

**MINUTES OF A MEETING
OF THE FLOOD RECOVERY
GRANT ADVISORY GROUP**

**HELD AT THE CONFERENCE ROOM 1,
COUNCIL OFFICES, ABBEY HOUSE,
ABINGDON ON THURSDAY, 4TH
OCTOBER, 2007**

PRESENT:

Members: Councillors Zoe Patrick (Chair), Terry Cox and Angela Lawrence

Substitute Members: Councillor Samantha Bowring for Beth Fleming and Councillor John Woodford for Bob Johnston.

Ex-Officio Member: Councillor Jerry Patterson.

Officers: Bill Farrar, Carole Nicholl, Tim Sadler, Peter Dela and Nikki Malin

Invitees: Councillor Jim Moley.

6. Apologies for Absence

The attendance of Substitute Members was recorded as referred to above with apologies for absence having been received from Councillors Beth Fleming and Bob Johnston. An apology for absence was also recorded from Councillor Melinda Tilley.

At this point in the meeting the Chair welcomed Councillor Jim Moley whom she had agreed could attend to make a statement and observe the meeting.

7. Declarations of Interest

Councillor Terry Cox reminded the Group that his home had been flooded. However he did not consider that the interest was personal interest in that it was unlikely that he would be more affected by the business being discussed than the majority of the inhabitants of the Ward affected. Furthermore, he clarified that even if it was considered that he might have had a personal interest, in so far as although he believed he was not more affected than the majority of the residents in the Ward, but it was subsequently found that he was, his interest would not be prejudicial as he did not believe a member of the public knowing all the facts would reasonably think the personal interest was so significant that it was likely to prejudice his judgement of the public interest.

Councillor Samantha Bowring declared the same interest.

8. Notes of the Last Meeting

The Notes of the meeting of the Flood Recovery Grant Advisory Group held on 24 August 2007 were adopted and signed as a correct record subject to the following amendments: -

1. The addition of the name "Zoe" before "Patrick" in the list of Members present.

2. The deletion of the word "wever" and the substitution thereof with the word "However" in the last bullet point before the resolutions in Minute 4.
3. The inclusion of the following paragraph after the paragraph in Minute 3 – Declarations of Interest "Councillor Angela Lawrence raised concern regarding the declaration of interest made by Councillor Terry Cox in terms of consideration being given to awarding a grant payment which Councillor Cox might benefit from. She commented that had she been likely to benefit from a grant payment she would not have taken part in the consideration of the matter."

At this point in the meeting, the Group was advised that discussion of Parish Flood Action Groups had taken place at the Parish, Town, District and County Liaison meeting held on 27 September 2007, the Notes of which were being drafted by the County Council who had facilitated the event.

One Member suggested that the Council needed to consider a policy on working with town and parish councils and parish meetings in respect of grants for flood prevention schemes.

It was noted that Notes of the meeting held on 24 August 2007 would be submitted to the Executive on 5 October 2007.

9. Progress on Flood Recovery Grant

The Group received and considered an oral report from the Strategic Director who advised of the following: -

- It had now been established that 1000 households had been flooded.
- 430 grant applications had been processed and there were a further 50 grant applications in the pipeline yet to be processed.
- Only about 50% of the households flooded had claimed the grant.
- If every eligible householder claimed then the total grant received would be exceeded.
- There were another 600 homes where there had been damage caused by flooding in a garage or a shed.
- There were three grant claimers who did not have a bank account and therefore another means of payment would be arranged.
- The Government Office for the South East (GOSE) had advised the Council that there would be no additional grant funding.

It was noted that West Oxfordshire District Council had received more funding than this authority as it had notified GOSE of a higher number of homes flooded.

One Member commented that as residents had had to leave their homes they might not be receiving their mail, including grant claim forms. In response it was commented that the Form was on the website. However, the Strategic Director believed that the issue of forms was being monitored and he sought to clarify the position. It was commented that if the forms were available on the website then there was no reason

why local Members could not issue them, although the Strategic Director sought to check this.

In response to a question raised it was noted that additional properties were being highlighted in the north east of the Vale in villages such as Buscot. This was in line with the progress being made by the Emergency officer in visiting other areas of the District. The Strategic Director undertook to provide a copy of the list of properties to Members of the Group.

RESOLVED

- (a) that the report be received; and*
- (b) that the Strategic Director be requested to clarify the position with regard to the issue of grant claim forms and to provide a copy of the list of properties flooded to Members of the Group.*

10. Statements

The Chair welcomed Councillor Jim Moley to the meeting and invited him to make a statement about his concerns.

Councillor Jim Moley made a statement raising concern regarding the need for continuous maintenance of waterways, ditches and culverts. He commented that there was a danger of this being confused with flood prevention. He explained that if he was a riparian owner he would be resistant of his duties regarding continuous maintenance and he would make the tax payer pay. He questioned whether maintenance could be classified as the duty of a riparian owner. He commented that there were issues which needed addressing concerning the main river and critical ordinary river courses and the responsibility of the Environment Agency. He explained that the Environment Agency has agreed to take over the lead regarding one water course near Wantage. He referred to riparian duties filtering to the tax payer commenting on the responsibilities of the Environment Agency, specifically in connection with the watercourse at Locks Lane, Wantage. He referred to a project of the Joint Environmental Trust for Wantage, funded by the Town and District Councils, which was to clear silt along the Letcombe Brook in Wantage which was the duty of the riparian owners. He commented that riparian owners would expect these projects to continue.

He referred to the Letcombe Brook commenting that the Leat was not being addressed. He reiterated that authorities were failing in getting riparian owners to carry out their duties.

He suggested that there should be balancing pond to reduce the impact on the Ock and the Letcombe Brook although he commented that the Environment Agency was opposed to this. He suggested that the Council should approach the Government seeking firmer duties for the Environment Agency.

Finally, he referred to the additional damage to properties during the flooding caused by vehicles driving through flood waters. He commented that traffic continued along roads even when they were closed. He commented on the need to have diversions

clearly identified and that drivers were reluctant to follow road closure signs unless other directions were offered.

The Chair thanked Councillor Moley for his statement.

One member agreed with the comments made about signage suggesting that signage was important. He referred to Kennington where a flood prevention scheme had worked well, not least because the Parish Council had purchased signs and barriers which were available for local people to put out as soon as problems occurred.

In response to the general comments made, the Member commented that the Council was not resourced to address an emergency of the scale experienced and that it would be beneficial for the parishes to take responsibility for addressing flooding in their areas.

11. Reviews

The Group received and considered the following documents which were circulated prior to the meeting: -

1. Internal Review – The Flooding Emergency 20 July – 27 July 2007
2. Gold, Silver, Bronze Command Structure used by Emergency Services (Appendix 6)
3. Flooding Incident – July 2007 – Schedule of Events (Appendix 7)
4. Briefing Note for the Extra-Ordinary Meeting of the Council held on 12 September 2007 setting out the Council's Response to the Recent Flooding (Appendix 8)
5. Flooding in the Vale of White Horse District 20 July – 26 July 2007 – Types of Flooding (Appendix 9)
6. Internal Report – Main Observations from Flood Interviews – July 2007 (Appendix 10)
7. Outcome of the Flooding Workshops – September 2007 (Appendix 11)
8. Flooding Reviews – Flow Chart showing Environment Agency, County Council and District Reviews Process (circulated at the meeting).

The Strategic Director drew Members' attention to the Flow Chart and explained the diagram in terms of the action being taken by this authority, the County Council and the Environment Agency. It was noted that there was to be a National Review drawing lessons from incidents throughout the country and what could be done. The Director reported that he had today heard that the external auditor wanted to know about this authority's experience and costs in dealing with the flooding incident.

Reference made to the Internal Review – The Flooding Emergency 20 July – 27 July 2007 document and it was noted that this was not intended for publication at this stage as it was noted that it was in draft form.

It was noted that the document set out the Council's statutory duty and policy and explained that the Council had carried out what it was supposed to carry out within its limited resources.

One Member reported that a clear message needed to be given to the public. He commented that some residents had expected the Council to send out a team to stop the flooding. He suggested that messages about sand bags needed to be clear and that the public's expectations should not be raised. He commented that a suggestion had been made to him that localised sand bins would be beneficial within the rural vale.

The Officers commented that the review Document was an assessment about how the Council complied with its statutory duty and policy.

It was highlighted that there were no records of any of the warnings having been received on the Tuesday and Wednesday. Such warnings were normally received by fax.

One Member commented that there were messages on the radio that there was a risk of flooding as there would be heavy rainfall. He believed that this message had been on the radio on the Monday evening.

It was explained that the warning was not transformed into a formal notice to the Council until the Thursday. However, it was questioned that even if the Council had known of the warning earlier where action would have been targeted and what would that action have been.

It was noted that the Council frequently received flood warnings and that it was impossible to distinguish a real threat from the many possible threats.

One Member commented that some residents in her Ward had informed her that the Council had known of the flooding possibility in advance of the warning. The Officers responded that the Council received flood watch information and did not receive anything over and above what was available to everyone else.

It was noted that the Emergency Officer had acted within 5 minutes of the warning to notify the Duty Officer. Furthermore, the Direct Services Organisation Team had been notified also.

One Member commented that many homes were flooded before the warning. She commented that she had undertaken some survey work and had some written comments which she undertook to provide to the Officers.

One Member referred to the Council not acting until the Friday afternoon after an emergency meeting had been held. The Officers responded that whilst the meeting was held at that time, it did not mean that no action was being taken. It was reported that the Direct Services Organisation Team had been working all day delivering sand

bags. It was commented that the Council had recognised the situation was an emergency fairly early on and it should be noted that it was difficult to determine when any situation became an emergency.

One Member commented that some residents had been assured that the Council would be sending someone out with sand bags, but the sandbags never arrived. He reported that there were no follow up calls asking residents if they were alright and that people had interpreted that as the Council not really being concerned for their welfare.

The Officers responded that at the early stages of the emergency some return calls had not been made due to the level of further calls being received. It was explained that the Officers had prioritised the list of callers. Officers had considered every call to assess each situation, with residents receiving returned calls late into the Friday evening.

Another Member commented that there was no authority in the country that had the resources to deal with this type of emergency.

The Group welcomed the report and agreed to pass their detailed comments to the Deputy Director (Commercial Services) outside of the meeting.

The Head of Communications referred to feedback she had received from the public and it was agreed that this should be included as an additional appendix to the report.

It was noted that the Council needed to build into its processes a mechanism showing that it was taking on board what the public were saying and that action was being done about it.

It was noted that the document was intended as an internal review but that the external messages received should be reflected upon and should be included.

One Member commented that the Council should not merely state that it fulfilled its statutory duties as although this was the case, the Council did more than that and this message should be conveyed to the public.

One Member referred to the conclusions in the report commenting that the text in paragraph 8 should be amended to provide that "the Council could aim to take the actions set out where practicable" rather than "the Council would take that action".

One Member noted that all Councillors had been invited to give their comments on flooding events in their wards to the Officers.

At this point in the meeting one Member suggested that there should be enforcement by the Council of the riparian owners of water courses etc to carry out their duties of maintenance.

RESOLVED

that the report be received and that Members forward their comments on the internal review document to the Deputy Director (Commercial Services) as soon as possible after the meeting.

12. Policy Statement on Flood Defence

The Group received and considered the following document which was circulated prior to the meeting: -

1. Vale of White Horse District Council - Policy Statement on Flood Defence – September 2004 (Appendix 1).
2. Flooding Information Leaflet (Appendix 5).

The Group was advised that the policy needed to be updated such as in respect of the scheme of delegation; property references and water course numbers some of which had now transferred into main rivers. The Council would then need to approve the amended policy.

It was noted that the policy statement (Appendix 1) emanated from the main legislation and the River Thames Oxford Area Group.

One Member referred to the ditch which crossed the A417 between Stanford in the Vale and Goosey. He commented that this ditch was not referred to and yet there were often flooding problems. He advised that water could be seen creeping across the fields towards Goosey and he advised that he was worried that some of these types of areas were not reflected in this and other documents. He reiterated that there was nothing stated recognising these regular problems and he questioned how the Council could make sure such areas were addressed.

The Officers reported that County Highway had the main interest in the A417 and it had carried out works to alleviate the regular flooding

One Member referred to the comments made earlier in the meeting regarding the duties of riparian owners. He reported that in 1973 there was major flooding in East Hanney. At that time it had been difficult to get a meeting together to discuss the matter due to the multitude of bodies involved. He explained that the situation was that a large amount of work was required near some 30 houses which were privately owned but in the end the District Council carried out the work at a significant cost. He commented that pursuing riparian owners was not the answer in this case and he was happy to report that there had been no flooding for 24 years.

Responsibilities were noted as follows: -

<u>Organisation / Person</u>	<u>Responsibility</u>
Environment Agency	Main rivers
County Council as Highway Authority	Culverts, road ditches
District Council	Ordinary water courses

Riparian owners	Land abutting a water course

It was commented that enforcement was the responsibility of the Environment Agency in many cases but that the Environment Agency was not likely to pursue such enforcement.

One Member commented that the law as it stood was a nonsense. He commented that continuous maintenance was essential otherwise there would be continued regular flooding. He commented that this Council had little control and that the Environment Agency had the responsibility but took no action. He questioned who was responsible for taking enforcement action against Thames Water commenting that the drainage in Wantage was the responsibility of that organisation. He emphasised that the Government should sort this matter out with new legislation.

One Member responded that landowners were accepting that they had to keep their ditches clear. Another Member commented that in the past drains and ditches could be cleared with the mud being spread on the land, but this was no longer possible without a Ditching Certificate. Furthermore, only ditches on one side of a road could be cleared because of the possible adverse environmental impact. He considered that new rules understandably deterred farmers from clearing their ditches.

The Officers commented that this was the type of information that the National Review was seeking to obtain.

One Member commented on flooding at Peachcroft fields and the impact on Radley ditch and it was reported that the Environment Agency had carried out remedial works in this area. The Officers commented that Schedule 1 to Appendix 1 included primarily non main river water courses only and that Radley ditch was classified as a main river. It was commented that the Schedule needed updating as it related to the position in 2004.

One Member commented that within the policy there was no clarification of what were main and non main rivers and it was considered that this should be specified, although it was accepted that the list continually changed. Other Members agreed that it would be helpful to include such information and the Deputy Director (Commercial Services) undertook to amend the document accordingly.

Reference was made to the risk of flooding and it was agreed that this should be clearly defined including details of what the Council was resourced to deal with.

One Member referred to paragraph 4.2 of Appendix 1 noting that the Council welcomed any comments on the approach and policies set out in the statement. The Deputy Director (Commercial Services) advised that he would welcome any views on suggested changes to the policy.

Reference was made to the Terms of Reference of this Group and it was considered that these should be amended to enable the Group to consider and advise on new policies. The Leader of the Council undertook to amend the Terms of Reference accordingly.

Reference was made to the Flooding Information Leaflet (Appendix 5) and it was noted that this needed updating. It was emphasised that it should be made clear that residents should listen to the local radio stations for local flooding information.

Furthermore it was suggested that longer term flooding prevention works which could be taken needed to be included also.

RESOLVED

That the information be received and that the Deputy Director (Commercial Services) be requested to update the documents having regard to the information set out above and to any additional comments received outside of the meeting it being noted that the Policy Statement on Flood Defence would be agreed by Council.

13. Vale District Operational Flood Plan

The Group received and considered the following documents which were circulated prior to the meeting: -

1. Oxford Area Flood Information – Guidance Booklet to the Management of Flooding and Flood Risk (Appendix 2).
2. Vale District Operational Flood Plan (Appendix 3).

RESOLVED

That the documents be received

14. Enforcement Policy on Clearing Ordinary Water Courses

The Group received and considered the following documents -

1. Enforcement Policy for Clearance of Ordinary Watercourse – July 2004 (Appendix 4) (circulated prior to the meeting).
2. Land Drainage Capital Programme (Circulated at the meeting).

Reference was made the Land Drainage Capital Programme which was provided for information only. It was noted that a scoring mechanism was used based on the number of properties flooded.

The Strategic Director reported that two letters had been received from residents asking that the following be included on the Environment Agency's list for review: -

1. Upper end of the river Stert ending in Abingdon; and
2. St Helens Mill, Abingdon

The Officers commented that they had been invited by many Parish Councils to visit their areas and give advice on flood remediation possibilities in the short term and suggestion for the long term.

One Member referred to the need for resources for the future and sought an assurance that this was being considered. The Leader responded that the Council had just commenced its budget setting process and that resources towards flooding schemes would be included.

RESOLVED

that the papers be received.

15. Protection of Homes from Risk of Flooding

The Group received and considered the following documents which were circulated at the meeting: -

1. Letter from the Department for the Environment Food and Rural Affairs.
2. Environment Agency – Where to get Kitemark Certified Flood Products.

One Member commented that every year packs were sent to residents of homes likely to flood advising of the measures which could be taken. She considered that the issue was not providing information but getting residents to take notice of it.

One Member considered that residents needed expert advice and were worried about wasting money on measures which would not work.

One Member suggested that any remaining funds after all the grants had been paid, could be used towards self help schemes. It was noted that the deadline for applications to receive a grant was 31 October 2007 and thereafter it would be possible to determine the amount of funds remaining, if any.

Reference was made to the Red Cross Effort and it was noted that £252,450 had been allocated to Oxfordshire from the Red Cross Fund which was being administered by West Oxfordshire District Council.

RESOLVED

that the report be received.

16. Date of Next Meeting

It was agreed that the next meeting of the Group would be held on Wednesday 7 November 2007 at 10.30am.

The meeting rose at 4.22 pm