

Friday, 26 November 2021

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ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

You are summoned to a meeting of the Environment Overview and Scrutiny Committee which will be held in the Council Committee Room 1, Woodgreen, Witney OX28 1NB on **Thursday, 2 December 2021 at 2.00 pm.**



Giles Hughes
Chief Executive

To: Members of the Environment Overview and Scrutiny Committee

Councillors: Alaa Al-Yousuf (Chairman), Andrew Coles (Vice-Chair), Mike Cahill, Owen Collins, Rupert Dent, Harry Eaglestone, Ted Fenton, Andy Goodwin, Liz Leffman, Martin McBride, Alex Postan, Carl Rylett, Harry St John and Ben Woodruff

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Democratic Services officers know prior to the start of the meeting.

AGENDA

1. **Minutes of Previous meeting** (Pages 3 - 8)
To consider the minutes of the meeting held on 30 September 2021.
2. **Apologies for Absence and Temporary Appointments**
3. **Declarations of Interest**
To receive any declarations of interest from Councillors relating to items to be considered at the meeting, in accordance with the provisions of the Council's Local Code of Conduct, and any from Officers.
4. **Participation of the Public**
Purpose:
To receive any submissions from members of the public, in accordance with the Council's Rules of Procedure.
5. **Waste Bin Placement and Renewal Programme** (Pages 9 - 18)
Purpose:
To receive a presentation on the progress of the Waste Bin Placement and Renewal Programme
6. **Committee Work Programme 2020/2021** (Pages 19 - 24)
Purpose:
To provide the Committee with an updated Work Programme for 2020/2021.

Recommendation:
That the Committee notes the work programme, provides comment where needed and makes amendments where required.
7. **Cabinet Work Programme** (Pages 25 - 30)
Purpose:
To give the Committee the opportunity to comment on the Cabinet Work Programme published on 16 November 2020.
Recommendation:
That the Committee decides whether to express a view to the Cabinet on relevant issues in its Work Programme.
8. **Members' Questions**
Purpose:
To receive questions from Members relating to the work of the Environment Overview and Scrutiny Committee. In order to ensure that appropriate information is to hand at the meeting, Members may wish to give notice of any questions through the Committee Officer.
Recommendation:
That Members' questions be dealt with as appropriate.

(END)

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the

Environment Overview and Scrutiny Committee

Held in the Council Chamber, Woodgreen, Witney at 2.00 pm on **Thursday, 30 September 2021**

PRESENT

Councillors: Alaa Al-Yousuf (Chairman), Joy Aitman, Rupert Dent, Harry Eaglestone, Ted Fenton, Andy Goodwin, Liz Leffman, Martin McBride, Alex Postan and Carl Rylett.

Officers: Maria Wheatley (Shared Parking Manager), Scott Williams (Business Manager - Commissioning Strategy) and Michelle Ouzman (Strategic Support Officer).

18 Minutes of Previous meeting

The minutes of the meeting held on 10 June 2021 were approved and signed by the Chairman as a correct record.

19 Apologies for Absence and Temporary Appointments

Apologies for absence were received from Councillors Mike Cahill, Owen Collins, Harry St John and Ben Woodruff.

Councillor Joy Aitman substituted for Councillor Andrew Coles.

20 Declarations of Interest

There were no declarations of interest.

21 Participation of the Public

Duncan Wood, owner of a commercial property off Bridge Street, Witney, part of the Old Mill flooded last Christmas, registered to speak, and addressed the Committee.

William Wareing representing the Witney Flood Mitigation Group (WFMG), addressed the Committee and circulated papers. Copies of both submissions are attached to the original copy of these minutes.

Councillor Poston asked Mr Wareing if the Witney Flood Mitigation Group were speaking in relation to upstream Windrush and Mr Wareing confirmed that the WFMG were concentrating on the Witney town centre.

The Chairman clarified that the Witney Flood Mitigation Group had been sent a written reply to a letter sent from them to the Leader of the Council, and all the Councillors. The reply was from Councillor Norman MacRae on behalf of the Council. Mr Wareing confirmed receipt of the letter and said he would subsequently reply to that. Councillor MacRae confirmed that work was going on in the background with officers, which the Witney Flood Mitigation Group were aware of.

The Chairman summarised that this was a distressing situation and that the Witney Flood Mitigation Groups technical and detailed report, and statement circulated, urged working collaboratively with different responsible bodies, some of which were also represented by Councillors present at the meeting. He suggested that Members of the Committee also would like to see the answers and responses.

Councillor Eaglestone proposed that the Environment Agency, County Council, Witney Town Council and West Oxfordshire District Council Cabinet respond to the Witney Flood Mitigation Group and copy the Committee into their answers.

Councillor Poston seconded the proposal, this was put to the vote and was carried.

The Chairman thanked the public and the Witney Flood Mitigation Group for their participation and hoped the spirit of joined up working would continue and yield results.

The Chairman then suggested dealing with the Committee Work Programme as confirmation of Environment Agency (EA) participation had been received after the agenda had been published. He advised the meeting that this was an opportunity to hear from the Environment Agency as to what they had been doing and planned to do. The Chairman introduced Mrs Joanne Emberson-Wines the representative from the Environment Agency.

Mrs Emberson-Wines introduced herself as the Area Flood Risk Manager for the Thames Valley Area and explained that she worked closely with other EA representatives who had visited the area recently, and oversaw the work they were doing.

Mrs Emberson-Wines explained that the Warn and Inform System had been in place in 2020, measuring river flows and levels and combining with weather forecast enabled the EA to flood forecast. The Warn and Inform System was upgraded after 2007 and tested in 2014. She highlighted the changes in weather systems being seen due to climate change and increased rosters were put in place over Christmas, with extra standby duty personnel. In December, calls had come in to the incident hotline from Witney residents, triaged and responded to, and officers had visited site to check blockages within the river. An incident call was received on 26 December relating to debris in the river, however, at this point due to the river being so high it became a safety risk to enter the river.

The early warning system used model data to bring back information to the Incident Centre and this was tracked live in real time. The results were judged, balanced and assessed for when the risk of flooding warnings went out. The EA kept an eye on flood risk communities such as Witney. However, the Christmas warning for Witney came out slightly later than it should have. The EA had gone back and made two key changes to the warning system as a result:

1. Reset the threshold levels of when the water starts to flood properties, it's called the flood warning threshold, had been adjusted to two hours before a property would flood.
2. Reviewed the acted on the data from an upstream gauge at Warsham, adjusting the level of flow of the gauge.

Mrs Emberson-Wines also commented on the EA's role in the preparation of Section 19 Flood Reports. This investigation was a statutory requirement of the Lead Local Flood Authority. Therefore, the release of the report would be led by Oxfordshire County Council who generally worked in collaboration with other flood parties. From an EA point of view, Mrs Emberson-Wines advised that officers would be responding to any Data Information requests, from Oxfordshire County Council and inputting the information.

Preventative measures and future work identified as a result of the Christmas floods was outlined and the EA had working ongoing in two different categories; Revenue funding from government, which was an annual maintenance fund, to carry out yearly maintenance work on the rivers; and Capital funding for mitigation work. The Environment Agency had previously looked at Witney as to whether a flood mitigation scheme would be possible – this was looked at in 2007 then again in 2014. After 2014, a significant report was completed and found that, although technical solutions could be found, engineering solutions were also introduced to reduce the risk of flooding to 1 in 100 event. An overview of the mechanism to which the EA was allowed to release money from government, based on HM Treasury rules and the cost benefit ratio for that scheme was explained. Mrs Emberson-Wines confirmed that the EA had looked at Witney's flood risk before but had not been successful in securing funds.

Following a question from Councillor Fenton, Mrs Emberson-Wines confirmed that de-silting was a short-term measure and did not always work.

Councillor Poston asked a question relating to the clearing of weeds to maintain the flow on the banks of the rivers, where the responsibility lay and if it was possible to know who the owners of the land were. Mrs Emberson-Wines indicated that this may be a data protection issue but agreed to report back to the Committee with a full answer.

Councillor Leffman commented that heavier rain was predicted in the future and queried if Council policies were adequate for the future. She queried if there was anything that could be done to protect the properties and support the people who were at risk, for example using flood protection measures.

Mrs Emberson-Wines confirmed that the latest Climate Change allowances based on work by the Intergovernmental Panel on Climate Change (IPCC) had changed how the EA were modelling flood predictions. Some properties already had property level protection installed, so there were options available.

Councillor McBride asked if the river could be de-silted now to help protect it for this year. Mrs Emberson-Wines reiterated that the EA would need to look at the evidence as the benefit may not be what we hope it to be, however, she would take that away and report back to the Committee.

The Chairman asked for clarification on HM Treasury rules, cost benefit analysis and the capital spend considered for Witney in particular. Mrs Emberson-Wines clarified that the HM Treasury rules were aimed at ensuring that it managed public money wisely and were contained in the Green Book, were updated frequently, enabling the EA to look at areas where they had not been able to deliver solutions previously.

Councillor Dent asked whether the EA were going to review the cost benefit calculation itself. Mrs Emberson-Wines confirmed that HM Treasury set the calculation, however, the EA would be reanalysing the solutions and data against the newest cost benefit policy.

Councillor Postan commented that following the floods in 2007, the majority of homes flooded had certain types of plaster, fitted carpets, electrical circuits at ankle level and MDF kitchens. He asked if the Committee could request the Development Control Committee to look into this for new builds, with an analysis of the type of materials and construction now being used. Councillor Leffman agreed, and added that new builds should not be built on floodplains, and properties that were likely to flood, should be properly protected.

The Chairman stated that the Committee should not be commenting on planning policy, without the benefit of reports or officers' advice, however, it was reasonable and acceptable for comments to be noted and passed onto the Cabinet.

Councillor Fenton stated that he did not think the Council built on floodplains now, and commented that the buildings flooded over last Christmas were built years ago. Councillor Fenton's concern was more focussed on the cost benefit threshold and queried if there was anything that could be done. Mrs Emberson-Wines explained that if a scheme or proposal did not meet the threshold, it may mean that it did not attract government funding. She clarified that this did not mean the scheme would not go ahead, but meant funding may need to be sourced elsewhere.

Councillor Fenton also raised a concern about private insurance policies which were difficult to get in these situations. Therefore, the cost was not only about prevention, but also about

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clearing up and repairing the damage if it occurred again. He felt that the Council had a duty of care towards these homes and businesses.

Councillor MacRae asked if the EA would fund flood level protection 3a and 3B in Witney and the de-silting under the bridge. He also advised that the Windrush group had asked the EA to explain the procedure for opening up the private sluices on the river. Mrs Emberson-Wines explained that the procedures for opening up private sluices were normally local agreements.

With regards to the funding for de-silting the river, Mrs Emberson-Wines confirmed she would take this question away and come back to the Committee with an answer.

Mrs Emberson-Wines believed the local authority could submit a bid to the Department for Environment, Food and Rural Affairs (DEFRA), which she would check and report back on.

Councillor Rylett asked for an update on the natural flood management report which had been delayed for six months, and queried how surface water flooding was assessed. Mrs Emberson-Wines confirmed that the Natural Flood Management reviews had been taking place, however, she would take an action to chase the specific report. Natural Flood measures would also form part of scheme review mentioned earlier.

The Chairman thanked Mrs Emberson-Wines for her attendance and participation and looked forward to her feedback on the questions posed.

The Chairman also thanked the Witney Flood Mitigation Group for their input and the report they had circulated. He confirmed that the Committee had urged, through a formal process, that the County Council, Witney Town Council, and the EA engage with the group and reply to them. Councillor Al-Yousuf concluded by advising that Members sincerely hoped that all concerned would get some answers in the not-too-distant future.

22

Consideration of the introduction of Waste & Recycling Container Delivery Charging

Members received a report from the Contracts Manager, Scott Williams, which outlined the results of a review, which had been completed on the numbers and costs of delivering waste and recycling containers to households in the district. The report proposed a number of options outlined at sections 2.4 to 2.11 with a view to introducing a charge for container deliveries.

Mr Williams highlighted that the total detailed in section 3.2 of the report needed to be amended.

Councillors discussed the extra containers usage, those stolen and damaged and the quality of the bins. Mr Williams clarified that any containers that had been stolen or damaged, would not incur a charge. In addition, action would be taken for those containers that were damaged on collection. If a larger household required extra containers, the request would be considered and may not incur a charge. Any household that had requested extra bin collections, would be listed on the collection rota; any household that put more than their allocation of bins out for collection, would be noted and investigated.

Councillors then went on to discuss the actual costs incurred in each scenario and the relevant options being proposed.

The Chairman asked for clarity on the figure quoted in paragraph 3.1 – Purchase and Delivery and Mr Williams confirmed that this was the total budget.

Councillor Poston proposed that the minimum cost charge outlined as Option 1, be adopted. This was seconded by Councillor Eaglestone.

The proposal went to a vote and was carried.

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Resolved that the report be noted, with a recommendation that the charging option I be adopted.

23 Introduction of Charges at the Public Conveniences at New Street Car Park, Chipping Norton

The Chairman introduced Mrs Maria Wheatley the Parking Services Manager.

The Committee received a report from the Shared Parking Services Manager which asked Members to consider the introduction of charges at the public conveniences located at New Street Car Park, Chipping Norton. At present, the Council had charges in place at all the other eleven Council owned public convenience sites except this one.

Councillor Leffman enquired if the option of paying by coin or by card could be adopted. In response, the Shared Parking Services Manager confirmed that some sites did have both payment options in the Cotswolds however, this required new payment devices which was quite expensive to install. She also confirmed that the Council had not received any enquiries or complaints relating to these options, however it was something that could be looked at in the future.

Having considered the report and having heard from the officers present, the Committee

Resolved that the report be recommended to Cabinet.

24 Committee Work Programme 2021/22

The Chairman addressed the meeting and provided an update on the Committee Work Programme as follows:

Review of the Section 19 Report – officers were still awaiting a date of issue;

Riparian Work – this was continuing in the background and an invitation had been extended to Bill Oddy, for an update at the December Committee;

An air quality report had been sent to the relevant government inspector and officers were awaiting a response;

Local Natural Partnership – the Chief Executive, Giles Hughes had been asked to set up a meeting.

Councillor Leffman proposed an addition to the work programme. She advised that the Government had suggested new proposals for waste and recycling for 2023/2024 and she suggested that the Committee review what was being asked for by the government.

The Chairman advised that the District Council was the collection authority, and the County Council was the disposal authority therefore any change in legislation could have a bearing on the way the Council dealt with waste and recycling. Councillor Leffman also added that she thought one of the Governments initiatives may be to introduce free garden waste collections, which at the moment the Council charged for.

In response, the Contracts Manager, Scott Williams explained that the government's steer on free garden waste collections was that there should be no new burden on the local authority to meet the costs of this initiative. He confirmed that a review was being carried out and suggested that a quarterly update moving forward should be sufficient at this stage.

Resolved that the Committee Work Programme be agreed with the following addition:

An update on the Government initiative on waste and disposal for 2023/2024.

25 Cabinet Work Programme

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Resolved that the report be noted.

26 Members' Questions

Councillor MacRae advised that he had received an update from the Shared Principal Engineer, Laurence King, and the new emergency flood response plan was due at the end of October and the Section 19 report was being worked on behind the scenes.

The Meeting closed at 3.44 pm

CHAIRMAN



WEST OXFORDSHIRE
DISTRICT COUNCIL

Waste Bin Placement and Renewal Programme

Progress Report Nov 2021

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Agenda Item 5

Background

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- Circa 1,200 litter and dog bins
- No guidance on locations
- No replacement programme
- Visually unattractive
- Total cost annually of circa £450K (£377 each)
- Each bin costs £4k over it's life (10 year life)



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A Zonal Scheme

- **Zone 1** - Town Centres with large numbers of commercial shops, licenced premises and food outlets
- **Zone 2** - Village Centres with smaller numbers of commercial shops, licence premises and food outlets
- **Zone 3** – Bus stops and roads having smaller grocery type shops Litter bins would be placed at key bus stops and in prominent positions
- **Zone 4** – Outdoor recreational areas (solely those owned by the council)
- **Zone 5** – Housing estates & outlying town/village areas

Single litter and/or dog waste bins in these areas would be strategically placed based on demonstrated need e.g. on a recognised school walking route.

Our Approach

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- Partnership with Parish Councils and Ubico
- Communications (Email / Face to Face / Site visits / Social)
- Project approach with weekly reviews
- Quick wins
- Parish by parish A-Z (1/3 of parishes complete (E / F) / and 50% of bins complete)

Challenges

- Change takes time...
- Data unreliable
- People have strong views
- Scale of programme
- Residents perception...

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“The bins look great and I have had lots of positive comments from dog walkers”

Parish Councillor

“The new bins through the village look so much smarter. We are delighted by these initiatives on the part of WODC.”

Chairman of the Parish Council



West Oxfordshire District Council
@WodcNews

Out with the old, in with the new!

Working with parish councils we have now installed over 100 new **#litterbins** & removed some of our more 'vintage' bins in the process.

We're investing £50k alone into improving our bins as part of our priority to improve the local environment.



12:15 PM · Sep 30, 2021 · Orlo

“Thank you for installing that bin by the stile so quickly”

Parish Councillor

Our Roadmap

- Scheduled to be completed by March





WEST OXFORDSHIRE
DISTRICT COUNCIL

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Questions

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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>Environment Overview and Scrutiny Committee 2 December 2021</p>
<p>Report Number</p>	<p>Agenda Item No. 6</p>
<p>Subject</p>	<p>Committee Work Programme 2021/2022</p>
<p>Wards affected</p>	<p>All</p>
<p>Accountable member</p>	<p>Cllr Alaa Al-Yousuf, Chairman Environment Overview and Scrutiny Committee Email: alaa.alyousuf@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Amy Bridgewater-Carnall, Senior Strategic Support Officer Tel: 01993 861522 Email: democratic.services@westoxon.gov.uk</p>
<p>Summary/Purpose</p>	<p>To provide the Committee with an update on its Work Programme 2021/22.</p>
<p>Annexes</p>	<p>Annex 1 - Work Programme for 2021/22</p>
<p>Recommendation</p>	<p>That the Committee notes the work programme, provides comment where needed.</p>
<p>Corporate priorities</p>	<p>To enable the Committee to review its Work Programme and support the Council's priorities to protect the environment whilst supporting the local economy, to meet the current and future needs of residents and to provide efficient and value for money services, whilst delivering quality front line services.</p>
<p>Key Decision</p>	<p>No</p>
<p>Exempt</p>	<p>No</p>
<p>Consultees/ Consultation</p>	<p>None</p>

1. BACKGROUND

- 1.1. At the May meeting the Committee gave consideration to the development of its Work Programme for the year having regard to the changes to the approach to scrutiny work adopted by Council on 22 October 2008.

2. MAIN POINTS

- 2.1. Members are asked to consider the work programme, along with the Cabinet work programme, and decide if there are any items that they wish to scrutinise in particular.
- 2.2. Once considered, the Committee can decide whether to submit formal comments or recommendations to the Cabinet as they see fit.
- 2.3. In addition to the items contained in the Work Programme there will still be the opportunity to bring forward one-off reports and papers on particular issues of interest to the Committee but it will also be necessary to maintain a general overview of the ways in which external agencies are responding to community concerns. The inclusion of a standing agenda item for Members' questions also provides the opportunity to raise relevant issues.

2.4. Local Lead Flood Authority – update

There has been no response as yet from Mr Cotton at OCC re the five commitments that was agreed over 3 months ago. Democratic Services continue to chase Mr Cotton for an update. Report not available, no further update.

Environment Agency Representative

At the last Committee meeting 30 September, the Environment Agency sent a representative Mrs Joanne Emberson Wines. There were several questions that came up at the last committee meeting to which Mrs Emberson Wines took back to the EA for answers. It is hoped that the answers can be discussed at the December meeting – See Annex I

3. FINANCIAL IMPLICATIONS

- 3.1. There are no financial implications arising directly from this report.

4. LEGAL IMPLICATIONS

- 4.1. None

5. RISK ASSESSMENT

- 5.1. Not applicable.

6. CLIMATE CHANGE IMPLICATIONS

- 6.1. Whilst there may be climate change implications arising from specific items within the Work Programme, there are none arising directly from this report.

7. ALTERNATIVES/OPTIONS

- 7.1. In accordance with the Constitution of the Council, Committee has the power to investigate any matters it considers relevant to its work area, and to make recommendations to the Council, the Executive or any other Committee or Sub-Committee of the Council as it sees fit.

8. BACKGROUND PAPERS

- 8.1. None.

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	Title	Format	Lead Officer / Cabinet Member	Next report / Anticipated Completion Date	Comments
1	Review of OCC Section 19 relating to the Christmas Floods 2020	Written report	Bill Oddy / Councillor MacRae	2 December 2021 (Suggest move to 3 February)	The Cabinet member, Councillor MacRae reported that he had written to colleagues at the County Council and requested updates accordingly. Democratic Staff still continue and have made several attempts to contact Mr Cotton, with no response. Mrs Emberson Wines from EA attended Septembers meeting, and to come back with date of issue for the report. Report still not available, no further update.
2	Riparian Ownership and flood risk WODC owned land	Verbal update	Councillor MacRae / Laurence King	2 December 2021 (Suggest move to 3 February)	Site visit occurred 5th August 2021. Mrs Emberson Wines from EA, attended September's meeting, and to come back with further information re question asked at the meeting.
3	Waste Bin Placement and Renewal Programme	Update Slide Presentation	Bill Oddy / Scott Williams	2 December 2021	Presentation on update and current data delivered by Scott Williams, assisted by Louise Oddy.
4	Ubico 22/23 Business Plan themes	Presentation from Ubico	Councillor MacRae / Beth Boughton (Ubico)	3 February 2022	Beth Boughton from Ubico due to present in person.

Work Programme 2021/2022 – Environment O&S

Annex 1

5	Governments initiative of zero recycle cost for residents	Verbal update	Councillor MacRae / Scott Williams	When there is news to share. Initiate began 2019 but is behind due to the pandemic, review beginning 2022	Verbal update due from Scott Williams when there is news to share. See link for current details: https://www.gov.uk/government/news/government-sets-out-plans-to-overhaul-waste-system
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Regular Reports	Frequency	Next Meeting Date
Update on Carbon Action Plan – Ness Scott and Councillor Harvey (Cabinet Work Programme number 3)	Every meeting	May 2021 onwards – to induct any new Members and verbal update.
Flood Prevention, Drainage & Sewerage Infrastructure Issues - Councillor MacRae / Laurence King	As required	Ongoing
Air Quality	Annual report	TBC – Expected soon

Suggestions for future workstreams:

I.	The Local Nature Partnership	Verbal Update	Councillor Coles / Giles Hughes	Last Update September	Councillor Coles introduced the report and requested that an additional item relating to the Local Nature Partnership be added to the September programme prior to the project's 'go live' date. Update from Clare Mowbray - Giles Hughes of WODC is on the Steering Group of the LNP see link for latest news: http://democratic.whitehorsedc.gov.uk/documents/s51513/6.%20LNP%20Update%20report.pdf
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Answers to questions raised at the 30 September meeting for the Environment Agency

(only one answer received so far)

1. Councillor Poston asked a question around the clearing of weeds to maintain the flow on the banks of the rivers, are the owners of this land responsible and if so, can we know who they are.
 - a. Mrs Emberson Wines indicated that this may be a data protection issue, however took an action to come back to the committee with a full answer.
Full answer:
2. Councillor McBride asked why we couldn't de silt the river now to help protect it for this year.
 - a. Mrs Emberson Wines reiterated that the Environment Agency would need to look at the evidence as the benefit may not be what we hope it to be, however she would take that away back to the Environment Agency and come back to the committee.
Full answer:
3. Councillor Mac Rae asked if the area 3a and 3b in Witney could be funded?
 - a. Mrs Emberson Wines confirmed that Environment Agency would not be funding, however there is a DEFRA process to bid for funding, and she would come back to us on this process
Full answer:
4. Councillor MacRae asked if there were funding to do the de silting under the bridge in Witney
 - a. Mrs Emberson Wines confirmed that they would need to look at the evidence if it would be beneficial. If that was the case she would need to check to see if this could be funded and come back to us.
Full answer:
5. Councillor Rylett asked about the study EA Natural Flood Management Options, aware of delays but do we have a date when the report is due?
 - a. Mrs Emberson Wines to come back with a date of when the report is to be released.
Full answer:
6. Councillor Coles added a question after the meeting which was forwarded onto the EA.

Re the maintenance of Emma's Dyke in Witney, Councillor Coles met with James Spicer from the EA at the end of June at Emma's Dyke in Witney. This was after a number of residents had contacted me complaining about its current poor state and the lack of maintenance. Mr Spicer assured me that it was subject to its annual programme of maintenance which would be completed by the end of September. I took a look at it again yesterday and it hasn't been completed. One section, which I showed Mr Spicer, remains completely blocked. It would be great to get an explanation please from the EA.

Full Answer received from James Spicer:

I have been forwarded your enquiry regarding the maintenance of Emma's Dyke, Witney. Firstly, may I take this opportunity to introduce myself. My name is James Spicer and I am the Asset Performance (AP) Officer within the Upper Thames Tributaries AP Team for the Cotswold and Vale area. It is my role to work with the field team and administer the Flood and Coastal Risk Management (FCRM) watercourse maintenance program and organise repairs/maintenance/inspections of Environment Agency (EA) owned flood risk assets. It is also my role to advise and inform customers regarding riparian responsibilities, permitting, maintenance, flood risk etc.

Our work along Emma's Dyke consists of in-channel weed control in the lower reaches using hand tools and powered tools. In the upper reaches, our primary means of weed control is via droplet-applied herbicide. We also cut back vegetation growing into the watercourse and remove obstructions such as fallen trees. At the time of my meeting with Cllr. Coles in June work was progressing on the lower section as planned. However, due to delays (including some connected to herbicides), work on the upper section was then yet to commence. It was my expectation that work would be completed by the end of September. These delays have persisted for longer than expected, but I am informed that works should be completed in the coming weeks: we are now awaiting permission to access the playing fields (being mindful of using herbicides near schools and associated risks) and favourable weather.

I must stress that our undertaking of maintenance does not in any way absolve the various riparian owners of their responsibilities. When we undertake maintenance, it is done not under a duty but rather using permissive powers, wherein we can direct our resources to areas we feel would benefit most. Witney is one such area. There may arise situations wherein we have to delay, cancel or change the nature of our watercourse maintenance, for example resources being used for incident response or changes in funding from central Government. In situations such as this, we would expect riparian landowners to maintain the watercourse as necessary. As set out under current rules, responsibility for keeping the watercourse clear and allowing unimpeded flows does ultimately rests with the riparian landowners. Should these landowners fail to maintain the channel in an appropriate manner and create additional flood risk, then they may be subject to civil action from anyone who suffers flooding as a result. Further information on riparian landowner rights and responsibilities can be found on the "Owning a watercourse" page on .GOV.UK, here:

<https://www.gov.uk/guidance/owning-a-watercourse>

I hope you and Cllr. Coles find this information useful. Should you or Cllr. Coles have any questions, please do not hesitate to contact me.



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

CABINET (EXECUTIVE) WORK PROGRAMME

INCORPORATING NOTICE OF DECISIONS PROPOSED TO BE TAKEN IN PRIVATE SESSION AND NOTICE OF INTENTION TO MAKE A KEY DECISION

DECEMBER 2021 – MARCH 2022

Published 16 November 2021

By virtue of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, local authorities are required to publish a notice setting out the key executive decisions that will be taken at least 28 days before such decisions are to be taken. The Regulations also require notice to be given of any matter where it is proposed that the public will be excluded during consideration of the matter.

This Forward Plan incorporates both of these requirements. In the interests of transparency, it also aims to include details of those items to be debated by the Cabinet that relate to either policy/budget formulation, matters which will be subject to a recommendation to the Council, and other matters due to be considered by the Cabinet. This programme covers a period of four months, and will be updated on a monthly basis. The timings of items may be subject to change.

It should be noted that although a date not less than 28 clear days after the date of this notice is given in each case, it is possible that matters may be rescheduled to a date which is different from that given provided, in the cases of key decisions and matters to be considered in private, that the 28 day notice has been given. In this regard, please note that agendas and reports for meetings of the Cabinet are made available on the Council's website at www.westoxon.gov.uk/meetings five working days in advance of the meeting in question. Please also note that the agendas for meetings of the Cabinet will also incorporate a necessary further notice which is required to be given in relation to matters likely to be considered with the public excluded.

There are circumstances where a key decision can be taken, or a matter may be considered in private, even though the 28 clear days notice has not been given. If that happens, notice of the matter and the reasons will be published on the council's website, and available from the Council Offices, Woodgreen, Witney, Oxon, OX28 1NB.

Key Decisions

The Regulations define a key decision as an executive decision which is likely –

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates; or*
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the authority".*

The Council has decided that a cost or saving of an amount greater than £50,000 is necessary to constitute expenditure or savings which are significant for the purposes of this definition.

Please note that if a matter is approved by the Council following a recommendation from the Cabinet, that decision will not be a key decision.

Matters To Be Considered in Private

The great majority of matters considered by the Council's Cabinet are considered in 'open session' when the public have the right to attend.

However, some matters are considered with the public excluded. The public may only be excluded if a resolution is passed to exclude them. The grounds for exclusion are limited to situations where confidential or exempt information may be disclosed to the public if present and, in most cases involving exempt information, where in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The definitions of these are set out in the Council's Constitution.

Documents and Queries

Copies of, or extracts from, documents listed in the programme and any which subsequently become available are (subject to any prohibition or restriction on their disclosure), obtainable from the following, and this contact information may also be used for any queries.

Democratic Services
West Oxfordshire District Council
Council Offices
Woodgreen
Witney
Oxon
OX28 1NB

Email: democratic.services@westoxon.gov.uk

Tel: 01993 861111

West Oxfordshire District Council: Executive Members 2021/2022

Name of Councillor	Title and Areas of Responsibility
Michele Mead (Leader)	Leader of the Council: Policy Framework; Corporate Plan; Executive functions; Representation on Regional and National Bodies; Oxfordshire Partnership Board; Oxfordshire Growth Board; Oxfordshire Local Enterprise Partnership; Oxfordshire Leaders; Publica & Ubico; Democratic Services; Communications; and Afghanistan Resettlement Programme.
David Harvey (Deputy Leader)	Climate Change: Alternative energy; Biodiversity across the District; Carbon Neutral by 2030; Fossil fuel dependence reduction; and Local, National and County wide liaison on climate
Suzi Coul	Finance: Economic Development; Inward investment; Finance & Management; Council Tax and Benefits; Efficiency Agenda; Performance management of the Council; Business Development; Visitor economy; Asset management.
Merilyn Davies	Communities and Housing: Housing Allocations; Homelessness; Provision of Affordable Homes; Sheltered Housing accommodation; Safeguarding; Community Safety Partnership; Crime and Disorder; Neighbourhood Policing; Scrutiny of Police and Crime Commissioner; Voluntary sector engagement; Assets of Community Value; Community and Public Health; and Healthy Communities.
Jane Doughty	Customer Delivery: Parish and Town Liaison; Equality and Diversity; Customer Services; ICT and services; Health and Safety; Councillor Development; Broadband; Sports and Leisure Facilities; Public art; Community; Facilities Grants; and Community Revenue Grants.
Jeff Haine	Strategic Planning: Regional Spatial Strategy; Local Plan; Government planning policies and guidance; Conservation and Design; Design and Historic Environment; Landscape/Biodiversity; Strategic Housing; Development Management; and Ensuring planning policies meet 2030 requirement
Norman MacRae MBE	Environment: Car Parking; Waste Collection and Recycling; Street Scene (Cleansing, Litter and Grounds Maintenance); Energy Advice; Flood Alleviation; Environmental and Regulatory; Environmental Partnership

For further information about the above and all members of the Council please see www.westoxon.gov.uk/councillors

Item for Decision	Key Decision (Yes / No)	Likely to be Considered in Private (Yes / No)	Decision – Maker	Date of Decision	Cabinet Member	Lead Officer	Consultation	Background Documents
1. Performance Monitoring Report Q2 – 2021/22	No	No	Cabinet	15 Dec 2021	Cllr Mead	Giles Hughes		
2. Consideration to write off debt in excess of £5,000	No	Yes (will include personal info)	Cabinet	15 Dec 2021	Cllr Coul	Jon Dearing	MO, Legal & S151 officer	
3. Allocation of funding to support option appraisal for site development - Hensington Road, Woodstock	No	No	Cabinet Council	15 Dec 2021 TBC	Councillor Haine / Councillor Coul	Claire Locke		
4. Public Support Services – contract extension	Yes	No	Cabinet	15 Dec 2021	Cllr Mead	Giles Hughes	To be considered by FMOS 01/12	
5. Infrastructure Funding Statement (IFS)	Yes	No	Cabinet	15 Dec 2021	Cllr Haine	Chris Hargraves		
6. Annual Monitoring Report (AMR)	Yes	No	Cabinet	15 Dec 2021	Cllr Haine	Chris Hargraves	To be considered by Ec&Soc on 27.01.22 and Env O&S on 03.02.21	

Item for Decision	Key Decision (Yes / No)	Likely to be Considered in Private (Yes / No)	Decision – Maker	Date of Decision	Cabinet Member	Lead Officer	Consultation	Background Documents
7. Initial Budget 2022/23	Yes	No	Cabinet Council	Jan 2022	Cllr Coul	Elizabeth Griffiths	Via FMOS first	
8. Allocation of funding for installation of Electric Vehicle Charging Points	Yes	No	Cabinet Council	Jan 2022	Councillor Harvey	Claire Locke		
9. Budget 2022/2023 – to include Capital Programme, Council Tax levels, MTFS, Strategies	Yes	No	Cabinet Council	Feb 2022	Cllr Coul	Elizabeth Griffiths	Via FMOS first	
10. Fees and Charges 2022/2023	Yes	No	Cabinet Council	Feb 2022	Cllr Coul	Elizabeth Griffiths	Via FMOS first	
11. Performance Monitoring Report Q3 – 2021/22	No	No	Cabinet	Feb 2022	Cllr Mead			
12. Local Development Scheme (LDS) Update	Yes	No	Cabinet	Feb 2022	Cllr Haine	Chris Hargraves		
13. West Oxfordshire Local Plan 2041 – Initial Issues and Scoping Consultation	Yes	No	Cabinet	Feb 2022	Cllr Haine	Chris Hargraves		

Item for Decision	Key Decision (Yes / No)	Likely to be Considered in Private (Yes / No)	Decision – Maker	Date of Decision	Cabinet Member	Lead Officer	Consultation	Background Documents
14.Consideration of options for the future provision of legal services to the Council	Yes	No	Cabinet	March 2022	Councillor Mead	Giles Hughes		
15. Approval of upgrade to West Oxfordshire's public space CCTV provision and monitoring arrangements	Yes	No	Cabinet	March 2022	All relevant Cabinet Members	Andy Barge		