



OVERVIEW AND SCRUTINY COMMITTEE

Thursday 13 July 2017 at 6.30 pm

Council Chamber, Ryedale House, Malton

Agenda

1 Emergency Evacuation Procedure.

The Chairman to inform Members of the Public of the emergency evacuation procedure.

2 Apologies for absence

3 Declarations of Interest

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

4 Responses received from partner agencies regarding the Brawby sewage flooding issue on 5 June 2017 (Pages 3 - 4)

5 Topic for the next scrutiny review

- Staff survey
- Air quality in market towns
- Dog fouling

6 Any other business that the Chairman decides is urgent.

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On 22 June 2017, the Chairman of Scrutiny Committee asked the question of all partner agencies with regard to the reported sewage flooding issue in Brawby on 5 June 2017 and the risk to public health and requested copies of all replies regarding this issue.

The replies that have been received are given below:

Public Health England (PHE)

The issue had not previously been reported to PHE therefore RDC Environmental Health have discussed the case with Dr Simon Padfield, Consultant for PHE Yorkshire and the Humber who has referred us to the PHE Flooding - Frequently Asked Health Questions

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/348925/Flooding_questions_and_answers_February_2014.pdf.

Ryedale District Council

RDC EH work under the direct instruction from PHE on matters affecting public health and no further action at Brawby is planned. EH will however continue to ensure that Ryedale residents are given self-help guidance as contained in the PHE document.

Yorkshire Water

Brawby STW discharged final effluent (under consent) on 5 June 2017. Whilst this may appear alarming, this was in accordance with the agreed Environment Agency permit. I am unable to add any further information.

I hope you find this information useful. Should you wish to discuss this, please call my colleague, Omair Khan, on 01274 318421. He is available Monday to Friday between 8am and 4pm and will be happy to call you back.

Environment Agency

We got a call from a local resident at @ 20:00 on 07 June 2017 and agreed to meet them on site the following morning. We had previously had @ 60mm of rain over a 24 hour period on the 06 June 2017 so Rye and Seven levels were high and there would have been quite a bit of surface water in Brawby.

On site I observed the outfall to the River Seven working correctly with no signs of back flow from the river. Levels in the ditch were high (same level as river- as expected). The water levels in the ditch was just below the outlet to the treatment works so the works appeared to be discharging correctly.

I was told that the flooding was caused by a restriction to the inlet sewer at the WWTW inlet works. Apparently the 9" sewer goes in to a 4" pipe at the treatment works and therefore backs up and floods the road in the village. If this is true then this demonstrates another mechanism of flooding in Brawby and that surcharging of the sewerage system could happen at any time irrespective of river levels.

I confirm that the when I attended site there was no evidence for sewer flooding, however the resident said that they had taken photos. In addition they did report the issue to the EA via our incident hotline. The incident would have been investigated by our Environmental Management Team and feedback provided to the customer if requested. *[Details of any*

action and/or feedback that may have been given by the Environmental Management Team has been requested and will be reported verbally at the meeting]

YW were on site at the time and were very helpful and did not disagree with the findings.

NYCC - Flood Risk Management/Highways

The duties bestowed on of NYCC as LLFA in the Flood and Water Management Act (2010) which are relevant to the problems in Brawby are to develop and maintain information on flooding from ordinary watercourse, surface water and groundwater, and to investigate incidents of flooding in its area where appropriate and necessary and to publish reports.

The work of NYCC, in its capacity as Lead Local Flood Authority, is directed by the North Yorkshire Flood Risk Strategy, which is a legal document available by following the link below:

<http://www.northyorks.gov.uk/article/29725/North-Yorkshire-local-flood-risk-strategy>

Regrettably, at times, our priorities for action as directed by the strategy, do not meet the expectations of some customers or communities, and this has unfortunately been the case in Brawby.

In Brawby, whilst the issues experienced cause undeniable distress to residents, internal property flooding is happily not experienced. This makes it difficult for the LLFA to afford a high priority to the location. Notwithstanding this, given the number of RMA's involved (EA, Highway Authority, YWSL) and the effect of flooding on YW infrastructure, NYCC has historically undertaken investigation in the location, as directed by our strategy.

The circumstances in Brawby relate principally to flooding of the highway when high river levels prevent the sewage treatment works from discharging. Historically this has not occurred with great regularity, however during such extreme flooding, virtually all drainage systems are overwhelmed. In such circumstances the foul sewer, which has a number of known surface water connections to it, may well also be inundated by surface water flowing directly overland.

The relationship between foul sewers, highway drainage, historical village drains and land drainage assets, is extremely complex, and one which is replicated across every village in North Yorkshire and indeed the country. However, given that there are no properties internally flooded during events, and the affected infrastructure is the responsibility of an alternative risk management authority, it is not considered appropriate for North Yorkshire County Council to progress investigations towards any greater level of understanding. The findings of investigation by NYCC have been discussed with affected RMA's.

It is therefore considered that the discharge of NYCC's duty as Lead Local Flood Authority, has been exercised, proportionately to the scale of the flooding issues and in line with our strategy.

In terms of the pollution experienced as a result of the flooding, the EA and District Council have environmental powers which may be utilised to enforce the prevention of this. However these powers remain distinct from those afforded to NYCC, in its capacity as LLFA.