

ST EDMUNDSBURY BOROUGH COUNCIL

RURAL AREA WORKING PARTY

**Minutes of a meeting held on Monday 29 July 2013 at 5.00 pm
in Room GFR14, West Suffolk House, Western Way, Bury St Edmunds**

PRESENT: Councillor J Thorndyke (Chairman)
Councillors Mrs Broughton, Clifton-Brown, Pugh, Ray,
Redhead, Mrs Rushen and Stevens

BY INVITATION: Councillor Mrs Gower, Portfolio Holder for Housing
Councillor Mrs Levack
Mr D Gillett and Mr C Bailey, Environment Agency
Mr J Horner, Suffolk County Council

1. Substitutions

No substitutions were declared.

2. Election of Chairman

It was proposed, seconded and

RESOLVED:

That Councillor J Thorndyke be elected Chairman of the
Working Party.

3. Appointment of Vice-Chairman

It was proposed, seconded and

RESOLVED:

That Councillor Mrs Broughton be appointed as
Vice-Chairman of the Working Party.

4. Apologies for Absence

No apologies for absence were received.

5. Minutes

The minutes of the meeting held on 7 May 2013 were confirmed as a
correct record and signed by the Chairman.

6. Declarations of Interests

Members' declarations of interests are recorded under the item to
which the declaration relates.

7. Riparian Owners' Responsibilities

The Chairman welcomed Mr D Gillett and Mr C Bailey of the Environment Agency and Mr J Horner of Suffolk County Council for a discussion on the responsibilities of riparian owners, i.e. persons who own or occupy land on the bank of a natural watercourse.

Mr Gillett explained that there were four categories of watercourses as follows:

- (a) main rivers, of which the River Lark was the only example in St Edmundsbury. The Environment Agency had statutory responsibilities and permissive powers for the carrying out works of improvement and maintenance in relation to main rivers. Additionally private individuals proposing works in, on or near main rivers required the consent of the Agency before these could be carried out. In considering such applications regard was had to preventing increased flood risk. Where unauthorised works had been carried out the Agency had powers to serve enforcement notices and in the event of default it could undertake the works itself and recover the costs as appropriate;
- (b) watercourses in Internal Drainage Board (IDB) areas. There were none of these in St Edmundsbury. The IDB was the regulatory body for such watercourses;
- (c) Awarded Watercourses. Responsibility for these was founded in common law. There were no examples in St Edmundsbury; and
- (d) Ordinary Watercourses. These were all other watercourses and were the responsibility of riparian owners, i.e. persons owning or occupying adjacent land, who had an obligation to maintain and repair them. Following the enactment of the Flood and Water Management Act 2010 regulatory powers for watercourses in this category had passed to Suffolk County Council.

Members' questions were answered as follows:

- (i) it was confirmed that Suffolk County Council had enforcement powers in relation to 'ordinary watercourses' which could be a stream, culvert or ditch and in the event of problems of flooding contact should be made with the County Council (e-mail address: floods@suffolk.gov.uk);
- (ii) riparian owner responsibility extended to adjacent land. Where land on either side of a watercourse was in different ownerships, responsibility was assessed from the centre line of the watercourse. There could be difficulties in establishing responsibilities, e.g. in the case of plots in residential developments bordering a watercourse subsequently sold off by the developer to private individuals; and
- (iii) with reference to problems of who to contact in the event of flooding, the Flood and Water Management Act placed a duty on risk management authorities to cooperate. It was acknowledged that it would be of assistance to local communities if information about responsibilities for the various categories of watercourses was disseminated. The Environment Agency had produced a leaflet 'Living on the Edge' which had been widely distributed. The County Council had a duty to maintain an asset register. Work on developing this was continuing and it was being added to as cases of flooding were

investigated. Town/Parish Councils could provide valuable local knowledge about problem areas to build up the database. The involvement of Town/Parish Councils and Action Groups would be sought in finding solutions to flooding issues; and

- (iv) in relation to consultation on planning applications the Environment Agency only commented on proposals affecting main rivers. Suffolk County Council had involvement as a flood risk management authority but was not a statutory consultee. This was because Schedule 3 of the Act had not yet been brought into force.

8. Evidencing Rural Affordable Housing Need and Rural Housing Need Profiling Project - Update

The Working Party received and noted Report E67 (previously circulated) which provided updates on two pieces of work on rural housing provision:

- (a) Evidencing Rural Affordable Housing Need. On 24 January 2013 the Working Party had approved the carrying out of a desk top, Borough-wide, assessment of rural affordable housing need using data from the Housing Needs Register. This only included affordable housing let through Registered Providers. The results of this exercise were set out in Appendix A of the report.
- (b) Rural Housing Profiling Pilot. On 13 March 2013 the Working Party had agreed that a pilot be taken forward for working with parishes on establishing housing need and identifying both private and public sector housing solutions. All the villages put forward for the pilot had been contacted and Appendix B summarised the stage that discussions about involvement had reached. It was expected that those wishing to take part in the pilot would be confirmed during July.

In discussing the Evidencing Affordable Rural Housing Need aspect of the report, Members noted that the work carried out had reinforced the conclusions of the Strategic Housing Needs Assessment carried out for the Cambridge Sub-Region which had been discussed at the meeting of the Sustainable Development Working Party on 27 June 2013. This had acknowledged that there was a manifest need for units of smaller accommodation, i.e. of one or two bedrooms. There were divergent views about the usefulness of the information included in Appendix A. Some Members were of the view that because households were able to make multiple preferences for parishes they wished to locate to, the figures did not give a clear indication of which parishes had the highest level of need. Additionally the figures also only related to affordable housing let by Registered Social Landlords. Other Members felt the information provided a useful starting point and that the next stage, Phase 2, would refine the situation as to which parishes had the greatest housing need. Officers confirmed that this would be the case and also suggested that if the data was transposed into map form indicating preferences on a geographical basis this would give a better indication of trends and locations of high demand. It was agreed that the information in this form be made available in the Members' Bulletin.

9. Parish Conference Planning

Officers gave an oral update on proposals for the Autumn Parish Conference and sought the views of the Working Party on the date, venue and format the event might take. It was agreed that the conference should be moved to an earlier date in the calendar and for this year's event it be held on 15 or 22 October at The Apex. Officers suggested that the proposed changes to the Council Tax Support Grant and Revenue Support Grant, which were to be considered by full Council on 30 September 2013, should be an item on the agenda for the conference because of their impact on Town and Parish Councils. The following topics to be covered were put forward: Rural Business Support, the Rural Housing Need Profiling Project, Conservation Areas (as a workshop session), Update on Vision 2031, and Gypsy and Travellers' Sites. It was also suggested that following the restructuring of the Council's Leisure Services, whereby specific officers could have responsibility for groups of parishes, that this new arrangement be made known to parishes.

10. Village of the Year Competition 2013

Officers reported that Great Barton had won this year's competition and as a consequence would be entered in the Suffolk wide competition.

11. Dates of Future Meetings

The Working Party had already agreed the following dates for future meetings:

Wednesday 30 October 2013;
Monday 27 January 2014; and
Wednesday 26 March 2014.

All meetings to commence at 5.00 pm.

The meeting concluded at 6.25 pm.

**J THORNDYKE
CHAIRMAN**