

CLIMATE, BIODIVERSITY & PLANNING COMMITTEE

Date: Tuesday, 7 March 2023

Title: Flood Mitigation & Riparian Ownership

Contact Officer: Deputy Town Clerk - Adam Clapton

Background

Members will be aware a multi-agency meeting was held at the District Council regarding flooding in Witney last year and gathered information on what each authority was able to offer. The Town Council has so far this year:

- Funded the purchase of a sandbag store at Riverside Gardens.
- Agreed to assist vulnerable residents at Riverside Gardens lay sandbags during working hours when flooding is likely to occur.
- Assist riverside gardens create a community emergency plan.
- Carried out work on its riparian land at Witney Lake & Country Park.
- Agreed to advertise and take enquiries for the Oxfordshire County Council Flood Warden Scheme.

Current Situation

A follow-up meeting was held on 1 February 2023. As a result of this community flood plans were discussed and officers are working with Riverside Gardens community group to help prepare for flooding (see above).

The issue of riparian ownership was also discussed and how landowners can be contacted regarding potential waterway blockages and flood prevention. The following excerpt is taken from the Oxfordshire County Council website Flood Toolkit: *How to become a flood resilient community* <https://www.oxfordshirefloodtoolkit.com/how-to-guides/community-project/>

‘Oxfordshire County Council often approaches landowners to request them to clear overgrown and blocked ditches and watercourses where there is a risk of flooding. However, as there is an extensive network of watercourses and ditches in the county, it has been found that Parish and Town Councils have in many cases been successfully able to provide valuable assistance in identifying and helping to resolve these issues by working with us to help reduce the risk of flooding in their communities.

As part of the partnership working initiative that we are trying to encourage, we would request that Parish and Town Councils become more involved in the early stages of discussions and negotiations when it comes to flood risk matters. Using their local knowledge and contacts to make the initial informal approaches to landowners to undertake clearance of their ditches, watercourse, pipes or drains etc. can be extremely helpful.

The suggested approach is set out below:

1. An informal approach by (telephone or email) from a parish or town council representative is made asking a landowner to clear ditches and watercourses.
2. Resident raises blockage in water course with supporting pictures and location on map.
3. If there is no action by the landowner the first letter can be sent requesting action (see top right to download the first letter template).
4. If the clearance is still not undertaken a second follow-up letter can be sent to the landowners (see bottom right to download the second letter template).

The Committee is asked whether it would consider recommending this approach to the Council or whether it could get involved from stage 3 if a blockage is reported with supporting pictures/location.

It should be noted that the Town Council has no simple repository to find out information on landowner responsibility and is ultimately not able to enforce the completion of works.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Removal of blockages from waterways helps mitigate flooding risk.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

There is a reputational risk should the Town Council write out to residents regarding an issue which it has no direct responsibility for.

Financial implications

Described here or as stated in the report above.

- Staffing and administrative costs (amount unknown).

Recommendations

Members are invited to note the report and consider the following:

1. Whether Witney Town Council undertakes to write to Riparian Landowners as suggested by Oxfordshire County Council.