

 <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.

December 2021

	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 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 DEFFRA 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 Natuaral 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 rest 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.