

WEST OXFORDSHIRE DISTRICT COUNCIL

Record of Decisions of the meeting of the
Environment Overview and Scrutiny Committee
Held at 2.00 pm on **Thursday, 10 June 2021**

PRESENT

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

Officers: Laurence King (Shared Principal Engineer) and Bill Oddy (Group Manager - Commercial Development)

1 Minutes of Previous meeting

The minutes of the meeting held on 15 April 2021 were approved and signed by the Chairman as a correct record.

2 Apologies for Absence and Temporary Appointments

Apologies for absence were received from Councillor Woodruff.

3 Declarations of Interest

There were no declarations of interest received.

4 Participation of the Public

The following members of the public addressed the Committee in relation to Agenda Item 5 – OCC Local Lead Flood Authority Update.

William Wareing – resident of Woodford Mill, Witney and on behalf of The Witney Flood Mitigation Group

Tony Stark – resident of Woodford Mill, Witney and a founder member of The Witney Flood Mitigation Group

Kay Jerred – resident of Riverside Gardens, Witney and representing 50 elderly and vulnerable residents.

Copies of their submissions are attached as an appendix to these minutes.

In response to a question from Councillor Coles, Mr Wareing advised that the representatives of the Environment Agency had made it clear that there were no plans for flood risk or mitigation measures for Witney.

Following a question from Councillor Postan, Mr Wareing confirmed who the group had reached out to and how they had tried to include people in decision making positions.

In response to a question from Councillor Fenton, Mr Stark advised of the different occasions that flooding had occurred.

Councillor Coles thanked Ms Jerrad for attending and expressed his sympathy for the situation she and other residents had found themselves in. Ms Jerrad confirmed that there did not appear to be a register of the most vulnerable properties and / or residents. Officers confirmed that this could be included in Community Emergency Plans and shared with the Fire Service.

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Councillor Graham also expressed his gratitude to the speakers for attending the meeting and impressed by their speeches, although the content had been upsetting to hear.

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OCC Local Lead Flood Authority - Update

Mr Bill Cotton, Corporate Director for Environment and Place at Oxfordshire County Council addressed the meeting in relation to the council's role as Local Lead Flood Authority.

He provided an overview of the responsibilities which he acknowledged were complicated; outlined the management roles and responsibilities for Oxfordshire and the Local Lead Flood Authority; advised how the OCC worked in partnership on the Local Management Strategy and were a statutory consultee on planning applications.

Members were provided with an explanation of the agreement held with District Councils to manage water courses and work with riparian owners to remind them of their responsibilities.

Mr Cotton advised that it was the County Council's responsibility to record and investigate flood incidents (25 investigations in West Oxfordshire) and work with the fire brigade, local groups and councillors when an incident occurred. He admitted that the process had been tested at Christmas but reminded the meeting that due to Climate Change and flood risk, these incidents would always occur. Mr Cotton also referred to the Information and Support Toolkit and encouraged Members to let him know if these needed improvement.

Questions and comments from Councillors included:

Councillor Postan – the difficulties experienced if a river was cleared upstream, resulting in ground water, surge and run off. He also referred to de-silting, tree planting, changes in agricultural methods and traffic measures.

Councillor Leffman queried what could be done to improve the relationship between the District and County Councils regarding planning applications; how to enforce clearing of watercourses by landowners; the responsibility for ditches and grips on Highway land; and drainage clearance operating on a four year cycle but in reality was closer to 8 to 9 years.

Councillor St John asked for clarification on the Section 19 report and why it had not yet been completed; the flood alert not being activated early enough; and the responsibility of the Environment Agency in this situation.

The Council's Flooding Officer, Laurence King advised members that the S19 report was a County Council responsibility to produce. In response, Mr Cotton advised that he would enquire as to the status of the S19 report and get back to officers.

Councillor Coles raised the issue that a months rain had fallen in one afternoon and proposed the areas likely to be affected would have been known 24 to 36 hours earlier; he noted that sandbags were not ready on that occasion and preparations not made; he argued that despite the Climate Emergency, basic maintenance was not being carried out. He concluded by asking Mr Cotton how closely the County Council had worked with the relevant groups and authorities.

In response, Mr Cotton agreed to visit the 'pinch points' in person and meet the residents affected.

Members also raised a number of other areas for discussion, including building formal relationships with residents, the Local Resilience Forum and Parish Councils; and planning and building on known flood plains and appearing to disregard local knowledge with little recognition of community awareness.

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In response, officers clarified the criteria for when a planning application was submitted to the County Council for comment. The Group Manager – Commercial Development asked if the 20+ flooding investigations in West Oxfordshire could be shared and reiterated the need to encourage town and parish councils to create their own community plans. He suggested that the Committee could ask to see the Section 19 report once it was available and it was agreed that this would be added to the Work Programme.

In summing up, Mr Cotton advised that the five key actions he would take away with him were:

To be clear about the County's responsibilities;

To help strengthen partnership working;

To help community groups to build resilience;

He agreed to meet with local residents and visit areas of flooding concern; and

To chase up the status of the S19 report and forward it to the Committee for information.

The Committee agreed that a representative from the Environment Agency should be invited to a future meeting and look into the existing powers that the Council had for encouraging clearance of water courses and ditches.

In response to a query from Councillor Rylett, Mr Cotton advised that he would find out about the report from Wild Oxfordshire and the Environment Agency regarding Natural Flood Management and would share it with Members.

The Chairman thanked Mr Cotton for attending and answering questions from the Committee.

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Call-In of Cabinet Decision; Allocation of Parking Funds

The Committee considered the report relating to the Call In of the Cabinet decision on the Allocation of Parking Funds, considered at 21 April 2021 meeting.

The decision had been called in by Councillors Cooper, Leffman Graham and Poskitt.

Councillor Cooper addressed the meeting and felt there had been a lack of definition around the decision, queried how the amounts had been arrived at and asked if Publica had the resources to take on the report. He asked how the expenditure would be monitored and asked if the Council would be adopting the suggestions put forward by Parish and/or Town Councils.

In response, Councillor MacRae advised that when the District Council initially agreed to undertake some work on on-street parking issues, due to a lack of capacity at OCC, it was envisaged the work would take just a few months for each of the major settlements. However, the project within Woodstock had taken a very considerable amount of time, principally, because of the need to engage with so many groups and the high number of contacts from within the Community.

In addition, the Covid pandemic saw a significant number of members of staff redeployed from their 'normal' duties to work on the Council's Covid response.

As with the study conducted in Corn Street/Church Green Witney, the results of the Woodstock parking study were reported to OCC for them to consider and take forward any changes they considered appropriate, including support for a one-way system around 'the triangle' and a restriction on large vehicles accessing the town centre. He reminded

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Councillor Cooper that the district authority was not the Highway authority and could not therefore make decisions on changes to on-street parking regulations. The district council did not have the capacity to provide continued support to the project, as focus needed to be directed to other parking service management and improvement matters. The County Council would therefore need to take this matter forward.

In response to the comment '*...due to the lack of information on the change in capacity within PUBLICA to undertake this task.*' Councillor MacRae advised that the report was published in his name and he took full responsibility for its content. He was content to publish it and did not think it was appropriate to cast blame on members of staff in this matter.

Moving to the second point raised, 'Undefined terms' Councillor MacRae explained that the funding was provided for the following purposes:

- Review/study/collection of data on parking needs and issues, so that the information could be used to request changes to parking provision or restrictions, from the appropriate authority, where needed.
- Contribution towards the cost of any changes agreed by the appropriate authority (i.e., towards line marking, subject to OCC Highways agreement)

As suggested by Cllr Enright at the Cabinet meeting, and agreed by Councillor MacRae, Councils receiving this funding would be asked to report back to WODC a breakdown of what had been spent and what had been achieved as a result. Councillor MacRae also proposed that a requirement be included that the funds were to be used as directed within a two-year timespan with outcomes to be focused on improving parking, increasing parking provision or improving parking safety.

Following the statement from Councillor MacRae, Councillor Leffman advised she was still uncertain as to what the town or parish councils would be able to do with the money and queried if this was the best use of Council resources.

It was agreed that the criteria for spending the money needed to be clearly communicated with the parish and town councils and any letter would also advise that they had two years in which to spend the funds on 'parking related' activities.

It was therefore proposed and duly seconded that the Call In would not be supported and officers would add a 'sunset' clause of two years to the communication to councils.

Resolved that the Call in is not supported.

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Committee Work Programme 2021/22

The Committee was provided with an update on its work programme for 2020/21.

Members noted that the following additions would be included on the work programme for future meetings:

Representative to be invited from the Environment Agency; and

Riparian Ownership – Land Management Strategy update.

Resolved that the work programme be agreed subject to the additions above.

Cabinet Work Programme

The Committee considered the report from Democratic Services which gave Members the opportunity to comment on the Cabinet Work Programme published on 18 May 2021.

RESOLVED that the report be noted.

Members' Questions

Councillor Leffman asked the following question relating to parking enforcement in Charlbury:

“This relates to an agreement that was made some years ago with residents on Church Lane and Dyers Hill about parking their cars. It is a complicated story, but essentially, parking is restricted for one hour per day in order to discourage people from parking for free and then walking to the station. However it was recognised that this made it difficult for residents to park and so it was agreed that if residents gave their car registrations to WODC they would not be ticketed. we have had a couple of cases of residents getting tickets over the years but in general this has been respected. Earlier this week some residents received an email telling them that from next Monday this agreement would be suspended. There was no consultation, councillors were not informed of the decision, and apparently not all residents were informed either. I wrote to Maria Wheatley who sent me an email yesterday saying she would come back to me later in the day about this but so far I have not heard anything.

My main concern is that once again, decisions that make a big difference to residents are being taken without any notice, without consultation and without councillors being asked for their views.”

In response, the Group Manager responsible for Commercial Development stated there were two locations in the District where a similar traffic regulation order was in place – Charlbury and Long Hanborough railway stations. These were put in place to deal with on street parking issues approximately ten to 15 years ago and, similar to other areas of West Oxfordshire, would benefit from being reviewed by Oxfordshire County Council.

Mr Oddy stated that he was not aware of why residents had received notice about a local parking agreement but he would liaise with the Parking Services Manager and ask her to respond to Councillor Leffman.

Councillor Collins asked the following question regarding Bring Sites:

“I have seen an email sent to Witney Town Council regarding the Bring Sites. I do not feel that this was written in the spirit of what the Committee suggested and rather than refer to consultation, appeared to provide costs for taking over the running of the site implying the decision was a foregone conclusion. I would like to express the disappointment felt by Witney Town Council.”

In response, Mr Oddy apologised on behalf of the author of the email. He had hoped the communication would help officers to understand the impact that removing the sites had and costs had been included to try to help the council's reach a decision.

The Meeting closed at 4.32 pm