

creating a better place



County Councillor Bill Winlow
Chair – Overview & Scrutiny Committee
Lancashire County Council
County Hall
PO Box 78
Preston PR1 8XJ

Our ref:
Your ref: SC/EA/JM

Date: 24 March 2015

Dear Bill,

Scrutiny Committee 13 February 2015

I am writing in response to your letter dated 2 March 2015, following our attendance at the 13 February 2015 meeting of the Overview & Scrutiny Committee.

This letter aims to address the recommendations of the Committee concerning the Alt-Crossens catchment, namely:

1. That the proposals to switch off the pumping stations in the Alt Crossens catchment be withdrawn.
2. That the EA work with the council and other partners to develop revised terms of references for the advisory board, with a view to strengthening its influence and public accountability through greater involvement of locally elected representatives; and that consideration be given to a Lancashire wide advisory board to reflect the recurrence of similar issues across other Lancashire catchments.

Recommendation 1

As outlined during my presentation at the meeting, our flood risk management work is prioritised as directed by DEFRA towards the protection of human life and residential properties. As such, we cannot justify continuing to operate and maintain assets that are predominantly draining land and which provide little benefit to residential property flood risk.

Environment Agency

Lutra House, Dodd Way – Off Seedlee Road, Bamber Bridge, Preston PR5 8BX.
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In the Alt-Crossens catchment, a number of the smaller 'satellite' pumps fit this category, which are also not subject to any legal obligations regarding their operation. The approach we follow with such assets is outlined in the enclosed document 'Protocol For The Maintenance Of Flood Risk Management Assets' (Appendix A). This document has been agreed by DEFRA in recognition of such situations, and outlines how we will look to work with others to develop alternative arrangements.

Similar issues exist in the Lyth Valley (South Lakeland) and Waver-Wampool (Allerdale) areas of Cumbria, where we have already served formal notice on those benefiting from a number of pumping stations which we can no longer justify operating. The notices informed those parties of our intention to cease the operation and maintenance of those pumps at the end of the specified notice period. We have also looked into successor arrangements for two pumping stations in the Ince and Frodsham Marshes area of Cheshire, with a draft collaborative agreement being worked on with other organisations and individuals to continue their operation. The Alt-Crossens catchment is therefore not unique within the North West regarding these issues, and our approach needs to be consistent across the region in such situations.

My presentation also aimed to highlight the legacy we inherited in North West England from the closure of drainage boards within the region in the 1970s. This led to the transfer of land drainage assets to the Rivers Division of the newly-formed North West Water Authority. Through our predecessor organisations, we have by default assumed a land drainage role which was previously provided by the disbanded drainage boards. In other regions the drainage boards remained in place, with the running costs of assets such as land drainage pumping stations covered by local beneficiaries through drainage rates paid by landowners, and special levy payments from local authorities.

I appreciate the concerns of the Committee in relation to where we cannot justify continuing to operate and maintain specific pumping stations. As a national body, we need to be consistent though in the service we offer across the country, and follow DEFRA priorities in how we use our resources. Bearing in mind available revenue budgets, and the need to focus our activities where the benefits for people and properties are greatest, we will therefore shortly be serving notice on those benefiting from the satellite pumps in the Alt-Crossens catchment which provide little flood risk benefit to properties and which are not subject to legal obligations. However, we remain committed to continue working with those affected to develop successor arrangements where there is appetite locally for pumps to continue operating.

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Recommendation 2

The Committee's second recommendation relates to the remit of the Alt-Crossens Advisory Group. The Group formed in September 2012 in response to a recommendation from the task group set up by the Overview & Scrutiny Committee, to oversee the engagement process in relation to our decisions in the catchment. The Terms of Reference for the Advisory Group are enclosed for information (Appendix B), and clarification on the remit of the Group was provided by us at the 14 September 2012 meeting of the Scrutiny Committee.

Since its formation in 2012, the Advisory Group has consistently had representation from both officers and elected members from the County Council and other affected local authorities, which along with the representatives from other organisations has ensured that a wide range of views has been gained on how to engage with those affected by our decisions. The Advisory Group has to date overseen and approved materials displayed at public information events and content uploaded onto the Alt-Crossens partner website, while also approving locations for events and the overall approach for engagement. We are particularly grateful to County Councillor Albert Atkinson, and more recently County Councillor Janice Hanson, for chairing the Advisory Group effectively and ensuring that meetings have been productive.

The recommendation of the Committee to strengthen the role of the Advisory Group would require the Terms of Reference to be changed significantly. As an 'arms-length' Government body, it is worth highlighting that the Environment Agency cannot engage in any activities that could be deemed to be campaigning for a change in Government policies or priorities. We would therefore be unable to participate in any group or body which looked to lobby or campaign on the subject of pumping stations which we can no longer justify operating.

The Committee also recommended the formation of a Lancashire-wide advisory board to cover similar issues across other catchments in Lancashire. The Alt-Crossens catchment is unique within the county of Lancashire in terms of the intensity of land drainage pumping operations, with eleven smaller pumping stations helping to drain the flat, low-lying area. Our experiences in the Lyth Valley, Waver-Wampool, and Ince and Frodsham areas have also shown that local discussions on individual situations have yielded the most productive results in terms of agreeing a way forward.

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In terms of a county-wide overview, the Lancashire Strategic Flood Risk Partnership is already in place, which meets quarterly and provides an ideal opportunity for an ongoing update on flood risk matters in Lancashire. The Partnership is made up of elected Cabinet members from the major local authorities within Lancashire, with County Councillor Janice Hanson representing Lancashire County Council. We will continue to keep the Partnership informed on progress regarding pumping arrangements in the Alt-Crossens catchment, as well as other work we are doing throughout the county.

If you would like to discuss these matters further please do not hesitate to contact me or Matthew Connor – Alt-Crossens Project Manager on 01772 714102, by email at matthew.connor@environment-agency.gov.uk, or by post at Environment Agency, Lutra House, Dodd Way, Off Seedlee Road, Bamber Bridge, Preston, Lancashire, PR5 8BX.

Yours sincerely

A handwritten signature in black ink that reads "Andy Brown". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Andy Brown

Area Flood Risk Manager – Cumbria and Lancashire

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