

**David and Debbie White's presentation to the  
BCC Select Committee Flooding meeting - 8th September 2015.**

This statement is being written by me – David White - based on the experience of my wife Debbie and myself of the flooding in Hughenden Valley in 2014 and also from me as Chairman of the Hughenden Valley Drainage Improvement Group (HVDIG). Thank you for the invitation to present to this meeting.

Firstly can I say that the degree and impact of the flooding in Hughenden Valley was not as catastrophic as that experienced along certain areas of the River Thames in 2014 but its impact on our lifestyle was severe, disturbing and traumatic and more importantly - unlike the situation on the River Thames - was immediately controllable in ways that are well understood. The issue in 2014 was and still remains - who has the responsibility under law to implement the control measures and by what legal mechanism they are enforceable.

The area of the Chiltern Hills is a naturally high groundwater level region and because of the geology contains a number of chalk streams with winterborne sections that only flow when groundwater levels are high enough – predominantly in winter months as the name implies. The Hughenden Stream is one of these chalk streams and the winterbourne section runs through Hughenden Valley and through the garden of our property. We have lived here for over 30 years and the Hughenden Stream in our garden appears to flow around every 3-5 years. There are only around 200-330 chalk streams in the world and the vast majority are in the UK with a large number of these in the Chiltern Hills – they are actually rarer than tropical rain forests but have very little profile in the UK.

The Thames Water sewer system in Hughenden Valley follows to a large degree the course of the Hughenden Stream and its feeding tributaries. The sewer pipe along Valley Road is like the M25 – it is connected to a large proportion of properties/businesses in Buckinghamshire and then has to progress down to a treatment works at Little Marlow that is experiencing capacity and processing issues. Given Hughenden Valley's naturally high groundwater levels these sewers are at or below groundwater level pretty much full time. This groundwater infiltrates into the sewer network and act like French drains funnelling it down the main pipe in Valley Road. When groundwater levels are particularly high the sewer network will vent at vulnerable points and once this threshold is breached without pumping intervention will continuously discharge at these vents 24/7 until groundwater levels recede. Based on the experiences of 2001 and 2014 this period is of the order of six months. In addition the “peak hours” of sewer usage by households/businesses add to this continuous venting – not in a good way. These venting events have happened twice so far since we have lived here – in January to July 2001 and in February to June 2014.

There is only one property to my knowledge in Hughenden Valley that has issues with pure groundwater flooding. This is in Warrendene Road and both in 2001 and 2014 had to pump groundwater rising in the garden into the road to stop it entering the property. In addition given the confluence of a number of steep valleys and roads in Valley Road there are issues of surface water flash flooding when there are sudden intense downpours of rain. The road's surface water management system is overwhelmed and as some houses are lower than the road level the water discharges from the road and into the properties and some garages. A number of these events occurred in 2014 as well as the sewer flooding.

When the Hughenden Stream is at full flow - as happened in 2001 and 2014 - the only areas that it flooded onto were the field adjacent to Boss Lane (in 2014 but not in 2001) and the National Trust field in front of the Affinity Water pumping station in Valley Road. Based on these events it is our view (and that of HVDIG) that here is more than enough capacity in the Hughenden Stream to deal with groundwater flows, surface water management and the overpumping of sewers in Hughenden Valley. When the course of the Hughenden Stream is impeded this results in potential flooding to properties, roads, and fields (as in Boss Lane in 2001 and a few houses in Valley Road in 2001) and also results in more groundwater entering Thames Water's sewer network making venting events more likely and more severe. It is HVDIG's view that the remedial work carried out by Bucks CC after the 2001 events and carried out in 2002 made the 2014 event more severe:

- the culverting of the Hughenden Stream along Boss Lane was wrongly engineered. There is not enough gradient to allow under road culverting and as a result the culverts go uphill rather than downstream. In addition there has been no regular maintenance of the underground pipes which remained blocked for most of the 2014 flooding period. This resulted in the stream flooding a large section of the fields in Boss Lane making them unusable and potentially undermining the root systems of the mature trees next to the houses in Boss Lane and Valley Road. It also allowed large amounts of groundwater to enter the Thames Water Sewage network that crosses the field.

- the culverting of the Hughenden Stream in front of the Village Hall in Valley Road together with the installation of a number of pipes under Valley Road to take surface water to the stream ditch should have helped but again there seems to have been no maintenance programme and the underground pipes were blocked or collapsed and the ditch full of silt during the 2014 event leading to surface water flooding of gardens. Also the capacity of the pipes put in under the road is probably not enough to deal with sudden downpour events even though the ditch capacity is enough. Putting bigger pipes in 2002 would have not had huge cost implications – trying to increase the pipe capacity now probably does.

**1. How did flooding in 2013-14 impact on you and your property/ your street/ your village?**

I submitted the following description of the events to Ofwat in April 2014 – my property being Leaside, Valley Road:

***“Appendix 1 – History of Sewer Discharges at My Property***

*On 4th January 2001 the Thames Water sewers discharged dirty sewage water onto my property flooding the integral garage of my house. The response of the Thames Water contractors who attended was to fit an electrical pump in the manhole piped to the Hughenden Stream at the back of my garden. Over the coming weeks as the discharge severity grew, this increased to four pumps in the manhole until the end of May, reducing to one until August. A large number of properties along Valley Road were similarly affected and they too had pumps fitted by Thames Water's contractors who also periodically cleaned up the sewerage accumulated on our properties. The pumps were provided and maintained by Thames Water and some of the running costs of the pumps were also paid by them.*

*At 7.30am on 7th February 2014 the manhole connected to Thames Water's sewerage system again started pumping dirty sewage water onto my property. On the morning of 9th February Thames Water's representative from Lane's Drains arrived to assess the situation. He lifted the main sewer inspection cover outside my property with the sewage a few inches from the cover and said that the sewer was not blocked but filled to over capacity with ingress from high levels of groundwater. He also said that until this subsided they could do nothing about the discharges onto my property and they would come back and clean up when the groundwater had subsided.*

*I asked the Lane's representative if they would fit pumps as in 2001 to control the problem and was told that they would not fit pumps but would clean up when the sewage stopped being pumped out and that the problem of groundwater in the sewer system was the fault and responsibility of the Environment Agency not Thames Water. My only recourse was to put weights over the main manhole, all rodding chambers and drainage grids connected to my property in order to keep solid matter such as faeces, condoms, nappies and tampons down in the system and dig a series of channels around my house and down the garden to the stream. There was then a period of four weeks when the Thames Water sewers were discharging sewage onto my property 24/7 as I tried to persuade Thames Water to provide a pumping solution as in 2001 to no avail. Eventually I had to purchase my own pumps and flat hose to implement the solution at considerable expense.*

*A number of properties along Valley Road that suffered the same problem in 2001 were similarly affected and the situation worsened when foul sewage started flowing from the sewer manholes down the pavement past a bus stop where up to fifty schoolchildren wait each morning to catch buses to schools in the High Wycombe area. It was also flowing from a manhole cover down the road at the Local Surgery/Pharmacy that came within a whisker of closing down.*

*After contacting the local press and involving the local MP and Councillor, Thames Water finally relented and on 6th March provided an over pumping solution by installing two 6" pumps in their sewer system – one outside The Surgery in Valley Road and one in Boss Lane – and pumping under the road through culverts into the Hughenden Stream with permission from the Environment Agency and Bucks County Council. These pumps running 24/7 have stopped the sewage discharges onto the properties along Valley Road and Boss Lane and pollution levels in the Hughenden Stream are being monitored by the Environment Agency who consider this to be a major pollution event. On Friday 11<sup>th</sup> April 2014 Thames Water cleared a blockage in their sewer about 200 metres away from my property which let the sewers flow and are hopeful that after further cleaning of their sewers the over-pumping can stop."*

The Thames Water pumps were finally switched off and decommissioned in June 2014.

## **2. In the event of flooding, did you know who to approach for help?**

Our previous experience in 2001 led us to believe we did and this was Thames Water but actually we didn't as no help was forthcoming from them until we contacted our MP and the Bucks Free Press and the bad publicity appeared to prompt a reaction from Thames Water.

### **3. Which local authorities or partner agencies did you approach for help and were you satisfied with the response?**

We tried everyone we could think of - Thames Water, Wycombe District Council-Environmental Health/sandbag emergency, Environment Agency, Bucks CC, Transport for Bucks, the Police, MP. Anyone walking past with a day glow jacket that looked “official” was approached. People who actually came to see the problem were few and far between but regarded as heroes.

Thames Water’s response was to tell us it was not their responsibility and to do what we thought best and contact our Insurance companies. Indeed at one stage they had a message on their helpline that said unless we had sewage inside our properties to hang up. Residents were suitably disgusted with their response. It was intensely frustrating as they were told by us what needed doing to immediately stop the problem, had drainage engineers on site daily who could do the work but were prevented from doing it and the pumps were available as we had to buy them ourselves on e-Bay. When Thames Water engineers were finally allowed to visit the site they were appalled by the circumstances they saw and argued strongly with their management for Thames Water pumping action – Trevor Hennessey and Patrick Obuseh were heroes.

Wycombe District Council Environmental Health Department were very helpful. Stacey Brown and Amy Stansmore came out and gave us advice on managing health issues and put us in contact with Joe Blanchard to get sandbags which were always delivered promptly when requested. Harry Quarrell who had been seconded to the emergency response HQ in Marlow also came to visit and recommended that we should go there and register our issue – great advice.

EA/ BCC flood team were sympathetic and Alex Back and Karen Fisher came and visited on their first day in the job – more heroes. They were here when Thames Water switched on their two pumps for the first time and witnessed the constant river of sewage immediately stop flowing on our property as a result. Transport for Bucks was not so helpful. Some houses in Valley Road have no direct access to the Hughenden Stream and when the sewage vented they were pumping from their garden into Valley Road to stop the sewage entering their house. A Transport for Bucks van stopped and told them to immediately stop pumping or they would be fined £10,000 by the Environment Agency. When they said their houses would flood if they turned off the pumps he said turn them off. This was pretty much the response of Transport for Bucks in 2001 when the pumps were first put in our property by the Thames Water representatives and pumped out onto Valley Road. Transport for Bucks also did nothing to close off the pavement by the bus stop in Valley road that was flowing with sewage and being paddled in by the many schoolchildren waiting there for school buses. Local residents had to put up home made warning signs.

The Environment Agency was brilliant. They came and gave advice on how best to manage the pumping we were doing into the Hughenden Stream, took various samples and said that we had a right to protect our properties as best we could after reporting a potential pollution event of the Hughenden Stream. This is the message the Transport for Bucks man in the van should have given. Helen Lodge suggested the formation of HVDIG to coordinate residents and the agencies based on a similar set up they had seen in Aldbourne.

David Lidington our MP was and continues to be magnificent. He came and visited immediately, was appalled by what he saw, did press briefing and called a meeting of the various agencies that appeared to be doing nothing with little co-ordination – this turned into the HVDIG – and has been helping us with various correspondences with Ofwat.

**4. In your opinion, what could have been managed better/improved at the time of the flooding?**

The event on our property was preventable and people here who had experienced the 2001 event knew exactly how to do it. Those agencies who could help denied they had any responsibility to do so legally. There was little joined up action between Thames Water, Bucks CC and the Environment Agency and the events of 2001 seemed to have completely disappeared of the radar with little learning.

Basically the community in Valley Road had to manage and deal with the situation themselves based on the experience of those who had been through the 2001 event and the sheer bloody mindedness and persistence of affected residents. If everyone had moved out of the houses since 2001 I dread to think of what the outcome would have been – I suspect a large number of homes would have been internally flooded with sewage.

**5. What help and support have you received subsequent to the flooding?**

Despite telling us daily while the sewage was venting that a cleanup would be done, when they started overpumping and the venting stopped Thames Water did nothing and left us surrounded by stinking drying sewage for weeks. In the end we removed 25 bags of slurry from our property and did it ourselves because the contractors used by Thames Water were useless. This was dumped on the verge outside our home and eventually collected by Thames Water.

Thames Water initially refused to re-reimburse residents for the cost of pumps/pipes personally purchased to deal with the situation while Thames Water did nothing. After prolonged pressure from The Consumer Council for Water they eventually relented and payment has been made.

**6. Do you feel more confident/better prepared should another flood event occur in the future?**

Definitely. Firstly nearly all of the houses impacted now have their own pumps and hoses and should the agencies fail to respond to another venting event these will be put in use and the various agencies informed.

Secondly HVDIG is making great progress in working with the agencies to ensure there is a plan in place for any future events and will continue to do so.

Thames Water have carried out a lot of work on their network in Hughenden Valley, carrying out CCTV work, cleaning, lining and installing monitors in key places to get data on the water going through their network. They have set up a special reference number for Hughenden Valley to report a future event on their emergency phone line and have two pumps with sewage treatment systems at the Little Marlow depot allocated for Hughenden Valley to pump at a future event with their network set up

for them to be quickly implemented. All of this is being managed and documented in an Infiltration Reduction Plan for Hughenden Valley that will be submitted to the Environment Agency.

However, puzzled by the totally different responses by Thames Water in 2001 and 2014 I have been involved in lengthy correspondence with Thames Water and Ofwat as to determining the precise legal responsibilities of Thames Water in such events and their enforcement – in particular if another event occurred and Thames Water’s response was as in 2014 could Ofwat force them to pump. Apparently not as explained to me by Richard Khaldi, Senior Director Customers and Casework at Ofwat:

*“In reply to your question, on the basis that any future event was a repeat of the type of flooding you experienced previously, no, Ofwat would not have powers under the Water Industry Act 1991 (WIA91) to require Thames Water to act. As I set out in my previous letter, we cannot issue an Enforcement Order under section 18 of the WIA91 requiring Thames Water to act without first finding a breach of another relevant section, such as the responsibility to effectively drain the network as set out in section 94(1). If further flooding occurred which was caused by groundwater infiltration of the sewerage system, then it is unlikely that we would be able to find a breach of section 94(1). As I have set out, unfortunately without that initial breach we would be unable to issue an Enforcement Order against Thames Water.” December 2014*

*“The Flood and Water Management Act 2010 does not provide any details on sewerage companies’ duties regarding their sewerage network but it does describe, as previously set out in our correspondence with you, that the management of groundwater should be collaborative with key input from bodies such as local authorities.” September 2014*

Basically the legislation is so vaguely worded on Thames Water’s responsibilities in such events as to be as much use to us as a chocolate teapot. Which version of Thames Water will turn up in a future event – the 2001 version or the 2014 version is anyone’s guess. Thames Water’s current intentions as presented to the last HVDIG Agency Meeting in June 2015 are very positive and when asked about their responsibilities stated for the minutes of the meeting:

*“Thames Water are responsible for flooding emanating from Thames Water owned Foul Water and Surface Water systems as a result of ingress from groundwater or surface water inundation. Flooding to properties purely caused by groundwater, river flooding or surface water run-off is not the responsibility of Thames Water.”*

I asked Matthew Peapell of Thames Water to reconcile this statement of responsibility with their stance with me that they have no responsibilities and in July got this response:

*“Having checked the previous responses that you have referred to, I believe there are two key factors, namely; ‘legal liability’ and ‘responsibility’. It is important to mention that in terms of legal liabilities, our position has not changed. For the avoidance of doubt, we would not accept liability or responsibility for groundwater, river flooding or flooding as a result of exceptional weather conditions.*

*Back in 2001, however, our regulatory regime at the time meant that prioritisation for investment was given to customers who had been subjected to internal sewer flooding following short, intensive and heavy rainfall events that typically occur in the summer. Since then, in preparing our business plan for our next investment period 2015–2020, we have listened very carefully to the views of customers and their ‘willingness to pay’ for the services that we provide. This has allowed us to develop a more flexible approach to address sewer flooding as a result of high groundwater levels during wet winters (i.e.*

*those seen in 2012/13 and 2013/14) in addition to shorter intensive storms, and deliver investment where we can show that it is cost beneficial to do so.”*

HVDIG is continuing to work with Bucks County Council in mapping the course of the Hughenden Stream, establishing Riparian responsibilities and working out where there are pinch points and obstructions that need action, and setting up a robust flooding plan for Hughenden Valley. In addition work programmes have been agreed for repair and maintenance work to be carried out on the culverted areas in Boss Lane and Valley Road.

There is still a big issue outstanding with Bucks CC in that the same department has responsibility for both the enforcement of Riparian duties in Hughenden Valley and the management of Bucks CC's own Riparian duties where there are major issues in HVDIG's view with a very real potential conflict of interest. As Chairman of HVDIG I wrote to Martin Tett asking for this to be resolved. His response in June was that he is satisfied with the current situation and I have requested that Chief Executive, Chris Williams write to HVDIG to confirm Bucks CC's stance under corporate governance with reasons why. As yet HVDIG has had no response.

Finally can I say any future action the Committee may recommend needs to be guided by three principles:

- Systems need to be robust and independent of individuals – both residents and agency members who can come and go - and need some legal force or regulation to ensure that they are treated seriously and actually happen.
- Think and properly analyse any action and do it properly for the long term
- Don't do anything that will block, obstruct or hamper the flow of the Hughenden Stream winterborne sections when it needs to flow. It is our saviour and lifeline.

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8<sup>th</sup> September 2015