From: Gerry Crilly [REDACTED]
Sent: 11 July 2018 13:46
To: Neighbourhoodplanning
Subject: Fw: Proposed Maghull Neighbourhood Plan.
Attachments: ENVIRONMENT AGENCY FLOODING REPORT FOR MAGHULL ISSUES.docx; Communication (one) to Examiner of Maghull Neighbourhood Plan.docx; Letter to CEO Maghull Town Council.docx; Residents Report on Leeds and Liverpool Canal.docx; Report issued by United Utilities.docx

Dear [REDACTED],

Forwarded message (one) as promised.

Regards,

Gerry Crilly.

----- Original Message ----- 

From: Gerry Crilly
To: flooding@sefton.gov.uk
Cc: [REDACTED]
Sent: Monday, June 25, 2018 3:48 PM
Subject: Proposed Maghull Neighbourhood Plan.

Please forward the enclosed message and attachments to Examiner of Proposed Maghull Neighbourhood Plan.

Regards,

G. Crilly (Maghull Resident).

The following data has been collated from information gathered from site inspections, during which a number of residents, at risk of flooding in key locations, were visited and their observations noted. During the past five years various Flood Resilience Officers from Environment Agency have offered help to Maghull...

First visit, one EA representative, 17th May 2012...Second visit, one EA representative, 17th July 2012...Third visit, two EA representatives, 23rd April 2013...Fourth visit, one EA representative, 5th July 2013...Fifth visit, one EA representative, 23rd June 2016.

<table>
<thead>
<tr>
<th>ISUEN</th>
<th>Location in which problematic flooding keeps occurring.</th>
<th>Issues as defined by residents with experience of localised flooding issues caused by infrastructural deficiencies.</th>
<th>Leads = Agencies with responsibility to provide solutions.</th>
<th>Suggested Way Forward from visits made by EA 17/5/2012, 17/7 2012, 23/4/2013, 5/7/2013 and 23/6/2016.</th>
<th>Updates made by EA 24th July 2013, 26th April 2016, 20th July 2016, 4th December 2016 as under...</th>
</tr>
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<tbody>
<tr>
<td>(1) Damfield Lane/ A59 Roadways.</td>
<td></td>
<td>Flooding on Road. Culvert wall very low. Used to be a debris screen in place but this disappeared sometime in 2011. Sefton MBC reports... Where Whinney Brook crosses Damfield Lane there have been two major incidents of flooding reported in 2011 alone, due to blockages and incapacity of the culverts carrying the brook under the road. Residents say that water comes over wall and up into lane via culvert inspection hatch. Further major incident with all above flooding elements, December 2015. Road under water and closed to traffic by police. The Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows.</td>
<td>SEFTON EA CRT</td>
<td>Keep Drains Cleared. Do not allow run offs from new development to enter Whinney Brook. The Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows.</td>
<td>Culvert was inspected in 2013. CRT’s culvert was shown to be partially blocked where Whinney Brook enters cricket field. Sefton MBC subsequently jettied the culvert. EA reckons flooding may be caused by surface water rather than the brook.</td>
</tr>
</tbody>
</table>
| 2 | Damfield Lane Development land.  
EA Site visits...  
17th May 2012.  
23rd April 2013.  
21st August 2016.  
| EA’s inspector was first alerted on site visit during May 2012, to sewage coming up through manholes, and down the slope into Whinney Brook. Photograph taken showing overloaded system discharging foul sewage from manhole. UU looking at introducing cess pit. UU advises blockages have been cleared and pre-existing issues repaired.  
| SEFTON UU EA CRT  
| Look at drainage options that are being considered for new development.  
| Work on new development has been allowed to commence.  |
| 3 | Whinney Brook Culvert at Damfield Lane.  
A Site visits...  
17th May 2012.  
23rd April 2013.  
21st August 2016.  
| Capacity overflowed twice in 2011 as reported by Sefton MBC. Culvert wall very low. Used to be a debris filter in place but this disappeared sometime in 2011. Residents say water comes over wall and up into the road through culvert inspection hatch. The 900mm dia. metal pipe which runs below canal and is a wholly owned asset of CRT cannot adequately convey combined flows of drains and Whinney Brook at full flow. Canal & River Trust has stated that The Land Drainage Act (1991) places duties on riparian owners, one of which is to make provision to contain flows. CRT’s receiving 900mm metal pipe is woefully inadequate to contain both Whinney Brook and drains.  
| SEFTON. EA. CRT.  
| Look to clear the brook, investigate if culvert may be blocked. Ensure general maintenance along brook is performed regularly. Install debris screen which was intentionally removed by contractors in 2011. Screen has recently been replaced to cater for new development.  
| EA did not remove debris screen, which presumably was removed prior to management becoming EA’s responsibility. EA currently looking into getting screen reinstalled at its original position protecting culvert running beneath Damfield Lane and further on under Leeds and Liverpool Canal. CCTV inspection revealed CRT culvert in cricket field to be 40% blocked – Jet clearance planned for August 2013. Whinney Brook cleared with Weed bucket in March /April 2013. Hand maintenance carried out August 2013. If more enhanced maintenance required (desilting), this will need to be justified via survey and modelling. Contractors carried out routine maintenance on Dovers and |
| (4) | Canal Bridge. | | | **Whinney Brooks during Autumn 2013.**
Walkthroughs and debris removal, ongoing as part of maintenance programme, detailed above.
EA will continue to maintain this section of Whinney Brook as part of rolling maintenance programme. |
|---|---|---|---|---|
| **EA Site visits...**
**17th May 2012.**
**23rd April 2013.**
**23rd June 2016.** | Canal is currently leaking into overflow ditch running alongside the road. The overflow ditch is in place to cater for exceptional discharges which occur whenever the canal reaches optimal level and massive amounts of water cannot be contained within the canal basin. Because culvert has been dramatically reduced in size at Old Hall Road, overflows can no longer access Whinney Brook. Overflows from the canal currently discharge into properties in Old Hall Road, Hall Lane and Northway. Roads and houses and an electrical substation were submerged in 2015 similar flooding occurred in 2010 and 2012. | **CRT. SEFTON. OFWAT** | **EA to find out who is responsible for the overflow drain. Need to understand risk of failure- what has been done? What measures are in place?** | **EA to make sure CRT is aware of current leaking canal. CRT is aware of the leaking canal which is being monitored on a regular basis. The leak is containable but overflows can no longer be contained because of riparian curtailments at Hall Lane to what was originally a faultless and workable system constructed by British Waterways engineers. The system originally prevented canal overflow water being discharged into roadways, homes and properties including the electrical substation in Hall Lane. The risk of** |
<p>| (4) | A spokesman for CRT has stated, It is clear there is a problem with water from the canal overflowing into local streets. He has also stressed, The Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows. He also affirms, Once canal water flows onto adjoining land, owned by Sefton Council, Canal &amp; River Trust’s responsibility comes to an end. | electrocution to passersby has never been assessed. |
| (5) | Cricket / Football Fields. EA Site visits... 17th May 2012. 23rd April 2013. 21st August 2016. Back garden walls and fences of properties in Hall Lane are on the verge of collapse into Whinney Brook. Debris is building up. Trash Screen removed by contractors during 2011 from culvert under road= (Tommy Gent Way) at rear of 21 Hall Lane. On Boxing Day 2015 water from Whinney Brook overflowed the culvert and ran along Tommy Gent Way into Hall Lane to submerge homes. The electrical substation nearby was also submerged and lives were put at risk. The Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows. The receiving culvert at Tommy Gent Way cannot contain Whinney Brook at full flow. | EA SEFTON. Make sure residents know about riparian ownership. Look at maintenance schedule Find out why the trash screen removed? Agree responsibility for erosion causing gardens to disintegrate with walls and fences falling into watercourse. EA did not remove screen which was removed before EA took over brook. New Debris screen scheduled for 2014 has not yet been installed. EA advise there are now no plans in 2016 to have screen reinstalled. One of Hall Lane’s residents has rebuilt back garden wall to excellent standard. Whinney Brook which flows within cricket field erodes gardens away causing fences and walls to collapse into river. The Boxing Day incident produced further erosion causing fences to collapse and trees to be uprooted near to where screen was removed. EA has been informed and is investigating. |</p>
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<th></th>
<th>Outlet stream from Canal.</th>
<th>Chopped trees blocking the watercourse which was constructed to cater for overflows from Leeds and Liverpool canal. Watercourse bed is significantly higher than original level through mismanagement and neglect. Capacity to contain overflows has been significantly reduced. Canal &amp; River Trust’s only responsibility is to maintain a wholly owned asset of five sub towpath culverts and a stepped stone embankment situated within its own land which includes little more than the towpath. A spokesman for CRT has stated, it is clear there is a problem with water from the canal overflowing into local streets. Canal &amp; River Trust has stated it has no continuing responsibility for water which flows out of the canal and onto the land belonging to other landowners. This is not a policy decision by Canal &amp; River Trust, but what the law says. Canal &amp; River Trust has also stated that the Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows. Once canal water flows onto adjoining land, owned by Sefton Council, Canal &amp; River Trust’s responsibility comes to an end.</th>
<th>CRT SEFTON.</th>
<th>Find out who has responsibility for the stream and maintenance/clearance. CRT has stressed that the Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows.</th>
<th>SEFTON cleared the debris in 2011. Matter referred to SEFTON during Making Space for water meetings. Maintenance of the overflow ditch has been abandoned.</th>
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<tr>
<td></td>
<td>A59 Northway (east) Service</td>
<td>Service road floods outside 172 Northway when rainfall is heavy. Floodwater drains from the school</td>
<td>SEFTON</td>
<td>EA to query if Sefton have investigated the flooding problem? CCTV?</td>
<td>SEFTON currently looking into the culverts around this road. Culvert which conducts flow beneath</td>
</tr>
<tr>
<td>(7)</td>
<td>Road. EA Site visits... 17th May 2012. 23rd April 2013.</td>
<td>Playing fields. Culvert beneath A59 backs up from 115 Northway directly opposite and floods service roads both sides of A59. The problem emanates from the blocking off of the watercourse beneath Liverpool Road South, thereby denying access of floodwater to Whinney Brook. The Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows.</td>
<td>Liverpool Road South has been blocked off and water within the system can no longer access Whinney Brook alongside Meadows Hotel.</td>
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<td>(8)</td>
<td>A59 Northway (west) Service Road. Other side of A59 EA Site visits... 17th May 2012. 23rd April 2013.</td>
<td>Service road floods during heavy rainfall around house no 115. There is a pipe blocked around the back of the house. All houses have water under the floorboards. Water has nowhere to go because culvert conducting water beneath Liverpool Road South into Whinney Brook has been blocked off at Meadows Hotel and this is the cause of both issues (7) and (8). Full access to the river must be restored because The Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows.</td>
<td>SEFTON EA to query if Sefton have investigated the flooding problem? CCTV? EA to query with UU and SEFTON Highways about suggested solutions to this flooding. Surface water issue. Sefton MBC has been made aware of problem at various Making Space for Water meetings.</td>
<td></td>
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<td>(9)</td>
<td>Hall Lane EA Site visits... 17th May 2012. 23rd April 2013.</td>
<td>Road floods up to a couple of feet in foul sewage water. UU say this is due to hydraulic inadequacy which cannot be cured without capital investment. Such expenditure needs to be prioritised but UU advises there are no current plans for work in the area. Ref (AMP) 2015-</td>
<td>UU SEFTON Taken forward to SEFTON at Making Space for Water meeting. Matter has been raised again and again with SEFTON and UU at Making Space for Water meetings.</td>
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<td></td>
<td>2020. Contamination from contact with foul sewage is a public health issue. Such contamination places pedestrians, particularly schoolchildren at risk of disease.</td>
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<td>10</td>
<td>Damfield Lane</td>
<td>Proposed housing development. Residents are concerned that run offs from the estate will cause flooding issues similar to those experienced in 2015 and in 2011 (twice) when Damfield Lane was closed to traffic. Inadequate metal 900mm dia. culvert below canal cannot contain combined throughput from three highway drainage runs and Whinney Brook. The Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows.</td>
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<td>EA Site visits... 17th May 2012. 23rd April 2013.</td>
<td>SEFTON PLANNING.</td>
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<td>Update sought on planning decision</td>
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<td>What were EA’s recommendations for the planning approval? Planning documents showed surface water discharge rates are to be limited. No grounds to object</td>
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<td>11</td>
<td>Fouracres EA Site visits... 23rd April 2013 5th July 2013.</td>
<td>Water backing up through outfalls during high river flows. Maintenance required along watercourse.</td>
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<td></td>
<td></td>
<td>UU EA</td>
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<td></td>
<td></td>
<td>UU to install flap valve at outlet. Maintenance along Whinney/ Dovers Brooks Planned for end July 2016. See Main Rivers=Item (13)</td>
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<tr>
<td>12</td>
<td>Hall Lane Electricity substation.</td>
<td>Serious flooding to substation. Walls of building swamped on Boxing Day 2015. Culvert conducting canal overflows beneath Old Hall Road into Whinney</td>
<td></td>
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<td></td>
<td>CRT. EA. SEFTON SP Energy Networks</td>
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<td>SP Energy Networks instructed their Consultants Total Flood Solutions (TFS) to conduct a site survey of</td>
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<td>EA walks Dovers Brook twice per year and flails it with a weed bucket once per year. Dovers Brook when overwhelmed with excesses from Melling Brook acts as a feed into Fouracres by overtopping flap valves and submerging gardens.</td>
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<td>Flooding, similar to Boxing Day 2015 incident, occurred in 2010 and 2012 because of reduction in capacity of culvert at Old Hall Road. Properties will remain at</td>
<td></td>
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</tbody>
</table>
12) **EA Site visit...**  
23rd April 2013.  
23rd June 2016.  

Brook reduced from catchment of 4 square metres to a mere 60cm dia. beneath Hall Lane. Restriction denies adequate access for overflows into main river causing canal water to flow directly into Old Hall Road, Hall Lane (East) and Northway.  

Flooding is further augmented by surface water being piped from Glentworth Close into same culvert. Surface water from this housing estate combines with canal overflows and floods into Hall Lane/Northway and Old Hall Road.  

United Utilities advise none of its assets contribute to flooding in Hall Lane.

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13) **Main Rivers**

Configuration and naming of main rivers and the effects they have on large areas of Maghull.  
Maps provided by Defra to EA show Whinney flowing into Dover Brook and onwards to Sefton Lane. The same map

<table>
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<tr>
<th>EA</th>
<th>SEFTONDEFRA</th>
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**EA Site visit...**

their primary substation in accordance with ENA (Energy Networks Association) guidelines in document ETR 138 (Engineering Technical Report) 138)

SP Energy Networks contacted UU and EA. (20th July 2016) in regard to what actions each were taking in respect to the independent survey. (20th August 2016). EA to conduct further survey with Sefton following contact by SP Energy Networks.

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**Main Rivers**

It was noted during a site visit with EA that Melling Brook far exceeds, in width, depth and total capacity, other brooks to which it is conjoined. In times of risk until culvert’s outlet is restored to its original capacity of four square metres. Following site surveys SP Energy Networks instigated plans to install flood mitigation measures at their primary substation in accordance with ETR 138 guidelines.

Agencies/riparian owners with connected assets will need to take similar, prompt, positive remedial action to protect Old Hall Road, Hall Lane and Northway from preventable flooding. People are being subjected to unnecessary risks.

SP Energy Networks also contacted Sefton Council CEO in regard to flooding risks from the canal and Whinney Brook. United Utilities inspected the overflow network on behalf of residents and issued a report dated 27th October 2016 confirming culverts to be cause of canal water flooding for which riparian owners are responsible.

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**The Land Drainage Act (1991)** places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows. The only flows being adequately
| EA Site visits... 23rd April 2013. 5th July 2013. | shows Melling Brook flowing into Old Alt Brook and disappearing as if it never existed. Residents are unaware of the existence of Old Alt Brook. Melling Brook may have disappeared but the water it imports submerges Fouracres on a regular basis. Maps produced by Capita Symonds and Google do not show Old Alt Brook as an entity and no distinction was evident during EA’s site visit. Melling Brook was observed as one continuous watercourse flowing from beyond Switch Island directly to Fouracres where it meets up with Dovers brook and Whinney Brook. | fullness Melling Brook discharges into all other connected brooks causing backups and overflows into Fouracres and Sefton Lane. Floodwater imported from outside of the neighbourhood into Maghull, via Melling Brook, swamps into the Town’s two brooks which once comfortably managed to drain the whole of Maghull. Maghull’s two main rivers are Dovers Brook and Whinney Brook. | conveyed are those which are imported from out of town. These flows should be diverted into River Alt at Switch Island where Melling Brook and River Alt enter the region side by side. |

Key to Lead Column abbreviations...

DEFRA...Department for Environment, Food and Rural Affairs.

OFWAT...Water Services Regulation Authority.


SP Energy Networks References approved 8th May 2017.
Total Flood Solutions...Total Flood Solutions.
OFGEM...Office of Gas and Electricity Markets.

SEFTON...Sefton MBC.
Communication number one...
To the Examiner of Maghull Neighbourhood Plan Proposal.
Via, e-mail to Flooding@sefton.gov.uk

Dear Examiner,

For many years the residents of Maghull have raised concerns about the totally inadequate state of Maghull’s drainage infrastructure. Our existing built environment is subjected to recurrent flooding in the same locations putting lives at risk. Seven years ago residents asked responsible agencies to visit Maghull and identify flooding problems, directly attributable to inadequate infrastructure. Site visits were made by Environment Agency, United Utilities, Canal & River Trust, Sefton NHS and SP Energy Networks. Residents toured the areas of concern with representatives of each organisation and face to face consultations were held at several addresses where particular issues were recorded.

In 2013, Environment Agency provided residents with an update in matrix form of what had been recorded; this contained eleven numbered issues. A further update was provided by Environment Agency in 2016. These updates led to the compilation of Environment Agency Flooding Report for Maghull, which lists a total of thirteen numbered issues. This document was scrutinised, approved and endorsed for publication by the Flood Resilience Team of Environment Agency on 23rd December 2016. It was endorsed, similarly, by the Managing Director of United Utilities on 24th March 2017 and finally by the General Manager (Merseyside), SP Energy Networks on 5th May 2017. Canal & River Trust’s latest contributions were included on 5th May 2017.

A copy of Environment Agency Flooding Report for Maghull is enclosed for your attention. This is authentic insofar as it is the product of residents and senior officials working together to highlight infrastructural deficiencies which continue to blight our Town.

When the draft neighbourhood Plan for Maghull was unveiled residents were surprised to note 1650 houses being built on Land East of Maghull were to be connected to the existing inadequate infrastructure which senior officials had already condemned. During the short time allowed for the presentation of feedback for the Plan, 347 residents signed a message addressed to the Leader of Maghull Town Council, which reads...

To the Leader of Maghull Town Council.

We the undersigned are aware of the following documents.
(1) Resident’s letter with attachments, written 28th September 2017, to CEO Maghull Town Council.
(2) United Utilities’ Report in response to concerns raised by local residents dated 27th October 2016.
(3) Report initiated by Environment Agency and endorsed by United Utilities, SP Energy Networks and Environment Agency. This details 13 separate issues of recurring flooding in Maghull, emanating from neglect and abandonment of already inadequate drainage infrastructure.
(5) Draft Neighbourhoods Plan v.5.
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.

Items attached for your attention are
(1) Resident’s letter with attachments, written 28th September 2017, to CEO Maghull Town Council.
(2) United Utilities’ Report in response to concerns raised by local residents dated 27th October 2016.
(3) Report initiated by Environment Agency and endorsed by United Utilities, SP Energy Networks and Environment Agency. This details 13 separate issues of recurring flooding in Maghull, emanating from neglect and abandonment of already inadequate drainage infrastructure.

Item (5) Draft Neighbourhoods Plan v.5 has not been attached as you will have already received this from the Council.

Please read this letter and all of its attachments in order to gain an understanding of the dangers additional connections from elsewhere will impose on an already failing infrastructure. I shall be pleased to receive confirmation that you have received it.

I have headed this Communication number one because of the weight of its content. Communication number two will follow.

Yours Faithfully,

G. Crilly (Maghull Resident).
Dear [Name],

Please bring the contents of the enclosed letter and its contents to the attention of Maghull Town Council for consideration before finalisation of the draft report.

The letter also requests confirmation that you will send its full contents to the Local Planning Authority for review and your agreement that it can be copied to other organisations.

Please respond as soon as possible.

Regards,

Gerry Crilly

Chief Executive and Clerk to Maghull Town Council
Maghull Town Council
Maghull Town Hall
Hall Lane, Maghull
Merseyside
L31 7BB

28th September 2017.

Dear [Name],

Thank you for spending time at Maghull Town Hall on 22nd September, to describe some of the matters contained in the draft proposals of Maghull Neighbourhood Plan and inviting me to make comment on it before finalisation. I wish to emphasise concerns which are held within our neighbourhood, particularly in regard to the impact the proposed new development will have on our town’s existing drainage infrastructure.

With regard to the further massive development planned East of Maghull, it would appear no attention has been given to the devastating consequences this will have on our existing homes. It is well known curtailment, abandonment and neglect of existing drainage infrastructure is already causing local problems. You will remember concerned local residents, including myself, wishing to address these matters within the auspices of a proposed Maghull Flood Committee without any success. On the other hand councillors and residents from Croston who were prepared to cooperate in forming their own flood committee were encouraged to advise us of their success in obtaining a grant of five million pounds to upgrade their own assets. The problem Croston addressed and overcame is not dissimilar to that pertaining to Maghull. This revolves around water being introduced from areas outside of our town not being able to access our existing drainage infrastructure and flooding into streets and properties instead.

Drainage infrastructure enquiries, introduced by residents six years ago which are still ongoing, have led to the production of the enclosed Report which was initiated by Environment Agency and receives regular updates. Please note, to lend authenticity to this document, United Utilities, Environment Agency, and SP Energy Networks have endorsed, within this report, all references pertaining to their own assets. You will remember Environment Agency, during its presentation to Maghull Flood Committee, highlighting the issue that flooding from the canal into Hall Lane on Boxing Day 2015, led to Scottish Power’s Substation becoming submerged.

I can advise you that Environment Agency, SP Energy Networks and residents are still engaged in discussions about the dangerous consequences which flooding into Hall Lane will engender and these discussions are ongoing. (Ref e-mail from Environment Agency dated 19th September 2017).

Please also pay attention to the additional, supportive, attached Report issued by United Utilities,
27th October 2016, in response to enquiries raised by residents, concerning flooding into Old Hall Road, Hall Lane and Northway, directly from Leeds and Liverpool Canal. Attention to attached Residents' report on Leeds and Liverpool Canal is also recommended.

In Damfield Lane the sub canal culvert is inadequate for incoming flows from Whinney Brook and this was the cause of flooding into the Lane, during 2015, 2012 and twice during 2011. It is imperative, run offs from new developments East of Damfield Lane, are not allowed to enter Whinney Brook. It is well documented that similar excessive run offs, from outside of our area into Melling Brook, cause of flooding into Fouracres and Sefton Lane.

I understand the Maghull Neighbourhood Plan document 2017-2037 is a pre submission draft for consultation purposes, prior to it being submitted to the Local Planning Authority for review. In this regard I request, on behalf of my neighbours, the full content of this letter along with its attachments be submitted to the Local Planning Authority. Please confirm you will do this prior to this review being held.

In the draft report under section Maghull Vision and Objectives is listed...Ensure that Infrastructure is improved in a manner and timescale suitable for any planned development within the area. We wish to stress Improvements to existing drainage infrastructure are required immediately and must be completed locally before any further developments are planned. It has been noted that existing drainage infrastructure problems, within Old Hall Road, Hall Lane and Northway, are not specifically mentioned in the draft report. This needs to be seriously considered by Town Councillors for inclusion in the final draft, otherwise they will be failing in their duty of care for local residents. Under Infrastructure Provision Policy 1 no mention is made of drainage upgrades.

Policy 5 indicates a master plan will be submitted for infrastructure delivery off site. We need assurance that this master plan must take cognisance of immediate local drainage upgrade requirements. The Community Infrastructure Levy must, first and foremost, be aimed at restoration and improvement of our existing Drainage Infrastructure, rather than those prioritised within the Policy 1 Box, most of which are superfluous to the Town's immediate needs.

I was alarmed to learn the proposed development will rely on the formation of ponds to a I to a level of drainage and access Whinney Brook whenever these overflow. This is not acceptable because Whinney Brook, being restricted by the proven, inadequate sub canal culvert, is already the cause of regular flooding into Damfield Lane. Proper underground SUDS must be installed on the new site, not only to protect existing off site infrastructure but to prevent schoolchildren from drowning.

In the Foreword of the draft we are told ‘Your voices have been heard’ and Maghull will become a model for attractive and sustainable development. The Town because its inadequate infrastructure is already in a sorry state and will deteriorate further if concerns, expressed within this letter, are not addressed. One could be forgiven for assuming Locality is speaking for our immediate locality but we know this not to be the case. The Town Council’s Steering Group by not referencing our deplorable drainage infrastructure, within its draft report, is driving our neighbourhood down a dangerous road to inevitable disaster. Town Councillors charged to protect our existing neighbourhood should be given the opportunity to study the attached reports and make amendments to their own draft report before it is too late?

After further consultation with my neighbours I shall be writing to established contacts at Environment Agency, United Utilities, SP Energy Networks and Canal & River Trust, in the same vein I am writing to you. In this regard I will be pleased if you will confirm your agreement to this letter being copied and sent to these organisations.

Attachments:
ENVIRONMENT AGENCY FLOODING REPORT FOR MAGHULL.

Report issued by United Utilities, 27th October 2016,
Residents’ report on Leeds and Liverpool Canal.

Along with my neighbours, who have accessed this information, I look forward to receiving your reply in due course.

Yours faithfully, Gerry Crilly. (Maghull Resident).
Residents’ report on Leeds and Liverpool Canal. The major cause of flooding into Maghull’s streets and Homes.

The following photograph shows the canal overflowing directly into Hall Lane in 2015. Similar flooding from the same source occurred in 2010 and 2012. Pay particular attention to the electricity substation top left of picture which is submerged to such a degree that the building would explode if levels were to rise further.

Canal and River Trust has responsibility to manage Leeds and Liverpool Canal in such a way that the public is protected from danger and yet the above scenario is bound to happen again if the canal overflow network is not restored to the workable capacity it had when first installed by British Waterways’ engineers. This enabled the canal to access Whinney Brook which flows inside the wooden fence on the right foreground of the picture. Because original network has been abandoned canal overflows can no longer access the main river. A curtailment of culvert capacity at Old Hall Road now diverts canal overflows directly into streets, homes and more alarmingly “Electrical Plant”.

Canal & River Trust despite various enquiries and an official complaint from residents has refused to accept any responsibility for this specific issue by remaining silent and not addressing the concerns raised. Look at the photograph again and try to square it with the following statement from Canal & River Trust... Our works are targeted at the highest priority works based on an assessment of the condition of our assets, and the consequence of failure. If an asset were to show signs of significant deterioration we would prioritise for works an area with houses that might be impacted ahead of; say, a farmer’s field that might be affected.

We wanted to reassure the Flood Committee about our approach to caring for the canal, and to protecting communities alongside the canal, (Ref letter from Canal & River Trust to Sefton Flood Risk Management, 20th June 2016).

Such prioritization is not practised in Maghull.

Canal & River Trust has stated its position as follows...Canal & River Trust has no continuing responsibility for water which flows out of the canal and onto the land belonging to other landowners. Once canal water flows onto adjoining land, owned by Sefton Council, Canal & River Trust’s responsibility comes to an end. This is not a policy decision by Canal & River Trust, but what the law says. Canal & River Trust has also stated that the Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows. (Ref e-mail 5th May 2017).
Canal & River Trust, so far, has not confirmed the name of the law which allows indiscriminate discharges to be made from the canal into Maghull’s streets and homes.

The following statement, however, has been made... It is clear that the problem with water from the canal overflowing into local streets is one that is the responsibility of several organisations. Some of them own assets, while Sefton is the flood authority but as I understand it does not own any assets in the area, although I may be wrong. (Ref e-mail 18th April 2017).

Sefton Council have confirmed that they are responsible for the watercourse that flows from the swingbridge to Old Hall Lane as it lies within Sefton Council parkland. As a riparian owner Sefton Council ensure that water is able to flow along the watercourse channel but do not manage the water. (Ref e-mail from Maghull Town Council 23rd May 2016).

This implies management of canal overflows reverts back to Canal & River Trust once Sefton’s parkland has been crossed.

United Utilities has commented...

The flooding in your area is caused by overloaded culverts. We could not assist or request that the culvert is altered or restored to the original size. We also do not own the adaptation therefore; we cannot carry out any work on it. The ditch line itself is heavily overgrown and obviously not maintained with inevitability that the silt covered bed will be higher than its original which means its capacity will be reduced from when the canal overflow was installed.

As the flooding is from the canal overflow ditch and not caused by one of our assets failing or being inadequate, we do not have any proposals to carry out any work to prevent further flooding in Old Hall Rd, Hall Lane and Northway. (Ref Report issued by United Utilities, 27th October 2016 in response to enquiries raised by residents).

Following site surveys SP Energy Networks instigated plans to install flood mitigation measures at their primary substation in accordance with ETR 138 guidelines. Agencies/riparian owners with connected assets will need to take similar, prompt, positive remedial action to protect Old Hall Road, Hall Lane and Northway from preventable flooding. People are being subjected to unnecessary risks.

(Ref Environment Agency Flooding Report for Maghull 8th May 2017)
Flooding into Old Hall Road, Hall Lane and Northway from Leeds and Liverpool Canal.

A Report issued by United Utilities, 27th October 2016, in response to enquiries raised by residents...

Thank you for taking the time to contact us on 17 October 2016 providing the additional information so that we could respond to your initial queries. As you are aware the flooding in your area is caused by overloaded culverts. We could not assist or request that the culvert is altered or restored to the original size as this decision would be with Sefton Metropolitan Borough Council (MBC), as the local land drainage authority and the lead authority in Surface Water Flood Management. We also do not own the adaptation therefore, we cannot carry out any work on it. The ditch-line/culvert belongs to the owner of the land through which it passes. Sefton MBC as the local land drainage authority will be able to confirm the ownership of this.

As the flooding is from the canal overflow ditch and not caused by one of our assets failing or being inadequate, we do not have any proposals to carry out any work to prevent further flooding in Old Hall Rd, Hall Lane and Northway.

The maximum discharge rate of surface water outfall, serving the Glentworth Close estate, is approximately 45 litres per second assuming a free outfall (150mm pipe at a gradient of 1:15). However, once the water levels in the ditch rise 9–12 inches above the bed the outfall will be fully submerged which will severely restrict the discharge rate.

We have carried out investigations and also found that flows during a period of prolonged dry weather are finding its way into the canal overflow ditch through the lower steps of the canal overflow, by what is possibly a leak from the canal. There is a metal railing, which may be acting as a grill across the inlet to the culvert and situated approximately 5m in front of the inlet, to prevent debris from entering and blocking the culvert. There is another 150mm diameter outfall on the upstream side of the railings which may be a land drain from the adjacent field and therefore not one of our assets. The ditch line itself is heavily overgrown and obviously not maintained with inevitability that the silt covered bed will be higher than its original which means its capacity will be reduced from when the canal overflow was installed.

The surface water network serving the estate would have been designed in agreement with Sefton MBC approximately 25 years ago. It appears that they applied a condition that the surface water sewer, to be adopted by us would be 900mm in diameter for the full length to accommodate storage during storm conditions whilst limiting the discharge flows into the ditch. There will be a tipping point where flows from the ditch (with a greater head of pressure) will actually back-flow up the surface water outfall, which is presumably why there is so much storage/oversized sewers on the estate. The outfall and the chamber in which the throttle pipe reduces to 150mm is housed are in good condition and fully operational and does not require any cleaning/maintenance.

The Developer of the Glentworth Estate should have sought permission from the owner of the ditch to allow them to connect into it. The owner of the ditch (or Sefton MBC as the local Land Drainage Authority) would have dictated that a maximum flow rate could enter the ditch. To facilitate this maximum flow rate the surface water sewer has large, oversized pipes to act as storage during storm conditions to prevent the estate from flooding.

I hope this information is useful to you.
Dear [Name],

I overlooked this one.
Please number it in sequence.
Regards,
Gerry Crilly

----- Original Message ----- 

From: Gerry Crilly
To: flooding@sefton.gov.uk
Cc: 
Sent: Thursday, June 28, 2018 9:40 PM

Subject: Communication number two, to Examiner of Proposed Maghull Neighbourhood Plan.

Please forward the enclosed message and attachments to Examiner of Proposed Maghull Neighbourhood Plan.
Regards,
G. Crilly (Maghull Resident).
Communication number two...
To the Examiner of Maghull Neighbourhood Plan Proposal.
Via, e-mail to Flooding@sefton.gov.uk

Dear Examiner,
I sent communication one to you, on 25th June 2018, along with various attachments and advised you that communication two would follow. This was necessary because the weight of documentation sent to support our concerns about Maghull’s totally inadequate drainage infrastructure. We have evidence that the existent drainage infrastructure within our built environment cannot support the extra loadings which will be generated from massive developments, envisaged within the proposed Maghull Neighbourhood Plan.

It would be unfair to expect anybody to fully understand the complexities of Maghull’s totally inadequate drainage infrastructure; in many ways some recurrent flooding issues are interrelated. The easiest way to grasp an overall view is to study Environment Agency Flooding Report for Maghull. This document was sent to you, attached to Communication one, dated 25th June 2018.

My neighbours are anxious that you study one issue at a time, so I wish to dedicate communication two to the impact overflows from Leeds and Liverpool Canal is having in Hall Lane and further areas of Maghull.
Please refer to following numbered issues contained in Environment Agency Flooding Report for Maghull
(1) Damfield Lane/ A59 Roadways
(2) Damfield Lane Development land
(3) Whinney Brook Culvert at Damfield Lane
(4) Canal Bridge.
(5) Cricket / Football Fields.
(6) Outlet stream from Canal.
(10) Damfield Lane
(12) Hall Lane Electricity substation.

On June 12th in Melling, two miles upstream from Maghull, Leeds and Liverpool Canal caused a flooding incident which prompted us to summarise Maghull’s, canal related, problems and inform Sefton’s 64 councillors accordingly.
An important message to all Sefton Councillors is attached for your perusal. This will enable you to assess the problem of canal flooding within our neighbourhood.

Environment Agency Flooding Report for Maghull has already saved lives by identifying Leeds and Liverpool Canal as the major source of flooding, which submerged an electrical substation in Hall Lane, on Boxing 2015. After the incident a visiting engineer remarked...If water gets into one of these, it will be like a bomb going off!
A reporter from Champion Newspaper made his own independent enquiries and published his findings in the three articles attached.
I shall draw your further attention to other flooding matters, caused by inadequate infrastructure, in communication number three to follow.

Yours faithfully,

G. Crilly (Maghull Resident).
An important message to all Sefton Councillors.

I have contacted you previously about Maghull's failing drainage infrastructure and the impact this is having on our existing built environment. Your attention has already been drawn to the dangers being faced by residents because of the inadequacies of culverts serving Leeds and Liverpool Canal.

An incident which happened on 12th June 2018, in Melling, is an example of the devastation collapsed culverts can cause. Read all about it in this week's Champion Newspaper.

It was all hands to the pump when a culvert, under Leeds and Liverpool Canal, collapsed and flooded a large area of Melling. Canal & River Trust, Environment Agency and the Fire Brigade worked through the night to sort out the mess; fortunately there were no casualties! No doubt, questions will be asked about the ownership and maintenance of the culvert so somebody can be called to account?

What has any of this to do with what keeps happening in Maghull? Let me enlighten you!

In 2012, Canal & River Trust wrote this about the receiving culvert which conveys Whinney Brook beneath Damfield Lane and Leeds and Liverpool Canal...
The third and sub road section of culvert34 is not of British Waterways' ownership and they have no records of its age, material construction, condition, or strength ability to withstand heavy traffic. Whether its collapse would also lead to multiple serious injuries and death is a question which must be posed to whoever is responsible for its maintenance and upkeep.

We have been advised, Sefton Council, as riparian owner of this culvert, is responsible for its maintenance and upkeep. The Land Drainage Act (1991) places duties and responsibilities on riparian owners, one of which is to make provision to adequately convey flows.

Capita Symonds, at one time engaged as Drainage Advisor to Sefton Council, wrote in 2012...
The areas of much concern for local flooding are: Where Whinney Brook crosses Damfield lane, there have been two major incidents of flooding reported in 2011 alone due to blockages and incapacity of the culverts carrying the brook under the road. The junction of Damfield Lane and the A59 frequently floods in heavy rainfall. The 1994 Canal breach in Maghull occurred when the culvert collapsed under the canal. This resulted in significant inundation of properties in Maghull. It is not clear whether the inundation was due entirely to the water within the canal.

Canal & River Trust wrote in 2013...
We are aware that at times Whinney Brook does go out of channel and as a result Damfield Lane does flood. Our understanding is that the flooding is initially related to the capacity of the culverts under Damfield Lane.

The Waterways Ombudsman wrote in 2014...I accepted that the information submitted in respect of the planning application was incorrect, but I could see no way in which it could possibly have any impact on the likelihood of flooding. It was not my role to establish the state of the infrastructure or the flood risk. The assessment of that risk is the responsibility of the LLFA.

Damfield Lane flooded twice in 2011, again in 2012 and again in 2015 = Four times in Four years.
You do not need an engineering degree to figure out why?

Still on the subject of Leeds and Liverpool Canal, let us move on to Hall Lane which flooded in 2010, 2012 and 2015, due to inadequate, canal related infrastructure.

Capita Symonds wrote in 2012...
Hall Lane, between Northway (A59 and Leeds and Liverpool Canal), frequently floods, affecting the highway and properties following heavy rainfall.

United Utilities wrote in 2016... As you are aware the flooding in your area is caused by overloaded culverts. We could not assist or request that the culvert is altered or restored to the original size as this decision would be with Sefton Metropolitan Borough Council (MBC), as the local land drainage authority and the lead authority in Surface Water Flood Management. We also do not own the adaptation therefore; we cannot carry out any work on it. The ditch/culvert belongs to the owner of the land through which it passes. Sefton MBC as the local land drainage authority will be able to confirm the ownership of this. The ditch line itself is heavily overgrown and obviously not maintained with inevitably that the silt covered bed will be higher than its original which means its capacity will be reduced from when the canal overflow was installed. As the flooding is from the canal overflow ditch and not caused by one of our assets failing or being inadequate, we do not have any proposals to carry out any work to prevent further flooding in Old Hall Rd, Hall Lane and Northway. Our Chief Engineer also noted that you had concerns about the overflow from Leeds Liverpool Canal contributing to the flooding on Whinney Brook. This will be raised as a concern at our next meeting with Seton MBC and the Environment Agency.

The Waterways Ombudsman wrote in 2017... It is clear that the problem with water from the canal overflowing into local streets is one that is the responsibility of several organisations. Some of them own assets, while Sefton is the flood authority but as I understand it does not own any assets in the area, although I may be wrong.

A reporter from the Champion Newspaper made his own enquiries and published a three page article which highlights, in these words, the reason why the canal overflows...’The canal had not been flowing into nearby Whinney Brook as it should have done, due to disrepair of its overflow network.’

The Champion’s three articles, which concentrate mainly on Public Safety, are headed...

Call to improve canal defences over flood fears...

Plea to improve canal overflow system to reduce risk of flooding...

Electricity substation now fully protected against risk of flooding.

The underlying cause of canal flooding, identified by United Utilities, the Waterways Ombudsman and the Champion Newspaper remains uncured along with the risk it presents to my neighbours. Sefton Council has a duty to restore the overflow network to its original workability.

Maghull Flood Committee was formed, as a coalition of councillors and residents, to investigate Maghull’s flooding problems. Sefton FCERM contributed to proceedings by distributing false information about the canal which was later withdrawn on advice received from Information Commissioner’s Office. Sefton FCERM continued its assault by removing the canal from published agendas and refusing to allow debate about the canal at future meetings.
To make sure revelations would go no further, Maghull Flood Committee was then aborted.
This letter is addressed to you to demonstrate Sefton Council’s dereliction of its duty to protect residents in Maghull from dangerous recurrent flooding episodes. You have already received Environment Agency Flooding Report for Maghull, an eight page report which details a total of thirteen such episodes. This document was compiled from testimonies, written by responsible agencies over a period of seven years. It has received endorsements for publication from, Environment Agency, United Utilities, and SP Energy Networks.

Environment Agency Flooding Report for Maghull has already been instrumental in saving lives through highlighting the canal/substation danger, detailed above.

The document would have been officially presented to Maghull Flood Committee but agencies only managed to complete its contents after the Committee’s dismemberment.

Sefton FCERM has since stated... The documents provided as supporting evidence to your complaint have been reviewed and partners have been contacted to clarify if the statements are true, accurate and represent the views of their organisation. It has been confirmed that they were not written or endorsed by them. As such, we are having difficulties in distinguishing what is fact and opinion and what exactly the complaint is about with regard to Sefton’s role in managing flood risk and the duties it is discharging as Lead Local Flood Authority.

Having orchestrated the dismemberment of Maghull Flood Committee Sefton FCERM is now attempting to dismember Environment Agency Flooding report for Maghull?

There is something sinister in all of this!

The Maghull Neighbourhood Plan makes provision for 1650 houses to be connected to Maghull’s totally inadequate and Public Danger producing drainage infrastructure. The Plan makes no provision for the protection of our existing built environment. My neighbours are living on the edge of tragedy.

The twenty year Plan boasts to be a model for attractive and sustainable development by making the most of our natural assets and a vibrant, healthy community. The residents of Maghull are currently being subjected to dangers ranging from explosions, electrocutions, gassings and drowning. Raw infectious sewage spews continually into Hall Lane; we have photographic proof!

Sefton Council by adopting Maghull Neighbourhood Plan, whilst covering up existing infrastructural inadequacies, is playing a dangerous game.

We have presented the facts. It is Sefton MBC’s duty to preserve our neighbourhood.

 Regards,

Gerry Crilly (Maghull Resident).

(23rd June 2018).
CALL TO IMPROVE CANAL DEFENCES OVER FLOOD FEARS

Report by Kenny Parker

RESIDENTS in Mighull have called for the Leeds and Liverpool Canal overflow network to be improved to prevent the chance of flooding.

Severe weather two years ago led to flooding on Old Hall Road, Northway, and Hall Lane caused by water overflowing from the canal.

A nearby electricity substation had to be protected by sandbags being placed around it by emergency services.

A more permanent flood defence is currently being installed at the substation by Scottish Power.

Northway resident Gerry Cribby says the canal overflow network to nearby Whitney Brook needs to be repaired, however, and that residents are "living on the edge of a potential tragedy.”

Continued inside
Plea to improve canal overflow system to reduce risk of flooding

From Page 1.

Mr Crilly said: "The closeness of the substation to houses is a danger to the neighbourhood. The Canal and River Trust, Environment Agency and United Utilities are now aware that the overflow network connecting the canal to Whitney Brook is no longer fit for purpose because of neglect. "Until works are put in place to restore this, our local roads will be swamped whenever the canal overflows. It is essential the work is implemented urgently."

The Environment Agency has not responded to a request for comment but a spokesperson for Canal and River Trust said it is working with local authorities to identify ways to minimise the impact of future excessive rainfall.

Meanwhile a spokesperson for Scottish Power has said that there had not been a risk of water reaching the electrical equipment and that residents should not be unduly concerned by the new flood defences. Andrew Lloyd, SP Energy Networks district general manager, said: "We have reviewed risk, listened to local customers and taken steps to plan and approve flood defence works. "During December 2015, local flood waters did not necessitate the deployment of sandbags to protect the substation site, but at no time was there a risk to electricity supplies or our equipment. "Having reviewed this incident and other local information on flood risk, we have progressed these works and would reassure customers that there is no need to be alarmed by the flood defence works which will enhance the protection of this primary substation site."

Lydiate parish councillor Tony Robertson, meanwhile, expressed broader concerns about flood risks in Maghull due to the extensive housing developments and other projects taking place.

He said on his blog: "Building on land off Damfield Lane has led to worries about flood risks potentially being increased. "In simple terms, surface water drains away from Maghull in a westerly direction using Whitney Brook, Maghull Brook, Dovers Brook etc. with them all draining into the River Alt. "In turn the Alt empties out into the Mersey estuary at Hightown. "The issue is therefore the capacity of these brooks and the river to be able to take the consequences of heavy prolonged rainfall away. "Clearly at times that capacity will not be sufficient and the more we concrete over farmland, where rainwater can presently soak away, the greater we make flood risks. "A Sustainable Urban Drainage pond has been dug on the Ashworth South/Poppy Fields site off School Lane. "I'm also told that the pipe presently being laid across the fields on the other side of School Lane is to take water from the Poppy Fields site over to Whitney Brook. "The big questions people in Maghull have to face, in my view, are when will the next significant flood risk event takes place and are the powers that be managing land development in a way that does not increase flood risk? "On this latter question the answer must surely be that the jury is still out."
Electricity substation now fully protected against risk of floods

Report by Kenny Parker

AN electricity substation in Maghull now has a flood defence system in place.

Sandbags had to be piled up outside the substation on Hall Lane by emergency services to protect it during floods on Boxing Day 2015.

The floods were caused by the Leeds and Liverpool Canal overflowing during heavy rains.

The canal had not been flowing into nearby Whitney Brook as it should have done, due to disrepair of its overflow network.

The Champion reported that residents have appealed for the overflow network to fixed urgently fearing a potential tragedy could occur should the substation flood again.

A spokesperson for Canal and River Trust said it is working with local authorities to identify ways to minimise the impact of future excessive rainfall.

But Scottish Power (SP Energy Networks) sought to allay residents’ fears by issuing a statement that the electric equipment was never in danger from water. Nevertheless, hav-

The electricity substation on Hall Lane which now has flood defences. (Picture, SP Energy Networks).

ing reviewed the risk and listening to local’s concerns, the company says it has “enhanced” the flood defences of what it says is a primary substation.

That work has now finished.