

## **NEWENT TOWN COUNCIL**

Minutes of a meeting of **Emergency Plan Working Group Meeting held** on Thursday 18<sup>th</sup> November 2021 at Newent Community Centre, Ross Road, Newent GL18 1BD at 4.00pm

Emergency Plan Working Group Members present: Cllr Mrs C Howley, Cllr Mrs M Duffield and Cllr Mrs K Selwyn.

Also present – The Clerk and 63 Members of the public

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1. Introduction from Councillor Christine Howley.

Cllr Howley welcomed all present to the meeting. Housekeeping protocols and the Ground Rules for discussion were explained.

The representative guests, James Blockley, Principal Flood Risk Management Officer and Andrew Middlecote Local Highways Manager from (Gloucestershire County Council), and Laurence King, Shared Principal Engineer from the Forest of Dean District Council were introduced.

2. Feedback from: -

*a. County Council - Highways Flood Measures update* - Andrew Middlecote Local Highways Manager

Customer Services in Gloucester should be the first point of contact if you have any concerns.

There is on-line advice on roads and a section on the website that provides information as to when gulleys will be cleaned.

These records are reviewed regularly, and resources are targeted to where it is needed.

<https://www.gloucestershire.gov.uk/highways/>

*b. County Council - Flood Measures update* James Blockley, Principal Flood Risk Management Officer

James thanked the community for their work.

There are 6 Officers covering the County and this is stretched.

There is further reliance on the community to enable them to be empowered and to have the confidence to take on the responsibility of working together with various agencies.

There is a National Flood Forum that works with emerging groups.

James would strongly encourage those emerging Newent groups to liaise with forums, such as this one.

He is willing to cover the initial cost for a Newent group, as third-party organisations can assist the local community further.

<https://nationalfloodforum.org.uk/>

There is a Community Emergency Flood Plan, which incorporates a local resilience forum.

Drop-in sessions have also been organised previously. Information can be found on the GCC website.

The onus for residents is:

- to help with taking ownership of local problems.
- being as prepared as they can be for flood water.

<https://www.gloucestershire.gov.uk/highways/roads/leaf-it-out/>

c. *Forest of Dean District Council - Flood Measures update* Laurence King, Shared Principal Engineer

Surface Water and Flooding are risks.

Laurence and his team work on planning extensions and planning application forms for up to 9 dwellings. Above 9 dwellings it goes to the County Council.

There are lots of planning applications that have been submitted that the Forest of Dean District Council and the County Council must review and consider, which impacts on time for other considerations.

Ditch Gates/Culverts

*Note: A culvert is a structure that channels water past an obstacle or to channel a subterranean Waterway.*

*Culverts are commonly used both as cross-drains to relieve drainage of ditches at the roadside, and to pass water under a road at natural drainage and stream crossings.*

Laurence commented that the FoDDC maintain Ditch Gates.

FODDC are able to assess culverts, using Permissive Powers, but it is not a Duty. It has to be in the public interest and there is a cost regarding enforcement action.

Works and schemes are designed with the County Council and Environment Agency, but these are on hold, at the moment, due to resource issues.

Laurence also commented that there were 3 officers in the team covering 4 districts which is was over 1100 square miles.

*d. Newent Town Council - Flood Measures update – Councillor Mrs C. Howley*

Cllr Howley commented that the Town Council has an Emergency Plan and structures in place.

The Emergency Working Group does not have the responsibility for Flood Planning. That the Emergency Plan Working group related to any emergency and the primary remit is a safe space (i.e., opening up of a particular building in case of an emergency), for those who need it.

The Newent Emergency Plan will be activated when an emergency has occurred or if warnings are received, prior to an anticipated event.

It will also be activated when emergency services need support or are not able to attend immediately e.g., in severe weather.

If this is the case, Emergency Plan Working Group Lead will assess the situation, and consult with the District Emergency Planning Liaison Officer (DEPLO) at Forest of Dean District Council on 01594 812524 or (out of hours) 01594 810000.

The Community Response Group will then put all or part of the Plan into effect as appropriate.

*3. Collated questions from the Public*

**A. Bouldson Croft Dam**

FoDDC commented that discussions had occurred previously, and this could potentially be open to enforcement.

The Environment Agency have attended the site previously and the owner has commented that the dam was always in place.

FoDDC has advised the owner that consent was needed by FoDDC or the Environment Agency, however further works have continued.

FoDDC have asked the owner for evidence relating to: -

- Existing dam
- Levels of the dam

The Environment Agency are still involved, and the water stored caused a collapse, but FoDDC cannot say if it was a 'near miss'.

The owners have put a channel in place, but the dam does not have consent from the FoDDC, which the owner should apply for.

## **B. Attenuation**

*Note Stormwater Attenuation means capturing rainwater and releasing it slowly. The damage done by storms is not just directly on the site of flooding, but on everything downstream from that – as the rainwater attempts to drain away, they will flood lower-lying areas even more severely, and when these areas reach saturation, the floodwaters will cease to run off.*

*By capturing rainwater in containers and releasing it slowly, this risk is averted – the floodwaters are released at the rate at which they drain away, and further flooding is prevented.*

A member of the public provided a written question relating to ‘attenuation’.

FODDC responded that they are looking at different models and flow controls. They are seeking to formalise what is in place at the moment.

## **C. Furnace Lane/Dymock Road**

A member of the public provided a written question relating to ‘Furnace Lane/Dymock Road’ and road surface water not draining away when it rains.

GCC Highways commented that they will investigate this issue.

## **D. Repairs**

- **Who is responsible for the repair and dredging/clearing of the culverts and pipework in Newent?**
- **Who can agree a regular maintenance program for regular clearing of silt from the system?**
- **How soon can this be started?**

GCC Highways commented that it is the owner’s responsibility to clear them.

There are 4 that are owned by GCC, as part of its infrastructure at Shire Hall. These were looked at in January 2021 and they were fine and fit for purpose.

GCC Highways reiterated that if there are concerns to contact the Customer Services Team, for issues to be reviewed and logged for maintenance.

FoDDC commented that culverts under the highway and ditches fall under the remit of the landowners to maintain.

If running parallel to a water course, contact FoDDC and they will need specific information (i.e., location/possible landowner details).

Where a ditch runs parallel to a path, Highways may be the responsible owner, however some are under private ownership.

GCC Flood Management commented that any questions see the Riparian Guide <https://www.gloucestershire.gov.uk/planning-and-environment/flood-risk-management/flood-guide/waterside-living/what-are-the-responsibilities-of-a-riparian-owner/>

Also see Waterside Living Guide.

<https://www.gloucestershire.gov.uk/planning-and-environment/flood-risk-management/flood-guide/waterside-living/waterside-living-guide/>

**E. Watery Lane flood water was redirected underground just before Newent Community school and is released into Peacock Brook. Residents are concerned that the underground Watery Lane drainage system is insufficient and has multiple problems**

- **Who is the primary lead addressing this with Severn Trent?**
- **Which NTC committee will be monitoring the progress?**

Newent Town Council commented that they are possibly moving towards a Committee based structure and, in the future, this could be monitored through one of those committees. The Town Council, once the structures are in place may be able to help in the future.

GCC Highways commented that Severn Trent would be the lead. GCC would be the co-ordinating authority.

#### **F Flood Alleviation**

- **What additional works are envisaged by FoDDC & GCC?**
- **What is the timescale for these works?**
- **Undertaken by whom and under who's budget?**
- **What input will be sourced from residents?**

GCC Flood Management commented that additional works were being looked into. Support from the community is welcomed, alongside landowner support and liaison.

There needs to be strong evidence base for all the essential funding. The Newent flood group and the Town Council are key consultees. GCC has a Capital Programme, Flood Defence and Regional Flood Committee in place.

FODDC commented that at the moment it is under resourced and cannot progress with major schemes.

It was reiterated that FoDDC must be notified of current water courses, especially if funding is being sought for work in Newent. Information includes flooding, duration, extent of flooding.

The need is for the community to report it, so that additional financial resources can be sought from government and other sources.

It was mentioned that FoDDC did lobby for additional funding in February 2020 and were successful, however in December 2020 they were unsuccessful in their lobbying.

GCC Flood Management commented that data is important.

There is a priority-based system in place, and it is important that flooding issues are reported.

There are Flood Grants, and over 450 properties were affected previously, but it did not 'trigger' government funding support. GCC tried to source alternative funding but were unsuccessful.

### **G. Budget**

- **How much of this budget is left?**
- **Where is it held?**
- **Who has an input to decide how the remainder is spent?**

FoDDC commented that they hold the fund.

There are a few thousand pounds left in that budget for bund repair.

The money is ringfenced, so cannot be spent on other items.

Until the landowner is satisfied with the returning state of the land by FoDDC the money cannot be used for anything else.

**H. Scraggs Bank - The Earth Bund at Scragg's Bank goes some way to help slow the flow of water through to Newent, however its outlet pipe flow capacity seems insufficient as ample capacity remains downstream in Peacock Brook even when the bund is at full capacity and over-topping.**

- **Although this bund was constructed prior to Mr Blockley's appointment, what other measures are being considered by him?**
- **Will these include consideration of a formed spillway as identified by DEFRA guidance to alleviate undersized bunds?**
- **Who was responsible for the design validation of the Earth Bund and who holds these records?**
- **As this was public money should this be in the public domain?**
- **As Mr King and Publica were responsible for undertaking the construction are they sharing the original calculations and design with Mr Blockley?**
- **Is the Earth Bund design and construction details at Scragg's Bank held by FoDDC or Publica?**

GCC Flood Management commented that the Earth Dam embankment is not part of the same model of major works.

It is not undersized and is of the appropriate level.

There is the possibility to pass more water through it.

Adjustable solutions were not an option in the culvert models used at that time in the works.

The bund will fill quickly and often, and it was put in that further measures will be put in upstream.

FoDDC commented that it is better to leave as it is as measures are in place.

Publica & FoDDC are the landowners and that there is a legal agreement in place.

The design is based on plans that have been made available for years.

## **I. The Maintenance of Scragg's Bank is an ongoing concern**

- **What is the precise maintenance program and inspection that Mr King has in place to clear the grill?**
- **Please give the timing and who undertakes this.**
- **What are the precise details of FoDDC's agreement for the upkeep at Scraggs bank?**
- **At the emergency meeting it was stated that the landowner has responsibility for grass cutting.**
- **Can you confirm the extent of the landowner's responsibility? Who has responsibility for repairing the silting up and collapse of the newly diverted part of the stream immediately upstream of the grill at Scragg's Bank?**
- **Who is responsible for upkeep and maintenance of the bund structure, including repair and grass cutting?**
- **This is of particular concern given its lack of resilient core.**

Newent Town Council commented that 'overtopping' was a problem caused by work undertaken by Highways and it was caused by rainwater. It was an accident unfortunately caused by a Highways vehicle, which has subsequently been remedied.

FoDDC commented that there is no precise programme in place. It is reactively reviewed on a weekly basis and remedies implemented.

There is a UBICO legal agreement in place. The landowner, after 2 years, has to have the land handed back, in good condition. FoDDC still has land belonging to owners that is not suitable, at the moment, for transfer.

When it is transferred back to the owner, they will be responsible for the cutting of the grass. GCC/FoDDC will be responsible for the structure.

## **J. Early Warning Flood System**

- **Does Mr Blockley agree that due to the difference in size between the culvert and the bund outlet size that having a spillway directing flow directly into the stream would improve the efficacy of the early warning device at the culvert?**
- **If the spillway is not planned, what effect / timing is the early warning system expected to produce?**
- **What is the expected installation timeframe for this device, given the potential need for a spillway to be considered/designed and when is it expected to be operational?**
- **Who will monitor its settings for operational appropriateness?**
- **Who / how many people will be able to access the system to be alerted by this device?**
- **Would there need to be a formal flood response plan by NTC in place for this system to be effective?**

**As GCC have agreed to finance this for 2 years after installation, can NTC give assurance that they will take operational and financial liability following this initial period?**

GCC Flood Management commented that a spillway does not pass more water through until upstream of the bund is sorted.

The Early Warning System has telemetry and sends information, as an early warning system, when the water is too high, or gets to a certain level. It is a versatile and effective system, as the thresholds can be set by the local community or GCC.

Hydro-logic Industry are renowned leaders in their field.  
<https://hydro-int.com/en-gb/services/hydro-logic-services>

Installation may occur by Mid December 2021, if the Environment Agency give consent.

Remote monitoring will be undertaken by GCC, with on-going costs.

It would be helpful if a local flood group were involved, to help with some of those responsibilities.

8 subscribers can be added to the system at cost of £40 for an extra 2 people (prices to be confirmed).

GCC would be willing to cover costs towards this possibly up to £400, to enable a flood group to take on additional responsibilities regarding the early warning system. Contact GCC directly on this matter.

Newent Town Council commented that there is an Emergency Plan in place and community resilience is key to its success.

It would look favourably at an early warning system.

The Town Council would welcome that open and transparent discussion.

#### **K. Natural Flood Management**

- **Can Mr King update us on this please?**
- **Is this area being discussed with the landowners as a future potential attenuation location?**
- **If so, would it require the normal planning requirements including the environmental impact risk assessment?**
- **If this site were a suitable location and a design was agreed with the landowners would this be sufficient upstream attenuation?**
- **Or would additional locations be required?**

FoDDC commented that Natural Flood management is being promoted across Gloucestershire.

There is also a need for hard engineering and water quality varies due to silt and other water-based components.

There are maintenance requirements for water to be cleared from leaky dams by landowners.

It was mentioned that if their land is intentionally flooded, they can seek compensation.

GCC Flood Management commented that Natural Flood Management was one of the successful tools used. However, it required co-operation from the landowner. Stroud have a successful project and if landowners are amenable, they can look at the Stoud model regarding stewardship of the land.

#### **L. Section 106 Funding**

- **Who is responsible at FoDDC for dealing with Section 106?**
- **Where have the Moneys raised on developments in Newent been used?**

Newent Town Council advised to look on the FoDDC website for information relating to S106 funding, as it is readily available.

#### **M. Riparian Responsibilities**

*Note: A 'Riparian Owner' is someone who has a watercourse within or adjacent to any boundary of their land.*

*Rights and Responsibilities: If you are a riparian owner, you have certain rights, but are also legally obliged to fulfil certain responsibilities under laws enacted to help manage flood risk and to protect the environment.*

- **Who has responsibility to ensure that Riparian responsibilities are understood and undertaken?**
- **Given the number of people with riparian responsibilities would it help to have Riparian Lead in Newent who could liaise with the above-named person and the community?**
- **Could Newent have a resource to help guide people in their responsibilities?**

FoDDC commented that there is a Cotswold Scheme and also one in Cheltenham called 'Flood Warden Scheme'.

These are individuals who work with the authorities to be the eyes and ears in identifying any problems relating to floods issues.

It was suggested that Newent could start a Flood Warden Scheme.

It was identified that there is a lot of land that is owned but not registered. On occasions the FoDDC undertakes work on the land and puts a 'charge' on it. So that when it is sold the costs can be recuperated.

GCC Flood Management commented there is a Land Drainage Act which requires that a watercourse be maintained by its owner in such a condition that the free flow of water is not impeded.

*Note: The riparian owner must accept the natural flow from upstream but need not carry out work to cater for increased flows resulting from some types of works carried out upstream, for example a new housing development.*

*If a riparian owner fails to carry out his responsibilities under the Land Drainage Act, or if anyone else causes a watercourse to become blocked or obstructed, the County and District Councils have powers of enforcement by serving a notice under the Act.*

*If this is ignored, the Council concerned may carry out the necessary itself and then recharge the person responsible for the full cost incurred.*

*The District Council normally implements these powers, but the County Council will deal with problems that affect the highway.*

*The person responsible may also be prosecuted for nuisance under the Public Health Act 1936.*

*The 1994 Act amends the Land Drainage Act of 1991 in relation to the functions of internal drainage boards and local authorities.*

<http://adlib.everysite.co.uk/adlib/defra/content.aspx?doc=18341&id=18343>

#### **N. Emergency Plan – Newent Town Council**

- **Please can you update us on this and give us a date for its completion?**
- **Could you consider 2 members of our group, Newent Neighbourhood Flood Association, joining the Emergency working Group to support this process?**

Newent Town Council commented that the Emergency Plan has been reviewed and updated a number of times.

In April 2021 and in November 2021 (with the New Clerk named in the document).

A redacted Newent Town Council Emergency Plan can be placed on the website. Please note it will not contain any details.

Newent Town Council follows the template for the Emergency Plan from the FoDDC.

<https://www.fdean.gov.uk/communities-health-and-leisure/support-for-communities/emergency-planning/>

In case of all emergencies call 999

If a Committee structure is adopted by the Council having co-opted members may be considered in relation to certain areas.

#### **4. Question and Answer Session (all Agencies)**

##### Public question

A member of the public thanked James and Alex regarding work on the dam. It was ½ a width and failed as shallow water was held back which is unstable.

FODDC commented that a channel has been dug and excavators were not suitable for the work.

Further action needs to be taken, an assessment and possibly interim enforcement action.  
FoDDC will follow up on this.

Public question

The culvert by the car park/Lakeside is this a highway or not?

GCC Highways commented that it may be private, but they will find out.

Public question

Relating to the bund.

GCC Flood Management commented that the bund works.  
It is not about the pipe size. The more water, more frequency of water, the more water goes into the town and the highways may not be able to cope with it.

Public question

Silt, will it be cleared by farmers?

GCC Flood Management commented that landowners need help as well. They need to consent to land drainage action.  
Landowners need to contact either GCC or FoDDC.

Public question

There is a large focus on post flood events.  
More money needs to be put into the Council. An action plan needs to be in place with regards to flooding.

GCC Flood Management commented that the FoDDC did undertake a de-briefing event within 2 working days of events occurring.  
There was a lessons learnt discussion, which has been taken on board, this included more people at FoDDC having information to help them.

**5. Newent Planning for possible future flooding**

**6. Useful website and local Information**

These items were taken together.

Newent Town Council commented that Newent Town Council, FoDDC and GCC will keep people updated. Log onto their website for additional information.

Additional information can be found on the FoDDC website and on GCC site  
<https://www.fdean.gov.uk/environment/flooding/>

<https://www.gloucestershire.gov.uk/highways/roads/your-highways-report-it/>

**7. Actions & Summary**

Cllr Howley commented that the Flood Warden Scheme may be a way forward, with the help of the different flood groups who have emerged in Newent.

Working together as a community to move this forward has been beneficial.

Cllr Howley referred to the websites that were mentioned in the meeting, for people to access for further information.

Cllr Howley thanked the Officers for attending and for the informative and productive discussion that occurred.

#### **8. Close**

Meeting Closed at 5.30pm.

**Note:**

***Additional information has been added by the Clerk, to enable access on-line sites and to provide context to the notes.***

Draft