

# LAMBOURN VALLEY FLOOD FORUM MINUTES

13<sup>th</sup> September 2021

## On-Line Conference

		Action
•	<p><b>Attendees</b></p> <p>Martyn Wright - East Garston Denise Kinsella - Thames Water Andrew Hagger – Thames Water Shelley Hartnoll – Thames Water Karen Nelson – Thames Water James Potter – Eastbury Nick Voysey - Great Shefford Andrew Gorton – Eastbury Howard Woollaston – WBC / Eastbury Rachel Carden – Upper Lambourn Stuart Clark – West Berkshire Council Richard Hancock – Environment Agency Paula Saunderson - Newbury</p> <p><b>Apologies / Did not participate</b></p> <p>Susan Servais – Environment Agency Steve Ackrill – Great Shefford PC Heather Bond - Environment Agency Donna Jackson – Thames Water Shelley Hartnoll – Thames Water Clive Hooker - WBC Claire Rowles Carolyn Richardson - WBC Oliver Steed – Lambourn</p>	
•	<p><b>Minutes from Previous meeting</b></p> <p>Agreed as an accurate record.</p>	

• **Great Shefford 'Bypass' Flood Alleviation Scheme**

- Richard Hancock: My Team spent last winter and spring looking at options. Thames Water (TW) were not in a position to take over the scheme. I had a conversation with Stuart about WBC taking over the scheme, but we / they are currently unable to do this due to concerns about the risks.
- Nick Voysey: What risks?
- Richard: EA & Defra Group Commercial (DCG) not happy with the risk relating to funding for the project. When we first looked at the project, there were cost increases that meant there was a £1.3m funding gap, of which £600k was money required as a risk fund, this is the main reason we have not been able to progress the project as a routine EA project. WBC have other schemes to manage and deliver over the next two years which means they do not have capacity within the council to deliver Great Shefford as well. WBC would have to employ their own contractor which would essentially be directly funded by the EA. There are possible legal complications with this because it could be deemed to be directly awarding a contract to a supplier and while not illegal, it could be legally challenged should other contractors want to do the work and subsequently found to be illegal which would result in significant additional delays and costs while the legal challenge was resolved.
- Howard Woollaston : Why not run it through procurement?
- Richard: When we have tendered in the past we have found significant funding gaps on projects, which does not help progress things as they stand now.
- Richard: EA are looking with Defra at going out with a fixed price tender.
- Howard: this is not reasonable.
- Richard: Every government funded project has to include a risk fund, with EA projects this has to conform the HM Treasury rules ("The Green Book" - [The Green Book: appraisal and evaluation in central government - GOV.UK \(www.gov.uk\)](http://www.gov.uk)).
- Howard: Why do we not try and get some 'CIL' (Community Infrastructure Levy) money?
- Richard: We have looked at that this (with Steve and Gareth) when we were looking to deliver through the traditional EA route, there is no land allocated for development in the village and CIL funding would not be available until after any such land was developed (if any land were ever to be allocated).

	<ul style="list-style-type: none"> <li>• Richard: We have applied for additional funding in July, and should find out later this month whether that bid has been successful. Have also begun discussions with the Regional Flood and Coastal Committee for whom this is a priority community project, this is the last option we have not yet tried because we have always considered this to be our last option. We have tried everything else I can think of, and have successfully secured £200k from the Dept of Education earlier this year.</li> <li>• Howard: How was Eastbury funded?</li> <li>• Richard: Eastbury was partly funded by Grant in Aid (DEFRA funding), RFCC levy and community contributions. This was the precedent for Great Shefford having to raise the £80k they have already done. I do not know the exact funding split for Eastbury but that will all be on record.</li> <li>• Stuart Clark: Civil engineering is a risk business, and I understand the EAs concerns, since the risk rises as control of the project moves further away from the EA. Could we not set up a Board involving WBC and the EA to oversee the project to the satisfaction of Defra.</li> <li>• Richard: This is something we can have a look at. My Team has been working on this for 4 years. While it is a technically simple solution, we have to deliver a project in a legal way and getting the approvals to ensure it is legally delivered are a big part of the issue. I have never and can never say we will do it this year or next year because I do not want to and would not, lie to anyone in saying this will happen then.</li> <li>• Howard: We have to solve this – Richard and Stuart go away and work it through together.</li> <li>• Nick: Does anyone other than Stuart and yourself need to be involved?</li> <li>• Nick: Did the meeting with Laura Farris and Richard / Stuart happen and what happened?</li> <li>• Richard: Yes, we did meet in April or May and Laura also met Julia Simpson on 24 August.</li> </ul>	<p>Richard Hancock / Stuart Clark</p>
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<ul style="list-style-type: none"> <li>•</li> </ul>	<p><b>Outstanding Issues Concerning Eastbury Flood Alleviation Scheme</b></p> <p><b>Eastbury Flood modelling / Trash screen for the Eastbury FAS / Trash Clearing EA Permit charges</b></p> <ul style="list-style-type: none"> <li>• James Potter: Do the EA have a timescale for remodelling? Anything new about waiving the permit charges or delivery of a trash screen for the bund?</li> <li>• Richard: I can't give you an answer on modelling. Heather is member of the mapping and virtual modelling group and has been out with consultants. I am not sure if they are starting from fresh or redeveloping the existing model. The last model runs (Autumn/Winter 2019) did not show any significant benefit from the Eastbury Bund, as we had previously expected to see. At the time we did not have the funds to fully remodel but now we have obtained the funds to do that. Heather may be able to give you more information when she gets back from Canada.</li> <li>• Richard: I agree the amount we charge for permits is daft, but each permit requires significant effort from my team which means a lot of public money is spent to assess at our end. Maybe there is a way we can facilitate this at a smaller amount through discussion with a smaller group than the whole Flood Forum.</li> <li>• Howard: This is daft, how do we escalate this?</li> <li>• Richard: It is not the EAs responsibility to do maintenance work, even though we have the statutory powers to do so if we believe it necessary, it is always a riparian owner's responsibility, even though we may have done it in the past, we are not funded to do it. We need permits because we have seen people that cause environmental damage as in East Garston, and that is why we have a regulatory scheme which my Team have to oversee. Determining these permits uses public money and 30% of my resource is currently spent on this.</li> <li>• Rachel Carden: Would it not be better to have your people be on site and oversee the work?</li> <li>• Rachel: Could the permits not be issued on, say, a ten year basis?</li> <li>• Richard: Your second point is very interesting, and we could look at how people could repeat multiple works over the years. There might be some flexibility for us to do something, perhaps including varying an existing, permit</li> </ul>	<p>EA</p> <p>EA/ James / Andrew</p> <p>EA</p>
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	<p>which would be a much lower cost.</p> <ul style="list-style-type: none"> <li>Richard: Re your first point, we have had people on site overseeing work elsewhere and working alongside community groups to provide advice regarding what works can be done without a permit.</li> </ul>	
<ul style="list-style-type: none"> <li>•</li> </ul>	<p><b>East Garston Sewage Pumping Station Discharges</b></p> <ul style="list-style-type: none"> <li>Martyn: <ul style="list-style-type: none"> <li>Martyn: I sent out 4 four questions to TW &amp; EA: <ul style="list-style-type: none"> <li>Why did TW not use tankers in 2021 when discharges were being made that were in breach of the EA permit?</li> <li>Does TW plan to continue discharging into the river this winter if the works carried out prove insufficient and groundwater floods the sewers again?</li> <li>Exactly how many hours of sewage discharge into the River Lambourn, in breach of their permit, do EA allow before any punitive action is taken?</li> <li>What is the point of having such designations as SSSIs and SACs if no action is taken to enforce the conditions when they are ignored?</li> </ul> </li> <li>Richard: Have submitted your questions to colleagues in Environment Management department but suspect they will not be able to give a defined, single threshold. Each case is treated on its own and the three ones reported in Lambourn so far have been classified as being Category 3 – which means minimal impact to the environment.</li> <li>Martyn: So you can discharge any amount until you get a negative reading?</li> <li>Richard: It depends on impact</li> <li>Martyn: So I could pump my excess sewage into the river, without any risk of action?</li> <li>Richard: In theory yes, if there was no impact to the environment, but that does not mean it would be legal to do so.</li> <li>Martyn: What is the point of designations such as SSIs when you are not going to enforce it?</li> <li>Richard: In theory TW could discharge for thousands of hours, if the discharge was not having an impact on the environment (caveat above applies, this would still not be legal and would potentially still be a permit breach). However, a high level discharge from a single incident</li> </ul> </li> </ul>	<p>EA</p>

would be classified as having a different impact on the environment which would provoke action.

- Martyn: So you can chuck what you like into the river, as long as you don't cross a threshold.
- Richard: In theory yes, but that doesn't mean it is right and do not think we don't care. We are a publically funded organisation and have to make best use of the funds and resources we have available.
- Martyn: We know the river is slowly dying from a cumulative effect. You have done nothing to date about the digger used just below East Garston.
- Richard: It is not fair to say we have done nothing. We have done remedial work, but can't comment on enforcement cases. We don't have anywhere near the resources we need to enforce as much as we would like. Any prosecution we bring, must have a reasonable prospect of conviction or the legal teams and the Crown Prosecution Service will not even consider taking a case forward.
- Howard: Do we need to lobby for more funding for the EA?
- Richard: Sir James Bevan, the Chief Executive of the EA says we will get the environment the public is willing to pay for. We as the EA would always support additional bids for funding for environmental protection.
- Martyn: Surely repeated discharges by TW can be prosecuted
- Richard: Not if the impact has been assessed as having a minimal impact upon the environment, which as we have discussed before with the discharges into the river at Lambourn village, there has been a very localised but minimal. There cannot be a prosecution without a reasonable chance of success. Our Enforcement and Sanctions Policy can be found here;
- <https://www.gov.uk/government/publications/environment-agency-enforcement-and-sanctions-policy>
- Andrew Haggard: The discharges have been to prevent flooding to property. The ATAC unit was installed because tankers were not the most effective approach. We can look at cleaning. Our CEO does not want us to make these discharges.
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<ul style="list-style-type: none"> <li>•</li> </ul>	<p><b>Sewage pipe network (This Section includes both a verbal communication during the meeting and a subsequent written communication by Denise Kinsella):</b></p> <ul style="list-style-type: none"> <li>• Upper Lambourn: <ul style="list-style-type: none"> <li>○ Karen Nelson: We have done work in Upper Lambourn but encountered planning issues.</li> <li>○ Denise: Work to divert a buried well on private property into a nearby ditch rather than it flowing into the foul sewer, was planned to start in August. However, we were unable to make use of private land, as had been previously arranged, for our welfare unit and the use of 2-way traffic management. Therefore, we have now request full road closure, permits have been submitted to West Berks Council. We are awaiting a date for the work.</li> <li>○ A manhole chamber which was allowing significant amounts of surface water to enter the foul sewer has been sealed.</li> </ul> </li> <li>• Lambourn: <ul style="list-style-type: none"> <li>○ Sewer relining work on the High Street has been re-planned pending permit approval for two-way traffic management.</li> <li>○ The ATAC filtration unit will again be on standby in the village in case of another wet winter this will placed in the footpath from the fire station entrance and Beales Farm Close. We are looking to deploy this in November.</li> </ul> </li> <li>• Eastbury: <ul style="list-style-type: none"> <li>○ At Eastbury, it seems the problem is water from the river getting into the sewage, rather than groundwater.</li> <li>○ We noted there were problems with groundwater infiltration during the wet weather period, despite groundwater levels being high. This suggests flooding of the sewer network in previous years has been from floodwater from the river. The lining work we completed 19/20 appears to have been successful. Because of this we'll continue checking our network close to the river and making sure things like loose manhole covers, that could let water in, if the river was to flood in the future, are fixed.</li> <li>○ Andrew Gorton: You repaired a rising main leak in Eastbury. It took from January to April to get it accepted as a leak, and not a spring. Sewage was</li> </ul> </li> </ul>	<p>TW</p> <p>TW</p>
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	<p>emitted onto the road for three months. Is there going to be a change in the ammonia sampling protocol to prevent a recurrence?</p> <ul style="list-style-type: none"> <li>○ Karen: If we had known it was coming and going, we would have understood it as a pumping problem.</li> <li>○ Denise Kinsella: We did chat to the engineer, we did a dye test.</li> <li>○ Burst rising main on the road through the village, this burst rising main was fixed within 48 hours. Lessons have been learnt regarding how we investigate these in areas where there are high groundwater levels and in future we will make use of dye to assist in diagnosing an issue with a rising main, not just relying on ammonia testing.</li> </ul> <ul style="list-style-type: none"> <li>● East Garston: <ul style="list-style-type: none"> <li>○ A £30,000 sewer relining project was carried out and complete w/c May 17 2021 to line sewers in Front Street and Station Road. Some work will need road closure.</li> <li>○ Additional relining of a 25m stretch of the sewer has been completed</li> <li>○ Work to seal manhole chamber on private property, which was allowing groundwater to ingress the sewer, has been completed</li> <li>○ We have looked at the deployment of a ATAC unit in the village. However, this does not look as if this will be possible, due to tree line, blocking driveways, and road closure. The ATAC units sits on a stand so when deployed we need to have adequate clearance to allow the crane to install this.</li> </ul> </li> <li>● Great Shefford <ul style="list-style-type: none"> <li>○ Where ground water levels have remained, high and this have given us the opportunity to continue infiltration investigations through the summer. So far, we have found 12 new points of groundwater infiltrating the network. Two of these points are on our network and ten are on private sections of sewer. Particular places of interest are where it crosses two watercourses. We are arranging repairs the two on the public sewer and will work with the private residents with a view to resolving the other ten.</li> <li>○ Further surveys carried out by an alternative contractor has found more points of infiltration – these findings</li> </ul> </li> </ul>	<p>TW</p>
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	<p>were taken to the business and funding secured to line 55m of 100mm sewer, 593m of 150mm sewer &amp; 608m 225mm sewer. 32 manholes will also be sealed. We've asked our contractor to provide a time scale for completion and asked them to start as soon as possible, we will keep you informed, but groundwater levels may affect this work.</p> <ul style="list-style-type: none"> <li>○ Work to repair a damaged pipe which is letting in significant amount of water is currently in the process of being repaired. This is where the traffic lights are in the village now.</li> <li>○ We have a proactive sewer cleaning work raised, which should be carried out during October/November to ensure the sewer can operate without the added risk of fat, oil, grease, and wet wipe blockages.</li> </ul> <ul style="list-style-type: none"> <li>● Howard: Anything on lower Lambourn?</li> <li>● Karen: Will cover that in the next meeting. In advance Paula Saunderson to contact Karen.</li> <li>● Andrew Gorton: Has the programme for the rising main from Bockhampton to East Shefford moved forward?</li> <li>● Karen: Looking at the route, it is ongoing, maybe starting next year.</li> <li>● Andrew: Can you say that your work in East Shefford will provide significant benefit?</li> <li>● Andrew Hagger: We have put in a number of monitors to see if there a benefit.</li> <li>● Andrew: You need to let residents know about the work you have done.</li> <li>● Karen: We are trying to get the message over. There are not fundamental defects in the system, the pipes work normally most of the time, but are affected by groundwater infiltration, wet wipes and fat disposed of by residents.</li> <li>● Karen: We have done a lot of work in East Garston, but won't know how effective it will be until we are challenged. The shortage of HGV drivers is a big problem, that could limit what we can do this winter.</li> <li>● Howard: Anything on the sewage long term strategy?</li> <li>● Andrew Hagger: See document – will send link. If we can't fix by current work</li> </ul>	<p>TW</p> <p>TW</p> <p>TW / Paula</p> <p>TW</p> <p>TW</p> <p>TW</p>
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	protect their property and the environment, and it is important that the CSRG understand that.	
•	Date, Time and location of next meeting. Date to be advised (probably January 2022) <b><u>By teleconference</u></b>	All