

**TO: ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE –
8th SEPTEMBER 2004**

SUBJECT: SCRUTINY REVIEW OF FLOOD ALLEVIATION MEASURES

FROM: PLANNING & ENGINEERING

1. PURPOSE OF REPORT

- 1.1 To agree the report, attached at appendix 1, which proposes the information and recommendations that should be made to the Executive in October based on the Committee's deliberations regarding the scrutiny review of the Council's Flood Alleviation Measures.

2. BACKGROUND

- 2.1 As part of its work plan for 2003/04 and 2004/05 the Committee agreed to scrutinise the performance of the Council in the delivery of its Corporate Objective to "Reduce the treat of flooding within the District." At its meeting on January 13th 2004 the Committee decided the general scrutiny title should be the 'Review of Flood Alleviation Measures'. Three areas were chosen for further investigation and these were;

- 1) A post opening scheme – Pingle Brook Flood Alleviation Scheme, Cubbington.
- 2) A current process – Understanding Watercourse Maintenance Regimes.
- 3) A future capital project - The Tanyard Stream Flood Alleviation Scheme, Kenilworth.

- 2.2 The three areas of investigation were to be undertaken by means of site visits to observe the different facets that make up the package of measures the Council undertakes to reduce the treat of flooding from its areas of responsibility.

- 2.3 After each site visit mini reports were produced and submitted to the nearest Committee date following the visit. These Committees were the 2nd March, 7th June and 8th September respectively. A copy of each report is attached as appendix 'A' to this report. It was also agreed at each meeting that officers should use these reports and the content of discussions at the meeting to form the basis of a report for submission to the Executive, following approval of the report by this Committee.

3. POLICY AND BUDGET FRAMEWORK

There are no direct financial implications for the Council at this time. This service helps the Council to achieve one of the six key themes within the corporate strategy for Environmental Services namely, "to reduce the treat of flooding".

4. **OUTCOME REQUIRED**

The Committee approves the report, attached as Appendix 1, to be submitted for consideration by the Executive as the Committee's recommendations with regard to the Council's Scrutiny review of the Councils Flood Alleviation Measures.

Roger Jewsbury
Engineering Manager

BACKGROUND PAPERS

Environment Overview & Scrutiny Committee Agenda and Minutes of the 13th January, 2nd March and 7th June 2004.

Areas in District Affected:

All.

Executive Portfolio Area and Holder:

**Councillor Mrs Begg, Portfolio Holder
for Environmental Services**

For further information about this report please contact:

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1st Site Visit - A Post Opening Scheme.

Report of the Site visit to the Pingle Brook Flood Alleviation Scheme, in Cubbington.

Date - 21st February 2004

Those Present:

Councillor: Mrs Compton – Chair,
Councillors Copping, Davies, Gill, Hatfield, Smith, Mrs Blacklock.

Councillor Mrs Begg - Environment Portfolio Holder

Roger Jewsbury – Engineering Manager

Apologises: Councillors Short, Sandhar

Also in Attendance: Cubbington Primary School Head Denise Thompson, Theresa Saul Chair of Governors, Health & Safety Governor County Councillor David Morris, Governor Chair of Finance Jeff Quantrill, Parish Councillor David Saul.

Summary of the site visit:

The site visit commenced with an opening address by Councillor Compton with brief introductions from all attendees.

A presentation was then given by Mr Jewsbury in the school hall about the background to the scheme. This covered the following topics:

- Why Councillors are there
- The flooding problem
- The causes
- What was done to find solutions
- The problem and what was found,
- The solution,
- Delivery of the Chosen scheme,
- What didn't go well

A display board was also available which Councillors and the other attendees perused. It showed photographs of before, during and after the works together with a scheme plan and sections of the works.

Councillors and other attendee's then made an inspection of the site where the schemes main design features, its construction and how it operated were outlined by Mr Jewsbury.

Questions and answers were taken throughout the visit.

A copy of Mr Jewsbury's presentation notes is attached as background papers to this meeting note.

The site visit was concluded by Councillor Compton extending her Committees thanks to the school Head and Governor's for the use of the school during the visit.

Observations arising from the site visit.

- It was acknowledged by the School Head, Governors and the Parish Councillors speaking on behalf of the flooded residents that the Council's Engineers should be congratulated for the professionalism they brought to resolving this flooding problem. Further the construction of the works was undertaken quickly and efficiently and the school was not unduly inconvenienced by the works. There had been good consultation and the customer care package implemented as part of the construction process had worked well. It was also highlighted that since the works no flooding had been experienced in New Street.
- Concern was expressed by the School Head and Governors that the landscaping, which formed part of the scheme, had still not be implemented by Warwickshire County Council even though the works were substantially completed by end of November 2002. Mr Jewsbury had also mentioned this as part of his presentation. This meant the school were still unable to fully utilise the school field area. The Head Teacher also highlighted that the County Council had asked the School for an additional £2500 for landscaping works, because of insufficient funds to complete the works. After questioning, it was generally accepted that these problems were not of the District Councils making but Councillors felt they wanted to discuss this issues at their next meeting to decide what action, if any, they wished to pursue. **Note: Planting has now been completed by WCC.**
- Councillor Begg commented about the time and difficulties which had been experienced over the land acquisition from the Thomas White Charities and whether anything could be done in future to mitigate these problems. Mr Jewsbury felt that this problem had been accentuated by requirements of the Tennant farmer as well as difficulties over unreasonable maintenance liabilities the Council would have to undertake on land of agricultural use. Associated with these problems was the fact that the Charity only met on three monthly cycles when decisions could be made. In conclusion Mr Jewsbury could not see any way of improving this type of situation in the future.
- Councillor Gill raised a potential safety issue about children falling into the vertical sided ditch at the edge of the slope of the playing field and asked whether it could be chamfered with a more gradual slope or fenced off. Mr Jewsbury informed those attending the site visit that the issue of fencing to this ditch was discussed with the County Education Health and Safety officer at the time of the detailed scheme design the H & S officer had concluded that it would not be necessary. As for chamfering the top of the ditch Mr Jewsbury told the meeting that this would be possible but it would impact on the available play plateau area by reducing it in size. No decision was made on how Members wanted to resolve this issue satisfactorily. **Note: Works to chamfer with a more gradual slope to the ditch has now been undertaken to the satisfaction of the school.**

2nd Site Visit - A Current Process – Understanding Watercourse Maintenance Regimes

Site Visit Report of the Guided walk along the Banks of St John's Brook

Date - 22nd May 2004

Those Present:

Councillor: Mrs Compton- Chair

Councillors: Copping, Davies, Gill, Hatfield, Smith, Mrs Blacklock

Roger Jewsbury – Engineering Manager

Mark Highton – Project Engineer

Apologies: Councillors Short, Sandhar, and Mrs Begg – Environment Portfolio Holder

The site visit commenced with an opening address by Council Compton, with a brief introduction of attendees. During the short coach journey to the start of the visit, Roger Jewsbury introduced the objectives of the morning's agenda.

It was emphasised that as part of the Scrutiny role of the 'Review Preparation of Flood Alleviation Measures' it is important for Members to recognise that Maintenance Regimes play a valuable part in Flood Alleviation Measures.

To highlight this objective, the St Johns Brook was used for this purpose as it covered many different aspects in understanding Watercourse Maintenance Regimes. The principles adopted on this Brook also extended to the ten other critical watercourses in the District, the length of which cover some 14 kilometres.

The aim was to further show the monitoring and maintenance regimes undertaken and day to day problems found that can cause flooding to property. (Screens, bank collapse, obstructions, pipe blockages, CCTV etc) in addition to;

- The statutory legislation and Overview of Riparian owner's responsibilities and the advice the Council can provide.
- Partnership working with;
 - The Environment Agency
 - British Waterways
 - Warwickshire County Council
 - Property Department
 - County Highways
 - County Bridge maintenance
- The re-development of the Benford's site and planning implications and cross departmental working
- Maintenance problems and the realisation of a Capital scheme.

- To highlight future working practices with the Partnership/Agency Agreement with the Environment Agency in April 2006.

At this point Roger handed over to his colleague Mark Highton who had put together his detailed knowledge into the booklet / information pack entitled "A guided walk along the banks of the St Johns Brook".

Each Councillor present was given an information pack which contained a map and photographs of locations on St John's Brook for reference throughout the visit. A joint presentation throughout the visit was undertaken by Mark Highton and Roger Jewsbury.

What was covered:-

- The St John's Catchment
- Land Drainage legislation
- Management of watercourses
- High level targets
- Maintenance Inspections
- Flood Risk

Questions and answers were taken throughout the visit. Members also had photographs taken in evidence of their visit.

A copy of Mark Highton's presentation notes are attached together with a more detailed explanation of the points and land drainage responsibilities covered in the visit.

The site visit was concluded by Councillor Compton.

Observations arising from the site visit:

- Councillors acknowledged the complexity of Land Drainage with regard to Riparian ownership and third party involvement, and the considerable effort required to enforce the management responsibilities of a Land Drainage Authority. It was felt the use of the Councils Web site could be actively used to make information on this matter publicly available.
- Councillor Compton reinforced the acknowledged the need for continued co-operation and regular liaison between Business Units, where its own maintenance responsibilities as a land owner are involved. It felt, however, that a better strategic approach could be formalised whereby the appropriate budgets are transferred to the responsible business unit who directly undertook the role for watercourse maintenance on the behalf of other Client business units. This would reduce unnecessary duplication of administration time.
- Councillor Compton reinforced the need for continued co-operation and regular liaison with external agencies. Questions were asked about the drainage Forum group. Roger Jewsbury confirmed that the Council was still committed to the Forum but the group had recently been concentrating on the Kenilworth Flood Alleviation Schemes, but some maintenance improvements by professional third party owners on the St John's Brook, in Warwick had already been identified. Members were aware of the good work the Surface Water Drainage Forum had achieved for Kenilworth and parts of Warwick.

It was considered the Forum had been instrumental in bringing together the many stakeholders who have involvements in flooding to find strategic solutions to problem areas. Members duly felt that as it had been an effectual process that it should recommend its continuance.

- All Councillors acknowledged the seriousness of flooding and that preventative maintenance and improvements to watercourses will mitigate the problems. It was further highlighted that if all the required improvements to the maintenance of the Brook were undertaken it would necessitate the need for a Capital Scheme to control the resultant water flows to managed flood areas. The sites of the former Priory Pools and Priory Park were identified as possible locations and that a flood alleviation scheme had already been identified in the Capital programme for 2005/06.
- Councillors were informed about the changing role the District Council will have towards flood defence when the Councils current Land Drainage responsibilities for 'Critical watercourses' transfers to the Environment Agency after the 31st March 2006. This follows the imposition of new Government legislation. In essence it means that all the current activities Members have seen as part of their Scrutiny process will fall under the control of the Environment Agency in the future. The Council will still however be responsible for the management of the ordinary watercourses which amount to some 100 miles throughout the District. The government via DEFRA recognised that many Local Authorities do an excellent job and have therefore asked the Environment Agency to contract back, through an Agency agreement, the day to day operational work to those Local Authorities who are willing for such arrangements and who also have a good track record of service provision. This Council as one of the top twenty five performing Councils in this work area have been offered a partnership/Agency with the Environment Agency. Members were supportive of this new partnership which would still allow Council officers to still make recommendation on service improvements and further result in the Environment Agency footing the bill for the associated revenue staff and works cost to discharge those duties, but were also made aware that the Council would lose this element of revenue support grant for flood defence which is linked to the Council Formular Spending Share.

3rd Site Visit - A Future Capital Scheme

Report of the Site visit for the proposed Tanyard Stream Flood Alleviation Scheme, in Kenilworth.

Date of the Site Visit – 14th August 2004

Those Present:

Councillor: Mrs Compton – Chair,
Councillors Copping, Davies, Gill, Hatfield, Smith, Mrs Blacklock.

Roger Jewsbury – Engineering Manager
Mark Highton – Environment Team Project Engineer

Apologies: Councillors Short, Sandhar and Councillor Mrs Begg - Environment Portfolio Holder

Also in Attendance: Councillors Windybank and Coker

Summary of the site visit:

The site visit commenced with an opening address by Councillor Compton with brief introductions from all attendees.

A joint presentation was then given by Roger Jewsbury and Mark Highton at Kenilworth Town Council. This covered the following topics:

- Overview of Scrutiny so far
- Objectives of the Tanyard Stream Flood Alleviation Project.
- How it fits to the Kenilworth Sewage Strategy.
- The Tanyard Stream Catchment.
- Its Physical Restraints & Problems.
- Additional factors leading to flooding.
- What we are doing to resolve problems in the System.
- Possible Solutions.
- Next Stages.
- Questions and answers

Councillors then made an inspection of the route of the Stream to look at the problem areas and possible locations for solutions to be implemented. Questions and answers were taken throughout the visit.

A copy of the presentation slides is attached as background papers to this meeting note.

The site visit was concluded by Councillor Compton extending her Committees thanks to the Officers concerned for a very satisfactory and most interesting morning. It was felt to be a real eye opener for the Committee and the Kenilworth members also.

Observations arising from the site visit:

- Councillors recognised the importance of Partnership working to try and resolve the flooding in Kenilworth as the problem was too immense and covered many areas of separate responsibility for a single organisation to address. It required a co-ordinated approach and if any single body were to withdraw from the process it would result in no co-ordinated solution with the problem of flooding just being placed somewhere else in the Tanyard Stream catchment.
- With over 170 different Riparian landowners along the Tanyard Stream it was recognised how difficult this made any improvement strategy. Members of the Committee who's Ward area fell into the catchment of the Tanyard Stream have offered to work with Officers to act as Champions and to be the bridge between the Authority and their constituents.
- All Kenilworth Members who attended the site visit Members recognised the importance and risks to the overall project if there was non commitment by other stakeholders namely, St Nicholas School, WDC Planning, English Heritage, English Nature, WCC Archaeology. It was stressed that all these organisations have their own statutory agendas and policies and anyone one of these bodies by looking after their own interests could be a 'show stopper' to any part of the overall project, or its individual components. This clearly concerned Members and they have further offered their support to try and help resolve problems where they could. One particular area was with the School Head and Governors to St Nicholas School.
- Members were concerned about the shortness of the proposed consultation for this complex project and wanted to ensure a proper and full consultation with residents affected by any improvement proposals was undertaken. Mr Jewsbury commented that it was due to the deadline to meet the October Executive. He also recognised the importance of achieving good public relations for the success of the project but also highlighted that the range of possible hydraulic design solutions were not sufficient to permit choices to be chosen on likes and dislikes. There would also be the opportunity for people to be consulted as part of the planning application process.
- Members believed in the importance of undertaking the programme of Flood Alleviation Schemes as we need to do something to try and mitigate flooding, as Mankind had been its own worst enemy by losing natural sustainable measures through the development of the natural floodplains with greater urbanisation.