

BODENHAM FLOOD PROTECTION GROUP

MINUTES OF THE GROUP'S MEETING HELD AT THE SIWARD JAMES CENTRE, AT 7.30 PM ON TUESDAY, 22 FEBRUARY 2011

Action

ITEM 1 – WELCOME BY THE CHAIRMAN

1. The Chairman welcomed everyone to the February Meeting and extended a particular welcome to Mr Martin Jackson, the Bridges and Structures Manager for Herefordshire Council/Amey.
2. There were 41 members present, together with Mr Rod Hawnt of Hydrologic and Mrs Mary Dhonau OBE, formerly CEO of the National Flood Forum and now an independent flood consultant. Apologies were received from Mr and Mrs Peter Watson, Mr and Mrs Denis Brown and Mr Robert Pritchard.
3. The Chairman then handed the Meeting over to Cllr David Tilford, Chairman of Bodenham Parish Council, to chair Item 2.

ITEM 2 – MR MARTIN JACKSON

4. Cllr Tilford introduced Mr Martin Jackson and reminded members that Mr Jackson had been present at the public meeting held in the Parish Hall in October 2008, as well as meeting with members of the Parish Council and BFPG in March 2009 to discuss flooding and highway issues in Bodenham. He then asked Mr Jackson to update members on the Flood Risk Assessment Study undertaken by Mr Brian Faulkner on behalf of Herefordshire Council in 2010.
5. A record of Mr Jackson's talk and the question and answer session which followed it is attached to these Minutes at Annex A.

ITEM 3 – MATTERS ARISING

6. **Fund Raising Coffee Morning.** The fund raising coffee morning at the Siward James Centre on Saturday, 19 February had been a huge success. The total raised was £486 and the Chairman thanked Mrs Liz Davies and her ladies for all their hard work in achieving such a magnificent result. A full financial report on the event is given by the Treasurer at Item 4 – Treasurer's Report below.
7. **Visit to UK Flood Barriers, Droitwich.** Because of work not being completed on the flood tank at UK Flood Barriers, the visit will now take place on Thursday, 10 March. Owing to the change in date, attendance will be less than for the original date in February. However, eleven members of the Group will still be

taking part in the visit. Mrs Mary Dhonau will also be at UK Flood Barriers that morning.

ITEM 4 – TREASURER’S REPORT

8. The Treasurer, Cllr Tony Clark, confirmed the success of the Coffee Morning and gave a breakdown of the funds raised:

Cake Stall	£ 93	Raffle	£180
Tea and Coffee	£ 93	Mrs Barbrook	£ 20
Tombola	£100	<u>Total</u>	<u>£486</u>

9. The cost of hiring the rooms had been £31 and this had been most generously covered by donations from Mrs Liz Davies and another member who wished to remain anonymous.

10. The Treasurer also told the Meeting that, with effect from 1 April, the cost of hiring the committee room at the Siward James Centre would rise from £7 per hour to £9 per hour. If the conservatory was also required, the rate would be £15 per hour for the two rooms.

11. Cllr Clark added that, as members were aware, Mrs Dhonau had very kindly agreed to come to the Meeting to advise on matters which would arise from Mr Jackson’s talk. Although now an independent flood consultant, she had waived her fee for the evening, but had asked for her petrol expenses to be covered. These had come to £25.

12. The balance in the Group’s account, including the funds from the Coffee Morning, now stood at £1,658.45.

ITEM 5 – FUTURE PLANS – WORKING PARTY DATES

13. Cllr Clark informed members that he and Mr Mike Stephens would issue dates and a planning schedule for works around the village at the March Meeting.

**Cllr Clark
Mr Stephens**

ITEM 6 – ANY OTHER BUSINESS

14. **Community-Led Plan – Flood Group Focus Group.**

a. Cllr Mitcheson asked members to confirm that they were happy with the document which he had drafted on behalf of the Group as the BFPG’s input to the Community-Led Plan. He had circulated this by email and, for those not on email, he had copies available.

b. The draft was approved and a motion that Cllr Mitcheson should submit it was proposed by Mrs Gwen Bowden and seconded by Mrs Jean Fryer.

Cllr Mitcheson

Action

15. There being no further business, the Meeting was closed at 9.15pm.

16. **Date of the Next Meeting**. The next Meeting will take place at 7.30pm on Tuesday, 29 March 2011.

All

Signed: P Sanford, Chairman

29 March 2011

Annexes:

A. Summary of Mr Jackson's Talk under Agenda Item 2.

SUMMARY OF MR JACKSON'S TALK UNDER AGENDA ITEM 2

1. Mr Jackson started by outlining the background to the hydrological study which Herefordshire Council had commissioned on flood risks in 2010. He reminded members that the Council had engaged a consultant hydrologist, Mr Brian Faulkner, to carry out a preliminary examination of some twenty different sites across the County. Mr Faulkner had applied the same standard methodology to his investigation of all these locations, so that valid comparisons could subsequently be made between them; this methodology was the one used by the Environment Agency and DEFRA for assessing flood risk problems and what might be done to solve them. In addition, the BFPG had itself provided information to Mr Faulkner about local flooding in 1998 and in 2007. As a result Mr Faulkner's Report contained a reasonable amount of data, although this mainly derived from experience of the later of these two episodes.

2. Mr Jackson noted that Bodenham residents attributed much of the flooding in July 2007 to a lack of capacity in the local watercourses and to blockages in the culverts at the Millcroft Road/ Ketch Lane junction. Mr Faulkner's overall finding had been that the topography around Bodenham Moor was that of a relatively steep catchment which, combined with impermeable clay soil conditions, gave rise to rapid run off. He had looked at four possibilities for mitigating the risk of future flooding, starting with small scale schemes and building up from there. His first proposed option was to replace the Ketch Lane culverts with a much larger capacity box culvert, which he assessed would benefit about six properties, but at considerable cost. His second option was to enlarge the culvert, but also to introduce a regular Council regime for the clearance of watercourses. His assessment was that this would produce a marginally better result than replacing the culvert alone. His third and fourth options both entailed adding to the first two options by constructing a large attenuation pond on a site South and East of Brockington Golf Course.

3. Continuing, Mr Jackson said that any course of action to be adopted in the light of Mr Faulkner's Report would depend on a cost/ benefit analysis. Mr Faulkner's preliminary study had indicated that the cost/ benefit ratio for Option 2 (*i.e.* the replacement of the Ketch Lane culvert and the clearance of ditches) was 1.5, whereas that for Options 3 and 4 (the construction of an attenuation pond) was about 0.5. In other words the small scale schemes had come out more favourably. However, flood alleviation schemes which were successful in securing Government funding would typically score ratios of between 10 and 15, so at only 1.5 Bodenham fell a long way short of such locations.

4. Mr Jackson went on to stress that the Faulkner Report made no recommendations; it simply provided him with data and comparisons on the twenty sites chosen across the County. As part of the process required by legislation, this information would be reported to Herefordshire Council's Environment Scrutiny Committee in the form of a Preliminary Flood Risk Assessment. The Council was then required to forward its report to the Environment Agency by June this year for verification. He emphasised that the Faulkner Report was merely the first stage in the process of identifying where flooding risks lay in Herefordshire, and it did so only in general terms. Much more detail would have to be developed and therefore, although he could not be precise about the timescale, he thought that no significant decisions on flood mitigation were likely for anything up to two years.

5. Turning to Bodenham itself, Mr Jackson said that the Faulkner Report reinforced his own thoughts that the usual engineering approach to flood alleviation was not the appropriate way forward because it would not produce significant benefits. His view was that there was a need to start considering more carefully how to protect property and people in the Village. The work which the BFPG was carrying out was one of the best means of reducing flood risks. However, further thought was

required. At Cross Keys about 20 properties had now been fitted with individual property-level protection and one possibility was to look at Bodenham to see whether or not such an approach would be suitable here as well. Another option was to look at the Millcroft Brook to see whether there were any particular pinch points which were causing the greatest problems. It might also be possible to look at upstream options, for example, maintenance work on watercourses or the reinstatement of old swales, for example, the one at Dudales Hope Farm. However, this upstream section of the Brook was on a steep part of the catchment and its holding capacity was therefore likely to be relatively small. That, he said, was as far as he had got in his thinking, but he reminded members that this was because he had to cover, not just Bodenham, but the whole of the County.

6. A question and answer session then followed, mainly based on questions which members had submitted in advance. This was chaired by Cllr Tilford, who started by asking why Mr Faulkner had considered only the Millcroft Brook, and not the Moors Brook and Riffins Brook as well. Mr Jackson replied that it had been a case of trying to use Mr Faulkner's time to obtain the largest amount of data; he could not ask Mr Faulkner to cover every possible flooding issue in the County. Cllr Tilford said that nevertheless in 2007 there had been significant flooding in Orchard Close, not just in the northern part of Bodenham Moor. Mr Jackson responded that he had not commissioned any analysis of the Orchard Close situation because he felt it was less of a hydrological issue and more of an engineering problem. Cllr Tilford then asked Mr Jackson whether he had himself ever lived in a house which had been flooded and Mr Jackson confirmed that his own property had flooded in August 1998 when the highway drains had been unable to cope with storm water at the front of his house and there had been run off from school fields at the back.

7. Cllr Tilford next turned to the question of whether the large pool at Dudales Hope Farm could be brought back into use as a retention pond. Mr Jackson replied that he had already commented on such a scheme, but remarked that, if Herefordshire Council was to adopt it, the pond's maintenance would become a long term council responsibility and the cost implications of this would have to be taken into account.

8. Cllr Tilford went on to note that the preparation of Mr Faulkner's Report had been at public expense and to ask Mr Jackson to confirm that the Report, and the Herefordshire Council/ Amey response to it, would be put into the public domain and published in full on the Council's website, and to say on what timescale this would be done. Mr Jackson responded that he had no plans to publish the document. It had been purposely described as a "preliminary assessment" only. In commissioning the Report he had had to strike a balance between trying to obtain full details of the flood risks at a few sites, or broad information on a large number of them. He had felt that the latter was the better course to follow. As a result Mr Faulkner had not had time to collect detailed information on every site he had examined and, in consequence, his Report contained many assumptions. Some of these might well prove to be inaccurate, but at least there had been consistency across the whole County which was important, given that the purpose of his Report was simply to feed into other studies.

9. Cllr Tilford reiterated that Mr Faulkner's Report had been produced with public money and therefore should surely be in the public domain. Furthermore, he said, expertise on flooding matters was not confined to Herefordshire Council or Amey: there was considerable hydrological expertise in the community at large to which the Report should be exposed. In addition, the Pitt Report had recommended absolute transparency in the way in which flood alleviation matters were handled in future. Mr Jackson's response was that so far only Bodenham and two other small groups had asked for copies of the Faulkner Report and he had provided each of them with the relevant extracts from it. One of these requests had been made under the Freedom of Information Act 2000, and he felt that such an approach had been unnecessary because he would have disclosed the information in any case. The Report was readily available in electronic form and Herefordshire Council would now have to look at the document and see if it was suitable for public release. While from his own engineering perspective

he did not think that this would be particularly helpful, publication was a policy matter and only the Council could decide it.

10. Turning to the next question, Cllr Tilford asked Mr Jackson to confirm that all stakeholders, including parish councils and community flood protection groups, would be consulted as partners in the decision-making process for flood risk alleviation, as recommended in the Pitt Report. Mr Jackson replied that discussions would be taking place as to how such consultation might be achieved. He repeated that the Preliminary Flood Risk Assessment would go to the Council's Scrutiny Committee on Monday, 28th February and then to the Environment Agency by June of this year. It would be published by the Council by the middle of December. This process was required under the Flood Regulations 2009 and was not merely a national, but a Europe-wide, procedure. The examination of flooding hazards and mitigation strategies had to be consistent across the whole country. Herefordshire Council would have to set the timescale for decision-making and he imagined that this would be in the order of two years. Cllr Tilford stressed that the Flood and Water Management Act 2010 made it clear that all members of the community must be involved. Mr Jackson replied that he was not sure how this would be done, but there would certainly need to be consultations and meetings with parish councils at which theoretical solutions would have to be discussed in the light of practical local experience of flooding.

11. The next question concerned the culvert in Mr Pugh's field to the West of Orchard Close. Cllr Tilford noted that this was half blocked with silt and that Herefordshire Council/ Amey were believed to be responsible for maintaining it. He asked what plans they had for clearing it and when. Mr Jackson replied that there were none. He was not certain - indeed, did not believe - that the Council were responsible for maintaining this particular drainage system. Nevertheless, he had looked at it several times and had come to the conclusion that the difference in levels between the culvert and the ditch meant that silt inevitably collected in the culvert. However, he would be surprised if this silting had any effect on flooding in Orchard Close. Indeed, he found it difficult to understand why the system had been constructed in the first place. As to who was responsible for it, the choice was between Herefordshire Council, the River Lugg Internal Drainage Board and the landowner, Mr Pugh, but he could not be 100% certain where the responsibility lay. Mrs Dorothy Pugh, who was in the audience, said that she had sought advice on this and had been told that the system was Council property. Mr Jackson undertook to call her and examine her evidence for this. Cllr Tilford added that he had a document signed by Mr Tom Davies, Divisional Engineer of the Herefordshire Council Environment Department, dated 6th December 1999 which confirmed Mrs Pugh's contention. He agreed to send Mr Jackson a copy, which Mr Jackson promised to study.

12. Moving on, Cllr Tilford said that it was quite clear that the twin culverts at Ketch Lane were not only prone to blockage, but clearly inadequate even when completely clear. It was therefore obviously critical that they were, indeed, kept completely clear. Why therefore was it that, since the July 2007 flood, Herefordshire Council/ Amey have done absolutely nothing about this? Mr Jackson replied that, since 2007, Amey had carried out annual inspections of the culverts, as well as the flap valves near Brockington Road and on the Moors Brook. In addition, they had done some clearance work on the Moors Brook during 2010. Amey also carried out a structural check of all culverts every two years. He confirmed that he was confident that no problems had existed when the Ketch Lane culverts had last been inspected.

13. Posing the last of the prepared questions, Cllr Tilford said that, ever since the BFPG's formation in 2008, the River Lugg Internal Drainage Board had been very supportive, helping the Group with advice, encouragement and practical help. Regrettably, the Group had not met with the same support from Herefordshire Council/Amey, to the point where, for example, even a request for a small amount of herbicide for use by a trained operator had been rejected, the inference being that the Group would misappropriate it. What, he asked, could be done to change this relationship to one of proper trust and cooperation? Mr Jackson replied that all organisations had to make up their own minds on what policy to

adopt in such circumstances. In his view giving out materials to an outside group, whether the latter's operative was trained or not, meant that Amey would have no control over how those materials would actually be used. He could imagine circumstances where an unfortunate incident might occur and Amey, as an organisation, could be deemed to have contributed to it. Accordingly, the line he had adopted was not to allow materials to be provided to the BFPG. Cllr Tilford suggested that this therefore came down to a health and safety issue. Mr Jackson agreed, reiterating that, if they supplied herbicide to an outside agency, Amey could be construed as being a party to any unfortunate incident which subsequently took place. Turning to the particular issue of the proposed use of herbicide on the roadside ditches in Chapel Lane, he stated that the adjacent land owner was responsible for keeping them clear, not Amey. To allow the BFPG to do work which was not the responsibility of the Highway Authority would be condoning the transfer of that responsibility from where it properly lay.

14. Mr David Harris said that it was obvious where the pinch points in the local watercourses were and he therefore could not understand why nothing had been done about them. He was concerned that another two years would now pass before any decision to take any actual action would be made. Mr Jackson replied that he had no funding for such work in his own budget and to obtain it the case had to be made for Council or Government money. Cllr Tilford pointed out that the Government had recently allocated over £100K to Herefordshire Council for flood alleviation work. It therefore seemed extraordinary that no funding was available. Mr Jackson replied that this money had not come into his budget and, for example, the flood alleviation work at Cross Keys had been funded, not by him, but by a grant from Round 2 of the recent DEFRA £5M flood relief initiative.

15. Mr Rod Hawnt asked why Cross Keys had been chosen for funding and where Bodenham had come in the order of priority. Mr Jackson said that he had not been involved in the decision process and therefore did not know why the Cross Keys application had been preferred. However, the local group there had clearly put forward a good case and one which had contained supporting evidence which the Environment Agency had been able to corroborate. Mr Hawnt asked whether DEFRA were planning another round of funding, to which Mr Jackson replied that he did not know, but that, if further money became available, any grants were likely to be time-limited; in other words those applying for them had, in effect, to have their cases ready even before the funding initiative was announced.

16. Returning to the Faulkner Report, Mr Hawnt commented that the extract provided from it did not contain enough detail for him to assess its findings properly. He asked if he could be allowed to see the technical data on which the extract was based. Mr Jackson confirmed that this information was contained in the Report's annexes and he would double-check if these could be released. If he felt that this posed no problems, he would send Mr Hawnt the relevant documents and, if not, he would seek the appropriate Council authority for permission to do so.

17. Continuing, Mr Hawnt stressed that the cost/benefit analysis of the Report's first Option, the replacement of the Ketch Lane culverts, depended critically on how many properties would benefit. The Report assumed that only six properties would do so, but no back water analysis had been carried out. This was a crucial weakness and he was not clear how, without such an analysis, the Report could assume that only six properties would be affected. Mr Jackson said that he presumed that Mr Faulkner had made his assessment by looking at the local topography. He emphasised that the Report was not designed to be definitive, but simply to provide an overview. Mr Hawnt accepted this, but said that, nevertheless, basing critical judgments on such unsupported assumptions greatly concerned him. He went on to ask whether local help could be used to provide a more accurate assessment, but Mr Jackson said that it all came down to a matter of cost and there was no money in his budget to pay for such work.

18. Mr David Harris said that many people in the Village were extremely worried because they could not get insurance for their houses, or could only do so with greatly increased premiums or compulsory excesses. Meanwhile, it was only the relief channel constructed by the Internal Drainage Board which

had saved Bodenham from flooding on several occasions since 2007. Mr Jackson's response was simply that he could only work with the means at his disposal.

19. Mrs Barbara Gibson said that she had lived in the Village for 20 years and had been flooded twice in that time. Many other residents had also been flooded and now could not change their insurers. What were they to say to their insurers when the latter demanded to know what was being done to mitigate flood risks? The current situation where, despite paying council tax, drains were blocked for years and the Council never put in an appearance, leaving the Village to rely totally on local volunteers, was simply not good enough. Mr Jackson's responded that the indicative cost of replacing the Ketch Lane culverts was £130K and this was consistent with information from other sites. However, such a project would have limited effect and to make a really substantial impact would require an attenuation pond at a cost of between £800K and £1.2M. Herefordshire Council did not have such money: it would have to come from the Government.

20. Mrs Gibson said that, nevertheless, insurers were asking what was being done to reduce the risk of flooding. Residents could not shop around for other insurers, since no other company would accept them. What were they to tell them? Mr Jackson replied that the Council's funds were much stretched and that even routine work, such as gully cleaning, was presenting difficulties. Amey had a cyclical programme of maintenance work, but he was constantly being forced to divert from this to deal with more immediate problems. This was not what he wanted, but he was being pulled in different directions by such competing pressures as the need to fund gritting roads and filling potholes.

21. Cllr Grumbley asked for the cost/ benefit ratios calculated for the Cross Keys application and for other sites in the County. Mr Jackson said that he could provide the details in due course, but for the present would guess that the Cross Keys ratio had probably been about 6 or 7; of the twenty sites across Herefordshire he could recall one that had been assessed at 20 and one at 10. Cllr Grumbley went on to ask whether, given that it was likely to be difficult to obtain funding for an engineering works project at Bodenham, it would be better to consider individual property protection. Mr Jackson replied that it was generally recognized that cost/ benefit ratios for rural locations were almost always lower than those for city sites because of the lower population densities in country areas. The Government accepted this and he presumed that the Environment Agency would be looking at the need for a different methodology for rural cases. That said, there would always be a requirement for a good benefit to be achieved for the cost expended. He agreed with Cllr Grumbley that the way ahead for places like Bodenham might be to focus on individual protection schemes.

22. Mrs Gibson said that there was nothing new about the present situation. As long ago as 1998 digging equipment had arrived on site in the Village to carry out flood relief work, but had then been sent away. Mr Jackson agreed and said that this was because individual householders had refused to allow workmen on to their property. Mrs Gibson asked why residents had been allowed to get away with this, but Mr Jackson said that the Council had no legal right to go on to private land without the owner's agreement.

23. Mrs Pugh said that her own house was affected by flooding about twice a year, but nothing had been done about the Moors Brook. Mr Jackson accepted this, but said that the Council was very limited in what it could do: he was himself 'a one man band' and there was more work that required his attention than he could ever hope to tackle.

24. Mrs Mary Dhonau said that she had devoted a great deal of time to finding available and affordable flood insurance and had had some success in this. She invited those who were having difficulty with insurance to contact her for information. She went on to ask about Regional Flood Defence Committee funding. Mr Jackson replied that there would be the chance to bid for money from that source, but the question of cost/ benefit ratios would still arise.

25. In response to a further question about whether it would be best to pursue individual property protection, he said that the work which was being done would provide data from which it would be possible to determine which solution would be best suited for which location.

26. Returning to the assumption that only six houses would benefit from the replacement of the Ketch Lane culverts, Mr Harris stressed that the key to lowering the risk of flooding in Bodenham was to ensure that, when flash floods occurred, the water got away to the River Lugg as fast and as efficiently as possible. Even a small amount of money would, he said, achieve this; it did not require attenuation ponds. In any case it was nonsense, in his view, to say that only six houses would benefit from a new culvert. Mr Jackson responded that the Faulkner Study provided the available data. Picking up on this, Cllr Mullenger questioned the cost/ benefit of the Faulkner Report itself, if it led to no decisions being taken, to which Mr Jackson replied that it provided consistent figures on which subsequent studies could be built.

27. Finally, Mrs Gwen Bowden appealed to residents to control the vegetation in their gardens and by doing so to reduce the problem of leaves blocking drains.

28. Bringing the question and answer session to a close, Mr Jackson said, if members thought of any further questions, he would be happy to receive them through Cllr Grumbley.