

## 19/04/2021 Lambourn Valley Flood Forum Meeting

### EA Actions

#### For Info:

SSEN has once again today announced the launch of a £200,000 fund to build local resilience and protect vulnerable community members across central southern England. The 2021 round of SSEN's Resilient Communities Fund will open on **Tuesday 6 April**, with £200,000 available for non-profit making organisations, community groups and charities working to protect and enhance the resilience of those most vulnerable in the distribution operator's south patch.

While last year's grants continue to support the ongoing community coronavirus response, the 2021 fund will support local projects that:

- Protect the welfare of vulnerable community members through enhancing their resilience and improving community participation and effectiveness.
- Enhance community facilities, services and communication – particularly to support local response to a significant emergency event.
- The application deadline is **Thursday 10 June** and funding decisions will be communicated by September 2021.

To find out more about the Resilient Communities Fund, read SSEN's annual fund reports and apply from Tuesday 6 April, please visit: [ssen.co.uk/resiliencefund](https://ssen.co.uk/resiliencefund).



## Great Shefford scheme update

**1) Please update us on progress of the Eastbury Flood Data Modelling project. The last update was in June 2020 and the [EA map](#) still does not show any 'areas benefitting from flood defences'. My last request (12-02-2021) for information remains unanswered and, 6 years since commissioning, the Insurance Industry (who use your data) continue to deny any benefit to the village.**

The EA has been considering decommissioning the 'areas benefitting from flood defences' information and removing this from the Flood Map for Planning. The reason being that the 'areas benefitting from flood defences' information is not used in land use planning or insurance. We've received many reports and examples from across the country of situations where the 'areas benefitting from flood defences' information has been misleading and has led to confusion. We will no longer be updating this data and the 'areas benefitting from flood defences' information will likely be removed from the Flood Map for Planning.

The funding received this financial year presents an opportunity to improve understanding of flood risk in the Lambourn catchment in light of newer datasets, improved modelling methods, software and guidance. Flood risk modelling has seen notable development and improvement since flood risk from the Lambourn was last modelled in 2007. The overall aim will be to prepare updated flood risk mapping for publication.

In 2019, there was a model re-run just for Eastbury including the flood defence. That model run showed that there wasn't sufficient change between baseline model and post-scheme to create an areas benefitting from defence. There have been discussions between James and Richard Hancock a year ago on the results of this modelling. There was a changed flood map for upstream but no measurable benefit downstream for a number of reasons.

Several recommendations came out of this work, one to update the hydrology of the baseline of the modelling. We are now taking this up and remodelling the entire catchment this year - updating the hydrology and whole catchment including defences. This will provide the most accurate representation of the flood maps in Lambourn. During the financial year 2021/22, we will be working with a contractor to set up the scope and parameters of what we expect of the remodelling. Once we have a programme from the consultants, then we can share this, however note that any programme is best endeavours only. I (Heather Bond) will be acting as the senior user on this project.

**2) Please update us on the joint request for a trash screen for the Eastbury FAS.**

Update from Asset Performance team on 14 April:

- We have permanently added the asset to our flood runs so every time they are looking at high water levels they will also inspect the asset.
- The ground water levels are not currently something were watching, the risk has passed, although it is still out of the ground in places the rise to groundwater is not increasing so we have stopped our watching brief until the risk returns.
- I am still looking into the possibility of installing a trash grill at the asset but this has not progressed as I would hope, the location of this grill in order to be able to access it safely remains a sticking point which has not been resolved yet.
- The maintenance of the channel will also be more substantial as we continue to maintain right up to the asset and down to the ford at the bottom of the village. This will now include the removal of cress and other stream borne vegetation leaving a clear channel for when the water returns.
- Timings may be an issue here but we cannot be in the optimal places at optimal timings at every location where we undertake maintenance so the local villagers

should also continue their good work annually as before, this should leave the village in tip top condition throughout the year reducing the risk for blockages to be an issue when water gets higher.

### 3) Please clarify charges for Volunteer Groups & Charities for the EA Permit scheme.

We have raised this issue via the LVFF previously as it seems unfair to charge communities for doing the right thing.

The application procedure is very complex and the EA Charging Scheme (2019 v1.0) indicates:

'Repairing and protecting up to 20 metres of the bank of a main river' = £170 (1.1.1, SR 2015 No.33)

'Removal of silt, sand, gravel or other material from the bed of a main river' = £968

The first permit (then called a consent), the EVFPA Charity applied for, was at nil cost. (2015)

The last permit (2018) cost us £290 (First activity £170 + 3x£40 for 'subsequent' activities)

The next one looks like being so prohibitively expensive as to effectively stop our good works.

Changes to what they has been charged over the last few years for consents/permits is expected as the move from Flood Defence Consenting to Flood Risk Permitting in 2016 did result in an initial change to the fees we charged, and then there was a subsequent change to our charging scheme resulting in what we now have.

As it stands currently works considered as excluded or exempt are not charged. Standard Rule activities and non-commercial activities undertaken for the purpose of environmental improvement, and works within the curtilage of a dwelling undertaken by or on behalf of the householder under permitted development rights, are billed at £170. Bespoke activities are charged the following amounts depending on the category in which the activity falls within.

Where an operator proposes to do a number of flood risk activities as part of a single application submission, and we are happy that these works are all part of the same operation and site the operator will be charged the full fee for the first most costly activity, and subsequent activities will be reduced to 25% of the associated fee. For example if an operator wished to construct new hard engineered bank protection works this would carry a fee of £968 (1.1.4), but if as part of this activity they also needed to use a temporary pontoon the cost of this would be discounted from the full fee of £446 to £111.50 i.e 25% of £446.

If you refer to gov.uk it sets out what is considered as environmental improvement works. Please see below and <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits#bespoke-permits>:

#### **Environmental improvement work**

Environmental improvement work is any flood risk activity that:

- the Environment Agency considers is solely or mostly to improve the environment
- is done on a non-commercial basis where no profit or other commercial gain is made by doing it

A commercial company or business may do the work as long as it is for a non-commercial purpose. The charge for environmental improvement work is in the lowest price category. The Environment Agency retains the right to charge normal prices for high risk or complex applications.

Please contact your [local Environment Agency office](#) before you start any environmental improvement work.

Please note where it states that we have the right to charge the normal price for high risk or complex applications. Our internal guidance states that where we think it will take more than 8hrs for us to review an application we should not be charging the £170 fee. An example might be where an environmental group wants to remove a large weir structure to improve fish passage – this could be considered as an environmental improvement, but could result in significant technical assessment by us.

We suggest that they always come to speak with us so we can confirm fees with them and to advise whether we would consider them as being environmental improvements which could qualify for the lower fee. Contact is [WestThamesConsents@environment-agency.gov.uk](mailto:WestThamesConsents@environment-agency.gov.uk)

I have attached a briefing note from when these charges changed in 2018 which provides further explanation for this.

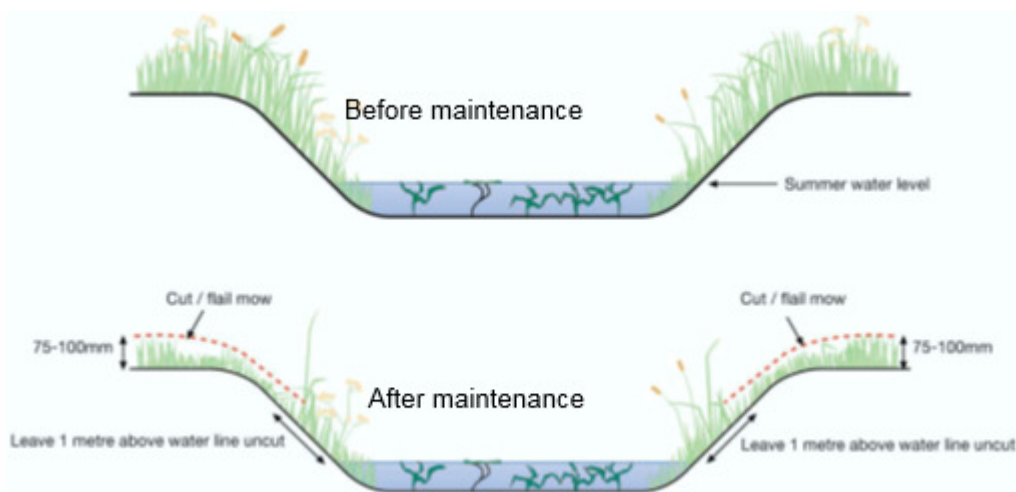
After the discussion around this topic at the 19/04/21 meeting, I spoke with a colleague who leads on this and asked if we could raise the issue with our national team. She said that it has been raised a number of times.

As we understand it, we have to recover our costs for the work we do on permitting, and we can't really make exceptions for charities/private individuals. As it stands, the environmental enhancement category is already being subsidised by us so that the fee for this type of work is lower.

James – please send a copy of the permit/consent and the reference number. There may be a way that we can help, but we need more information.

We can be flexible around light maintenance as it is so low risk. Just let us know what you want to do and the scope of the work and we will work with you to try to make it a feasible exemption from permits.

I have included below an example of the vegetation clearance that would be acceptable to us when using hand tools



In addition to the external briefing note you may find the following link useful, in particular section 1.7

<https://www.gov.uk/government/publications/environmental-permitting-charges-guidance/environmental-permitting-charges-guidance>

There is more information on charges here as well

<https://www.gov.uk/government/publications/environmental-permitting-charging-scheme-2019>

Also of use should be the documents available on the following link, in particular the Consultation Response document section 3.5

<https://consult.environment-agency.gov.uk/engagement/environmentagency-charging-proposals-fromapril2018/>

## East Garston SPS

**What are the terms and conditions that apply to the temporary deemed consent governing the East Garston SPS (Permit Ref. TEMP.0882), and other relevant permits, that allow the discharge of sewage into the River Lambourn, and to what extent are those conditions being met?**

East Garston SPS should only discharge in an emergency, therefore the EA would not routinely inspect or sample it. We are aware that TWUL breached the permit in March 2020 for discharging not due to an emergency - we are still waiting to officially hear why it was discharging. TWUL have been investigating and think a spring may be responsible.

Permit conditions for East Garston are below:

### **Discharges from Emergency Overflows**

#### **4.1 Nature**

(a) The discharge from a Pumping Station Emergency Overflow ('PSEO') shall not occur other than in an emergency and when the sewage pumping station is inoperative as a result of one or more of the following:

(i) electrical power failure or electronic control failure not due to the act or default of the Permit Holder, its agents, representatives, officers, employees or servants;

(ii) mechanical breakdown of duty and standby pumps;

(iii) rising main failure;

(iv) blockage of the downstream sewer not due to the act or default of the Permit Holder, its agents, representatives, officers, employees or servants;

and it is not reasonably practicable to dispose of the sewage otherwise.

(b) There shall be no undue delay on the part of the Permit Holder in remedying any such failure or breakdown as set out in 4.1(a) above, and any storage provided for use in an emergency shall be fully utilised before a discharge occurs.

#### **4.2 Telemetry**

A 24 hour response telemetry alarm system shall be provided and maintained to give notification of failure or breakdown of the pumping station.

#### **4.3 Standby**

Where a standby pump or a standby generator is provided it shall be maintained in working order.

#### **4.4 Pumping Station Failure Rectification**

Where a pumping station emergency overflow takes place, the Permit Holder shall notify the Environment Agency as soon as reasonably practicable, and any failure of the pumping station shall be rectified as soon as reasonably practicable.

#### **4.5 Clean up**

Where the discharge from a PSEO results in unsatisfactory solid matter being visible in the receiving waters or on the banks of the receiving waters, beach, or shoreline, in the vicinity of the outfall, the Permit Holder shall take all reasonable steps to collect and remove such matter as soon as reasonably practicable after the discharge has been reported.