levelling up projects was £55 million.
- On how levelling up funding would be split, around 40% of the total funding would be allocated towards the Safer, Greener and Healthier Streets initiative. With the remaining 60% being split evenly between Active Travel Routes and Public Transport Improvements. Discussions were live and no firm decisions had been made in respect of the financial allocations. However, cost benefit analysis was being undertaken with some of the cases ranking positively in favour of providing a return on investment.
- Officers were actively looking at rolling out initiatives from the Levelling Up work across the whole of Lancashire in the future such as mobility hubs and the expansion of the Safer, Greener and Healthier Streets initiative where residents had a desire for these interventions.
- It was noted that some of the measures such as smart traffic lights and real time information systems that would be introduced in those East Lancashire



districts would help to improve the efficiency and working of buses and complement certain aspects within the county council's bus service improvement plan.

- It was confirmed that areas developed using the Safer, Greener and Healthier Streets Initiative would be maintained with most of those assets belonging to the county council. Projects such as the mobility hubs were being designed to be robust and low maintenance for the long term.
- It was highlighted that a national government indexing tool was used to determine where levelling up investment would be needed, which included indices of multiple deprivation.
- Officers highlighted that the proposed devolution deal for Lancashire would unlock more funding for the Bus Service Improvement Plan but would not include additional funding for rail service improvements. However, there was an aspiration to unlock more funding in future devolution deals with the National Government.
- Members of the committee suggested that a further update explaining the expected outcomes, how these would be measured, expectations and timelines on what is hoped to be achieved from the Levelling Up projects be provided in 2024.

Resolved: That a further update on Levelling Up East Lancashire focussing on expected outcomes, how these would be measured, expectations and timelines on what is hoped to be achieved be provided at an appropriate time in 2024.

6. Work Programme 2023/24

A copy of the committee's work programme for 2023/24 which contained an update on progress with responses to the committee's recommendations on road closures was presented.

The Chair reported that a request had been received from the Community, Cultural, and Corporate Services Scrutiny Committee, to consider reviewing the Traffic [Transport] Asset Management Plan (TAMP), taking into consideration if it is working effectively and to what extent the data is demonstrating the need to address highway issues. In considering the request the Chair felt this matter should be added to the committee's work programme. It was felt that the current system for resurfacing was entirely automated and suggested that there should be more councillor involvement in the process. There was a consensus from the committee that the matter be added to the current work programme.

The Chair informed members that since the last committee meeting, an informal virtual meeting had taken place with representatives from the National Grid with a view to attending a future meeting of the committee to present on the work they were undertaking to enable net zero infrastructure in Lancashire. Discussions were underway to finalise arrangements and agree a date.



Resolved: That:

- (i) The Environment, Economic Growth and Transport Scrutiny Committee work programme for 2023/24 be noted.
- (ii) The formal response from the Cabinet Member for Highways and Transport to the committee's recommendations on road closures be noted.
- (iii) A request to add a new topic to the Environment, Economic Growth and Transport Scrutiny Committee's work programme for 2023/24 on reviewing the Transport Asset Management Plan (TAMP) be made to the Scrutiny Management Board at its next scheduled meeting on 16 January 2024.

7. Urgent Business

There was no urgent business.

8. Date of Next Meeting

The next meeting of the Environment, Economic Growth and Transport Scrutiny Committee would be held on Thursday 25 January 2024 at 10:30am in Committee Room B – The Diamond Jubilee Room, County Hall, Preston.

H MacAndrew
Director of Law and Governance

County Hall
Preston



Environment, Economic Growth and Transport Scrutiny Committee
Meeting to be held on Thursday, 25 January 2024

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Delivering better services;

Lancashire Road Safety

Contact for further information:

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Manager, tony.crook2@lancashire.gov.uk, Eddie Mills, Tel: (01772) 538176,
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Brief Summary

The report will explain Lancashire County Council's road safety work, it will highlight the number of KSI (killed and serious injury) collisions occurring on Lancashire roads. It will discuss some of the road safety teams work within education and engagement, speed awareness, safety engineering and what these teams deliver on behalf of the council to make Lancashire roads safer.

Recommendation

The Environment, Economic Growth and Transport Scrutiny Committee is asked to consider the report and comment as appropriate.

Overview

The 1988 Road Traffic Act, Section 39, puts a statutory duty on the local authority to promote road safety. We do this through investigating road casualties, introducing engineering solutions, providing education and engagement, and seeking to reduce killed and serious injuries on our roads.

Whilst the council have a duty to promote road safety, we also work closely with our constabulary colleagues who are responsible for the enforcement of many traffic offences.

The police play a key role in providing road safety in Lancashire and utilise their enforcement powers which includes:

- Enforcement of speed limits

- Dangerous driving
- Drug/drink driving
- Failure to wear a seat belt.
- Mobile phone usage whilst driving

The Lancashire Picture

Based on the Department for Transport nationally published collision data the number of people killed or seriously injured in the last 6 years are as follows:

Year	2017	2018	2019	2020	2021	2022
Fatal collisions	36	45	41	23	32	34
Serious collisions	923	927	771	625	717	831
Total number of KSI	959	972	812	648	749	865

Lancashire covers a wide geographic area with a mix of rural and urban centres that make a one size fits all solution for road safety impossible. Although the number of casualties has been decreasing, the rates in Lancashire are still above the Northwest and England rates.

Whilst the council seek to minimise the number of killed and seriously injured on the roads of Lancashire, accidents will happen. The role and aim of the council is therefore to, where possible, mitigate the severity or outcome of the accident through, education, engineering, and awareness. Focus on the most vulnerable groups or those at higher risk remain our priority as these are the areas that we can have the biggest impact. In the period between 2017 and 2022 the national statistics show that whilst Cyclist and Motorcycles made up only 1% of the traffic on our network, they contributed to nearly 20% of the casualties in that period.

Other key road safety considerations for Lancashire include:

- The afternoon school run, and morning and evening rush hours are peak times for collisions and casualties.
- 1 in 5 casualties are in the 16-25 age range.
- Males make up 65% of all casualties.
- 2019-2022, Preston had the highest number of KSI casualties, followed by Lancaster.
- Preston also had the highest number of KSI child casualties (aged 0-15), followed by Burnley.
- In all accidents the top contributory factor was either an error by the driver/rider or a reaction failure which includes, for example, failing to look properly or misjudging another user's direction or speed. More than 65% of accidents had this factor recorded against them.

Any work that the Road Safety Teams undertake will consider those groups in society that are shown to be at a greater risk. The data for Lancashire shows that the following groups are at a higher risk:

- Young road users (16-25 years of age)



- Motorcyclists
- Pedestrians who are children
- Cyclists

Another cohort identified in the data are the over 65s who continue to be a concern and therefore remain a focus for the road safety team.

The services we provide

The road safety service is made up of several smaller teams within the highways department. The Road Safety Team provide the "soft measures" whilst the Traffic and Road Safety Engineering Team introduce the "hard measures".

Within the Road Safety Team, we provide:

- **Education and Engagement**
 - *Engaging with schools*, providing interventions and resources to support the provision of safety messages to pupils.
 - *Right Start child pedestrian training* – we undertake a train the trainer service empowering schools to cascade this training to pupils, in the 23/24 academic year over 3,200 pupils have received this education intervention.
 - *Theatre in Education* – aimed at the 11-13 age group the service commission this performance piece for schools. Almost 9,000 children attended these productions in 22/23.
 - *Bikeability* – the government flagship cycle training program is rolled out by the road safety team with Lancashire consistently being a top 3 provider in the country. In 22/23 we facilitated the training of almost 12,000 of our primary school children.
 - *Travel for life* – a bespoke training package for age 50+ residents of the county considering how alcohol, drugs and medication can affect your ability to drive and alternatives to driving amongst other issues. This presentation is delivered on request from community groups.
 - *Road Safety Campaigns* - The road safety team actively support and contribute to many local, regional, and national events throughout the year.
 - *World Day of Remembrance for Road Traffic Victims* is observed on the third Sunday in November every year. The council organise the Lancashire RoadPeace memorial service, and it is held within County Hall.

Whilst the county council do not enforce speed limits we actively promote behavioural change to drive within the speed limits through:

- **Speed Awareness**
 - We manage and deploy temporary road safety signs, include VMS (variable message sign) trailers and the 'Slow Down Save Lives' signs to help raise road user awareness of speeding to positively change driver behaviour.



- We support Parish and Town Councils in the siting and use of their own SPIDs (Speed Indication Device).
- We undertake speed surveys (data collection) on Lancashire roads supporting the analysis of road user behaviour to further inform council road safety interventions and road safety schemes.
- The team works closely with the Lancashire Constabulary Safer Roads Unit on speed concerns and issues relating to their enforcement cameras.

Within the County Traffic and Road Safety Engineering Team, we provide:

- **Local Safety Schemes**
 - Each year the Cabinet approve a capital funding allocation of £1m for the delivery of Local Safety Schemes. These are road infrastructure projects aimed at reducing collisions resulting in injury through engineering solutions. The county council identifies these schemes for prioritisation based on the number of injury collisions, cost of the intervention and anticipated reduction in accidents.
- **Road Safety Audits**
 - These are undertaken on all highway schemes and changes that may have an impact on the network. The primary purpose of carrying out safety audits is to ensure that any improvements carried out on the highway do not include features, or combination of features, that have an influence on future injury collisions.
 - The road safety process also includes a post completion evaluation stage including an assessment of the road safety benefit delivered by the scheme.
- **Speed Limits and Speed Limit Orders**
 - The council assesses all requests for speed limit changes in line with Department for Transport Circular 01/2013 'Setting Local Speed limits' to establish a consistent and evidence led approach and to reinforce people's assessment of what is a safe speed to travel on Lancashire's road network.
- **20mph Speed limits and Zones**
 - 20mph zones require traffic calming measures (e.g., speed humps, chicanes, etc) and are signed as a zone and are intended to be self-enforcing, whereas 20mph speed limits, like other speed limits are sign only.
 - Following successful trials elsewhere in the country the council developed and implemented a capital delivery programme of 20mph sign only speed limits on Residential Roads where speeds were below 24mph between 2010 and 2014.
 - While the county council continues to receive regular requests for 20mph speed limits, as noted above, we work to the government guidelines for setting speed limits and often they do not fulfil criteria ([Setting local speed limits - GOV.UK \(www.gov.uk\)](http://www.gov.uk)).
- **Minor Road Safety Improvements**
 - The Traffic team consider requests for small improvements to warning signs, junctions, cycle safety and pedestrian safety. These



interventions are prioritised against the historic collision record and provide relatively low-cost solutions to isolated road safety concerns.

- **Safer Roads Fund**

- The Department for Transport with the Road Safety Foundation produce a list of locations for potential road safety interventions. For the locations in Lancashire the team have successfully secured funding of £8.8m to date. These have funded schemes on the A581, A6, A588, A682 and A683 and have provided several innovative safety interventions including average speed cameras, speed limit reviews, improved signs and raised road markings and environmentally sensitive vehicle restraint systems. A further scheme on the A5105 in Morecambe is at the initial design stage with wider public consultation expected in 2024.

- **Fatal Collision Investigation**

- Following a fatal road collision, the council carries out an investigation which does not seek to establish causation but to ensure that the highway and road is free from any deficiency and that other highway features such as road furniture are compliant with highway guidance and codes of practice. The reports are also included in documentation provided to the Police and Coroners Service.

Update on Lancashire Road Safety Partnership (LRSP)

The LRSP is not, and never has been, an entity that is responsible for the provision of road safety in Lancashire. The partnership was a vehicle to allow the multiple agencies to come together to share and champion best practice.

The LRSP in its current form is undergoing a root and branch review. The LRSP Manager and the Co-ordinators role have been disestablished. New terms of reference for group have been drafted and are currently being considered by the partnership. However, the council continues to work collaboratively and closely with all our Lancashire road safety partners.

The constabulary now manage the LRSP website which still includes the speed concern portal [Speed Concern Submission – Lancashire Road Safety Partnership \(lancsroadsafety.co.uk\)](https://lancsroadsafety.co.uk). The portal should still be used as the primary means to report any speed related issues in Lancashire.

How should Councillors access road safety information?

Mapzone and Mario ([mario \(arcgis.com\)](https://mario.arcgis.com)) is the county mapping system, contains a wealth of information for councillors, residents, or any other interested party to access road safety data.

[Road collisions - Lancashire County Council](#) provides more detailed information and tools for the public to use to interrogate accident data in Lancashire.

Consultations

N/A

Implications:

This item has the following implications, as indicated:



Risk management

Failure of the council to provide the road safety functions set out in this document would leave the council exposed to legal challenge for not meeting its statutory duties.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



Environment, Economic Growth and Transport Scrutiny Committee
Meeting to be held on Thursday, 25 January 2024

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Protecting our environment;

Water Resource Management
(Appendices 'A' and 'B' refer)

Contact for further information:
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Brief Summary

This report provides an introduction to what a Sustainable Drainage System (SuDS) is. It highlights the roles of various Teams within the Highway Service with regards to water management and gives examples of SuDS schemes within Lancashire.

The report also addresses questions relating to water management raised via an Overview and Scrutiny Committee request. There are three specific questions:

1. How many Sustainable Drainage Systems (SuDS) are highways responsible for?
2. How do highways engage in the planning process to ensure SuDS are considered?
3. How do highways incorporate SuDS into their own drainage asset management works?

Recommendation

The Environment, Economic Growth and Transport Scrutiny Committee is asked to consider and comment on the report.

Introduction to Sustainable Drainage Systems (SuDS)

Sustainable drainage systems, or SuDS for short, are defined in the National Planning Practice Guidance as systems “*designed to control surface water run off close to where it falls, combining a mixture of built and nature-based techniques to*

mimic natural drainage as closely as possible, and accounting for the predicted impacts of climate change.”

A sustainable drainage system is comprised of a series of 'components' which make up the system from source to discharge point. The range of components used in sustainable drainage systems covers a wide spectrum from underground pipes and storage tanks through to open, surface level components such as ponds, wetlands and swales.

The National Planning Practice Guidance is clear that sustainable drainage systems should be designed to provide benefits to:

- Water quantity by controlling and managing surface water runoff.
- Water quality by intercepting and treating harmful pollutants.
- Biodiversity by creating and reconnecting habitats.
- Amenity by creating beautiful spaces people want to live in.

Sustainable drainage systems should be designed to incorporate appropriate proposed minimum operational standards, set out in the Department for Environment, Food and Rural Affairs' (Defra) Technical Standards for Sustainable Drainage Systems, as stated in Policy 169 of the National Planning Policy Framework.

An Introduction to the Highway Service and its Teams

The Highway Service comprises a number of teams which have differing roles and responsibilities. Each of these teams is involved in some form with regards water management:

- Flood Risk Management team which undertakes the role of the Lead Local Flood Authority (LLFA); and

The following teams which undertake the role of the Highway Authority:

- Highways Asset (Asset Management Services);
- Highways Operations;
- Highways Development Control;
- Highways Design and Construction.

Flood Risk Management

The Flood Risk Management team sits within the Highway Service but represents the county council in the role of the Lead Local Flood Authority. Principally this is to discharge duties under the Flood and Water Management Act 2010 to manage local flood risk and under the Land Drainage Act 1991 (as amended) to regulate certain activities on ordinary watercourses.



Its duties include the provision of statutory responses to planning applications for major¹ development with surface water drainage² that the team is consulted on by the thirteen local planning authorities across Lancashire. The team has also issued 'Lead Local Flood Authority Standing Advice' to local planning authorities to support them with processing surface water drainage aspects of minor and non-major development³ on which the Lead Local Flood Authority is not a statutory consultee. Appendix 'B' of this report, previously provided to scrutiny in January 2022, provides further detail of the role of the Lead Local Flood Authority in the planning process.

You can read more about other duties and powers of the Lead Local Flood Authority has in the [Lancashire Local Flood Risk Management Strategy 2021 – 2027](#).

Highways Asset Management

The Highway Asset Management team sits within the broader Asset Management Service. It is responsible for maintaining the asset register, on which streets that are highways, drainage and other assets are recorded. The Service is also responsible for collecting and assessing asset condition and determining capital maintenance priorities along the lines of the Transport Asset Management Plan principles.

The service also publishes the statutory Flood Risk Asset Register⁴.

Highways Operations

As a Highway Authority the county council is responsible for repairing and maintaining highway drainage systems and responding to flooding issues on highway maintainable at public across the county, except on those highways managed by National Highways. This includes responding to reports of blocked highway drains and gullies. The Highways Operations team are responsible for maintaining any highway drainage assets within highway maintainable at public expense.

Highways Development Control

The Highways Development Control team represents the county council in the role of the Highway Authority with regards to examining and commenting on planning proposals and subsequently facilitating associated highway works and highway adoption. The principal role of the team is to ensure the discharge of statutory duties found within the Traffic Management Act 2004, being to ensure traffic can move freely and safely on Lancashire's highway and on the highway of

¹ Major development is defined in Part 1(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

² As set out in Part ze of Schedule 4 of the Town and County Planning (Development Management Procedure) (England) Order 2015.

³ As defined in Paragraph 051 of the 'flood risk and coastal change' section of the National Planning Practice Guidance.

⁴ As set out in Section 21 of the Flood and Water Management Act 2010



our traffic authority neighbours. The team ensures highway (or proposed highway) water associated with development led highway works (Section 278) and private streets for highway adoption (Section 38) is dealt with appropriately to safeguard the operational efficiency and safety of the highway network and its users.

Highways Design and Construction

The Drainage Design team within the Highways Service currently designs SuDS for Lancashire County Council highways and buildings projects, having considerable experience of these installations. The team provides advice to the Highways Development Control, Highways Asset Management, Bridges and Building Asset teams on technical issues. This includes technical analysis, design checks and feedback on designs proposed by other internal teams, consultants, and external developers.

Questions from Scrutiny

With regards the specific questions raised the report can provide the following details:

1. *How many Sustainable Drainage Systems (SuDS) are highways responsible for?*

Highway Drainage assets are added to the Highway Asset Management System (HAMS) as individual components. SuDS as an entity cannot be identified as such, however the constituent parts are. Such components may include ponds, soakaways and swales for example.

The Highway Authority is currently responsible for a number of SuDS which principally have been developed as part of new strategic highway schemes such as Broughton Bypass and Preston Western Distributor. As SuDS cannot be identified on HAMS as an entity, the number of such schemes cannot be provided.

2. *How do highways engage in the planning process to ensure SuDS are considered?*

The county council is both the Highway Authority and the Lead Local Flood Authority. Both authorities are represented within the Highway Service and are statutory consultees to the planning process and must be consulted on certain planning applications which fall within the remit of their duties.

The principal role of the Highway Authority in responding to planning consultations is to ensure the discharge of statutory duties found within the Traffic Management Act 2004, being to ensure traffic can move freely and safely on Lancashire's highways and on the highway of our traffic authority neighbours.

Unless promoted directly by the county council all planning proposals are private. Therefore, all drainage proposals are private. The internal drainage systems of private development are not examined by the Highway Authority as part of the planning consultation process as they have no bearing on the highway network or its users and therefore fall outside of the remit of the Highway Authority and its duty under legislation.



The Highway Authority examination of planning proposals in terms of water is restricted to:

- Ensuring development does not result in water being discharged onto the highway, which is an offence under section 163 of the Highways Act 1980.
- Commenting on any proposal to place private water into adopted highway drainage systems, which is generally not permitted apart from in exceptional circumstances.

However, where development is subsequently approved developers typically approach the Highway Authority regarding the undertaking of development related works on the highway, delivered via Section 278 (Highways Act 1980) agreement, and with proposals for private development to be offered as highway maintainable at public expense and subsequently adopted via Section 38 (Highways Act 1980) agreement.

For Section 278 works any additional drainage will normally utilise the existing highway drainage system being the most efficient engineering solution. With regards to Section 38 highway adoption, it is customary practice for street gullies on private developments to be connected into surface water sewers that the Statutory Water and Sewerage Undertaker has either adopted or intends to adopt as a drainage asset. This may form part of or include sustainable drainage components. As part of highway adoption, the County Council will adopt as highway maintainable at public expense the street gullies and the pipes that connect these gullies into the surface water sewer. In circumstances where a Statutory Water and Sewerage Undertaker is unable to adopt the drainage system conveying street water the county council as Highway Authority will consider adopting as highway sustainable drainage systems which have been designed specifically for draining the street in line with its "Code of Practice on Highway Status and Adoption" as set out within paragraph 2.3.6, the excerpt of which is appended to this report as Appendix 'A'.

The role of the Lead Local Flood Authority is to discharge duties under the Flood and Water Management Act 2010 to manage local flood risk and under the Land Drainage Act 1991 (as amended) to regulate certain activities on ordinary watercourses.

Its duties include the provision of statutory responses to planning applications for major development with surface water drainage⁵ that the team is consulted on by the thirteen local planning authorities across Lancashire. Major development⁶ is defined as those which meet or exceed the following criteria:

- a. the winning and working of minerals or the use of land for mineral-working deposits;
- b. waste development;
- c. the provision of dwellinghouses where (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site

⁵ As set out in Part ze of Schedule 4 of the Town and County Planning (Development Management Procedure) (England) Order 2015

⁶ Major development is defined in Part 1(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015



- having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- d. the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e. development carried out on a site having an area of 1 hectare or more.

The Lead Local Flood Authority is not a statutory consultee on minor and non-major development⁷. The Flood Risk Management team has, however, issued 'Lead Local Flood Authority Standing Advice for Non-Major and Minor Developments' to Lancashire's Local Planning Authorities and provided training to support them with their assessment of surface water and sustainable drainage systems on these developments.

A detailed report setting out the Lead Local Flood Authority's role in the planning process was provided to Scrutiny in January 2022 and is appended to this report as Appendix 'B'.

3. How do highways incorporate SuDS into their own drainage asset management works.

All highway drainage schemes should be designed and constructed in accordance with CG501 (Design of Highway Drainage Systems). It describes the various alternative drainage solutions that are available, including their potential to control pollution and flooding, as well as detailed design factors to be taken into account. This would include drainage schemes as part of new highway construction, modification to existing highway and maintenance schemes. SuDS is one aspect of CG501. CG501 allows sustainable drainage systems to be considered as part of a decision matrix to identify the best solution for any drainage design challenge. Once a scheme has been implemented it is important to record the as built scheme on the Asset Register so it is clear who the asset owner is and who is responsible for future inspection and maintenance. This would include, but is not limited to, copies of any legal agreements and other permissions.

All adopted highway drainage assets, including components that make up Sustainable Drainage Systems (SuDS), should be recorded on the county council's HAMS (Highway Asset Management System) asset register. Templates have been developed to capture this information from county council design teams and developers. This process has been trialled on a number of large internal schemes. The definitive agreed format is being finalised and will be made available during 2024. The current HAMS asset register, like those of other Highway Authorities, is cumbersome to update and there is no straightforward way of transferring drainage system data from as built drawings into an electronic format. The Highway Asset Management Service is part of a benchmarking group of other authorities that is identifying mechanisms to simplify this process. As part of the procurement of HAMS, the licence for which is due for renewal, there is opportunity to improve the mechanism to ensure appropriate information is readily transferred to the Asset Register.

⁷ As defined in Paragraph 051 of the 'flood risk and coastal change' section of the National Planning Practice Guidance.



Highway drainage capital costs are funded from the Department for Transport highway maintenance grant fund. The apportionments for 2023/24 is £1m and was agreed by Cabinet in March 2023. The criterion for selecting highway drainage schemes is '*Countywide prioritisation based on risk of flooding and potential impact on flooding to property and highway and developed to address drainage issues prior to undertaking carriageway maintenance*'. These schemes utilise the existing drainage infrastructure where possible; use of SuDS would only be considered if the required outcome could not be delivered through modification to the existing infrastructure and SuDS offered a viable cost effective solution which is in alignment with CG501, as stated above.

Implementation of Schedule 3 of the Flood and Water Management Act 2010

NOTE: The following paragraphs have been provided for information and awareness.

On 10 January 2023 the [review of sustainable drainage systems](#) was published which includes the announcement that Schedule 3 of the Flood and Water Management Act 2010 is expected to be implemented during 2024. Schedule 3 will make unitary and county councils 'Sustainable drainage system (SuDS) Approval Bodies' (SAB) and the duty will sit within the Lead Local Flood Authority (LLFA).

Schedule 3 provides a framework for the approval and adoption of sustainable drainage systems (SuDS), an approving body (the SAB), and national standards on the design, construction, operation, and maintenance of sustainable drainage systems. It also removes the automatic right to connect surface water runoff to public sewers and makes this conditional upon the sustainable drainage system being approved by the SuDS Approval Body before any construction work can start.

All projects larger than 100m² or more than one property, unless exempt, will need to incorporate a sustainable drainage system that complies with new national standards and is approved by the SuDS Approval Body before construction can commence.

At the time of writing, public consultation on the proposals was expected in 2023 but has not occurred. Implementation is subject to final decisions on scope, threshold and process once a full regulatory impact assessment has been consulted on. Implementation work by government is expected to be comprised of formalising new mandatory standards, roles and responsibilities, application forms, guidance and guidelines as well as funding for this new duty.

Schedule 3 will impact several service areas across the county council. There will be a need for the county council to consider how sustainable drainage systems are assessed and commented on. This work is expected to fall into the scope of county council preparations for the implementation of this new legislation.



Appendices

Appendices 'A' and 'B' are attached to this report. For clarification they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Excerpt from the Code of Practice on Highway Status and Adoption relating to SUDS (paragraph 2.3.6)
Appendix 'B'	Report provided to Scrutiny in January 2022: The role of the Lead Local Flood Authority in Planning and Development

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

This report is for information. There are no risks as a result of this report.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



2.3.6 Sustainable Drainage Systems (SuDS)

- 2.3.6.1 The Environment Agency is keen to promote the wider use of sustainable drainage systems, which reduce the impact of surface-water run-off. Typical systems rely on storing water and allowing it to infiltrate the existing ground and/or watercourses over a period of time.
- 2.3.6.2 The County Council is willing to consider adoption of such systems constructed in accordance with the general requirements of this Code of Practice. The Council would not normally adopt water features such as infiltration basins, detention basins, retention ponds, and wetlands. The Council would require that water features be adopted either by United Utilities Ltd as part of the public sewer system or, more usually, by Parish or District Councils as Public Open Space.
- 2.3.6.3 The County Council will seek to develop guidelines for the design, construction and maintenance of SuDS but pending the development of such guidelines, any proposals for adoption of a highway to be drained other than by a positive piped drainage system shall be referred to the Environment Director for approval.
- 2.3.6.4 Where systems other than positive drainage systems are adopted, a commuted sum to cover the future maintenance of such installations will be required.

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

Appendix C: The role of the Lead Local Flood Authority in Planning and Development

Introduction

Planning and development go hand in hand, and it is a discipline comprised of plan making (the Local Plan) and the planning application process designed to manage development at a local level.

There are thirteen Local Planning Authorities within Lancashire County Council's administrative area; twelve District Councils and the County Council. The County Council is responsible for determining upper-tier planning matters such as minerals and waste, transport and school applications (often termed 'regulation three applications'). District Councils process planning applications for everything else.

The Lead Local Flood Authority is just one risk management authority in Lancashire with a distinctly defined role in planning and development. Other risk management authorities similarly have a district role as set out in Table 1.

Table 1: Roles of risk management authorities in the context of flood risk for Planning and Development

Risk Management Authority	Comments on (in planning)	Role in Planning Making	Role in Planning Applications
Lead Local Flood Authority	Surface water flood risk Surface water sustainable drainage design	Not a statutory consultee, but national planning policy states the LLFA should be consulted. LLFA encourages plan makers to consult and seek their advice at the earliest opportunity.	Statutory consultee for major development with surface water drainage
Environment Agency	Fluvial (watercourse) and coastal flood risk	Statutory consultee during plan making	Statutory consultee for: <ul style="list-style-type: none"> development, other than minor development, on land in Flood Zones 2 or 3, or on land in Flood Zone 1 which has critical drainage problems. developments within 20 metres of a main river (which may be outside the extent of a FZ 2/3)

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

			<ul style="list-style-type: none"> major developments that don't use public sewers for the disposal of sewage
Water and Sewerage Company	Public sewer network (foul, surface water, combined)	Statutory consultee during plan making	<p>Not a statutory consultee.</p> <p>Proactively comments on planning applications which may impact on the public sewer network</p>
Highway Authority	Adopted highway drainage and other highway assets? E.g. culverts, trash screens, bridges etc	Statutory consultee during plan making	Statutory consultee for the laying out or construction of a new street and/or the formation, laying out or alteration of any means of access to a highway or trunk road
District Council	Support the management of local flood risk	As the Local Planning Authority, responsible for creation of Local Plans and guidance on flood risk	As the Local Planning Authority, responsible for deciding planning applications and enforcing associated conditions

National Planning Expectations of Flood Risk in Planning and Development

The [National Planning Policy Framework \(NPPF\)](#) sets out government's planning policies for England and how these are expected to be applied. It was most recently revised on 20 July 2021. Section 14 sets out policies for 'meeting the challenge of climate change, flooding and coastal change'. Policies 159 to 169 cover 'Planning and flood risk' and set out expectations for both plan making and development decisions. In relation to surface water, Policy 167 and Policy 169 are the policies which are most frequently utilised by the Lead Local Flood Authority in the management of surface water and sustainable drainage systems (SuDS) as a statutory consultee.

The National Planning Policy Framework is supported by the Planning Practice Guidance (PPG) which adds further context to the National Planning Policy Framework and the two documents should be read together. The ['Flood risk and coastal change'](#) section provides guidance on interpreting the flood risk policies within the National Planning Policy Framework and is a material consideration.

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

The [National Model Design Code](#) was published on 20 July 2021 and revised on 14 October 2021. It provides detailed guidance on the production of design codes, guides and policies to promote successful design. It forms part of the government's Planning Practice Guidance, expanding on the ten characteristics of good design set out in the National design guide. The Code includes sections on sustainable drainage systems (SuDS) and flood risk promoting water sensitive design within planning and development.

Lead Local Flood Authority role in Plan Making

The Lead Local Flood Authority is not a statutory consultee in plan making, including Local Plans and Neighbourhood Plans. This means that the Local Planning Authority has no legal obligation to consult with the Lead Local Flood Authority on any part of plan making, from collating the evidence base, such as the Strategic Flood Risk Assessment, through to writing policies and guidance.

That said, Paragraph 160 of the National Planning Policy Framework, which is primary national policy and has legal standing, states:

"Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards."

The Lead Local Flood Authority recognises the importance of early involvement in the plan making process to ensure that local plans and policies, which ultimately steer development proposals that come forward in Lancashire, are appropriate to achieve improved surface water management and high-quality blue-green sustainable drainage systems, where possible and in line with the expectations set out in the National Planning Policy Framework. The Lead Local Flood Authority therefore strongly advises and encourages Local Planning Authorities to engage us from the earliest opportunity and we work with planners to shape evidence base documents and respond to policy consultations, either directly or through the County Council's 'one council' planning response.

Lead Local Flood Authority role in Planning Applications

Under Schedule 4 of the Town and County Planning (Development Management Procedure) (England) Order 2015 the Lead Local Flood Authority is a statutory consultee on major¹ development with surface water drainage. This duty started on 6 April 2015.

¹ Major development is defined in Part 1(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 Major Development means development involving any one or more of the following: (a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where (i) the number of dwellinghouses to be provided is 10

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

This means that the Local Planning Authority has a legal obligation to consult the Lead Local Flood Authority prior to the grant of planning permission on development which meets this criteria.

As a statutory consultee, the Lead Local Flood Authority must provide a substantive response to the Local Planning Authority within 21 calendar days. A substantive response is one of three things; no comment, no objection or a removal of an objection which can be subject to recommended conditions and informatives or not, or an objection.

The Lead Local Flood Authority does not 'approve' any part of planning applications (flood risk assessments, drainage strategies etc); this is the role of the Local Planning Authority. Statutory consultees are consulted by the Local Planning Authority to provide technical advice which the Local Planning Authority must consider in their planning decision, whether by through a delegated officer or through planning committee. The Local Planning Authority can go against the advice of any statutory consultee, this usually happens where in the interests of planning balance the flood risk concern may outweigh other benefits of development. The Lead Local Flood Authority is only aware of a handful of occasions where this has happened in Lancashire.

If developers do not comply with the conditions of their planning permission, only the Local Planning Authority has the power to take enforcement action.

The Lead Local Flood Authority is not a statutory consultee on minor development (i.e. less than 10 dwellings or equivalent) and it is not resourced to provide Local Planning Authorities with technical advice on such applications. The Lead Local Flood Authority has, however, issued the Local Planning Authorities with 'Lead Local Flood Authority Standing Advice' to provide planners with some technical surface water and sustainable drainage advice which planning case officers can apply to minor planning applications. This has been positively received and is an example of how the Lead Local Flood Authority has gone beyond its statutory remit to provide support to planning colleagues.

Service Delivery

What the Lead Local Flood Authority looks at

The Lead Local Flood Authority's statutory role in major planning applications is to assess the surface water drainage associated with the proposed development. This is achieved through assessing two key aspects:

- 1) Surface water flood risk to and from the development, both pre- and post-development.**

or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i); (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more.

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

This is assessed through a site-specific flood risk assessment, which the Local Planning Authority requires in accordance with footnote 55 of paragraph 167 of the National Planning Policy Framework, and/or in accordance with any local policy requirements that are more stringent.

The requirements of a site-specific flood risk assessment are set out on gov.uk.

2) Surface water sustainable drainage proposals.

This is typically set out in a sustainable drainage strategy which is required by the Local Planning Authority through its validation checklist or local planning policy. The strategy should take account of any recommendations made in the site-specific flood risk assessment to manage surface water flood risk, using these to inform the design of a sustainable drainage system.

Sustainable drainage systems (SuDS) are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. Paragraph 169 of the National Planning Policy Framework sets out that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. You can find out more about sustainable drainage systems, including recent case studies, on [The Flood Hub](#).

Sustainable drainage systems should be designed to satisfy the relevant [Defra Non-Statutory Technical Standards for Sustainable Drainage Systems](#) and incorporate an [allowance of up to 40% for climate change](#). The Lead Local Flood Authority also expects an allowance for urban creep (extensions etc), typically 10%, to be incorporated within the design.

The Lead Local Flood Authority has also asked all 13 Local Planning Authorities in Lancashire to adopt the North West Sustainable Drainage Pro-forma via their planning validation checklist for major applications. The pro-forma, recommended by the North West Regional Flood and Coastal Committee, does not replace the need for a site-specific flood risk assessment or sustainable drainage strategy; it is a tool which asks developers to summarise and confirm all aspects of surface water flood risk and sustainable drainage systems have been adequately assessed and designed appropriately in accordance with the requirements. It is particularly helpful to small to medium sized developers because it clearly sets out the requirements that need to be achieved for the Lead Local Flood Authority to be satisfied. In doing so it helps to ensure the right information is received the first time and, through following the proformas logic, should facilitate the design of higher quality blue-green sustainable drainage systems which are eligible for adoption by the water and sewerage company (United Utilities / Yorkshire Water), giving an option of maintenance by a risk management authority rather than by a private company.

How is Climate Change considered with regards to surface water?

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

To increase resilience to surface water flood risk, developers should make [allowances for climate change](#) in the design of the sustainable drainage systems. This is achieved by assessing what climate change allowance of between 5% and 40% for 'peak rainfall intensity' is most appropriate to apply based on the lifetime of the development. The lifetime for all residential development is 100 years and this is our presumption unless otherwise stated. For example, the development lifetime may vary for other use classes and/or may be capped by a time limited planning condition.

Through the site-specific flood risk assessment, developers assess both the central and upper end allowances and must evidence that the design of the sustainable drainage system ensures there is no increase in the rate of runoff discharged from the site for the upper end allowance.

Where on-site flooding for the upper end allowance presents a significant flood hazard (for example, where depths and velocities of surface water runoff cause a significant danger to people), developers need to take measures to protect people and property. This could include, for example, raising floor levels. As a minimum, there should be no significant flood hazard to people from on-site flooding for the central allowance.

What the Lead Local Flood Authority may recommend

The response and comments provided to Local Planning Authorities by the Lead Local Flood Authority, including conditions, are advisory and ultimately it is the decision of the Local Planning Authority whether any recommendations are acted upon. Comments given are composed based on the knowledge of and information provided to the Lead Local Flood Authority with the application at the time of each response.

The Lead Local Flood Authority must provide the Local Planning Authority with an informed substantive response which is one of three things:

- **No comment.** These responses are typically given where there are no surface water implications with the development or where the Lead Local Flood Authority has been consulted on a minor application, in which case the Local Planning Authority is directed to apply the Lead Local Flood Authority Flood Risk Standing Advice.
- **No objection or removal of objection**, and this may be subject to recommended conditions and informatives or not.
 - All template conditions which the Lead Local Flood Authority may recommend comply with the conditions requirements set out in paragraph 56 of the National Planning Policy Framework. Conditions may be pre-commencement or pre-occupation. A clear reason is always given to justify any recommended pre-commencement condition. Planning conditions can only be required for matters concerning planning legislation.
 - Informatives are notes which enable the Local Planning Authority to draw attention to other relevant matters which are not included under planning legislation. For example, the requirement to seek additional consents

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

(such as Land Drainage Consent) under other regimes and legislation. Informative notes do not carry any legal weight and cannot be used in lieu of planning conditions or a legal obligation to try and ensure adequate means of control for planning purposes. They may be used as non-binding best practice, but lack a statutory basis.

- **Objection.** In cases where the Lead Local Flood Authority objects, a reason for objection is always given, linked to planning policy. If the objection is unless or until further evidence is provided or the drainage design is amended, then the Lead Local Flood Authority always advises how the objection can be overcome. If it is an objection in principle, this means that no matter what the developer proposes the principle of development in surface water terms is not advisable or supported by the Lead Local Flood Authority.

How we communicate with Local Planning Authorities

Communication with Local Planning Authorities occurs at various levels and through a range of means, including:

- **Meeting with all Lancashire Planning Managers** through the Development Control Officer Group (DCOG) and the Development Planning Officers Group (DPOG). These meetings take place quarterly and the Lead Local Flood Authority has committed to attending both of these meetings at least once a year to provide a strategic update to all planning managers.
- **13 Planning Team Briefings** which have taken place between October 2021 and February 2022. These briefings were conducted for the first time on a 1-2-1 basis with each development management planning team to communicate to them the changes that have occurred within the team and to seek feedback on how they are finding these changes as well as what more can be done to continually improve our service delivery. Feedback has been collected from these meetings which were positively received, with planners wanting this to become an annual event.
- **Planning Officer Training** opportunities are communicated ad-hoc via email. Feedback from the briefings above has also identified an ask for more planning officer training on sustainable drainage. The Lead Local Flood Authority will explore the feasibility of providing a 'lunch and learn' session on sustainable drainage and has signposted to further training at cost. Laura Makeating is also hosting Royal Town Planning Institute training in September 2022 on surface water and sustainable drainage in planning.
- **Planning Committee Training** has been offered by the Lead Local Flood Authority. So far this has been delivered to Preston City Council Planning Committee where it was positively received and the team has been invited back to deliver a more detailed session on sustainable drainage components. A

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

number of Local Planning Authorities stated they will invite the Lead Local Flood Authority to deliver Planning Committee training in 2022.

- **Ad-hoc emails** of significant or relevant news or events that could impact on surface water flood risk and/or sustainable drainage systems through the planning process. The team also strives to inform planning colleagues of relevant training and development opportunities.
- **A new ringfenced mailbox** just for planning consultations was introduced in 2021 to separate planning consultations from other flood risk management business. This has resulted in planning consultations being quickly identified and logged, removing the potential for time lost at the start of the consultation process. Local Planning Authorities are aware of this mailbox and are clear all consultations must be sent here and not directly to flood risk officers.

The Lead Local Flood Authority is exploring other means of effective communication with Local Planning Authorities, such as a newsletter, to continue to build and maintain the positive working relationships we have worked hard to progress.

Monitoring Service Delivery

Improvements have been made to the Lead Local Flood Authority's planning log and there has been a significant performance improvement in relation to planning responses. Data from the planning log is used to performance manage resources within the team as well as the team as a collective. Resources are now managed more dynamically to ensure peaks and troughs in supply and demand can be managed to maintain a consistent service level. This will continue to be monitored and any additional resource needs, for example because of legislative change, will be raised at the earliest opportunity.

Statutory consultees on planning are required, under Section 23 of the Town and County Planning (Development Management Procedure) (England) Order 2015, to report their performance to the Secretary of State by 1 July each year. This reporting mechanism is in place for the Lead Local Flood Authority with a return filed for 2021 and an annual reporting progress now in place to ensure this is achieved.

Other progress and planned work

There are actions within the Flood Risk Management Team's Service Plan which will drive continual improvement of our planning service delivery within the remit of current resources. These include actions to refresh template suites, update and revise the pre-application service, further explore communication methods and deliver improvements to data use, such as increased use of GIS mapping.

The North West Regional Flood and Coastal Committee (RFCC) has tasked the Lancashire Flood and Coastal Erosion Risk Management (FCERM) Partnership to

Report Provided by the Lead Local Flood Authority to Overview and Scrutiny in January 2022

lead on Planning and Development for the region. As Partnership Chair, County Councillor Stephen Clarke is working closely with Laura Makeating (Technical Lead for Planning and Development), Lorah Cheyne (Partnership Coordinator for Lancashire) and Chris Findley (independent member of the RFCC for Planning and Development) to progress this.

In 2020 the County Council became a Member of the Association of Sustainable Drainage Systems (SuDS) Authorities (ASA) and the County Council, through Laura Makeating, is now the Vice Chair and Reference Group Chair of ASA. ASA is a member paying group representing Lead Local Flood Authorities at a national level, liaising with Defra, the Department for Levelling Up, Housing and Communities and the national Environment Agency team in relation to surface water flood risk and sustainable drainage. There are many benefits to membership which can be found on [ASA's website](#).

The County Council has been working closely with the Royal Town Planning Institute (RTPI) to develop a continuous professional development (CPD) webinar for planners to be delivered on 8 September 2022. This will showcase progress, challenges, best practice and tools to help planners in relation to surface water flood risk and sustainable drainage.

Looking to the future, the Lead Local Flood Authority is not resting on its laurels. As well as continuous improvement to service delivery, there is a focus on the personal and professional development of staff, dynamic partnership working, and the potential to explore working closely with the learning and development team to develop our own e-learning for partners and customers, such as our Local Planning Authorities.

To conclude, the Lead Local Flood Authority has delivered significant improvements to its planning service over the last 18 months and feedback to date has been overwhelmingly positive, but we recognise there is still more we can do. We strive to continue to deliver the County Council's corporate priorities to deliver better services to protect our environment and support Lancashire's economy.

Environment, Economic Growth and Transport Scrutiny Committee
Meeting to be held on Thursday, 25 January 2024

Electoral Division affected:
N/A;

Corporate Priorities:
N/A;

Work Programme 2023/24
(Appendix 'A' refers)

Contact for further information:
Gary Halsall, Tel: (01772) 536989, Senior Democratic Services Officer,
gary.halsall@lancashire.gov.uk

Brief Summary

This report provides members of the Environment, Economic Growth and Transport Scrutiny Committee with the committee's work programme for 2023/2024.

Recommendation

The Environment, Economic Growth and Transport Scrutiny Committee is asked to:

- (i) Note the Work Programme for 2023/24, including progress relating to the committee's recommendations.
- (ii) Consider and comment as appropriate on the formal response from the Cabinet Member for Environment and Climate Change to the committee's recommendations on enabling net zero infrastructure as set out at in the work programme at Appendix 'A' to the report.

Detail

The work programme for 2023/24 was drafted following the Portfolio and Service Area Update held for the Environment, Economic Growth and Transport Scrutiny Committee at an informal meeting held on 29 June 2023.

Following this meeting, the draft programme was finalised, reported and approved at the meeting of the Scrutiny Management Board on 25 July 2023 and a copy of the final work programme is set out at Appendix 'A' for the committee to note.

A record of all recommendations agreed at committee meetings is included in the work programme, which has been updated following the last meeting to allow

members to review progress outcomes and any further review required. The Local Government Act 2000 sets out that, where a scrutiny committee makes recommendations for the Executive (the Cabinet or relevant Cabinet Member) to consider, a response should be provided within two months.

Since the last meeting, the Cabinet Member for Environment and Climate Change, has provided a formal written response to the committee's recommendations on the enabling net zero infrastructure which were made at its meeting held on 26 October 2023. The response is set out at Appendix 'A' under the recommendations progress table. The committee is asked to consider and comment as appropriate on the response. The committee may also wish to set a timescale to receive an update from the Cabinet Member on progress with implementing agreed actions.

Appendices

Appendix 'A' is attached to this report. For clarification it is summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Environment, Economic Growth and Transport Scrutiny Committee work programme for 2023/2024

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

This report has no significant risk implications.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A



Environment, Economic Growth and Transport Scrutiny Committee

Work Programme 2023-24

The Environment, Economic Growth and Transport Scrutiny Committee Work Programme details the planned activity to be undertaken over the forthcoming municipal year.

The Environment, Economic Growth and Transport Scrutiny Committee has the responsibility to review and scrutinise the work of the county council and external organisations on matters relating to the environment and climate change, economic development and growth, and highways and transport. Accordingly, the work of the Environment, Economic Growth and Transport Scrutiny Committee will focus on the following areas:

- Climate change
- Environment
- Highways and transport
- Economic development and growth

The programme is determined by the Committee following a planning session at the start of the municipal year. This includes provision for the rights of county councillors to ask for any matter to be considered by the committee.

Coordination of the Overview and Scrutiny Committee programmes is undertaken by the Scrutiny Management Board. This is in line with the Overview and Scrutiny Committees' Terms of Reference, as set out in the county council's [Constitution](#) (Part 2 Article 5).

Cabinet Members

The Cabinet Member portfolios aligned to the Environment, Economic Growth and Transport Scrutiny Committee's responsibilities are:

[County Councillor Rupert Swarbrick](#) – Cabinet Member for Highways and Transport

[County Councillor Aidy Riggott](#) – Cabinet Member for Economic Development and Growth

[County Councillor Shaun Turner](#) – Cabinet Member for Environment and Climate Change

The areas of responsibility for each Cabinet Member are set out at [Appendix A – Scheme of Delegation to Cabinet Members](#) to the county council's constitution.

Environment, Economic Growth and Transport Scrutiny Committee Programme 2023-24

Committee Meeting Schedule							
Scrutiny Activity	29/06/23 <small>(informal session)</small>	21/9/23	26/10/23	05/12/23 <small>(Tuesday 2pm)</small>	25/01/24	11/03/24	25/04/24
LCC Service Area Report to Committee		Parking Enforcement (yellow line abuse and use of CCTV) Road Closures Policy incl. Traffic Management Policy (Lane Rental Schemes)	Ultra-Low Emissions Vehicles and LCC Fleet Net Zero Infrastructure (utility companies)	Levelling Up East Lancashire: Creating Opportunities through Safer, Greener and Healthier Travel Love clean streets app review	Water Resource Management	Lancashire Economic Recovery and Growth (LERG) Programme and Aerospace Watchtower Case study Value for money for potholes TAMP	Strategic approach to decarbonising county council assets and operations Carbon Capture through Nature Enabling Net Zero Infrastructure – National Grid
Annual Report to Committee					Lancashire Road Safety		
Planned Decision Scrutiny Review		Tree Management Strategy 2023					
Short Scrutiny (Rapporteur) Review Update							
Other Scrutiny Review Update	Service Area Updates	Public Realm Agreements – Cabinet Member response					
Cabinet Member Required Attendance	Portfolio Updates	CC R Swarbrick and CC S Turner	CC R Swarbrick	CC A Riggott and CC R Swarbrick	CC R Swarbrick and CC S Turner	CC A Riggott and CC R Swarbrick	CC S Turner

Enabling Net Zero Infrastructure – National Grid (further consideration required – see resolution from 31 October 2023 meeting)

The following topics have been identified as reserve topics should any topic move off the work programme:

- Renewable energy on LCC land
- Nature recovery and biodiversity – including Local nature Recovery Strategy

Environment, Economic Growth and Transport Scrutiny Committee Recommendations Progress

Meeting Date	Report Title	Corporate Priority	Recommendation	Progress Detail
21 September 2023	Road Closures	Delivering better services	<p>1. The Cabinet Member for Highways and Transport gives consideration to;</p> <p>a) Producing a list of contact numbers and contacts for utility companies and their contractors who install temporary traffic lights to be shared with all county councillors and for this to include those website addresses displaying road work information in Lancashire such as MapZone/MARIO and One.Network.</p> <p>b) Informing all Lancashire Parish and Town Councils of the option to register for road closure alerts.</p> <p>c) Reviewing the road closure information on the county council's website with a view to including a list of frequently asked questions to assist residents.</p> <p>2. The policy on road closures for events and parades be shared with members of the Environment, Economic Growth and Transport Scrutiny Committee."</p>	<ul style="list-style-type: none"> • Producing a list of contact numbers and contacts for utility companies and their contractors who install temporary traffic lights to be shared with all county councillors and for this to include those website addresses displaying road work information in Lancashire such as MapZone/MARIO and One.Network. <p>Response:</p> <ul style="list-style-type: none"> ○ The volume of different contractors and traffic management companies would make the collation of a meaningful list too complex and simply not practical for county councillors. In addition we would only be able to provide the numbers for their customer contact centres or online reporting websites which again would not help solve the problem faced by councillors etc. The links to Mapzone/Road works bulletin and One.Network were contained within the report to scrutiny but here are the links again. one.network and Road works bulletin (arcgis.com) <p>Works being undertaken by utility companies and LCC should have an information board on site displaying the permit number and a contact number. Our inspectors do check that these are in place as part of our random sample inspection regime and we will have a more focused campaign on making sure these are in place in the new year. The team will collate a contact list of the main utilities for Cllrs and will circulate shortly. However to ensure we can monitor utilities and effectively and implement the various defect and charging regimes it is important that issues are reported to the team rather than going directly to the utility etc. Unfortunately the street works team are not set up or staffed to allow Cllrs and the public to come direct to the team. All issues should be reported through the established mechanisms – customer access centre or the Love Clean Streets app. In addition the team has been</p>

				<p>strengthened recently so as to provide an additional two inspectors so that we can ensure greater levels of compliance; and we have bolstered the direct management of the team by the addition of a dedicated Street Works Manager post.</p> <ul style="list-style-type: none"> Informing all Lancashire Parish and Town Councils of the option to register for road closure alerts. <p>Response:</p> <ul style="list-style-type: none"> The team are liaising with the team that manage contact with Parish councils to get this message out to them. <ul style="list-style-type: none"> Reviewing the road closure information on the county council's website with a view to including a list of frequently asked questions to assist residents. <p>Response:</p> <ul style="list-style-type: none"> A website review is underway to ensure that as much helpful information is available to the public. The team are in the discovery phase at this time recording typical questions that are received about road closures, to allow for a FAQ to be created. <ul style="list-style-type: none"> The policy on road closures for events and parades be shared with members of the Environment, Economic Growth and Transport Scrutiny Committee." <p>Response:</p> <ul style="list-style-type: none"> This document is now 7 years old and will need updating to remain relevant. Document circulated to committee members on 27 November 2023.
	<p>Parking Enforcement and Red Routes</p>	<p>Delivering better services</p>	<p>That the mechanism for county councillors to request a specific piece of parking enforcement be shared and made explicit on where county councillors report to.</p>	<p>In progress. C-First news article to be published and key contacts page updated. Key contacts on members' mobile phones to be updated. Member Induction booklet for circulation after the elections in 2025 to be updated.</p>

26 October 2023	Electricity North West – Enabling Net Zero Infrastructure	N/A	<ol style="list-style-type: none"> 1. Further consideration be given to inviting representatives from the National Grid on enabling Net Zero Infrastructure to a future meeting of the Environment, Economic Growth and Transport Scrutiny Committee. 2. The Cabinet Member for Environment and Climate Change give consideration to the role Lancashire County Council has with Electricity North West Limited's Local Area Energy Planning (LAEP) process and confirm the council's position on this. 	<ol style="list-style-type: none"> 1. In progress. Informal meeting held with representatives of National Grid on 21 November 2023. 2. Response: <p>A Local Area Energy Plan (LAEP) is a spatial plan specific to the local area that sets out the change required to transition an area's energy system to net zero in a given timeframe. LAEPs are led by local government and developed collaboratively with defined stakeholders, including Distribution Network Operators such as Electricity North West.</p> <p>Lancaster City Council has commissioned work on a LAEP for the Lancaster District and the County Council, along with other key stakeholders, is supporting the process as an Authorising Stakeholder.</p> <p>Lancashire County Council, together with Blackburn with Darwen Council and Blackpool Council is currently considering the role LAEPs have alongside the proposals for heat network zoning, currently out for consultation, and the emerging role of Regional Energy Strategic Planners (RESPs) and the significant role they will have in enabling local energy and net zero action.</p> <p>Regional Energy Strategic Planners will work with organisations at a local level including local government and gas and electricity networks, to improve understanding of the infrastructure needed and attract investment for projects. This new approach to energy planning will see RESPs create clear plans for how local energy systems need to be developed to reach net zero, considering both the national targets set by government, and the local needs and most appropriate approach in each area.</p> <p>Heat Network Zoning will designate zones, using a standardised national methodology, where heat networks are expected to offer the lowest-cost solution for decarbonising heat. It is proposed that a new Heat Network Zoning Authority (the Central</p>
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	Ultra-Low Emissions Vehicles and LCC Fleet	Delivering better services; protecting our environment	That, a briefing note setting out the breakdown of the current fleet (including school buses) and the projection of future funding required to introduce Ultra-Low Emissions Vehicles into the fleet be provided to the Environment, Economic Growth and Transport Scrutiny Committee.	Briefing note circulated to all members of the committee on 29 December 2023.
5 December 2023	Love Clean Streets App Review	Delivering better services	<p>That:</p> <p>(i) The Cabinet Member for Highways and Transport gives consideration to;</p> <p>a) Expanding the Love clean streets app to include borough council issues (e.g., fly tipping, street cleansing) where they specifically affect the highway.</p> <p>b) Creating a new category for weeds in the app's reporting system.</p> <p>c) Providing emergency contact numbers for councillors, to avoid members reporting these via the app.</p> <p>(ii) The projected dates on the forward plan for developing the app be shared with the Environment, Economic Growth and Transport Scrutiny Committee.</p> <p>(iii) A Briefing Note on future plans for gully emptying be provided to the committee.</p>	Recommendations shared with Cabinet Member on 6 December 2023.