

**HIGHWAY AND TRANSPORT OVERVIEW AND SCRUTINY
COMMITTEE – 16 JANUARY 2025**

QUESTIONS ASKED UNDER STANDING ORDER 34

Questions asked by the Stoney Stanton Flood Action Group (SSFAG)

“Regrettably, SSFAG and residents of Mountsorrel Cottages, have been forced to contact the Scrutiny Committee once again following our previous submission of 16 questions on 7th November 2024.

The original reason for submitting the questions to the Highways and Transport Scrutiny Committee was purely because we were unable to meaningfully engage in discussions with LLFA. Our concerns and frustrations over the last five years had been totally rejected and with the LLFA continuing to be obstructive, submitting questions to the Committee appeared to be the only route that seemed open to us.

We also understood, that the questions and answers would be published on the LCC website which would aid our efforts to have our concerns taken seriously, highlighted and documented. Needless to say, we were shocked to find this was not the case, particularly as 15 of the 16 questions submitted were not answered, forcing us to ask supplementary questions. These were purely reiterations of the original questions submitted. Again, highlighting the many issues we face.

We would now like to raise additional concerns regarding the Highways and Transport Scrutiny Committee’s procedures;

- (A) Failure to answer 15 questions from 16 original questions.
- (B) The environment was so controlled that despite the fact that the answers to original questions were unrelated, we were not allowed to seek further clarification or ask additional questions to get the answers we sought.
- (C) The LLFA produced an expert who had not visited Boundary Farm recently nor had he observed for himself the current watercourse.
- (D) The transcript of the proceedings are inaccurate as a vitally important point was excluded.

In order to make our position clear we have produced a comprehensive analysis and critique of both the video and minutes of the Highway and Transport Overview and Scrutiny Committee, 7th November. This includes both the original and new additional questions for your response at the next Highway and Transport Overview and Scrutiny Committee meeting on 16th January 2025.”

Please note: Details of the questions and replies provided to past questions raised, together with the supplementary questions and further responses given at the last meeting, are included in the minutes for that meeting (see minute 26 – Question time) published on the Council’s website (link below). These have not therefore been duplicated here and only the additional information and questions now raised by the SSFAG are set out below. Subheadings detail which question raised at the previous meeting the matter relates to.

<https://democracy.leics.gov.uk/documents/g7459/Printed%20minutes%20Thursday%202007-Nov-2024%2014.00%20Highways%20and%20Transport%20Overview%20and%20Scrutiny%20Committee.pdf?T=1>

Re. Q1 asked by Ms Ann Jackson

“The written reply focuses upon a flood mitigation project based upon the S19 report. Despite its flaws and the lack of information on this water source, which is not acknowledged in the S19 report, is not appropriate to the original question.

The response to the supplementary question asking for more details clearly demonstrates that the original question hadn’t been considered and was bypassed in the written reply. Additional information was given at the drop-in session as requested.

- Why was this request for further information not made in the written response?
- When will this ineffective use of our time and the LLFA’s time and resources be used effectively?
- When will this be investigated and results shared with SSFAG?

The on-site meeting we have repeatedly requested would resolve this matter by allowing us to provide further information, ensure understanding of the situation on the ground.

- Therefore, we would ask again when will this meeting happen and resources be allocated to investigate the source of this water?”

Re. Q2 asked by Mr Phillip Pantling

“[The reply] is false as Victoria Coombes stated at the Scrutiny Committee, (21m14s)”

*“We have raised it **again** with the technical expert about that particular pipe you are taking about and that is being looked at.”* Proving that the issues with this pipe are not only “well known” but have been considered by the technical expert on other occasions.

The new highway gullies do not connect on to this pipe.

During the installation of the 13 New Drains the Highways/outside contractors altered the “overflow pipe” by cutting it to allow it to drain directly into the new drains. As previously stated, when the drains block the water in the pipe backs up resulting in the very issue that it was designed to alleviate”. The issues caused by this is therefore completely down to LCC.

We apologise for our error, due to lack of information, regarding the pipe. We have been made aware that the pipe is actually deeper than we believed. We have since been corrected that the pipe going into the drain/gully is in fact the overflow for the said pipe. Despite this, as previously stated, when the drains block the water in the pipe backs up resulting in the very issue that it was designed to alleviate”.

However, as previously stated this pipe was capped from flowing into the Flood Plain by Bellway contractors which backed up in 2019 contributing significantly to the flood. Clearly as nothing has been done to alleviate the issue, there is still a severe risk of flooding.

During a discussion at the flood drop-in session, regarding the 13 drains and the pipe that goes down the centre of the cottages. Several of the LLFA team concurred with Victoria Coombs that Bellway had done something to the pipe. When asked what specifically was done, we were told that they were not allowed to talk about it! Jamie Needham was explicitly asked; he said he would see if it was possible to let us have the information.

- Why is any information regarding this pipe and other issues so secretive?
- We want to know exactly what Bellway did?
- Can we have full details held by LLFA regarding this pipe?
- Why has this not been rectified?
- Why was this pipe stated as MISALIGNED in the section 19 report? When in fact the pipe was DISCONNECTED and CAPPED!
- Why has this not been addressed/ litigated with Bellway?
- Who is responsible for getting Bellway to resolve this issue?
- What account was taken as to the lack of efficiency of the pipe in the modelling?

[At the meeting it was stated that] ‘the flood mitigation scheme currently being designed **will** take into account **all known issues** found as part of the formal flood investigation and follow up modelling work.’

In other correspondence from Mrs Ann Carruthers she stated, the gullies are on your P1 frequency which is the highest level of intervention and are cleansed every 10 months. According to your records the last cleansing was on 12th August 2024. However, a mere 6 weeks later on 26th September 2024 once again the cottages nearly flooded due to full gullies.

Proof of the ineffectiveness of these drains is evidenced by a photograph from 26th September. Following events of the 26th September two people filed online forms regarding this. Another, person telephoned requesting the drains be cleaned and it took two weeks to respond. When the drain cleaners arrived, they saw parked cars and drove off. This is clearly frustrating for the residents and a waste of LCC's resources

We find extremely alarming and utterly unbelievable that, "Five years" on and the mitigation scheme is "currently" being designed and only using known issues. Yet we believe it will not take account of a number of our concerns.

- Why are the LLFA no further forward five years on?
- Why are our concerns still being rejected?
- WHAT DO WE HAVE TO DO TO BE HEARD!???????"

Re. Q3 asked by Emily Copping

"Precisely, 5 years on and we are no further forward.

- Why is it that after 5 years the LLFA are prepared for us to flood rather than use their statutory powers?
- Why is it that this small section of pipe has not been repaired in 5 years when it is a MAJOR CONTRIBUTOR to flooding?
- How much longer do we have to wait for such a simple operation to be completed?
- What physical inspections have been done since the original investigations?
- Was this blockage/collapse taken into account in the new modelling?
- If so what effect did this show on the results of the modelling?"

Re. Q4 asked by Glen Hout

"We know that this is a Major factor in the flood risk.

- Why was this repair not a main priority?
- Why 5 years on has nothing constructive been done?
- Why is it that legal advice is only being sought now?"

Re. Q5 asked by Neil Brown (SSFAG)

"SSFAG has raised issues on a number of occasions and has now been compelled to bring this question before the scrutiny committee, we would again request a site meeting to share our concerns and knowledge of the situation. It is our belief that the issues can be resolved cheaply and easily by relevant parties."

Re. Q6 asked by Shane Reynolds

- “• Why wasn't the initial response to the question from the Chairman, that there wasn't enough detail? As Ann Jackson's question above.
- A site visit would easily identify the source and who is responsible for it?
- When will an investigation take place?”

Re. Q7 asked by Neil Brown

“This does not answer the question which clearly asked for proof that defects had been addressed and rectified. As with Stressline we are five years on from the flood and three years on from the CCTV survey. When will these issues be followed up on with the riparian owners and action taken if the faults have not been addressed?”

Re. Q8 asked by John Stone

- “• What confidence can we have in any flood modelling or reports provided in future planning applications?
- What faults previously identified have been rectified?”

Re. Q9 asked by Judy Askwith

“These issues have been raised repeatedly in the past and dismissed. We welcome this belated investigation and would again ask for a site meeting to share our knowledge and concerns on this and other issues that cause a threat of flooding and still need resolving five years on from 2019. Has this investigation been undertaken? If so what were the findings and if not when will it be taking place?”

Re. Q10 asked by Chris Askwith

“The answer does not directly address whether the investigation noted in the S19 report has been conducted, a report which you acknowledge was a snapshot that lacked significant information.

- Has the investigation been conducted?
- If so, what were the findings and what corrective actions are being proposed?
- If not, when will this investigation be undertaken?
- How can any mitigation scheme be sufficient without this knowledge?”

Re. Q11 asked by Peggy Hardy

- “• Do these inaccurate and incomplete records invalidate any modelling by Bellway in relation to planning nullify the Planning application/approval
- Did either of the models for, the Section 19 and the superseded report, take into account these inaccurate and incomplete records?”

- What effect did these have on the outcome?
- Did Bellway's professional modelling take this into account at the time?
- What actions are being proposed to mitigate shortcomings from the initial modelling regarding Bellway and when will they be completed?

It appears that the Parish Council have not received any such correspondence, when will it be furnished to them and SSFAG?"

Re. Q12 asked by Samantha Abbott

- “• What action are LCC as riparian owners taking to reduce the amount of water and silt now?
- When will results of the promised investigation, by Mr Jamie Forman, be provided?

Re. Q13 asked by Mrs Elizabeth Perry

“What immediate action will LCC take to reduce the amount of water and silt?

We find it disgusting that the LLFA would produce “an expert” (at taxpayers' expense, brought in from Aberdeen), who after the Scrutiny Committee meeting confirmed that he had not even visited Boundary Farm nor observed this watercourse for himself!

It is also unacceptable that Mr Forman was not present at the Scrutiny Committee meeting to update on his promised investigations. Particularly, as members of the SSFAG previously spent over two hours with him walking around, not only Boundary Farm but the complete area sharing knowledge and information on all our concerns and issues.

The expert, then with total confidence, gave a comprehensive and very impressive but a completely incorrect and inaccurate account of the situation. Including;

Quoting:

- “As I understand it”,
- At the present time this does have a small amount of silt.
- “..... at that point, they are diverted to the neighbouring owner's land.”

In fact, a 600mm pipe is 50% full of silt!

- How can he understand anything?
- How would he know because he hasn't been there to observe it?

This is completely incorrect, in fact an absolute load of rubbish! Due to the topography of the land all of the water from at least the last field goes directly into the above mentioned 600mm pipe and “not” into neighbouring land!

However, even more flabbergasting is that a Local “Flood” Authorities expert would state that “once the water gets to our boundary line it becomes the next riparian owner’s responsibility”!

This appears to be an attempt by LCC to evade responsibility for allowing too much water and silt to enter a watercourse that will flood local properties? A position, which directly contradicts their comments regarding other land owners as follows:

- That Stressline have a legal responsibility for any flooding that occurs on adjacent land, due to any failure in resolving drainage issues on land they have riparian responsibility for.
 - That Victoria Coombes, in a previous meeting, threatened that the LLFA would sue SSFAG, for negligence, if they made any changes that would cause flooding further downstream.
- Why doesn’t the same legal responsibility fall on both LCC and Stressline equally as riparian owners?
 - Why did Jamie Forman not attend the Scrutiny Committee meeting?
 - Why hasn’t he conducted and presented a proper investigation to us, as promised?
 - What are they going to do about it?

Re. Q14 asked by Brett Jackson

“The Committee’s transcript above actually differs from what was actually said at the time. Please see below the actual transcript.

21m14s SSFAG Transcription - We have “raised it again” with the technical expert that’s doing the flood modelling study about “that particular pipe” you are talking about and that is being looked at!!!!!!

21.30s

There are also with regards to the ponds you made reference to, “we are looking at how we can utilise and enhance them as part of a flood scheme..... We can’t and won’t be taking any action against the Local Planning Authorities decision, but we are trying to almost take on board what’s happened and try to see how we can move forward to improve the situation.

Why was the issue of the pipe omitted from the Chairmans response?

This omission proves that the issues with this pipe are not only, “well known” but have been considered by the technical expert on other occasions. Once again, we are shocked that this statement was made five years on!

It is known that any planning application/approval/scheme should not increase the risk of flooding. As we have persistently stated prior to the Bellway development any excess water flowed either directly into the flood plain or via the pipe along the

access between the two sets of cottages under the road and into the field/flood plain. Since the completion of the development the risk of flooding and actual flooding has increased significantly. Not only as the lagoons are ineffective, the raised kerbstones create a barrier, the waste pipe that runs down the access road has been capped and the overflow put into a gully that constantly gets blocked, together with numerous other issues.

We find it shocking that the developers are able to do anything they like after planning has been approved with full immunity. Even more deplorable that the LLFA as a Flood Authority won't take action to prevent us from flooding.

- What proof is there that the developer, Bellway correctly acquired planning permission from the Local Planning Authority?
- What investigations were made as to the accuracy of the modelling done by Bellway's contractors?
- Has anyone taken action against Bellway for exacerbating the flooding on Station Road?
- If not, why?
- Why won't the LLFA take action against Bellway?
- Who is responsible for taking action, LLFA, BDC or another body?

The new highway gullies do not connect on to this pipe.

During the installation of the 13 New Drains the Highways/outside contractors altered the "overflow pipe" by cutting it to allow it to drain directly into the new drains. As previously stated, when the drains block the water in the pipe backs up resulting in the very issue that it was designed to alleviate. The issues caused by this is therefore completely down to LCC.

We apologise for our error, due to lack of information, regarding the pipe. We have been made aware that the pipe is actually deeper than we believed. We have since been corrected that the pipe going into the drain/gully is in fact the overflow for the said pipe. As previously stated, when the drains block the water in the pipe backs up resulting in the very issue that it was designed to alleviate.

However, as previously stated this pipe was capped from flowing into the Flood Plain by Bellway contractors which backed up in 2019 contributing significantly to the flood. Clearly, as nothing has been done, to alleviate the issue, there is still a severe risk of flooding.

Furthermore, we have become aware that our suspicions regarding the legality of actions taken by Bellway during construction of Godfrey Close have foundation and that the LLFA are aware of them.

During a discussion, at the flood drop-in session, regarding the 13 new drains and the pipe that goes down the centre of the cottages, several of the LLFA team concurred with Victora Coombs that it had been raised with the technical expert.

They admitted that Bellway had done something to the pipe. When asked what specifically was done, we were told that they were not allowed to talk about it!

Jamie Needham was explicitly asked; he said he would see if it was possible to let us have the information regarding the issues with the pipe. It is abundantly clear to us that if installation of the 13 new drains was an attempt to rectify the issues that Bellway caused, it has not been successful. We would like to receive full transparency on this matter and engagement with the LLFA so it can be resolved.

- Why was this pipe stated as MISALIGNED in the section 19 report?
When in fact the pipe was DISCONNECTED and CAPPED!
- We want to know exactly what Bellway did?
- Can we have full details regarding this pipe?
- Why has this not been rectified?
- Why has this not been addressed/ litigated with Bellway?
- Who is responsible for getting Bellway to resolve this issue?
- What account was taken as to the lack of efficiency of the pipe in the modelling?

Re. Q 15 asked by Claire Shenton

“Investigations by the Council’s Property Services on the Council’s tenanted property, Boundary Farm, and the effects of water flows and ditch management have not identified any specific solutions which would impact on flood events at Station Road which have not already been identified by the LLFA.”

“No new survey investigations have been undertaken, however the LLFA has previously undertaken extensive survey work in the area and has developed a flood alleviation project for the area involving the provision of attenuation and other measures on land forming part of Boundary Farm. The requisite land has been set aside for this purpose It is not intended that the Council’s Property Services (or tenant) undertakes any other works other than routine maintenance prior to the outcome of the bid for National Flood Funding.”

These two statements by the Chairman, completely contradict each other. One says, “Investigations by the Council’s Property Servicesnot already been identified by the LLFA”. Whereas the other states, “No new survey investigations have been undertaken”!

- Have investigations been carried out or not?
- Jamie Foreman assured members of the SSFAG that he would undertake investigations, did he or not?

We find it shocking/disgusting appalling/ outrageous/ disgraceful/ alarming/ flabbergasting / that the LLFA would produce “an expert” (at tax payers expense was brought in from Aberdeen), who had not even visited Boundary Farm nor

observed this watercourse for himself. Then with total confidence, gave an impressive but a complete incorrect/ inaccurate account of the situation. Including,

- Quoting “as I understand it”, How can he understand anything?
- present time this does have a small amount of silt. In fact a 600mm pipe is 50% full of silt! But he wouldn’t know because he hasn’t been there and seen it!
- at that point, they are diverted to the neighbouring owner’s land. This is completely wrong. Due to the topography of the land all of the water from the last field goes into the above mentioned 600mm pipe!

However, even more appalling is that a Local Authority would state that; “once the water gets to the headwall on our boundary line it becomes the next riparian owner’s responsibility”. How can LCC have the audacity to say such a thing and accept no responsibility for allowing too much water to enter a watercourse that will flood local properties!

Ridicules way of looking at it. Where was/ is Jamie Foreman? Why hasn’t he conducted and presented a proper investigation to us, as promised.?

- Why haven’t these been actioned when it is known that it is a risk factor of Station Road flooding?
- Are these measures for the alleviation of flooding now or as a factor for the proposed new development
- What immediate action will LCC take to reduce the amount of water and silt.
- Has the layout of the drainage on the farm been changed? If so what impact has this on drainage and the flood mitigation plans?
- Mr Forman has not responded to numerous requests for an update, are the investigations complete and when can we expect a response and action plan?”

Re. Q16 asked by Diane Pantling

- “• These gullies as far as residents are aware only take water falling directly onto the public highways. However, they are ineffective.
- Will the Highways authorities investigate and survey these gullies to establish the cause of them being ineffectual?”

Re. Q17 asked by Susan Dolby

“Please provide evidence of how and when you engaged directly with the relevant landowners? Five years on from 2019 as with Stressline has there been follow up on whether these riparian owners have complied and what enforcement actions have been taken?”

Reply by the Chairman

In relation to the questions A to D in the covering letter received from the SSFAG:

A – All questions raised at the previous meeting were responded as detailed in the minutes of that meeting.

B – The process for dealing with questions at a Council meeting are prescribed within the Council's Constitution and supporting procedures and the Chairman, whilst exercising some discretion, followed the Council's usual processes.

C – See below.

D – Whilst replies to supplementary questions raised in a meeting are not captured as a verbatim record, on this particular issue the Chairman has agreed to include specific reference to the pipe being referred to in the supplementary question raised by Mr Brett Jackson (Q14).

In relation to all other questions raised:

There was significant flooding across Leicestershire last week and officers have needed to respond to this current emergency and co-ordinate the recovery response as an urgent priority. Due to this and taken together with the exceptional number of questions submitted, I have agreed with officers that, regrettably, we will not be in a position to provide responses to the above questions at the meeting on 16th January.

Officers were already working to update you in relation to work in Stoney Stanton and so attached is an overall position statement regarding the ongoing situation in Stoney Stanton. Officers will endeavour to answer any individual questions which are not specifically addressed by this position statement in writing in six weeks, where possible. The written responses will also be shared with Committee members and published with the minutes of the meeting.

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