

**FLOODING SCRUTINY PANEL
12TH MARCH 2024**

PRESENT: The Chair (Councillor Harper-Davies)
Councillors Bottomley, Goode, Haynes, Matthews
and Maynard

Head of Contracts, Leisure, Waste and
Environment
Democratic Services Officer (NC)

APOLOGIES: none

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

1. DISCLOSURES OF PECUNIARY INTERESTS AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

No disclosures were made.

2. DECLARATIONS OF THE PARTY WHIP

No declarations were made.

3. QUESTIONS UNDER SCRUTINY COMMITTEE PROCEDURE 11.16

No questions were submitted.

4. SCRUTINY SCOPING DOCUMENT

Considered and discussed the scrutiny scoping document for the Panel, as agreed by the Scrutiny Commission at its meeting on 5th February 2024 and updated to list Panel membership.

Members considered the desired outcomes for the panel, and what might be excluded for consideration. Noted that blocked drains could be considered as part of the panel. The two main types of flooding were from water courses or surface water flooding off fields; blocked drains could be a reason for this or the volume of water resulting in the system being inundated. It would be beneficial to review both or either of these types of flooding in relation to drains.

AGREED that the Scrutiny Scope Document be noted.

5. THE ROLES OF DIFFERENT AGENCIES

In accordance with the scrutiny scope document, considered and discussed the roles of different agencies via a presentation by the Head of Contracts, Leisure Waste and Environment.

Key points of discussion:

- determining ownership of water courses was challenging. On purchase of any new property, conveyancing would identify any responsibility for water courses on the land. Noted that some brooks located in the Borough changed ownership and responsibility along their course.
- if a section of a water course was blocked, it was the responsibility of the riparian owner to remove the blockage. Depending on the definition of the water course, this would identify who was responsible for enforcement. If it was defined as a main river, it would be the Environment Agency's (EA) responsibility. If it was ordinary water course, it would be the responsibility of the County Council. Consent to inspect water courses was not a legal requirement but it was likely to be sought.
- the geographical area of water courses to be inspected was significant, the number of enforcement notices given by the County Council or whether there was an inspection programme was unknown.
- parish and town councils did not have any flood responsibility other than as a riparian owner.
- as part of the planning process for building of new housing developments, the green field run off rate (water discharge from fields into water courses) would be calculated to ensure that balancing ponds or Sustainable Urban Drainage (SUDs) schemes implemented as part of the development would reduce the flood rate to slower than agricultural fields. It was uncertain whether the calculation accounted for climate change over a 20-30 year period or when the process had been introduced as part of the planning process.
- it was the landowner's responsibility to maintain the pond or scheme, however, identifying the owner could be complex. Often there was a mix of owners for green spaces in a housing development. The Borough Council or Parish/Town Council could adopt the SUDs scheme or a management trust could be established, requiring fees to be paid by home owners. If the Borough Council took ownership an advance maintenance sum would be requested, management trusts tended to be the preferred option, and this would be highlighted during any conveyancing when purchasing a property. Planning conditions could be in place to ensure the schemes were maintained.
- it was important to consider if new foul sewers were built or that existing sewers could cope with additional housing. Some older sewers were combined rain and foul sewers. This could be discussed with Severn Trent.
- Loughborough was considered to have a high flood risk, the Borough Council had established a Flood Board and liaised with other agencies to provide a response to an incident. Flood Wardens and volunteers were not contacted directly; their role was to respond to the Flood Alert and proactively made residents aware of the risk.
- new 'aqua sack' sandbags were distributed to high risk parishes. They were easy to store flat, had a longer shelf life than sand and expanded when wet. Concerns raised that there was no information on the bags to alert users to the need to wet them before use (which seemed counter-intuitive).

- the number of properties flooded during the recent incident in January 2024 was continuing to grow as people came forward to register for the national Grant Scheme. There were still some families accommodated in hotels and B&Bs at a cost to the Council. 90 tons of waste had been collected in 1 week. As a token of good will the Council had cleansed some unadopted roads but generally the focus was on the roads the Council was responsible for. The majority of unadopted roads were waiting to be adopted which could take some years to process as the roads had to be up to a good standard and were initially maintained by developers. The number of private roads in the Borough was not considered to significantly impact flooding of adopted roads and properties.
- the EA and County Council could bid for government funding to implement flood alleviation schemes which was based on the number of properties protected. Higher value properties would receive more funding and the area covered was geographically large. The EA's flood alleviation scheme for the Wood Brook and Nanpantan Reservoir had been ongoing since 2016 but obtaining funding had been challenging and the costs were increasing.
- natural flood management schemes were possible but required support from landowners.

AGREED that the information provided be noted.

6. WORK PROGRAMME AND KEY TASK PLANNING

Considered and discussed the key tasks in the scrutiny scope document and items raised during the meeting, to be considered at the next meeting of the panel and any work members of the Panel would undertake in advance of the next meeting.

Members considered the following:

- a Review of draft LLFA Flood Risk Management Strategy.
- resilience of the road system network, with particular reference to Mountsorrel – considered medium severity with a long term impact, the Head of Contracts; Leisure Waste and Environment agreed to discuss with Highways department.
- the lessons learnt from previous Flood Scrutiny Panel and implementation of recommendations.
- to invite the Environment Agency and Leicestershire County Council to attend a meeting and prepare questions in advance.
- to consider difference between prevention and response / recovery.
- Panel members to liaise with other councillors to determine concerns regarding flooding in their wards.
- problematic areas within the canal and river network and whether the water courses were dredged regularly and sluice gates maintained. An overview of the river networks could be beneficial for the Panel to consider and to invite the Canal and River Trust to attend a meeting.

AGREED that

1. the Chair to prepare a report on the lessons learnt from the previous Flood Scrutiny Panel for consideration at the Panel's meeting to be held on 16th April 2024;

2. Panel Members to prepare a list of questions to ask the Environment Agency and Leicestershire County Council for consideration at its meeting to be held on 16th April 2024;
3. the Head of Contracts; Leisure, Waste and Environment to prepare a report on the differences between prevention and response / recovery for consideration at the Panel's meeting to be held on 16th April 2024;
4. the Environment Agency and Leicestershire County Council be invited to attend the meeting to be held on 21st May 2024;
5. Leicestershire County Council be asked to present the draft LLFA Flood Risk Management Strategy at the Panel's meeting to be held on 21st May 2024;
6. The work programme be updated to reflect discussions during this item.

NOTES:

1. No reference may be made to these minutes at the next ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Flooding Scrutiny Panel.