To Sefton MBC by e-mail.

Please forward this communication to the Examiner of Maghull Neighbourhood Plan.

When the Draft Neighbourhood Plan was made available for inspection at Maghull Town Hall, on 22nd September 2017, my neighbours who are exposed to the dangerous and life-threatening consequences of recurrent flooding, due entirely to the Town's inadequate drainage infrastructure, were surprised to note that no provision had been made for the upgrading of existing, inadequate, drainage infrastructure. The Draft Plan proposed to connect 1650 houses to drainage infrastructure which cannot adequately convey flows from Whinney Brook at Damfield Lane and Hall Lane and overflows from Leeds and Liverpool Canal into Hall Lane. Melling Brook, a major river, imports massive volumes of floodwater from outside of the area and deposits them into Fouracres and Sefton Lane, where terrified residents had to be rescued from their homes in 2012: similar flooding occurred again in 2015.

The dangers faced by residents and visitors to the Town are very real, particularly from a Public Danger aspect. In this regard, as recently as 25th June 2018, Ofgem wrote to the Environmental Health Department within Sefton Council, about the dangers being faced by 1400 students attending Maricourt High School in Damfield Lane, where an unprotected gas substation, directly opposite the school entrance, has been submerged four times in four years, due entirely to inadequate subroad culverts, owned by Sefton Council, being unable to prevent Whinney Brook from flowing directly into the road and school grounds.

Within the very short period of time allowed for feedback about the Draft Plan, 347 local residents signed a message to the Leader of Maghull Town Council which reads...

We request the specific issue of unsustainable drainage infrastructure and its necessary upgrading be incorporated into the Draft Neighbourhood Plan before it is finalised...cc EA, UU, CRT, SP Energy Networks, Sefton Planning.

The updated version of the Maghull Neighbourhood Plan makes no provision for the upgrading of drainage infrastructure which still has the potential, on this very day, to destroy our existing built environment along with many of the people who inhabit it. The Plan which will affect our lives for the next 20 years purports to promote healthy communities, make the Town a better place for people to live in and promote the principles of sustainable development to create a healthy Sefton. Meanwhile the community which inhabits Maghull is enduring the consequences of unsustainable drainage infrastructure which cannot sustainably support current loadings, never mind add ons from another 1650 homes.

It is not alarmist to state that people in Maghull, due to the decrepit state of existing drainage infrastructure, on this very day, are being left in danger of being blown up, gassed, electrocuted, drowned, and contracting diseases from foul sewers which spew contamination into Hall Lane for
days and years on end.  
We have written testimonies and photographic evidence to prove such happenings in Maghull.

Again, in the very short time allowed for comment on the updated version of Maghull Neighbourhood Plan, 100 residents from the key areas, under the threat of danger, have signed a message to Sefton MBC for the Examiner of the Plan which reads...

We the undersigned have read letter ref: CC11649, dated 10\textsuperscript{th} July 2018, addressed to Sefton MBC. We wish to confirm that the area, in which we live, is impacted by recurrent flooding, as described in the letter. We therefore require Maghull Neighbourhood Plan to be amended to include conditions that inadequate drainage infrastructure be upgraded to convey flows, in accordance with Land Drainage Act (1991) and Water Industry Act (1991) before proposed developments, on Land East of Maghull are connected to it, in any way whatsoever.

Copies of this message are to be sent to Environment Agency, United Utilities, SP Energy Networks, Canal & River Trust, Sefton Planning and Ofwat.

In order that the Examiner can read this communication in the context written, a copy of letter referred to by signatories of the above message is attached hereto.

Corporate complaints about non compliance with statutory regulations, in relation to the identification and management of flood risk, due to inadequate drainage infrastructure, have been issued against responsible organisations as follows...

Canal & River Trust / Waterways Ombudsman, 8\textsuperscript{th} May 2017, Ref: 949.

Environment Agency/Defra, 29\textsuperscript{th} January 2018, Ref: C4336CrillyAC - Flooding in Maghull

United Utilities/Ofwat, 15 June 2018, Ref: OFW0018567

Sefton MBC, 3\textsuperscript{rd} January 2018, Ref: CC11649.

Please be advised, although the above complaints are in the early stages of each organisation’s complaints process, we are already receiving admissions of dereliction of duty.

If the Examiner of the Plan is to make judgement, for or against its acceptance, he should be aware of all the facts which are presented to him about the state of our Neighbourhood. The updated version of Maghull Neighbourhood Plan, although it states we have been consulted and our voices have been heard, is at odds with the wishes of my neighbours who have been left unheard, crying in the wilderness.

It would be appropriate for the Examiner to wait until the above complaints have been be fully addressed before he addresses the updated version of the Plan. We consider it is in need of urgent revision.

I trust the Examiner will study our comments in such a way that our safety ceases to be threatened and our future wellbeing can be guaranteed.

Your faithfully,

Gerry Crilly (Maghull Resident, speaking up for the Neglected Neighbourhood of Maghull).
To Sefton MBC by e-mail.
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We have scanned through the documents, made available for scrutiny at Maghull Library, and have extracted some items for comment. These items, indicating some of the Plan's aims, have been highlighted for comment...

1. **Promote healthy communities and make the Town a better place for people to live in.**

Comment, because the drainage infrastructure, serving our Town, is totally inadequate for the safe conveyance of current flows, Maghull is already an unhealthy and dangerous place to live in. In recent years, Leeds and Liverpool Canal has overflowed into local streets. People, living in and passing by, Hall Lane, are being exposed to electrocution and the probability of being blown up because two interconnected substations get submerged whenever the canal overflows. This happens because Sefton Council has curtailed a culvert which conveys canal overflows into Whinney Brook. Sefton Council is the riparian owner of the culvert and, therefore, is breaching The Land Drainage Act (1991) which places duties on riparian owners, one of which is to make provision to convey flows...This is what happens when the Act is ignored and provision not made...

A similar situation keeps reoccurring in Damfield Lane because a culvert in place to convey Whinney Brook beneath the road is inadequate and causes the river to overtop its banks and flood into the road. Here Again Sefton Council, as riparian owner, is breaching The Land Drainage Act (1991) which places duties on riparian owners, one of which is to make provision to convey flows. This is what happens when the Act is ignored and provision not made...
There are few houses in Damfield Lane but 1400 students attend Maricourt High School in Damfield Lane. A gas substation, directly opposite the school entrance, becomes submerged creating the probability of being gassed, blown up, or both.

Also in Hall Lane, foul sewers, belonging to United Utilities, convey raw infectious sewage into the road whenever there is constant rainfall. The company admits this is due to hydraulic inadequacy and substantial funding is required to upgrade the sewers. United Utilities does not consider this recurring issue to be a priority so funding is being withheld. United Utilities is bound by section 94 of the Water Industry Act (1991) to provide adequate infrastructure for the safe conveyance of foul sewage...

This is what happens when the Act is ignored and safe conveyance is not provided...

The infrastructure, which conveys foul sewage beneath Hall Lane, is dual purpose which means fresh water conveys foul sewage inside the pipe work. That is why discharges occur whenever it rains. The toxic mix, which pervades Hall Lane, is designated as surface water; this is deceptive and allows the company to avoid its statutory duty to keep infectious sewage out of the public domain. The discharge, pictured above, is flushed into Hall Lane, directly from numerous toilet basins. Schoolchildren are forced to walk through this, disease ridden, human effluent, on their way to Maghull's many schools.

In 2013, Sefton NHS, Officer for public Heath, wrote to United Utilities, warning of the dangers this recurring problem was presenting to distressed residents. In 2018, United Utilities has written to say, nevertheless, funding will not be allocated.

A culvert, owned by Sefton Council, which drains land from school playing fields, alongside Northway, has been blocked off from entering Whinney Brook at Liverpool Road South. This causes the water to back up and flood Northway Service Roads East and West and Glenholm Road. This water mixes with foul sewage which runs out of Hall Lane and spreads disease into all three roads. Residents have complained about water emerging beneath floorboards. This breaches The Land Drainage Act (1991) and Section 94 of the Water Industry Act (1991).

This is what happens when the Acts are ignored and safe conveyance of flows not provided...

(2) Promote the principles of sustainable development to create a healthy Sefton.
Comment, Various ongoing threats to Maghull’s public health and wellbeing, entirely due to unsustainable infrastructure, have been described above, more will be described below.

(3) Manage River Alt which enters into Maghull via large culverts beneath Switch Island.

Comment, In addition to River Alt, Melling Brook also enters Maghull, via Switch Island. River Alt flows in a straight line towards Sefton Church and causes no local flooding. Melling Brook, however, adopts a diagonal course and conjoins with Dovers Brook and Whinney Brook, alongside the Fouracres Estate. Melling Brook is a major river with enormous capacity; the volume it imports from elsewhere overwhelms the two smaller rivers and submerges the Fouracres Estate. In 2012, emergency services were called out to rescue my neighbours from flooded streets and homes. Similar flooding occurred again in 2015. The infrastructure serving Fouracres does not conform to Land Drainage Act (1991) and Water Industry Act (1991). This means Sefton Council and United Utilities are not observing statutory obligations.

The official report on the 2012 incident, issued by Sefton FCERM in 2013, does not identify Melling Brook as the cause and goes out of its way to absolve Sefton, United Utilities, and Environment Agency from blame. It is unbelievable that professionals, with qualifications, failed to name Melling Brook in official documentation. The real cause of the problem was recorded in Environment Agency Flooding Report for Maghull, in 2013, under numbered issues (11) Fouracres and (13) Main Rivers, after a flood resilience officer surveyed the three rivers and consulted with residents in their homes.

Flooding, due to the same problem, reoccurred in 2015 and a cure will not be found until Melling Brook is diverted away. Meanwhile a dangerous problem persists.

In this picture, Dovers Brook flows behind Fouracres. Note how very small the watercourse is and its closeness to the housing. Further upstream, Melling Brook enters the scene, causing sewer outlets connected to Dovers Brook to feed floodwater water back into the estate. This is a serious breach of the Land Drainage Act (1991) by Sefton Council and the Water Industry Act (1991) by United Utilities. Environment Agency, however, is responsible for the safe management of main rivers and has failed in this duty by allowing developers to make use of a river which cannot safely convey flows.

By failing to identify the obvious consequence of their actions, the developer, Sefton Planning, United Utilities and Environment Agency have created a situation continues to endangers the residents of Fouracres.

Both versions of Maghull Neighbourhood Plan make no reference to Melling Brook which is the major cause of flooding in Fouracres and Sefton Lane. Nor is any reference made to Melling Brook in Sefton FCERM’s Official Flooding Report, published in 2013, which purports to address the cause of flooding in both of these locations. This is because Sefton FCERM is colluding with its partners to cover up the fact that floodwater, creating dangerous flood risks within the whole of the neighbourhood, is imported from elsewhere. Sefton FCERM, in further attempts to cover up this crucial fact has tried to remove from distribution Environment Agency Flooding Report for Maghull which identifies 13 recurrent flooding issues, most of which are caused by imports of floodwater, from elsewhere, entering Maghull’s Totally inadequate drainage infrastructure.
The highly informative document which records details of recurrent flooding issues over a period of seven years carries endorsements for authenticity from senior executives of Environment Agency, United Utilities and SP Energy Networks. A copy is enclosed for the Plan Examiner's perusal.

(4) Ensure new developments proposed in the Plan do not increase the amount of flooding which constantly plagues our exiting built environment.

Comment, The flooding issues, described above, and the dangers they carry are inherent to our Town. The infrastructure needs upgrading to prevent these happening. Most of the existent problems are caused by water imported from elsewhere...Leeds and Liverpool Canal into Hall Lane...Melling Brook into Fouracres...Whinney Brook into Damfield Lane. Connecting another 1650 houses to the same infrastructure will add to the dangers which already exist.

(5) Ensure all necessary works and services are introduced so existing sewers within our neighbourhood are can safely support human activities.

The flooding issues described above and the dangers they carry are inherent to our Town. The infrastructure needs upgrading to prevent these happening. Most of the existent problems are caused by water imported from elsewhere...Leeds and Liverpool Canal into Hall Lane...Melling Brook into Fouracres...Whinney Brook into Damfield Lane. Connecting another 1650 houses to the same infrastructure will add to the dangers which already exist. The National Planning Policy Framework (NPPF) clearly states that new developments must not increase flood risk elsewhere. In all of these instances NPPF has been disregarded.

(6) Ensure Section 106 of Town and Country Planning Act is fully observed by investigating the impact new proposed developments will have on our Town.

The flooding issues described above and the dangers they carry are inherent to our Town. The infrastructure needs upgrading to prevent these happening. Most of the existent problems are caused by water imported from elsewhere...Leeds and Liverpool Canal into Hall Lane...Melling Brook into Fouracres...Whinney Brook into Damfield Lane. Connecting another 1650 houses to the same infrastructure will add to the dangers which already exist. The National Planning Policy Framework (NPPF) clearly states that new developments must not increase flood risk elsewhere. In all of these instances NPPF has been disregarded.

(7) Investigate why Dovers Brook overflowed submerged the Fouracres Estate in 2012.

In addition to River Alt, Melling Brook also enters Maghull, via Switch Island. River Alt flows in a straight line towards Sefton Church and causes no local flooding. Melling Brook, however, adopts a diagonal course and conjoins with Dovers Brook and Whinney Brook, alongside the Fouracres Estate. Melling Brook is a major river with enormous capacity; the volume it imports from elsewhere, overwhelms the two smaller rivers and submerges the Fouracres Estate. In 2012 emergency services were called out to rescue my neighbours from flooded streets and homes. Similar flooding occurred again in 2015. The infrastructure, serving Fouracres, does not conform to Land Drainage Act (1991) and Water Industry Act (1991). This means Sefton Council and United Utilities are not observing statutory obligations. The report on the 2012 incident, issued by Sefton FCER, in 2013, does not identify Melling Brook as the cause and goes out of its way to absolve Sefton MBC, United Utilities, and Environment Agency from blame. It is unbelievable that
professionals, with qualifications, failed to name Melling Brook as the cause of this tragedy in official, explanatory documentation. The cause of the problem was recorded in Environment Agency Flooding Report for Maghull in 2013, under numbered issues (11) Fouracres and (13)Main Rivers after a flood resilience officer surveyed the three rivers and consulted with residents in their homes.

Flooding, due to the same problem, reoccurred in 2015 and a cure will not be found until Melling Brook is diverted away. Meanwhile a dangerous problem persists. The National Planning Policy Framework (NPPF) clearly states that new developments must not increase flood risk elsewhere. Flooding reoccurs within the Fouracres Estate because the principles of NPPF have been disregarded. Sefton Council, United Utilities, and Environment Agency have shared responsibilities to ensure statutory obligations are implemented. Each of these organisations has failed in its duty! What keeps happening here can hardly be regarded as an oversight. The very fact Melling Brook's impact, on flooding in Maghull, has been omitted from Sefton FCERM's official report on the matter and Sefton MBC's Maghull Neighbourhood Plan, indicates the matter is being covered up. The only Document which identifies the cause and the risk of flooding in Fouracres is, Environment Agency Flooding Report for Maghull. Which Sefton FCERM has tried to suppress. This oppressive behaviour also indicates, crucial evidence, of the causes of flood risk in Maghull, is being covered up.

(8) Announce a swale connected to Whinney Brook as the means of mitigating flooding on the newly built Poppy fields Estate

The swale, or large pond, will be able to contain flows generated within the estate until such time it becomes full. When this happens, uncontainable excesses will discharge into Whinney Brook which flows to Damfield Lane. The receiving culvert for the river at Damfield Lane, in place to convey Whinney Brook beneath the road, is inadequate and causes the river to overtop its banks and flood into the road. Here Again Sefton Council, as riparian owner, is breaching The Land Drainage Act (1991) which places duties on riparian owners, one of which is to make provision to convey flows. There are few houses in Damfield Lane but 1400 students attend Maricourt High School in Damfield Lane. A gas substation, directly opposite the school entrance, becomes submerged, creating the probability of passersby being gassed, blown up, or both.

The National Planning Policy Framework, NPPF, clearly states that flooding generated by new developments must not increase flooding elsewhere. The new developments, being built on Land East of Maghull, if connected to Whinney Brook, in any way whatsoever, will increase flooding throughout the neighbourhood of Maghull. There are two alternatives, one, contain run offs in large underground SUDS at developers' expense, or two, upgrade Maghull’s Drainage Infrastructure at developers' expense. Anything else will be destructive, dangerous, and life threatening. On receipt of Magull Town Council's Draft Proposal in 2017, 347 residents sent the following message to the Leader of Maghull Town Council which reads...We, the undersigned, request the specific issue of unsustainable drainage infrastructure and its necessary upgrading be incorporated into the Draft Plan before it is finalised. Copies were e-mailed to Environment Agency, United Utilities, Canal & River Trust, SP Energy Networks and Sefton Planning. Our request has been ignored!

The decision taken to exclude the necessity for essential upgrading of Maghull's drainage infrastructure, as a condition for the Plan's acceptance, is a serious omission. There is a difference in not knowing the facts or choosing not to know the facts. We have demonstrated the latter option has been adopted by the Plan's authors, in an attempt to deceive residents into believing, houses built elsewhere will not adversely impact on our wellbeing.
Statutory obligations are formulated to ensure communities, everywhere, are protected from harm. In Maghull the rules are being ignored and people are being harmed. So much for the promotion of healthy communities and making Maghull a better place to live in!!!

The updated version of Maghull Neighbourhood Plan, if approved without essential upgrading of Maghull’s drainage infrastructure, as a condition for the Plan’s acceptance, will destroy our existing built environment. The document is in need of serious revision.

I trust the Examiner of the Plan will understand, although this letter and its contents are signed off by one individual, the facts within it, as presented, are informed by consultation with local residents and responsible organisations. Many of the 347 residents, who have already signed the message requesting essential upgrades to drainage infrastructure, live in key areas where excessive flooding is recurrent and dangerous...namely, Damfield Lane, Hall Lane, Northway, Glenholm Road and Fouracres.

Regards, Gerry Crilly (Maghull Resident).