

Rutland County Council

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SPECIAL COUNCIL 18 JANUARY 2024

AGENDA SUPPLEMENT

5) PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 3 - 12)

To receive deputations and questions received from members of the public in accordance with the provisions of Procedures Rule 25 and 26. The total time allowed for this is 30 minutes. Petitions, deputations and questions will be dealt with in the order in which they are received and any which are not considered within the time limit shall receive a written response after the meeting.

6) QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 13 - 14)

To receive the question submitted by Councillor Heckels in accordance with the provisions of Procedure Rules 27 and 28.

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TO: MEMBERS OF THE COUNCIL

Councillor A Brown – Chairman of the Council

Councillor S Harvey – Vice-Chairman of the Council

Councillor N Begy

Councillor T Carr

Councillor G Clifton

Councillor H Edwards

Councillor M Farina

Councillor O Hemsley

Councillor S Lambert

Councillor K Payne

Councillor R Powell

Councillor T Smith

Councillor G Waller

Councillor D Wilby

Councillor H Zollinger-Ball

Councillor P Browne

Councillor M Chatfield

Councillor K Corby

Councillor D Ellison

Councillor K Heckels

Councillor A Johnson

Councillor S McRobb

Councillor R Payne

Councillor R Ross

Councillor L Stephenson

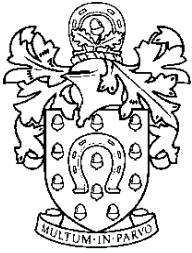
Councillor A West

Councillor C Wise

Quorum: 7

THE COUNCIL'S STRATEGIC AIMS

- A special place
- Sustainable lives
- Health and well
- A county for everyone
- A modern and effective Council



PETITIONS, DEPUTATIONS AND QUESTIONS FROM MEMBERS OF THE PUBLIC

MEETING: SPECIAL COUNCIL

MEETING DATE: 18 JANUARY 2024

Two additional questions were received but subsequently rejected on the basis that the question is substantially the same as No. 7, relating to the brook in Whissendine.

No.	Petition, deputation or question	Name of Speaker
1.	Deputation	Gordon Brown, Chair of Barrowden Parish Council
<p>I wish to raise 3 issues.</p> <p>Failure to deal with flooded premises under the Flood and Water Management Act Failure to have surface water assets properly identified Requirement to have an up-to-date Surface Water Management Plan</p> <p>Issue 1</p> <p>During Storm Babet, 7 premises were flooded, and during Storm Henk, 2 of those premises were flooded for a second time. In our view Rutland County Council failed to respond adequately at the time or during the three months following the first incident. Fix My Street reports were raised and advised as complete without adequate investigation. In our opinion and the available evidence, the flooding was caused by surface water pipework being blocked/damaged.</p> <p>When reported for a second time after Storm Henk to the Highways Manager and Fix My Street, a cursory visual inspection of the drains was carried out, and we were advised that there was not a problem and the case was closed, despite photographic evidence supplied showing the contrary. We would ask that a proper physical examination of the identified pipework between the drains be conducted as soon as possible, with appropriate remediation.</p> <p>A request was made to the Leader and Portfolio Holder because these flooding incidents fall under the jurisdiction of Sect 19 of the Flood and Water Management Act 2010. A response was received but no action was taken and no report has been produced. We would ask that proactive measures be implemented to mitigate the consequences of such events in the future, and a policy should be developed similar to that which Blackpool (https://www.blackpool.gov.uk/Your-Council/Creating-a-better-Blackpool/Regeneration/Documents/Flood-and-water-management-act-2010---Section-19.pdf) have.</p> <p>Issue 2</p> <p>After Storm Babet, the Parish Council resolved to carry out an audit of the surface water drains in the village. It made a request via our Councillor to Rutland County Council for details of these assets. After 6 weeks with no response, we asked our Councillor to follow this up and she was told that Rutland County Council does not hold those records. This is contrary to the statutory requirements, meaning that Rutland County Council is breaching its legal obligations (Sect 21 Floods and Water Management Act 2010) We would ask the Council to include this as a specific topic at the Scrutiny Meeting to ask Officers bring forward a programme to collate that data for inclusion in the Highways GIS system. There is also the question of those assets and liabilities not being recognised in the Council's accounts.</p>		

Issue 3

Under the Floods and Water Management Bill and Flood Risk Regulations (2009), unitary authorities are responsible for a leadership role in local flood risk management, of which a Surface Water Management Plan forms a key part - so states the Guidance published in 2010 (<https://assets.publishing.service.gov.uk/media/5a79e764ed915d042206be08/pb13546-swmp-guidance-100319.pdf>). The Council's draft Strategic Flood Risk Assessment at para 6.30 states RCC has not published a Surface Water study that covers the county. Given the impact of flooding over the last few months, Barrowden Parish Council would argue that this study should be carried out as a matter of urgency for the protection of existing residents and for that matter the soundness of the Local Plan.

In summary, we seek that Council requests

- 1) A physical examination of the identified pipework in Barrowden and appropriate remedial work
- 2) Surface water drainage assets across the County are identified and recorded along with their condition onto the Highways GIS
- 3) As a matter of urgency, Scrutiny to consider that RCC carry out the obligatory Surface Water Management study and develop a plan for Rutland within an agreed timescale.

2.	Question	Edward Baines
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Could someone tell me what happened on January 2nd in relation to the floods and what action did the Council take?

3.	Deputation	Cynthia Moss, Whissendine Parish Council
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Whissendine has experienced 9 road closures due to flooding since Storm Babet on 20 October this year.

One house and business floods regularly and most others have so far managed to avoid serious flooding due to their own flood defences and pumps.

At its peak, a 33 ft wide river rushes through the bottom banks and out into Cow Lane, inundating the Nook, the village green and both sides of the bridge at the White Lion. Estimates put the depth at over 30" in places.

Our water comes via 2 streams emanating near Cold Overton and at Holbeck farm, dropping steeply [one at 12.5 meters per kilometre, the other at 15.5 metres per kilometre] to the village centre, where they meet at the bridge.

There is minimal fall beyond this point, only 5.77 meters per kilometre to the floodplain to the north, below Whissendine station and into Stapleford Park.

Two more streams from Somerby/Cold Overton skirt the village, to the east via Langham and Ashwell, to the West via Leesthorpe, flooding as they go, to join the Whissendine water in the same floodplain, along with water draining from Wymondham. There are also many underground streams in the area, one of which surfaces near Whissendine Lodge, flowing northeast crossing the Melton and Stapleford Road and into the very same floodplain.

This floodplain drains slowly, as the rivers Eye and Wreake into which it drains, are controlled by the Melton Mowbray flood defences. Our water then eventually goes on to flood areas of the river Soare and on into the river Trent.

Thoughts on how RCC might help.

- A. Strategic planning of water disposal.....reducing surface water runoff to streams and already overloaded combined sewer systems and encouraging neighbouring authorities to do the same.
- B. Investigate the possibility of leaky dams and encourage / incentivise farmers and landowners to set aside marginal land upstream for floodwater retention, including Leicestershire.
- C. Each July/August walk strategically important water courses like Whissendine, Langham and unnamed brooks, assessing persistent blockages on streams in order to require riparian owners to keep streams free flowing. This is particularly important downstream of the road bridge at the White Lion.
- D. Better training for planning staff and Councillors around flooding to avoid poor planning decisions.

E.g. 1. RCC granted planning for a dwelling in Whissendine, bordering the stream, against recommendations of WPC and Environment Agency who both explained it was in a flood plain.

Then when the owner constrained the stream with gabions, RCC granted retrospective planning permission despite warnings of downstream impact.

A near neighbour raised the soil levels on his side of the stream in response. RCC investigated but did not enforce removal of the soil bank.

The combined effect threatens a dwelling downstream and the force of the water, exiting this constrained reach, has demolished the bridge parapet above the culvert, on the Nook during storm Henk.

E.g. 2 The ridge and furrow high pasture at the western side of the village was identified as a significant water holding site. Planning permission was recently granted for 66 dwellings.

Between the grant of outline planning and the full planning in December 23 the developers bulldozed the site flat. During storm Henk the water cascaded eastwards from the site through gardens and Sherard's close onto Stapleford Road where it entered a business premises, the first time this has happened, and also threatened a house, then it followed the slope down into Main Street and on towards the green, inundating a business and associated accommodation and threatening other houses.

- E. Please take us seriously when we try to highlight flooding issues in planning applications. We are trying to help planners, not undermine them, but we are the ones who live here and have studied the area. And please, consult contour maps to check all the slopes and level changes as part of planning decisions. Since the village sits in a basin, only slightly above the floodplain, any building on the high land encircling the village, or involving more water entering the drains and streams, will most definitely result in increased flooding.
- F. Use the Anglian [Northern] Regional Flood and coastal committee more effectively. RCC has 2 seats on this group, but the minutes do not seem to reflect effort expended in meaningful problem solving that would benefit Rutland settlements.

4.	Question	Eleanor & John Martindale
<p>How can we get action taken by Highways with blocked drains causing flooding to our property when it rains?</p> <p>We have tried for nearly 18 months through the usual channels to get this problem resolved even before the storms.</p>		
5.	Question	Councillor Lucy Stephenson on behalf of Chris Fisher
<p>I am interested to know what measures are in place to tackle flooding in counties across the UK? Local authorities seem powerless to put measures in place to prevent flooding or even investigate the initial causes of flooding.</p>		
6.	Question	Susan and David Fairclough
<p>It is noted that land owners alongside the Brook in Langham have some responsibility for flood mitigation BUT the Council also have responsibility for land alongside the Brook and recent events have shown the problem is too severe and wide ranging to rely on individuals. Recent storms have been exceptional but there are ongoing issues which would reduce the problem and need to be addressed. This is required to protect the village and the community and to reduce widespread disruption and cost.</p> <p>What is the Council going to do about these recurring flooding and excess water issues in Langham in the short, medium and long term and can they confirm that they will do everything they can with joined up thinking across the Council to reduce and mitigate the risk, including, immediately making sure that the drains are clear and fit for purpose and that any obstructions in Langham Brook are removed?</p>		
7.	Question	Wyn & Michelle Edwards
<p>I understand in 2021 riparian owners in Whissendine were contacted to undertake work on their portion of the brook. Can the Council confirm who in the Council is responsible for inspecting the brook in Whissendine and other water courses in Rutland to ascertain what work riparian owners are required to carry out and that in this case all of the work required was carried out?</p>		
8.	Question	Cllr Karen Payne on behalf of Jennifer Hughes-Nurse
<p>Rutland Council must now realise that the effects of the recent heavy rains have been made very much worse by the poor and often infrequent maintenance of Dykes, Grass Verges, Grips , Drains and Poor Flood Assessment before any planning permission is given.</p> <p>What plans does Rutland Council have to put in place NOW to ensure that such a catastrophe never happens again due to such negligence</p>		

9.	Question	Joan Richardson
<p>Following serious flooding of properties in Noel Avenue/Braunston Road, Oakham on three occasions from the adjacent Bellway Homes site what action does Rutland County Council propose to take to prevent future flooding and protect residents?</p>		
10.	Question	Jeremy Fenn
<p>Our family home in Ketton was badly flooded as a result of Storm Henk, as were several of our neighbours on Ketton High Street. This has not happened to us in the last 50 years.</p> <p>It has also become apparent over the last few months, that the underground water table level is much higher on a regular basis. Several neighbours have reported cellars flooding for the first time and we have had a large area of standing water in the corner of our yard. It has rained heavily in the past - but a massive difference now is the extent of the quarrying that has taken place uphill of the village by Heidelberg Materials.</p> <p>It is widely known that, due to its limestone geology, Ketton has always had a complex underground water system and multiple underground springs lead downhill to the River Chater - some historically being used to supply wells or ponds.</p> <p>The millions of tons of stone, earth and plants extracted by Heidelberg Materials UK during the quarrying process are no longer available to absorb rainfall, which potentially raises the water table elsewhere at a fast rate. It follows that the removal of this material has also affected local watercourses and raised the water table lower in the valley, causing our homes, shops and roads to flood more than may have happened in the past.</p> <p>This meeting is about looking at action to address future flooding, which seems sadly inevitable.</p> <p>How stringently are any flood mitigation planning conditions now being assessed for the Heidelberg Materials UK quarry in Ketton?</p>		
11.	Question	Hilary Lewis
<p>Melton Road, Langham has flooded twice between October and January. In Storm Babet (October), 4 properties on the roadside were flooded to the extent that 2 homes had to be evacuated. The water reached the walls of the properties again in Storm Hank. What is the council's contingency plan for this high risk area?</p>		
12.	Question	Barbara Murie on behalf of Tom Murie, Tixover Parish Meeting
<p>Tixover Village has 11 of its 17 homes on the bankside of the River Welland. We have been concerned over recent years, and especially concerned since Storm Henk that we are experiencing a greater degree of erosion to the river bank, and that properties will be more affected in coming years.</p>		

High ground-water levels throughout the area have also resulted in many springs evolving across farmland and in village properties causing damage to gardens and in our case to a storage room. This is thought to be exacerbated by rain water from the A47 being allowed to run into the village as there is no drainage on it.

What, therefore, are RCC doing, or will do in the future in their LLFA role as coordinator of relevant agencies or otherwise to support the management of flood, and the support to those affected?

13.	Question	Peter Gatheral on behalf of Virginia and Andrew Kilpatrick
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We have lived in South Luffenham for over 25 years. The Morcott Brook is at the bottom of our garden. The degree and frequency of water surges in the brook and associated flooding has become very significantly worse over the last couple of years causing:

- Back Lane to be impassable to anything but 4 wheel drive and industrial vehicles, as the stream "diverts" over the road through adjoining fields and gardens at times of flooding.
- The stream bank and foundations to our grade 2 listed wall (which adjoins the stream) to be eroded to such an extent that the wall is now vulnerable and needs underpinning. NB the wall is the main reason our garage has not as yet been flooded.

Is there a connection between the greater frequency and more extreme nature of flooding of the Morcott Brook in recent years and the Wing Water Treatment plant water (surge) discharges?

14.	Question	Greg Harker, Stretton Parish Council
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Flood Prevention

The floods on the B668/A1 roundabouts were serious in that several cars became stranded and only the action of volunteers to move the cars out of the flood water kept traffic moving. No emergency services attended. Both roundabouts have several drains. However, the floods appear to have been exacerbated by several of them being completely or partially blocked and by run-off areas and ditches not being cleared of silt and debris. It is therefore likely that flooding on these crucial roundabouts (linking Rutland to the motorway network) could have been prevented by a programme of drain and ditch clearance in the autumn post leaf fall.

The flood at the east end of Stretton village (lower end of Manor Road) also made the road impassable for smaller vehicles and completely covered the sewage pumping station to a depth of at least 10 cm. Both drains in the area were completely blocked with leaves.

Approximately 60 metres of Stocken Hall Road was flooded up to 75cm deep. Two drains on this stretch of road were/are completely filled with gravel and silt.

In all, 8 blocked drains and two sections of the roadside ditch contributed to the flooding of the 2 roundabouts, lower Manor Road and Stocken Hall Road;

We are concerned that we could be held liable if a volunteer became injured and we had not provided a minimum level of equipment. Is it acceptable for local people to remove cars from flooded areas (ie roundabouts) in order to keep traffic moving without a risk assessment having been carried out?

15.	Question	Simon Jackson
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During our 23 years residency we have been accustomed to dealing with significant water run off that has previously been controlled by the water passing through a culvert at the rear of our property. However there have been a number of incidents particularly in the last 3 to four years where the storm drain located at the pavement at the end of our drive has been unable to cope with the through flow resulting in the flooding of the A606. One of the more severe flooding took place in October 2023 to which highways/ Anglian water attended.

Following the recent severe flooding where serious damage to properties could have been avoided or significantly mitigated had the various storm drains on the A606 been maintained correctly. It was only through the intervention of myself and fellow neighbour that we cleared numerous blocked drains to allow the flood water to drain away thus preventing further damage and allowing the reopening of the A606 which as a strategic A road RCC seemed uninterested and incapable of opening.

Whilst we need to address the core issue of which we can identify and evidence, I would like to ask the following question:

What is RCC's drain and sewer maintenance program for Whitwell, when was the last time the drains were cleaned and inspected and who undertook this work? If so, was this audited and what checks are in place to ensure the work has been done to standard.

16.	Question	Sinclair Rogers, Ketton Parish Council
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Ketton has increasing incidents of flooding. In the floods earlier this month, both the River Chater and the River Welland closed Station Road and the Collyweston Road. Can we be re-assured that these two rivers are properly maintained and that water management schemes downstream from Ketton do not contribute to flooding in Ketton?

17.	Question	Monty Andrew
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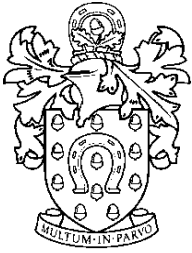
In the draft Strategic Flood Risk Assessment dated October 2023, section 4 "Stakeholders and Consultations for Strategic Flood Risk Assessments" makes no reference to consultations with those whose homes or businesses have actually been flooded. Why have such people not been consulted, very little data collected and why have local parish councils not had an opportunity to contribute their local knowledge of flooding?

18.	Question	Simon Kirby
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In the light of the floods in October what contingency planning was undertaken to prepare for a recurrence, has the effectiveness of that plan been reviewed as a result of what happened in the week commencing 1st January and what lessons have been learned?

19.	Question	Karen Tattersall
<p>Can additional measures be constructed to ensure the water piped onto the land by highways, ground water and water from surrounding landowners, reach the river Gwash rather than causing flooding and damage on the land of Nook Farm and the historic Saxon settlement site of Hall Close Empingham? The current two pipes are not sufficient to take the amount of water being generated from these sources.</p>		
20.	Deputation	Nigel Spencer
<p>In regards to the recent A6003 flooding and consequent closure not to mention the many thousands of pounds worth of wrecked vehicles including a Tesco delivery van and a refuse collection lorry.</p> <p>How was this issue not foreseen. It has flooded there before at the bridge since Rutland water built due to the higher water levels when reservoir full. Also, the drainage system is poor so that even after the river drops, the road is still under water.</p> <p>There was an ideal opportunity to work with NWR when the bridge was demolished and newer higher bridge installed possibly raising the road surface by a foot at same time but also uprating the drainage to ensure the road quickly clears should the river top the banks</p> <p>However, nothing was done, the road wasn't even resurfaced or white lines reapplied on a dangerous bend with history of many fatalities despite tons of heavy equipment and new bridge transporter weighing hundreds of tons over the road not to mention rubble and silt and the drains were left blocked after NWR handed back with heavy rain the next week again flooding the road and closing it</p> <p>This is not acceptable and was compounded by drivers ignoring signs or removing them and also the closure at Whitwell and flooding at Ridlington effectively cutting Rutland in half.</p>		
21.	Question	David Hjorns
<p>Ditches outside Uppingham Sports Centre & Constables had filled with water over the days before Storm Henk. The storm then caused them to overflow across the road down Queens Road and continue down Leicester Road to the Stockerston Road flooding the Exeter Arms. The drain at the end of the ditch (see photo) is still blocked and the pipe that empties the ditch is in an unknown condition. The ditches allow for the ebb & flow of drainage but do not allow for the amount of water now coming down the road or for it to drain adequately. The water was around 5 foot deep by the edge of the footpath which obviously attracted children on their way to the sports centre. It is obvious to imagine what could happen.</p> <p>We have lived on Leicester Road for over twenty years and flooding of this nature has not happened until the last five years. When this has happened it has been reported but this time, the amount of water exceeded previous levels. The extra water is clearly coming from the new Elms and Avant Home developments further up the Leicester Road. Despite assurances, the drainage issues created by the water coming from the new Tarmac & concrete surfaces laid have not been addressed. The water flowing off the Avant Deacons development will get worse as this is completed.</p> <p>What measures will the council be taking to alleviate this flooding in the future? Will regular maintenance of the ditch and cleaning of the drainage pipe be scheduled?</p>		

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MEETING: COUNCIL

MEETING DATE: 18 JANUARY 2024

ITEM: 6 - QUESTIONS FROM MEMBERS OF THE COUNCIL

No.	Questioner	Addressed to:	Question
1	Councillor K Heckels	Councillor C Wise, Portfolio Holder for Transport, Environment and Communities	What is the procedure that the council follow when flooding is reported? Are they able to help to prevent the water flooding or can they only take action once the water has subsided, or is this an action the emergency services are permitted to help with.

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