



# Oldbury on Severn Parish Council

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## Minutes of the meeting of the Flooding and Planning Committee Held on Tuesday 20<sup>th</sup> February 2018 at 2:00pm At the Memorial Hall

### Present

Keith Sullivan, Dylan Griffiths, John Cornock, Barry Turner

Clerk: Emma Pattullo

### 1. Apologies

Apologies were received and accepted from Glynn Poole, Alan Coles and Matthew Riddle.

### 2. Minutes of last meeting

The minutes of the meeting held on 12<sup>th</sup> December 2017 were proposed by BT, seconded by DG and agreed by all as an accurate record.

The minutes of the last meeting held on 17<sup>th</sup> January 2018 were proposed by BT, seconded by DG and agreed by all as an accurate record.

### 3. Review of actions not otherwise on this agenda

None

### 4. Follow up from joint FPC / SGC / LSIDB meeting

#### Flap valves

The map and condition report have been received from SGC. The committee noted that valves 1,2 and 3 were all in need of work despite these being the ones immediately adjacent to the LSIDB offices and pump house.

Various issues need to be discussed with SGC. Timescales for the flap valve repair works are still unclear. KS wishes to see the letter which SGC are sending to riparian owners, preferably before it is sent. KS agreed to contact Mark Parry to discuss.

**Action: KS to contact Mark Parry to arrange informal meeting.**

KS has discussed the flap valve issue with his son who is a civil engineer with a background in drainage issues on the east coast. He noted that whilst it might be pragmatic to let SGC/LSIDB get on with the repair works without further comment from the council, this might make it difficult to pursue the issue of legal responsibility in the long term. If some owners maintain the flaps in the future but others don't, the whole system will fail. Those who do not carry out maintenance could then be liable for flood damage. It might even be that those owners who have carried out maintenance could be liable if their actions were not deemed to be appropriate. Owners would therefore need liability insurance.

The EA are about to work at Pill Head outfall. They had asked who owns the land below the Pill Head as those landowners may be liable for future works.

The committee has received details of relevant case law from LSIDB, who claim these prior cases prove that owners are responsible for maintenance. KS believes this may still be questionable as the prior cases do not appear to cover maintenance of imposed structures such as flaps. The clerk was asked to approach NALC to find out if any other councils (particularly on the east coast) have addressed this issue before.

**Action: EP to contact NALC re: potential precedents in other areas.**

KS also noted that if owners are responsible for maintenance, they are likely to lack the required knowledge and/or resources to carry this out. They are therefore going to have to appoint contractors to do so – the most relevant contractor could be the IDB. This would be equivalent to ‘double taxation’ as landowners are already required to pay a drainage levy to the IDB.

It was agreed that the committee cannot proceed further on this issue without legal support.

A resolution was put to the meeting that KS should approach a solicitor to request a quotation for initial advice. The resolution was carried with 3 votes in favour and 1 abstention. Any financial expenditure will need to be agreed by the full council in accordance with the FPC constitution.

**Action: KS to approach a solicitor for quotation re provision of legal advice.**

#### Highway drainage

Mark Parry has not yet contacted the committee to arrange the planned meeting about highway drainage. KS will speak to MP about this also.

**Action: KS to discuss with Mark Parry.**

#### Hill Pill

Mixed messages have been received from LSIDB. At the joint meeting they stated that they were not planning any works in this area (to divert flows from Oldbury) but the EA have recently been working on Hill Pill.

#### Thornbury developments

No further progress has been made on this issue.

The clerk reported that a planning application has just been received which covers reserved matters for the remaining development area at Post Farm, these included drainage issues. The clerk was asked to circulate this application to the committee for comment.

**Action: EP to circulate Post Farm planning application.**

#### Bank levels

The committee looked again at the slide from Andy Wallis’s presentation which shows the results of LIDAR survey work. AW had stated that because bank levels in the upper parts of the catchment were lower than at Oldbury village, the village could not flood because the upper areas would act as a flood plain, preventing water levels in the village from reaching critical heights. The committee acknowledged that this may be the case for water coming down Oldbury Naite Rhine, but the survey results appear to show that water coming towards Oldbury down the Pickedmoor Brook would not be able to move up to the ‘flood plain’ areas in the Oldbury Naite Rhine catchment as there is high ground between the two catchments.

BT also suggested that there may be some form of hydraulic forcing where different water flows meet, which could mean that water can be held back from reaching equilibrium.

The current IDB work on Pickedmoor Brook may also be changing the situation as dredged spoil is being spread on the banks, thus probably increasing crest levels.

KS and BT agreed to take forward this issue to discuss with Mark Parry.

**Action: KS & BT to discuss LIDAR survey & implications with Mark Parry.**

## 5. JSP and Local Plan consultations

Glynn Poole had drafted responses to the JSP consultation in relation to the policies covering Buckover and Thornbury. These were submitted to the inspector.

KS & BT attended a Local Plan “non-strategic growth” engagement event on the 19<sup>th</sup> Feb. There is a list of 35 places across South Glos which have been identified for small scale, non-strategic growth. Oldbury is not on that list due to high flood risk and lack of sustainable access to services. BT described other relevant issues which had been discussed, such as the potential for changes to defined ‘green belt’ areas and the proposed future for development in Thornbury.

It was agreed that the committee needs to make a response to the Local Plan consultation and that all committee members should review the consultation document in preparation for a discussion at the next FPC meeting. The consultation document can be found at:

[https://consultations.southglos.gov.uk/qf2.ti/f/889090/34030405.1/PDF/-/1135\\_New\\_Local\\_Plan\\_Digital.pdf](https://consultations.southglos.gov.uk/qf2.ti/f/889090/34030405.1/PDF/-/1135_New_Local_Plan_Digital.pdf)

**Action: ALL to read the local plan consultation document in preparation for next meeting.**

## 6. Wessex Regional Flood and Coastal Committee update

MR had been asked to provide an update on this committee and its work. Since MR could not attend he provided the following written update:

“The Wessex Regional Flood and Coastal Committee is a committee of the EA which oversees EA spending and work in the region. This is done strictly on cost/ benefit ie how many homes can be protected from the money fund available. Additional to central government funding it has a Local Levy pot of money for smaller schemes and it was this funding stream that SGC successful tapped into to get £30 K to help fund the consultant’s work on the drainage issues in the parish and that will also pay for the renewing/ repairs to the flaps.

The last meeting’s papers can be found at <https://www.gov.uk/government/groups/wessex-regional-flood-and-coastal-committee#contents>.”

Following the joint meeting at which the Environment Agency were not represented, Harriet Ellis of the EA has supplied some information regarding EA policies for planning of capital investment works. No specific details or dates were given. It was asked how this committee can ensure that it is kept up to date about the capital investment programme. The Clerk was asked to approach HE to find out if this is possible.

**Action: EP to ask HE about getting regular updates.**

## **7. Appointment of Flood Warden**

The parish does not currently have a formally appointed flood warden. KS has been covering the role informally for the last two years but feels that it would be better to have someone properly appointed. No volunteers were forthcoming although a few names were suggested of people who could be approached. This needs to go forward to the next PC meeting.

**Action: Clerk to add to next PC agenda.**

## **8. A.O.B.**

KS asked whether the timing of this meeting should be reconsidered since MR cannot make Tuesday afternoons. After some discussion it was agreed that the committee will stick to the current date/time i.e. third Tuesday of alternate months at 2:00pm. This will need to be adjusted if MR's presence is needed.

## **9. Meeting closure**

The meeting closed at 3:50pm.

The next meeting will be held on Tuesday 17<sup>th</sup> April 2018 at 2:00pm in the Memorial Hall.