

## **HIGHWAY AND TRANSPORT OVERVIEW AND SCRUTINY COMMITTEE**

### **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>

### **Reply by the Chairman *[provided at the meeting held on 16 January 2025]***

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 16<sup>th</sup> 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.

## **Further replies now provided by Officers**

**26 February 2025**

### **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?”

### **Reply:**

A site meeting is not considered necessary as there is a clear understanding of the network from the survey work and modelling undertaken subsequent to the Section 19 report. There are a number of manholes in the vicinity of the junction between Station Road and Foxbank Industrial Estate. Taking the chamber on the corner by Stanton Cars, the CCTV survey undertaken by the Council's contractor identified an incoming 450mm pipe (which captures the main flow of the stream in the four pipes which leave the manhole at the corner of 1 Station Road), an outgoing 300mm pipe which continues into the network which runs along the access road eventually to the brook, and an outgoing 450mm pipe which leads to an overflow into the ditch alongside the access road. The 200mm pipes noted on Councillor Stubbs' report are not noted on the CCTV survey, but are likely to derive flow from highway runoff, which is all captured by the hydraulic model through the inclusion of road gullies which connect surface flows directly to the pipe network. Therefore, further refinement of the model in this location would not change the outcome of ongoing work. Complexity and performance issues in the drainage network at this location are part of the reason why the Council is requesting funding for a scheme to re-route the majority of incoming flood flows from upstream out of the network via a diversion channel, freeing up substantial capacity to cater for the remaining residual flow from any smaller pipes that feed into the system.

### **Re. Q2 asked by Mr Phillip Pantling**

*[Regarding the reply to the original question]* “This 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.”

“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?”

#### **Reply:**

This is not the case and information about the pipe has been shared at various times including at the drop-in session in November. There is no information which the Council is withholding with regards to this matter.

- “We want to know exactly what Bellway did?”

#### **Reply:**

The Council holds no records of the actions undertaken by Bellway in relation to the original question.

- “Can we have full details held by LLFA regarding this pipe?”

#### **Reply:**

These details are contained in the section 19 report. In addition to this, the Council’s original response stated that the new highway gullies do not connect on to this pipe as suggested.

- “Why has this not been rectified?”

**Reply:**

The Council’s proposed flood alleviation scheme would divert flood flows from the stream before they reach the rear of Mountsorrel Cottages, rather than picking up the flow after it has escaped the channel. However, if successful in the funding bid, the Council will also be looking at local drainage from the land immediately to the rear of Mountsorrel Cottages during detailed design. In addition, as stated in the Council’s original response, the installed highway gullies were not installed or designed to connect to the capped pipe.

- “Why was this pipe stated as MISALIGNED in the section 19 report? When in fact the pipe was DISCONNECTED and CAPPED!”

**Reply:**

At the time of publication, the section 19 report was based on the best available data that had been collated following the event. The report is intended to act as the best summary of information at the time and often there are inaccuracies as time progresses and new data comes to light. Further surveys, investigations and modelling has been carried out since the publication of the report which has provided new and more accurate information.

- “Why has this not been addressed/ litigated with Bellway?”

**Reply:**

There is an alternative outfall for the new highway gullies to connect to.

- “Who is responsible for getting Bellway to resolve this issue?”

**Reply:**

No organisation has the necessary powers under current regulatory system for any to be taken which is likely to be effective. As stated in the Council’s original response, the new highway gullies do not connect onto this pipe as suggested. This therefore resolves the need for the pipe to be reinstated.

- “What account was taken as to the lack of efficiency of the pipe in the modelling?”

**Reply:**

This has been taken into account when designing the project, based on the findings of the model. The modelling shows that diverting water away from the route it currently follows would provide the greatest long-term protection to Mountsorrel Cottages, rather than reinstating the pipe.

*“[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 12<sup>th</sup> August 2024. However, a mere 6 weeks later on 26<sup>th</sup> 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 26<sup>th</sup> September. Following events of the 26<sup>th</sup> 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"

**Reply:**

The road gullies were not able to be cleansed at the first site visit due to parked cars. A temporary traffic regulation order (TTRO) had to be put in place to suspend parking and give adequate notice of the works. A TTRO is a legal process that takes a period of up to three months to implement. Site investigations were completed week commencing 10<sup>th</sup> February. There were no issues found with the highway drainage system. However, the highway system functionality is dependent upon the condition of assets it connects to.

"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!???????"

**Reply:**

As above and as per the position statement sent to SSFAG in December 2024.

The position of the Stoney Stanton Flood Alleviation Scheme was detailed in a position statement sent to SSFAG in December 2024.

As required by the funding which the project draws upon, the Outline Business Case has been submitted to the Environment Agency on 13<sup>th</sup> December 2024. The Council is awaiting a decision from the Environment Agency and will update SSFAG on the outcome.

The timescales required for the project's development have been affected by funding requirements. The Council will also be responding to the Government's upcoming consultation on national flood funding.

*"a consultation will be launched in the coming months, which will include a review of the existing funding formula, to ensure that the challenges facing businesses and rural and coastal communities are adequately considered when delivering flood protection." 5th February 2025, Steve Reed, Secretary of State*

The County Council will ensure that the funding challenges facing Stoney Stanton and other rural flood prone communities in Leicestershire are raised in any forthcoming consultation.

Any concerns raised by the community have been considered in the project's development and the wider coordination of the management of local flood risk.

The Council is sorry that the community feels that it is not being heard. The Council's view is that engagement levels with the community have been appropriate. The Council appreciates your frustration.

**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?"

**Reply:**

The blockage of the pipe is taken into account within the baseline modelling. It is likely that the flooding of 2019 would have exceeded pipe full capacity, and floodwater also reached Mountsorrel Cottages via Station Road. Nevertheless, the pipe should be returned to full working order and the Council is in ongoing discussion with the landowner on this matter. Legal advice is sought based on the lack of positive engagement recently.

**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?”

**Reply:**

Responsibility for the repair lies with Stressline as the riparian owner, Leicestershire County Council has no funding or responsibility to carry out works on behalf of others.

- “Why 5 years on has nothing constructive been done?”

**Reply:**

Stressline confirmed via email in February 2024 that it had carried out a temporary repair and cleared the area around the trash screen referred to as the triangle area. In April 2024 it confirmed that investigations into the culvert were carried out, some clearance work had been done and a specialist would be engaged to carry out further works.

- “Why is it that legal advice is only being sought now?”

**Reply:**

It is standard practice for LLFAs across the country to focus on positive engagement with landowners where works are required as this often produces better results by working collaboratively with them. Due to a recent lack of positive engagement with Stressline, Legal advice is being sought with regards to enforcement action.



**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.”

**Reply:**

On 8 January 2025, Jon Vann visited the village to carry out further surveying works. A member of the Council's Flood Risk Management (FRM) team attended with him to assess if the storm of 6 January had impacted on the village. John Stone kindly assisted.

The purpose of project design is to lessen the importance of those various other factors that would always require multiple parties to work together to ensure the system works as it should.

If the Council is successful with the funding bid, there will be further consultation and opportunity for residents to feed into the detailed design of the project; however, it is of the Council's view that these matters cannot be resolved 'cheaply and easily'. Whilst it might appear that some of the issues being raised are cheap and straightforward to rectify, such work is often extremely costly and in isolation will not address the wider flood risk to the community. In some cases, it may inadvertently increase flood risk elsewhere in the locality.

**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?”

**Reply:**

The proposed flood alleviation scheme will divert the upstream flood flows away from the watercourse which runs to the rear of Mountsorrel Cottages. All the other possible sources of flow cannot be diverted away, which include smaller pipes and overland runoff into the stream from within the village. By diverting the bulk of the flood flow away from the watercourse capacity, it will be freed up for smaller connections which exist along the system.

**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?”

**Reply:**

With regards to any ordinary watercourse assets covered by the survey, the County Council as LLFA is responsible for the regulation of ordinary watercourses. The Council's approach is detailed in the Council's Ordinary Watercourse Regulation and Culvert Policy, which is available on the Council's website. This policy is part of the Leicestershire Local Flood Risk Management Strategy, adopted by the Council in November 2023. Prior to this, the Council's approach to watercourse regulation was outlined in the former Leicestershire Local Flood Risk Management Strategy.

Defects to ordinary watercourse assets identified in the survey have been reviewed by the LLFA, and considered for action against the Council's policies. The regulation of ordinary watercourses is a primarily a matter to be dealt with between riparian landowners and the LLFA in line with the policy.

No highway works have been completed as a result of the LLFA survey. Prior to the survey being undertaken, the highway drainage system had already been replaced. The survey identified an old slate culvert under the highway approximately 50m to the west of the balancing pond, that had been previously abandoned and serves no purpose. The flow of water had been redirected to the culvert to the east that discharges directly into the ditch near the balancing pond. This riparian owned ditch was also cleansed at the time of the highway drainage system being replaced, although is not in the ownership of the highway authority.

**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?”

**Reply:**

With regards to the first bullet point, the LLFA is statutory consultee for surface water for major planning applications in the planning process. For simplicity in the Council's response, the Council refer to flood modelling and reports as 'flood risk assessments'. Footnote 63 of the National Planning Policy Framework states:

*A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.*

With respect to major applications, if a flood risk assessment has not been submitted, the LLFA will request one. If there are issues with submitted flood risk assessments in support of major applications, the LLFA will advise the Local Planning Authority in their consultation response to request further information from the applicant. This process will iterate until the LLFA is satisfied flood risk has been properly assessed by the applicant and informs the local planning authority of this. Flood risk assessments should also consider previous flood events. The community should therefore have confidence in any flood risk assessment which the LLFA recommends for approval through the planning process.

With regards to the second bullet point, the meaning of this question is unclear. Our response presumes this to mean faults in planning policy or the planning system, which have resulted in properties being constructed which are at risk of flooding.

Following an application in April 2010 (planning reference 10/0321/1/OX), The Godfrey Close estate received outline planning approval from the local planning authority on 30 April 2015. The LLFA only became statutory consultee on 1<sup>st</sup> April 2015 and were not consulted on this application. The Council considers this to be a significant improvement in the planning process. There have also been other improvements, such as in national surface water flood risk mapping.

Ultimately the LLFA and local planning authority are limited to a degree by national planning policy, which still under certain circumstances permits development of residential properties in areas at risk of flooding.

Further details on flood risk management and planning can be found in Objective 2 of the Leicestershire Local Flood Risk Management Strategy: 'Encouraging Sustainable Development'.

Lastly, the original question refers to long term flood risk [gov.uk](https://www.gov.uk) webpage. Please note that the Environment Agency updated this mapping nationally on Tuesday 28<sup>th</sup> January 2025. Further details can be found on the web page.

**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?”

**Reply:**

An investigation has been carried out. The kerb stone arrangements are dictated by the location of domestic driveways, and are to standard. The carriageway levels allow highway surface water to enter the road gullies under normal rainfall conditions. The gullies connect into an underground surface water system on Robertson Close, this system then continues into Smithy Farm Drive.

**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?”

**Reply:**

Yes, the investigation has been conducted through the hydraulic model developed for the Flood Alleviation Scheme. The model indicates flow spilling from the open chamber in major events, which is believed to mirror observations by residents. In addition to the main element of the proposed scheme which is to divert the majority of the flow away from the stream, allowance has been made for localised improvements to the watercourse to the rear of Mountsorrel Cottages. There will be further opportunities for site visits and consultation to discuss the details of the work.

**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”  
**Reply:**  
 No, planning permission is decided at the time based on best evidence available.  
 “Did either of the models for, the Section 19 and the superseded report, take into account these inaccurate and incomplete records?”  
**Reply:**  
 The purpose of the modelling was to better understand the full drainage system in Stoney Stanton due to the limited accurate records available at the time.
- “What effect did these have on the outcome?”  
**Reply:**  
 Outcome of the most recent modelling provides in depth understanding of the system in Stoney Stanton which has been used as the basis for the project.
- “Did Bellway’s professional modelling take this into account at the time?”  
**Reply:**  
 Leicestershire County Council holds no record of this, as at the time in 2010, the Environment Agency was the statutory consultee for surface water matters.
- “What actions are being proposed to mitigate shortcomings from the initial modelling regarding Bellway and when will they be completed?”  
**Reply:**  
 No action is being taken, planning permission is granted at the time based on the best evidence available. This has been taken into account when designing the project, based on the findings of the model. The modelling shows that diverting water away from the route it currently follows would provide the greatest long-term protection to Mountsorrel Cottages, rather than reinstating this pipe.



**Re. Q12 asked by Samantha Abbott**

- “What action are LCC as riparian owners taking to reduce the amount of water and silt now?”

**Reply:**

Natural drainage of the land falls to a point at the north-east corner of the farm. The ditches on the boundary of the property are and will be maintained in line with normal action. The land is currently cropped with grass which reduces the likelihood of silt runoff under normal rainfall conditions.

Leicestershire County Council has the following responsibilities in regard to watercourses that fall within the Council’s ownership as a riparian landowner:

- Maintain the watercourse and clear any significant obstructions (natural or otherwise) so the normal flow of water is not impeded.
- Accept the natural flow from the upstream neighbour and transfer it downstream without obstruction, pollution, or diversion. This includes accepting floodwater through your land.
- Maintain the banks and bed of the watercourse (including trees and shrubs growing on the banks) and any flood defences that exist on it.
- Maintain any structures on your stretch of watercourse including culverts, weirs, and mill gates.
- Keep the bed and banks clear from any matter that could cause an obstruction and clear any debris, natural or otherwise, even if it did not originate from your land.

Silt naturally builds up in watercourses as vegetation dies back each year and also as a result of surface water run-off during periods of heavy rainfall. Leicestershire County Council has the right to receive the flow of water in its natural state, without undue interference in its quantity or quality like any other riparian landowner.

- “When will results of the promised investigation, by Mr Jamie Forman, be provided?”

**Reply:**

The preliminary inspections confirmed the findings of the FRM team. No suitable short-term actions can be undertaken outside of a wider flood alleviation scheme.

**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?”  
**Reply:**  
Riparian duty is the same for all landowners.
  
- “Why did Jamie Forman not attend the Scrutiny Committee meeting?”  
**Reply:**  
Mr Forman provided written responses to the questions previously raised and the officers present had been briefed on the actions undertaken by Property Services and were viewed as being able to respond if further supplementary queries were raised, however if matters pertained to Property Services remit then these could be followed up after the meeting.
  
- “Why hasn’t he conducted and presented a proper investigation to us, as promised?”  
**Reply:**  
The preliminary inspection and topographical levels undertaken by the Council’s groundworks contractor confirmed the information developed by the FRM team. Any works required to mitigate rainwater runoff from the farmland would need to be part of a wider comprehensive flood management scheme. Any work undertaken on the Council property in isolation of others could result in flooding of other property. This contractor is locally based and was able to provide the support on a nil cost basis in support of a potential works order. Due to the LLFA project already developed, no further Consultant advice or development was required by Property Services at this time.
  
- “What are they going to do about it?”  
**Reply:**  
Please see above.

**Re. Q14 asked by Brett Jackson**

[Issue relating to the minutes resolved as recorded above]

“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 Victoria 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?"

**Reply:**

Please see the response to question 2 above.

**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 Services .....not 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?”

**Reply:**

Please see the position statement to SSFAG December 2024 and further information in subsequent questions

- “Are these measures for the alleviation of flooding now or as a factor for the proposed new development”

**Reply:**

The scheme has been designed to alleviate flood risk to existing properties, however the LLFA has liaised with consultant representing the land agent to factor future development. All new development must also comply with National Planning Policy Framework and not increase existing flood risk.

- “What immediate action will LCC take to reduce the amount of water and silt. Natural drainage of the farmland.”

**Reply:**

The current land use (grass) will result in minimal silt runoff under normal rainfall conditions. No alterations to the drainage will be undertaken outside of a wider scheme of flood alleviation measures. The aim of the Stoney Stanton Flood Alleviation Scheme is to manage the risk of flooding holistically using a range of different interventions in specific locations and determining what solutions would be most effective at reducing the risk of flooding. A piecemeal approach of suggested solutions without due consideration may not be effective and meet the required funding criteria. Please refer to the response to question 12, where it outlines Leicestershire County Council’s responsibilities as a riparian landowner.

- “Has the layout of the drainage on the farm been changed? If so what impact has this on drainage and the flood mitigation plans?”

**Reply:**

No changes are proposed outside of any wider flood alleviation measures.

- “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?”

**Reply:**

Investigations confirmed that the land is as identified by FRM and that their proposal is the most appropriate if a flood alleviation scheme is required.

**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?”

**Reply:**

Site investigations were completed week commencing 10<sup>th</sup> February. There were no issues found with the highway drainage system. However, the highway system functionality is dependent upon the condition of assets it connects to.



**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:**

To date, the Council has utilised email correspondence along with informal and formal letters.

The Council has engaged with Stressline via email, phone calls and site visits since 2021 (the response to question 5 has further details on that matter).

**Further Question raised at the Highway and Transport Overview and Scrutiny Meeting held on 16 January 2025 as part of the statement made by Elizebeth Perry.**

“Brian told Mr Vann, that there were serious issues at the back of the cottages. Jon Vann’s reply was ‘we know’.

John Stone, Flood Warden (No 7) - then gave Jon Vann and his colleague a comprehensive guided tour of the area.

We would like to know what Blaby or LCC know because Jon Vann seems to think he knows?”

**Reply:**

It is unclear what is meant.

Whilst on site, Jon Vann replied ‘we know’ because watercourse B at the rear of Mountsorrel cottages has been identified in the section 19 report as a key contributor factor to the flooding that occurred in 2019. It is for this reason that the project being worked on seeks to reduce the volume of water entering this ditch line.