



# Oldbury on Severn Parish Council

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## Minutes of the meeting of the Flooding and Planning Committee Held on Tuesday 19<sup>th</sup> June 2018 at 2:00pm At the Memorial Hall

### Present

Keith Sullivan, Dylan Griffiths, John Cornock, Barry Turner, Jimmy Nichols, Alan Coles

Clerk: Emma Pattullo

### 1. Apologies

Apologies were accepted from Matthew Riddle & Glynn Poole.

### 2. Minutes of last meeting

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

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

*Local Plan consultation* – BT was actioned to draft a response. This was circulated for comment and then submitted.

### 4. Update on SGC & LSIDB planned works

KS presented a copy of an email from a parishioner whose property has previously been flooded to Steve Evans (Director of Environment & Community Services, SGC) asking for information on progress on the Church Hill issue. The response (from Mark King, head of Streetcare) stated that a scheme was in design stage and that public consultation was expected to take place in July or August.

KS has been in communication with Mark Parry to follow up actions from the joint meeting held in January of this year, including the Church Hill scheme. None of the actions on SGC have been completed except for provision of the map of flap valve locations. (It is understood locally that some of the flap replacements/repairs have been done but this has not been formally communicated to the Council).

Mark Parry's last email indicated that he would send updates by week commencing 11<sup>th</sup> June, however nothing further has been received. He is now not available until 25<sup>th</sup> June.

The committee expressed concern that SGC apparently need to spend the monies received from central government by the end of March 2019; if a scheme is not agreed soon so that works can start before the winter, it is unlikely to be completed by that date.

The committee discussed potential ways in which this issue could be escalated in importance, either within SGC or by requesting external intervention e.g. writing to our Member of Parliament. It was

resolved that KS should draft a letter to Steve Evans asking him to address the issue; it was felt that raising it with senior SGC staff was appropriate at this stage.

**Action: KS to draft letter to Steve Evans and circulate for comment.**

*Post meeting note: KS has been advised that Steve Evans has recently retired. KS has spoken to Mark Parry and advised him of the committee's concerns. Mark Parry has agreed to follow up the outstanding actions. Church Hill scheme consultation is planned to take place on 25<sup>th</sup> July. The above action is therefore on hold for now.*

At the joint meeting in January, Andy Wallis (SGC consultant) stated that SGC were considering developing a surface water management plan for the Thornbury area/catchment. KS agreed to ask Mark Parry for an update on this matter.

**Action: KS to ask Mark Parry about progress on surface water management plan.**

## **5. Update on solicitor advice re: flaps**

KS noted that two members of this committee are also on the Lower Severn Internal Drainage Board; it was agreed that all members would approach this discussion as representatives of Oldbury parishioners, not of LSIDB.

KS reported that Emma Ironside of Gregg Latchams solicitors has reviewed relevant documentation and advised on drawing up of letters to LSIDB in which the Board were asked to clarify their reasoning as to why riparian owners are responsible for maintenance of the flap valves.

LSIDB have responded with redacted copies of some of the original correspondence between the drainage board and landowners at the time of construction of the scheme, but in the opinion of this committee, the Board have provided no written evidence proving that landowners are obliged to take on maintenance responsibilities. A further exchange of letters requesting further clarification has provoked much the same response.

BT has found minutes of an LSIDB annual general meeting in 2016, at which, following a recommendation from the then Chief Executive, the Board adopted a position statement stating that whilst they held the right to act if they saw fit, they were not obliged to carry out maintenance of structures. The minutes indicate that this was seen as a 'backstop' position for the engineers to give in case of queries. Kieran Warren of LSIDB has also referenced this position in his responses to KS's letters.

The committee agreed that there is no wish to take this matter to court due to the high up-front costs which would be involved, but that there was a need to go back to LSIDB to ask again for written evidence in support of their position. It was resolved by a majority decision that Emma Ironside will be asked to write the next letter, in the hope that this will provoke a more detailed response.

**Action: KS to discuss with Emma Ironside.**

## **6. Pickedmoor Lane development proposal**

KS and BT reported that they have recently attended an engagement event by a developer wishing to build on the area adjacent to Pickedmoor Lane; this area is outside Oldbury parish but would come very close to the parish boundary. The area is not classified as green belt. The proposed development is speculative and not in line with the Strategic Development Plan.

KS & JN suggested that this might be a good opportunity to push for a footpath and/or cycle path alongside Oldbury Lane to allow safe walking/cycling between Oldbury and Thornbury. Other committee members voiced concerns about this proposal, as they believe that addressing this or other possible compensation measures at this stage gives an implicit impression that the PC is in support of the development. Instead it was suggested that the best approach would be to initiate discussions with SGC around potential compensation or mitigation measures for the overall levels of development in Thornbury, however this suggestion was not taken forward at this stage.

BT has drafted a response to the developer outlining the flooding issues relating to the potential development. BT commented that there are other subjects which would be appropriate to address in the response, for example transport and infrastructure impacts. It was resolved that these extra sections should be drafted and DG agreed to do so, for presentation to the next meeting of this committee.

**Action: DG to draft additional response text.**

## **7. Biodiversity action plans**

The council has recently received from SGC copies of Biodiversity Action Plans (BAP) for Oldbury parish and for the wider South Glos area. LSIDB have also drawn up a BAP covering their areas of operations. Committee members viewed the Oldbury parish BAP which is in essence a summary of conservation information available from other sources. Important habitats and priority species found within the parish are highlighted.

The council has an inherent duty to consider biodiversity matters in their actions, such as when responding to planning applications. BAPs are intended to help in this. The availability of the BAPs was noted but committee members did not feel that further action was required at this time.

## **8. Appointment of flood warden**

Following discussion at an earlier PC meeting, MR and Malcolm Lynden had drawn up a proposed role profile for the voluntary role of Drainage and Flood Warden. An example profile has also been received from the Environment Agency. The latter is much longer and more detailed but it was generally felt that it was more likely to put potential applicants off than to encourage them at this stage. If a volunteer can be found, they will be able to develop the role through discussion with this committee.

KS asked for suggestions as to who might be willing to take this on. Some members thought it was best to be someone whose property is at risk of flooding, giving them an incentive to be involved in flood alleviation activities. Others suggested that it would be best to be a parishioner whose property is not at direct risk, as otherwise in a flood event they might be too busy protecting their own property to be involved at other locations.

The only name put forward was that of Allan Taylor. KS agreed to speak to him to see if he would be willing to consider the role.

**Action: KS to discuss flood warden role with Mr Taylor.**

## **9. Old Stores**

There has been activity in recent weeks on the Old Stores site. Several people have been undertaking clearance tasks; two of these claim to be the executors of the late owner's estate. It was understood that he had died intestate so it is not clear how they can be executors if there is no will, but they are believed to be a nephew and niece of the deceased.

The claimants have spoken to various parishioners including KS and have been in contact with MR. MR has agreed to meet them on site next time they visit, planned for 6<sup>th</sup> July. It was agreed that MR should be requested to report back to this committee.

<b>Action: MR to report updates to next FPC meeting.</b>
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**10. A.O.B.**

No other business was raised.

**11. Meeting closure & date of next meeting**

The meeting closed at 4:15pm.

The next meeting is scheduled to be held on Tuesday 21<sup>st</sup> August 2018 at 2:00pm in the Memorial Hall. The Clerk warned the committee that she will not be able to attend. Alternative arrangements will be made nearer the time once the agenda is clearer.