

Report of: Executive Member for Environment and Transport

Executive	Date: 19 April 18	Ward(s): ALL
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SUBJECT: Thames Water, response to Burst Water Mains – Executive Member’s response to the Policy and Performance Scrutiny Committee’s recommendations**1. Synopsis**

- 1.1 The Executive received a report on 28 September 2017 from the Policy and Performance Scrutiny Review Committee on Thames Water's response to Burst Water Mains. The Scrutiny report proposed 28 recommendations to address the following review objectives:
- a) To understand the risks we face in Islington and Hackney, as a result of our aging water supply, including but not limited to those caused by climate change
 - b) To review Thames Water response to reducing those risks and their progress on investment in new infrastructure
 - c) To understand the impact of flooding on individual residents and businesses in the Angel and identify measures which could be taken to reduce the damage and disruption caused in the future and to liaise with other London Boroughs suffering similar incidents
 - d) To review the responses to flooding caused by water mains bursts by public bodies, by Thames Water and by private sector bodies, such as insurance companies, covering both the immediate emergency and longer term support
 - e) To recommend improvements to the long term prevention and short term response to flooding in Islington and Hackney in liaison with other London Boroughs suffering recent flooding incidents
 - f) To identify any similarities between the recent flood incidents across London Boroughs and to recommend improvements that can be made by Thames Water in order to minimise the threat of flooding in the future
 - g) To investigate the position of residents/businesses in respect of claims made to Thames Water for uninsured loss and compensation that have suffered as a result of the recent flooding

This report proposes the actions to be taken in response to the Thames Water scrutiny.

2. Recommendations

- 2.1 To welcome the findings of the Policy and Performance Scrutiny Review on Thames Water.
- 2.2 To agree the responses to the recommendations of the Policy and Performance Scrutiny as set out in section 4 of this report
- 2.3 To agree that officers report back on progress to the Committee in one years' time.
- 2.4 To note the responses being taken forward by Thames Water, GLA, TfL, Fire Brigade, OFWAT and the Police, in response to the Policy and Performance Scrutiny Committee's recommendations a-r, u-y and bb.
- 2.6 To note that no further progress is currently possible with the Policy and Performance Scrutiny Committee's recommendation z and aa.
- 2.7 To note that the Executive Member for Transport and Environment will continue to campaign to deliver the Policy and Performance Scrutiny Committee's recommendations s and t.
- 2.8 To note that a Project Board has been set up to drive progress and monitor milestones with respect to Scrutiny Committee's recommendations.

3. Background

- 3.1 Following the water mains burst at the Angel on 4 December 2016, the Councils' Policy and Performance Scrutiny Committee commenced a review of flooding, its underlying causes, and the response by public services at the Angel and at other major bursts throughout London. The purpose was to:
 - reduce the risk of future floods,
 - better protect homes and businesses from flooding risk, and
 - improve responses to future flooding situations.
- 3.2 Overall the Committee concluded that the response to the Thames Water burst at Angel and the general handling of burst water mains within Islington and Hackney is unacceptable. It recognised the causes of these bursts related to ageing infrastructure, climate change and the lack of ongoing investment by Thames water.
- 3.3 The Committee made 28 recommendations relating to the Review objectives, directed to both the Council and external organisations (Thames Water, GLA, TfL, Fire Brigade, Police, Water Services Regulation Authority (OFWAT))
- 3.4 Whilst the Committee concluded that it was the responsibility of a number of organisations, there were actions that we as the Council can take to help reduce the risk of flooding.
- 3.5 The final report of the Scrutiny Committee's was published in July 2017 and received by Executive at its meeting on 28 September 2017.

4. Response to the Scrutiny Committee Recommendations

- 4.1 **Recommendations (a) to (n) are directed to Thames Water**

Committee Recommendation (a):

That improved emergency response arrangements be instituted, these should include the following:
Procedures for identifying major leaks in the Thames Water control room and directing emergency

response teams on site need to be more effective to ensure major trunk main bursts are dealt with more speedily.

Identifying information received more effectively, in order to assess whether the leak is a major trunk mains leak, and if this is the case, effective communication channels be put in place with the Fire Brigade and other appropriate partners for them to attend on site as quickly as possible.

Improving the provision and location of emergency response team arrangements, so that they are more accessible in the event of major trunk main bursts – this could necessitate a team located in a control centre in inner London – and that the possibility of a ‘blue light’ service from the Police be investigated where a major incident is declared – see recommendation (w) below.

A dedicated emergency response line be instituted, in order that the Public can report leaks directly to Thames Water, if they wish to do so. There should also be a dedicated ‘emergency hotline’ introduced for the Fire Brigade to call in the event of major burst main.

Developing with the Police, TfL, Fire Brigade and Local Authorities an effective communications strategy for informing the Public where leaks can be reported, and that such leaks should be reported as soon as possible, in order that appropriate action can be taken.

- Develop and publish performance and attendance standards, both in relation to major and minor pipe bursts.

Develop with the Fire Brigade, Police, TfL and Local Authorities an effective early warning system for residents at risk of flooding, so that when an incident occurs, the danger to residents can be reduced.

Response to recommendation (a)

After a series of bursts on their trunk water main network in 2016, Thames Water undertook an independent forensic analysis led by Paul Cuttill OBE, and following this report, they undertook a Trunk Main Strategic Review (Attached at Appendix 1). This review addresses all the recommendations in (a) except the recommendation for blue light services to assist with emergency attendance which can only be done on a case by case basis.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor implementation of the review and progress.

Committee Recommendation (b)

That improved technologies be investigated and be put in place to detect the likelihood of bursts on the major trunk mains in Islington, and in addition sensors be installed on the pipes in the major trunk mains in Islington, particularly Upper Street and Essex Road, with immediate effect.

Response to recommendation (b)

As a result of the Trunk Mains Strategic Review, Syrinix and Hydroguard monitoring sensor units have been installed as part of the water mains re-lining work on Upper Street, Islington High Street, Essex Road and Astey’s Row. These monitors are now connected directly to Thames Water’s control room and are monitored 24/7.

The Executive accepts this recommendation and the Public Realm Highways Team will continue to work with Thames Water to expand the installation of monitors across the borough.

Committee Recommendation (c)

That Thames Water, when submitting their case to OFWAT for their future 5 year investment plans, should prioritise the phased improvement of ageing Victorian pipe replacement on major trunk mains in Islington, this to be completed within a specified period to be determined and published by Thames Water, but we propose 15 years, given the problems that major bursts on these roads cause to

businesses and residents. Any replacement programme should take account of any increase that may result in increased costs for customers. In the interim Thames Water should ensure that monitoring takes place to minimise the risk of future flooding.

Response to recommendation (c)

Thames Water have a duty to consult the Council on their 5-year investment plan. The Council will respond to the consultation and will ensure that the Scrutiny Committees' recommendations are incorporated in the response.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor the investment plan and report back

Committee Recommendation (d)

That relevant policies regarding clean up/insurance/compensation and goodwill payments should be properly communicated and most importantly be available on the company website. Policies should set out clearly what businesses and residents affected by flooding due to burst mains can expect. Compensation for inconvenience should be formally recognised and a corporate policy be established to ensure that this is fairly and consistently applied. This should cover goodwill payments, expenses and indirect business losses (e.g. from reduced footfall in a flooded area)

Response to recommendation (d)

As a result of the burst water main at Angel, Thames Water produced an information booklet, based on customer's experiences ('Putting things right' – attached at Appendix 2), laying out claimants' options following flooding and explaining the claims process. The draft booklet was consulted with Islington customers affected by flooding and further refinement were made, particularly in relation to clarity on insurance and goodwill payments.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (e)

That, given residents and businesses concern at the insensitive handling of some insurance claims, there should be improved communication with residents and businesses in dealing with insurers and the handling of claims (possibly by the provision of a laminated information sheet) following flooding incidents

Response to recommendation (e)

This is addressed through the new Thames Water customer booklet 'Putting things right' as detailed in response(d)

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (f)

That Thames Water should also issue guidance to businesses and properties on the remedial measures necessary, following flooding incidents, in order to ensure properties are properly dried out and residents and businesses can move back in to their premises as soon as possible

Response to recommendation (f)

This is addressed through the new Thames Water customer booklet 'Putting things right' as detailed

in response(d)

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (g)

That Thames Water adopt a suitable communications policy, including the use of social media, in order to inform residents and businesses and other interested parties, of developments when leaks occur, and to give any appropriate information needed

Response to recommendation (g)

The Thames Water Trunk Mains Strategic Review addresses this recommendation through its new customer experience programme.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor the implementation of the programme.

Committee Recommendation (h)

That the Committee welcome Thames Water commitment to share with the Fire Brigade and the appropriate Local Authority, information on the location of the major trunk mains in the borough. This will assist, not only in major flooding situations, but in mapping GIS information on the Local Flood Risk Management strategy and afford the Council a better overview of the risks of flooding in the borough and to take any appropriate measures. Thames Water should also develop a GIS application that will enable staff and other partners to identify the level of risk that a major burst main will cause in order to inform staff responsible for handling and assessing incidents of flooding

Response to recommendation (h)

The Executive accepts this recommendation and the Public Realm Highways Team will monitor the implementation of the new GIS application.

Committee Recommendation (i)

That the Committee welcome Thames Water commitment to ensure businesses and residents are materially not worse off, as a result of the Upper Street flood. The Committee hope that relevant payments of compensation and other appropriate losses take place as soon as possible

Response to recommendation (i)

The Angel BID Working Group has been set up to address this recommendation and will continue to monitor Thames Water's actions to ensure that any adverse impacts on the Angel Flood victims are rectified.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (j)

That Thames Water work with the Angel BID and local businesses to organise a suitable programme of reopening events, including the provision of capital and revenue investment in the Camden Passage area, together with appropriate publicity, to ensure residents and visitors are aware that businesses are open for trading.

Response to recommendation (j)

The Angel BID Working Group and officers in Public Realm will continue to liaise with Thames Water to take forward community projects funded by Thames Water.

The Executive accepts this recommendation and the Public Realms Highways Team will monitor progress.

Committee Recommendation (k)

That Thames Water take account of resident's concerns, surrounding the security of premises in the aftermath of major flooding, and that such security measures should be improved in future – this should form part of a major incident protocol or standard operating procedure.

Response to recommendation (k)

Thames Water are developing an Emergency Management System which should address this recommendation.

The Executive accepts this recommendation and the Public Realms Highways Team will work with Thames Water on this system.

Committee Recommendation (l)

That the Committee welcome the findings of the Cuttill Review and be kept informed of progress of implementation of the recommendations and the Strategic Review that they are undertaking.

Response to recommendation (l)

The Executive accepts this recommendation and the Public Realm Highways Team will monitor progress and report back.

Committee Recommendation (m)

That Thames Water should reduce the number of customers affected by water mains bursts and publish the numbers of bursts that have occurred and a performance target for such bursts.

Response to recommendation (m)

This is addressed in the Thames Water Trunk Main Strategic Review.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (n)

That Thames Water, in conjunction with TfL, (and other public utilities), review the current arrangements for co-ordination of works, with a view to establishing a more effective means of collaboration across London. This should include sub-regional and borough-by-borough working, as appropriate.

Response to recommendation (n)

The Executive accepts this recommendation and the Public Realm Highways Team will work with Thames Water to review and improve current arrangements.

4.2 **Recommendations (o) to (u) are directed to the GLA, TfL and London Fire Brigade**

Committee Recommendation (o)

That TfL ensure, when future flooding incidents occur, that there is a better communication process in place to make the Public and businesses aware of diversions in place following such incident.

Response to recommendation (o):

This will be reviewed, tested and improved as part of future Emergency Planning exercises arranged by the Councils Emergency Planning Team through 2018.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (p)

That TfL, when planning major construction schemes, such as the Bridge works at Holloway Road and the gyratory scheme at Highbury Corner, should consult with other Public utilities and the Council to co-ordinate any works that are necessary, such as major trunk mains replacement, to minimise any future disruption to residents and road users – see also recommendation (n) above.

Response to recommendation (p):

The New Roads and Streetworks Act 1991 requires co-ordination of streetworks and the Council led coordination meetings should address this recommendation.

Executive accepts this recommendation. The Public Realm Highways Team will review the current arrangements.

Committee Recommendation (q)

That, in view of the fact that a bus driver first reported a minor leak at the site of the Upper Street burst at 3:57a.m. and that Thames Water had not been alerted to this leak until notified by the Fire Brigade at 5:07a.m., there should be an improved method of communication established between TfL, Police, Fire Brigade and the Council. (See recommendation (a) above). The delays in Thames Water responding to this situation led to Thames Water not being on site for some hours and this had exacerbated the devastation caused by the major trunk mains burst.

Response to recommendation (q)

This will be reviewed, tested and improved as part of future Emergency Planning exercises arranged by the Councils Emergency Planning Team through 2018.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (r)

That support be given to the case for the major investment in replacing ageing Victorian pipework in London on major trunk mains, and work with Thames Water and other public utilities take place, to ensure this is managed in a way that causes least disruption, for as short a time as possible, to residents, businesses and commuters

Response to recommendation (r):

The Public Realm Highways Team will lead on implementing workshops with Thames Water and TfL to gain an understanding of Thames Water's risk based approach to investment in its infrastructure and identify areas in Islington which may be at risk so that procedures can be put in place which are

appropriate to the area.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (s)

That a Pan-London investigation be carried out on the frequency of leaks in London Boroughs, in order to establish the extent of the leaks, particularly major bursts, to strengthen the case for increased investment in the replacement of ageing pipes to OFWAT. Any recommendation should take account of the independent review undertaken on behalf of Thames Water into major bursts in London.

Response to recommendation (s)

The Executive Member for Environment and Transport will continue to campaign for and work towards the instigation of a Pan-London Investigation.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor.

Committee Recommendation (t)

That the Mayor, GLA and London Boroughs support the campaign for the Fire Brigade to become the statutory Emergency Response Service for flooding, as recommended in the Pitt review in 2008. This is in view of the recent major bursts resulting in severe flooding and given the fact that such occurrences are more likely in the future due to the ageing Victorian trunk mains network across London.

Response to recommendation (t)

The Executive Member for Environment and Transport will continue to campaign and work with the Mayor's Office to promote the changes necessary for the Fire Brigade to become the statutory Emergency Response Service for flooding.

The Executive accepts this recommendation and the Public Realm Highways Team will monitor

Committee Recommendation (u)

That the London Plan should include provision, when planning permission for basements is being requested, to ensure that a risk assessment is carried out prior to approval to ensure the risk to life of flooding is minimised

Response to recommendation (u)

The Council has adopted a Basement Development SPD which applies to any planning application for basement development. The SPD requires detailed site investigations to be undertaken, as well as providing design guidance on the depth and extent of basement development. Policy D9 of the draft London Plan suggests that boroughs should establish policies to address the negative impacts (particularly cumulative impacts) of basement development. However, the draft policy offers little detail on implementation. Islington's recent response to the Mayor's London Plan consultation has requested that the policy is expanded to require detailed investigation of impacts in line with the Council's own policy. We have also recommended (with reference to the Scrutiny Committee report) that the Mayor considers policies to ensure that the risk to life and livelihood from flooding is subject to a full and robust risk assessment prior to approval of any planning application involving basement development. The Executive Member for Environment and Transport will also take this forward.

4.3

The Executive accepts this recommendation and Public Realm Highways Team will monitor.

Recommendations (v) to (x) are directed to the Council

Committee Recommendation (v)

That the Council hold a stock of 350 sandbags, on an individual borough basis, and also investigate the provision of sandbags with neighbouring boroughs

Response to recommendation (v)

The Councils' Emergency Planning Team have taken responsibility for this and will work with the adjoining boroughs with whom we have a mutual aid agreement if incidents occur. A minimum stock of 350 sandbags is now available at the Councils' Vale Royal Depot.

The Executive accepts this recommendation.

Committee Recommendation (w)

That the Council involve public utilities with other partners in emergency planning sessions, including Thames Water, and that any non-attendance is recorded and reported to senior management within their respective organisations. This would result in increased liaison and information could be better co-ordinated and disseminated

Response to recommendation (w)

The Council invites public utilities to relevant emergency planning sessions and the Councils' Emergency Planning Team will ensure that any lack of attendance by utility companies at planning sessions is addressed through the relevant organisations at senior management level.

The Executive accepts this recommendation and Public Realm Highways Team will monitor.

Committee Recommendation (x)

That the Council compile a list of high rise blocks (over 6 metres) that will be vulnerable to loss of water in the event of a flooding situation. In addition, liaison should take place with Thames Water as to whether any situation of a reduction in water pressure is likely to impact on properties so that the Council can put in place contingency measures to supply water to residents

Response to recommendation (x)

The Councils Housing Team will work with Thames Water to address this recommendation.

- 4.4 The Executive accepts this recommendation and Public Realm Highways Team will monitor.

Recommendations (y) to (aa) are directed to OFWAT (The Water Services Regulation Authority).

Committee Recommendation (y)

That OFWAT ensure that in any future strategy that is agreed for the Thames Water 5 year investment plan, they prioritise ageing pipe replacement on major trunk mains in Islington to be completed within 15 years, and installation of new technologies to ensure that the risk of major flooding from major trunk mains is reduced.

Response to recommendation (y)

This recommendation is addressed in the OFWAT document “PR19 Delivering Water 2020: Our final methodology for the 2019 price review” (attached at Appendix 3). However, this is not specifically focused on Islington and provides no definitive timelines.

The Executive accepts this recommendation and Public Realm Highways Team will monitor.

Committee Recommendation (z)

That OFWAT ensure that Thames Water has adequate policies in place, in order that they can respond effectively in emergency situations and that their compensation policies, as a result of flooding, are clearly set out and easily accessible and that Thames Water deal with claims for compensation speedily and sympathetically

Response to recommendation (z)

This recommendation is also addressed in OFWAT’s methodology for PR19 “Delivering Water 2020: Our final methodology for the 2019 price review”

In addition, OFWAT’s “Resilience in the Round” document (attached at Appendix 4) challenges companies to consider how they can work with local partners to understand the impact of service disruptions and interactions with other wider services.

OFWAT does not have a specific statutory role in enforcing water companies to comply with their obligations under the Water Industry Act 1991 or to provide compensation for damage from water mains bursts. OFWAT have however, written to Thames Water to confirm that they remain committed to meeting and (as promised) going beyond their obligations to compensate customers affected by the trunk mains bursts, and will continue to push them to meet these.

Whilst the Executive notes that OFWAT cannot direct Thames Water to have robust policies in place to deal with flooding, the Public Realm Highways Team will nevertheless approach both OFWAT and Thames Water to understand the policy constraints with a view to refining them to address the recommendation.

The Executive notes this recommendation and Public Realm Highways Team will monitor

Committee Recommendation (aa)

That OFWAT should be given power to set targets for the number of people inconvenienced by water mains bursts per year/and or five-year period, (corresponding to the funding cycle) and a statutory compensation scheme covering inconvenience to customers be introduced

Response to recommendation (aa)

Executive acknowledges that OFWAT does not currently have the statutory powers to set targets. However, price controls are included in performance targets for companies, in the form of outcomes. OFWATs ongoing strategy is therefore for companies to work with their respective customers to set outcomes and targets that customers are willing to pay for.

- 4.5 Executive notes the recommendation, and the Council will continue to liaise with OFWAT as the situation develops.

Recommendation (bb) is the addressed to the Police

Committee Recommendation (bb)

That the Police, where there are major incidents of flooding, provide a ‘blue light’ service to Thames

Water emergency teams to enable them to reach the scene, as quickly as possible. Thames Water should ensure that emergency response teams are located in appropriate locations to enable this to be possible (see recommendation (a) above).

Response to recommendation (bb)

The Emergency Planning team will work with the Police to explore this recommendation.

The Executive accepts this recommendation and Public Realm Highways Team will monitor.

4.6 Project Board

The Council have set up a Project Board to drive progress and monitor milestones with respect to Scrutiny Committee's recommendations. Specifically, the Board will;

- Interrogate the project programme and review project progress against planned timescales and milestones;
- Provide a senior level steer on escalated issues and take decisions on matters that require a senior input;
- Provide monthly updates to the Executive Member for Transport and Environment
- Provide progress report to the Policy and Performance Committee in September 2018.

The Board's 'Terms of Reference' are attached at Appendix 5.

5 Implications

5.1 Financial Implications

The majority of the recommendations in this report do not have direct financial implications for the Council as they are the responsibility of other organisations or can be managed by existing budgets within the Emergency Planning service. If recommendations are taken forward there will be financial implications on the council, particularly with regard to recommendation (x) which will be quantified at the time.

5.2 Legal Implications

There are no specific legal implications arising out of this report. Legal advice and support will be provided as necessary regarding the implementation of the recommendations.

5.3 Environmental Implications

The recommendations in this report will have no adverse environmental impact.

5.4 Resident Impact Assessment

The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

The recommendations that require the Council to take action have been reviewed and no significant adverse impacts on residents have been identified.

Appendices:

Appendix 1 – Thames Water Trunk Main Strategic Review, 2 October 2017

Appendix 2 – Thames Water booklet “Putting Things Right”

Appendix 3 - PR19 Delivering Water 2020: Our final methodology for the 2019 price review

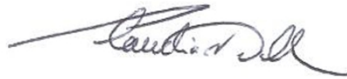
Appendix 4 - OFWAT’s “Resilience in the Round” document

Appendix 5 – Scrutiny Recommendations Project Board ‘Terms of Reference’

Background Papers – none.

Signed by:

11 April 2018



Executive Member for Environment and Transport

Date

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