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for people and wildlife

Environment Agency

Michael Meredith
By email at: ecologicalowlthorpe@gmail.com

Our ref: AM/12301
Date: 13 October 2021

Dear Mr Meredith

Thank you for your letter dated 10 September to Emma Howard Boyd. Emma has read your letter and asked me to respond on her behalf. She will receive a copy of this response.

Your letter is wide ranging, and it contains some issues which are not within our remit as the Environment Agency (EA) and it would not be appropriate for me to comment on Government statements other than to say that it is correct that we support nature-based solutions as part of our catchment plan to protect homes and businesses from flooding.

However, I have provided responses to those questions which are within our remit which I hope are helpful. I have answered your points in turn.

The answers to your 7 questions are as follows:

1. This is not the EA's remit to comment on. Our remit is as follows:

   Planning permission is required for the development of land. Planning law prescribes circumstances where Local Authorities are required to consult specified bodies prior to a decision being made on an application for planning permission. These specific bodies are referred to as 'statutory consultees'. The statutory consultees must provide a substantive response to the council within 21 days.

   The Environment Agency is a statutory consultee where the development involves works within 20 metres of a main river or works other than a minor development in flood risk zones 2 and 3. We are not the decision maker in the planning process.

2. This site is 1.5km upstream of main river (Environment Agency maintained river) so it is unlikely that Environment Agency staff would have been in this area as it is outside of our remit from a flood risk perspective. The river here is classed as an ordinary watercourse and will be the responsibility of Sheffield City Council.

   Responsibility for managing the effects of past coal mining, including mine water pollution caused by historical coal mining lies with the Coal Authority. The Coal Authority undertake remediation of minewaters as part of a national prioritised programme in partnership with the Environment Agency, the Scottish Environment Protection Agency and Natural Resources Wales.

   Currently the Coal Authority operates more than 80 minewater treatment plants throughout Britain. The Environment Agency maintains the national prioritised list of abandoned coal mine discharges which cause a significant impact on the water environment. The priority list

is agreed with the Coal Authority and currently has 24 abandoned minewaters which are ranked in order of severity of impact. The Coal Authority may consider providing treatment schemes for those minewaters on the priority list for remediation. In order to get on the priority list minewaters are assessed using an agreed scoring system. Abandoned minewaters which are not significant enough to be on the priority list may be monitored by a watching brief to see if a discharge changes significantly. Currently Ochre Dike is not on the priority list.

Abandoned mines can be a significant source of pollution. Prolonged wet weather can cause rising minewater underground to dramatically 'blowout', discharging to the surface and bringing with it years of accumulated ochre that turn watercourses orange. Any new discharges can be reported to the Environment Agency's 24 hour incidents hotline (0800 807060). Such reports help build up an evidence base which then helps guide future action.

3. Flood Risk planning and permitting policy places the onus on the promoter of any flood risk intervention to provide suitable evidence that their proposals do not cause an increase in flood risk to others. In the case of the Lower Don Valley (LDV) Scheme Sheffield City Council provided their Flood Risk Assessment for our review through the planning process.

The LDV Scheme's Flood Risk Assessment states that 'From Meadowhall B Bridge to Jordan Dam there is no significant change in flood level.' The modelling used in the Flood Risk Assessment demonstrated that there were no significant changes in flood level at the downstream end of the scheme. It is reasonable therefore to infer that the influence of the scheme ended here. No further investigations were required for the Environment Agency to be satisfied that the scheme was appropriate and not detrimental to others further downstream.

Further evidence to support this is that there is no observable difference between the floods of late June 2007 (before the LDV scheme was built) and November 2019 in the middle and lower reaches of the river, broadly the River Don through Rotherham and Doncaster town itself. It follows therefore that the differences in the tidal reaches, downstream of Doncaster, were likely to be driven by factors local to those reaches.

It is reasonable therefore to infer that upstream defences in Sheffield did not influence the flooding in the lower, tidal reaches of the River Don in 2019. Precisely why we saw the scale of impacts in Fishlake and around is the subject of an ongoing modelling review from which we are expecting outputs shortly.

4. Please see answer to number 2

5. The tow path shown in the video belongs to the Canals & Rivers Trust and as such we do not own or maintain it. However, since the flooding in November 2019 we have carried out and continue to carry out improvement works in and around Fishlake, some of these are detailed below:

Fishlake Recovery – work completed

- All Recovery construction activities in this area, following the November 2019 flooding, to improve the flood defences around Fishlake, are now complete.
- Improvements to the Barrier Bank mean it offers a Standard of Protection (SOP) in excess of 1 in 200 year (0.5% Annual Exceedance Probability)

- Piling works at Fishlake Nab have reduced seepage of water through the flood embankment and retaining wall adjacent to the River Don downstream of Stainforth Bridge. We have also raised this section in line with the immediate upstream and downstream levels of the embankment to prevent scouring caused by water overtopping.
- In consultation with the local community and Doncaster Metropolitan Borough Council, a temporary telemetry site has been installed in Woodhouse Ings (fields adjacent to the River Don and Fishlake village) to monitor water levels when the river overtops. It is now live and this river level data, along with the data from the River Don telemetry, can be viewed at River and Sea Levels in England - GOV.UK (flood-warning-information.service.gov.uk)

Local Silt Clearance – about to commence

Following on from high river and Ings levels earlier this year due to Storm Cristoph, the Environment Agency have secured further funds to carry out additional work. The high flows deposited additional silt in some locations and there is a flood risk benefit to removing this silt. The Environment Agency are due to carry out desilting around Stainforth Bridge, Jubilee Bridge and at other pinch points. There is currently no plan for a future programme of similar works. However, we will be monitoring the efficacy of this clearance on river levels and conveyance, the results of which will inform future priorities.

The community see this work as positive and we have engaged with Doncaster Metropolitan Borough Council flood risk team to discuss the potential for them to carry out future maintenance around bridges.

Fishlake Risk Management Scheme – in development

Doncaster Metropolitan Borough Council (DMBC) working in partnership with the Environment Agency, have been allocated £65k Local Levy to progress a study to investigate the benefits of increasing the Ings capacity upstream of Fishlake and to determine options for monitoring the capacity of the Ings system (once the spillway upstream of Stainforth Bridge is operational), as occurred in the November 2019 and January 2021 events.

The study will investigate suggestions that have come from recent meetings with the community including:

- Installing gauge boards
- Designing a ducting system for when pumps are in operation to stop the need for closing the road at Fishlake Nab.
- Investigating improvements to the downstream watercourse and culvert

Community resilience

The EA Flood Resilience team is working with DMBC and the local Flood Wardens to increase community resilience to future flooding. The number of flood warden volunteers has increased since November 2019 and the Flood Resilience Team has supported the group with training and the updating of the community flood plan.

Climate resilience and Lower Don Source to Sea – long term response in development

The impact of climate change will continue to increase the frequency and severity of flooding in the future for communities across South Yorkshire. We cannot continue to build higher walls to reduce this risk. The Lower Don Source to Sea project is working with partners and the local community around Doncaster to identify nature-based solutions which reduce flood risk and contribute to the response to the climate and nature emergencies. Schemes to ‘slow the flow’ and ‘make space for water’ will also increase biodiversity net gain, reconnect nature networks and store carbon. The

Lower Don Source to Sea project and discussions with local stakeholders are at a very early stage, but this project has the exciting potential to be delivered at a landscape scale. This project, along with around a further 120 projects, will be outlined in the forthcoming South Yorkshire Catchment Plan.

The South Yorkshire Catchment plan, which is currently being developed collaboratively with all four Local Authorities, Yorkshire Water and South Yorkshire Mayoral Combined Authority will play a key crucial role in attracting and securing additional investment to the South Yorkshire Investment Programme.

The Catchment Plan has four themes: climate emergency response; smart, evidence-driven investment; technology and operational management; and community engagement and resilience. It outlines the actions we have identified that we will collectively undertake to reduce flood risk, mitigate climate change and support climate resilient communities across South Yorkshire. The plan is intended to be published in January 2022.

6. Please see the above: **Climate resilience and Lower Don Source to Sea – long term response in development**

7. I understand our local Sustainable Places team replied to yourself on this point 22 June 2020 and I have no further comment to make on this matter.

I hope you find this letter helpful. If you have any further questions, please get in touch via YorksCorrespondence@environment-agency.gov.uk

Yours sincerely

Mike Dugher
Area Director - Yorkshire