

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 1 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