

Divisions Affected – All

CABINET

19 November 2024

Flood Event Response

Report of Place Overview & Scrutiny Committee

RECOMMENDATION

1. The Cabinet is **RECOMMENDED** to —
 - a) note the recommendations contained in the body of this report and to consider and determine its response to the Place Overview and Scrutiny Committee, and
 - b) Agree that, once Cabinet has responded, relevant officers will continue to provide each meeting of the Place Overview and Scrutiny Committee with a brief written update on progress made against actions committed to in response to the recommendations, for 12 months or until they are completed (if earlier).

REQUIREMENT TO RESPOND

2. In accordance with section 9FE of the Local Government Act 2000, the Place Overview & Scrutiny Committee requires that, within two months of the consideration of this report, the Cabinet publish a response to this report and any recommendations.

INTRODUCTION AND OVERVIEW

3. The Place Overview and Scrutiny Committee considered a report on the Council's Flood Event Response at its meeting on 25 September 2024. The Committee had requested a report that set out roles and responsibilities with respect to routine work around flooding and also in response to a flooding event. The retrospective aspect of the report focused on events in January and February 2024.
4. The Committee was keen to hear from different agencies across the system of their lessons learned and to consider if the Council had a level of governance and readiness to respond to and manage flood events appropriately.

5. Given the wide-ranging nature of the report, the Committee invited a large number of people to attend and was grateful to them for making the time to do so. The Committee would like to thank Cllr Dr Pete Sudbury, Deputy Leader of the Council with Responsibility for Climate Change, Environment & Future Generations, Paul Fermer, Director of Environment and Highways, Teresa Kirkham, Head of Environment and Circular Economy, for their attendance as well as that of Terry Coupar, Oxfordshire Fire and Rescue, Sean Rooney, Head of Highway Maintenance, Paul Wilson, Operations Manager (Highways Operations), Clare Mills, Operational Manager for Flood Risk Management, and Carol Mackay, Resilience Manager.
6. The Committee would also like to express its thanks to John Backley, Technical Services Manager for South Oxfordshire and the Vale of the White Horse District Councils, for agreeing to attend as well as Evie Kingsmill, Evidence Manager at the Environment Agency, and Jake Morley, Government and Stakeholder Engagement Manager with Thames Water.

SUMMARY

7. The large number of teams represented at the Committee enabled members and officers to engage in a wide-ranging discussion. It was emphasised that, whilst the report covered river flooding, the then-current incident was caused by rainfall. The Committee recognised that and the extreme difficulty of managing significant speedy rainfall.
8. Whilst the report was necessarily retrospective, as well as considering flood events that had happened previously, the Committee explored issues arising from the flooding that the county was currently experiencing. It also raised questions more widely about how the Environment Agency and Thames Water engaged with the Council and with the city and district councils.
9. The Committee makes six recommendations. Ultimately, three are about the need to improve communications; two about building on partnership working; the last about retrofitting sustainable drainage systems and other flood prevention measures.

RECOMMENDATIONS

10. The Committee explored the way that land drainage specialists at district councils review planning applications to address drainage issues and to ensure developer proposals meet Sustainable Urban Drainage Systems (SUDS) requirements. These are legally required and the Committee recognises their worth. However, this standard is only required as properties are developed; the Committee considers that there would be great value in the Council retrofitting SuDS, as well as other flood prevention measures, to Council maintained properties and streets.

11. The Committee recognises that every community is different and what might work in one part of Oxford would not necessarily work in a north Oxfordshire market town. Indeed, what might be best for one house might be inappropriate for its next door neighbour. However, the many opportunities that retrofitting would open should be explored.
12. There may be practical or cost-based reasons why it would not be feasible to employ retrofitting at all locations but the Committee is of the view that there would certainly be benefits to doing it at some. The Council should investigate thoroughly how and where it could be done within practical limits. The benefits are likely to outweigh any disadvantages identified in at least places. Without thorough investigation and assessment, that will not be known.

Recommendation 1: That the Council should investigate how best to retrofit sustainable drainage systems, as well as other flood prevention measures, to Council maintained properties and streets.

13. The current flooding event reminded members of the importance of good, strong, clear communication to all stakeholders when there are flood events. There were concerns from members that communications to them in January 2024 had been sub-optimal.
14. The Committee recognises that Oxfordshire Fire and Rescue has a social media presence and that it published notifications via its social media channels on the first morning of flooding. However, the Council's main account did not. Oxfordshire Fire and Rescue currently has 10.4k followers on what is now officially X (formerly twitter.com); Oxfordshire County Council has 48.8k. On facebook.com, Oxfordshire Fire and Rescue has 20k followers and Oxfordshire County Council 28k. If seeking to share county-wide information, disseminating it through both accounts would seem wise.
15. Similarly, the Committee was keenly aware that those members who are also district councillors received communications from their district councils, giving both news, advice, and signposting, hours before any information was received from the Council. That placed those who were not district councillors at a distinct disadvantage, compared to their 'dual hatter' colleagues, but, more importantly, overlooked the importance of a county councillor's role in their division. Residents look to them for support and advice at a local level and they need the support of the Council in order to provide such.
16. The Oxfordshire Flood Toolkit is a very useful resource and members are aware that its main role is to offer safety information and resources rather than being there to manage real-time incidents. However, in order for it to be useful to communities and councillors, the information needs to be current and it needs to be communicated.

Recommendation 2: That the Council should improve communications to Members, raising awareness of the up-to-date Flood Toolkit generally as well as active flood measures in the event of emergencies.

Recommendation 3: That the Council should improve social media communication for residents during flooding and other emergencies.

17. The Resilience team (previously known as Emergency Planning) has information packs which it has been keen to distribute to parish councils. This would also boost and awareness and usage of the toolkit and members were encouraged to publicise this with parish councils within their own divisions. Members invited the team to provide examples of the bags to all members at the next meeting of Council. This would enable members to understand what was available and to encourage a wider take up.
18. The Committee was also reminded of the importance of Community Emergency Plans. These need not be complex but are simple plans maintained by local groups which form part of a coordinated response with emergency services and the local authority. Whilst simple, they are of undoubted use in an emergency, documenting efficiently people, equipment, and locations that can be used where necessary.
19. As well as recording what is expected to happen in an emergency, another benefit of towns and parishes that lie wholly within the Scottish and Southern Electricity Network area creating Community Emergency Plans is that the local council can apply for grants from SSEN where these are in place.
20. The Resilience team is available to visit parish and town councils, and other groups, to create plans and has a number of resources to support that. The Committee is of the view that this valuable work should be highlighted and supported.

Recommendation 4: That the Council should promote the benefits of creating of community emergency plans by parish councils and support the Resilience team to do that.

21. The Committee established that, where conditions meet the threshold for investigation, the Local Lead Flooding Authority (LLFA), i.e., the Council, is required to compile a report under section 19 of the Flood and Water Management Act 2010. These reports assess what the issues were which had an impact and make recommendations for future improvement. Whilst the LLFA is responsible for making such recommendations, it does not have the power or funding to act on all recommendations made and close working with partners is necessary.
22. Timely reporting is of the essence because, without that, there is little chance of recommendations being acted on at a speed that makes it likely that the recommendations could be implemented in a way that would make a practical difference. However, timely reporting is dependent on all partners working together closely and providing relevant information as quickly as possible. The Committee was concerned to learn that some reports are significantly delayed because such information is provided somewhat tardily on occasion by some partners. The Committee recognises that information can sometimes be difficult to acquire but it is vital that all partners work together very closely

so that investigations can be completed, reports published, and recommendations made as soon as possible.

Recommendation 5: That the Council should commit to working closely with partners to ensure that s.19 reports are completed swiftly and recommendations can be acted upon.

23. Section 94 of the Water Industry Act 1991 places a duty on sewerage companies to maintain their sewers to ensure that their area is effectively drained. In the course of the Committee, members explored whether it would be appropriate for the Council to discuss potential breaches with the Water Services Regulation Authority (OFWAT). Whilst the Committee was advised that collaborative work with partners such as Thames Water was the priority so as to prevent flooding events and to ensure flood prevention measures were implemented, there was a recognition that enforcement action by OFWAT could – given the possibility of levying financial penalties - potentially lead to funding for infrastructure improvements.
24. The Committee was of the view that there was scope for the Council to explore this possibility further and that the Council should do so.

Recommendation 6: That the Council should investigate the role and responsibilities of OFWAT and the potential for invoking s.94 measures.

FURTHER CONSIDERATION

25. The Committee does not currently anticipate considering this matter again during the remainder of the Council year.

LEGAL IMPLICATIONS

26. Under Part 6.2 (13) (a) of the Constitution Scrutiny has the following power: 'Once a Scrutiny Committee has completed its deliberations on any matter a formal report may be prepared on behalf of the Committee and when agreed by them the Proper Officer will normally refer it to the Cabinet for consideration.
27. Under Part 4.2 of the Constitution, the Cabinet Procedure Rules, s 2 (3) iv) the Cabinet will consider any reports from Scrutiny Committees.

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Annex: Pro-forma Response Template

Background papers: None

Other Documents: None

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November 2024