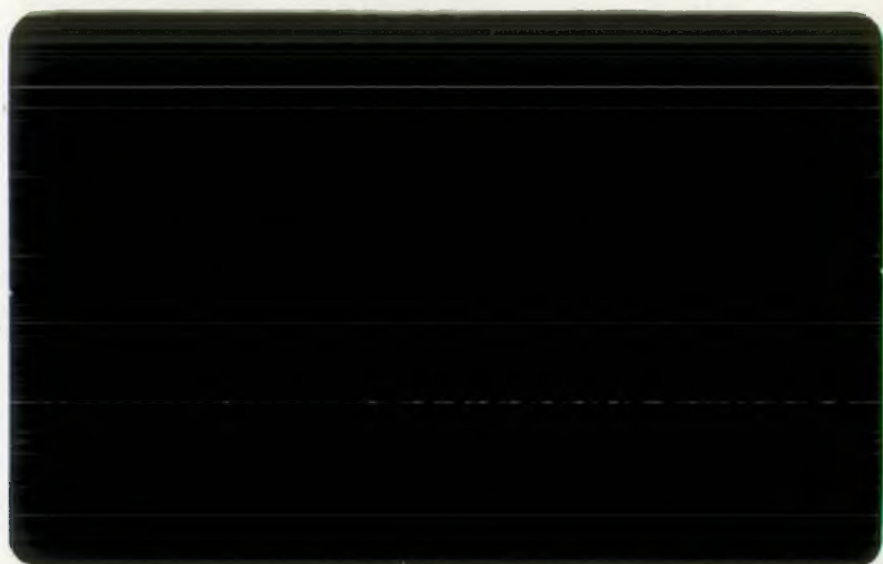


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**West Midlands – Tame
Local Environment Agency Plan**

Statement of Public Consultation

Summary of Public Consultation process

March 1998 – June 1998



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Foreword

The Environment Agency is committed to public consultation. -Within the Local Environment Agency Plan (LEAP) process, public consultation is an important building block for developing the Agency's own action programme and in building partnerships with external organisations. We undertake an extensive public consultation exercise with local authorities, business, environmental pressure groups and amenity societies as well as with the general public. This statement presents the comments that were received during the public consultation period on the West Midlands – Tame LEAP Consultation Report.

The LEAP Consultation Report and Action Plan have been produced by the Upper Trent Area of the Environment Agency, one of four areas within the Midlands Region. The West Midlands - Tame area covers all of the land that drains to the River Tame above Kingsbury and includes Birmingham, the Black Country and Solihull.

If you require any further information regarding the West Midlands - Tame LEAP please contact:

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Philip Burns
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West Midlands – Tame LEAP Documents:-

West Midlands – Tame Consultation Report – March 1998

West Midlands – Tame Statement of Public Consultation (March 1998 – June 1998)

West Midlands – Tame Action Plan – March 1999

These documents are available free from the Environment Agency's Upper Trent Office. If you wish to obtain any copies please contact:

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1 Review of the Consultation Process

1.1 Background

The West Midlands Tame LEAP Consultation Report was launched for public consultation by the Environment Agency on 25 March 1998. The consultation report and summary leaflets were given to individuals and organisations with the opportunity to comment on the report and on local environmental problems. Comments were received as letters, faxes and completed questionnaires, the questionnaires were attached to the consultation reports and summary leaflets together with pre-paid envelopes.

1.2 Informal Consultation

In July 1997 the Agency wrote to 87 key groups, local authorities and other representative bodies asking for comments on the Agency's initial list of issues and problems affecting the environment in the area. The consultation formed an important part in the development of the document. In total, 32 replies were received. All comments from this initial information gathering consultation exercise were considered and, where appropriate, were incorporated into the consultation report.

A local advisory committee made up of individuals who live and work in the area supports Upper Trent Area. This committee, the Area Environment Group (AEG) takes a particular interest in LEAPs and an AEG sub-group was formed to consider the issues and draft documents. The sub-group made a valuable contribution to the development of the Consultation Report and the Action Plan.

The sub-group consisted of:

| | |
|---------------------|---------------------------------------|
| Dr Peter Bottomley | Regional Fisheries Advisory Committee |
| Ian Nichol | Groundwork Birmingham |
| Duncan Wemyss | British Secondary Metals Association |
| Michael White | CBI Midlands, IMI |
| Dr Helen Whitehouse | Inland Waterways Association |

1.3 Formal Consultation

The consultation report was launched on 25 March 1998 via a widespread local press release.

The launch marked the start of a three-month consultation period that ended on 25 June 1998. During that time the report was promoted by:

- Radio and TV interviews, press releases and public notices in the press.
- Distribution of over 8,000 summary leaflets which included a questionnaire.
- Display boards at libraries throughout the plan area.
- Copies of the report placed on deposit at local authority offices and libraries.
- 2 consultation seminars in Walsall and Birmingham.

2 Summary of Responses

2.1 Responses Received

A total of 76 written responses to the consultation exercise were received - 42 letters and 34 questionnaires. The response was encouraging, with those consultees who responded representing a wide cross section of interests. All letters and questionnaires were acknowledged and detailed follow-ups were sent to the majority of those who responded.

All comments have been considered and where appropriate and practicable, were incorporated into the Action Plan. During the consultation process and via the responses, many organisations expressed an interest in working in partnership with the Agency towards resolving issues highlighted in the report. We received many helpful and welcome suggestions. Errors and omissions were also highlighted, and these are summarised at the end of this report.

The consultation process has given the Agency a more comprehensive understanding of the issues and options presented in the LEAP and of the public's concern in the area. The information received in the 34 questionnaires was analysed and each of the 26 issues placed in order of importance and popularity.

The most important issues were:

| | |
|----------|---|
| Issue 1 | Biodiversity |
| Issue 6 | Investment by Severn Trent Water Limited to improve water quality |
| Issue 16 | Litter and the aesthetic pollution of rivers and canals |
| Issue 20 | Sustainable Waste Management |

The most popular issues were:

| | |
|----------|---|
| Issue 3 | Enhancement of watercourse corridors in urban areas for wildlife |
| Issue 6 | Investment by Severn Trent Water Limited to improve water quality |
| Issue 12 | Contaminated Land |
| Issue 16 | Litter and the aesthetic pollution of rivers and canals |
| Issue 20 | Sustainable Waste Management |

The responses received indicate that watercourse improvements in terms of water quality, improved aesthetic appearance, the creation of wildlife habitats and better access to the waterside are major concerns to the local community. There is also a general concern about waste production and its disposal.

The letters and questionnaires raised a number of new issues that included:

- Provision of bends/meanders in rivers
- Implications to the environment of large scale use of genetically modified organisms
- Industrial development in the green belt from Minworth along the A38 corridor to Bassetts Pole
- Transportation of radioactive waste through and over the West Midlands
- New housing developments on greenfield/brownfield sites and the provision of proper public transport when greenfield sites are unavoidable
- Canalside improvements away from the high profile areas of Gas Street Basin and the National Indoor Arena
- The proposed restoration of the Dudley No.2 canal
- Proposals for improved access to the Titford canal
- Production of Water Level Management Plans

2 Summary of Responses

The Agency has considered the responses received and the new issues raised. With the exception of Water Level Management Plans (incorporated as a new issue) the suggested issues have not been included in the action plan. Some are already covered by the everyday work of the Agency or, as in the case of canal restoration, the Agency has limited responsibility or funding available for such schemes. Others, such as housing developments and transport, are outside the remit of the Agency.

Changes to existing issues are identified in the activity tables in Section 4 of the Action Plan. The plan reflects a balance between the opinions expressed and the need to ensure a feasible and workable plan.

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-----------------------------|-----------|--|---|
| Anonymous | Issues | Limitation on population growth. | This is an issue for local planning authorities. The Agency recognises that higher population density tends to increase pressures on the environment. (See Issue 1 in the Action Plan). |
| | General | Not enough trees in area or in plan. | Comment noted. The Agency supports tree planting provided that it does not cause harm to the local environment. |
| Anon | General | Government Policy of giving grants to foreign developers to come to Britain should not apply to greenfield sites. Grants should be to help clean vacant old industrial sites. (Offered a choice between the two automatically means greenfields will be chosen). | This is an issue for the government. The Agency would, in principle, support a policy that encouraged brownfield development in preference to greenfield development. |
| | General | Birmingham already employs 50% more than its working resident population (workers from outside Birmingham). This means unnecessary travelling hence pollution. New jobs should be where a shortage exists, not given to greedy Birmingham. | This is an issue needing regional and local consideration. The Agency would in principle, support integrated planning measures that minimise traffic. |
| | New Issue | Birmingham City Council plans for industrial development in green belt from Minworth all along A38 to Bassetts Pole. | This is an issue for Birmingham City Council. The Agency does not generally support the release of green belt for urban development. |
| Anon | General | Urban wildlife still requires non-public areas to breed away from people and dogs. | Comments noted. This will be addressed in Issue 3 of the Action Plan. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-----------------------------|----------------------|---|--|
| Mr C Ashmore | New Issues | Slowing down rivers in places by widening or giving them bends. They're not motorways but are treated like them in this area. | Comments noted. This will be addressed through Issues 3 and 24 in the Action Plan. |
| | General | A very interesting summary that shows there are more factors to take into consideration than first appears. | Comment welcomed. |
| N F Cripps | General | The Agency has made a good start. In addition it should: (a) work more closely with waste collection authorities to maximise the potential for re-use and recycling; (b) advise householders on composting; (c) reduce noise and air pollution particularly from traffic | The comments are noted. The items listed are the responsibility of local authorities, but the Agency supports initiatives regarding waste minimisation and reduction of pollution and is committed to closer working relationships with the local authorities. |
| | Issues 13, 21 and 24 | The Agency needs to provide a timescale for changing "monitoring" into "action". | The comments are noted. Timescales for monitoring and other actions are included in the LEAP Action Plan, wherever possible. |
| Cllr Margaret Holmes | New Issue | Implications to the environment of large scale use of genetically modified organisms (eg crops resistant to Glyphosate weedkillers). | This is a national issue requiring consideration at national, regional and local levels. The Agency has no role in the approvals process of Genetically Modified Organisms (GMOs). The Agency does not yet have a policy on the use of GMOs but it will be in the Agency's interest to ensure that the potential environmental benefits and hazards are looked at in a balanced way. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-----------------------------|-----------|--|---|
| | New Issue | Transportation of Radioactive Waste through and over the West Midlands. | Issue outside the remit of the Environment Agency. |
| | New Issue | New housing development, greenfield/brownfield sites and proper public transport provision where greenfield sites are unavoidable. | The Agency is committed to contributing to sustainable development and supports policies that encourage redevelopment of urban land in preference to new development on greenfield sites. The Agency supports policies that seek to minimise the need to travel or reduce its environmental impact. Draft guidance to Local Planning Authorities are given in section 4.4.2 of the Consultation Report, and in Appendix 3 of the Action Plan. |
| Simon Harrison | New Issue | The pruning of overgrown bushes along canal towpaths which make it difficult to use them and the maintenance of towpaths in good condition. | Maintenance of canal towpaths is the responsibility of British Waterways, and the pruning of overgrown bushes is either the responsibility of British Waterways or the relevant adjacent landowner. The comment is noted however, and is relevant to issue 2 in the Action Plan. |
| Habib Hussain | New Issue | Would like to see a synopsis of plans for remedial actions and rectification measures of local environmental concerns and points of pollution. | Actions to address issues are detailed in Section 4 of the Action Plan. |
| Joan Lea | New Issue | More investment by British Gas and the Water Companies to provide access to main services (as done by BT and electricity companies). | Issue outside the remit of the Environment Agency. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-----------------------------|-----------------------|--|--|
| Mrs B Meades | General | Some way should be found to reduce the severe flooding that occurred in Spring 1998. (Although this may not happen again for many years). | Following the severe flood incidents in Spring 1998, the Agency is looking at ways of improving the Flood Warning System. The Agency hopes that local planning authorities will take note of the significant problems seen where development had occurred on the flood plain. |
| Mr G Neale Smethwick | Vision General | The Environment should have priority in the vision statement. Whilst the LEAP is to be supported and encouraged, only by complete environmental integration may progress be made. I feel that watercourses, SSSIs, public transport improvements and initiatives such as the Black Country Urban Forest should all go forward together, under the auspices of one body, rather than the fragmented method we currently seem to have at the moment. Despite the Environment Agency having nominal control, as long as outside vested interests can make their own difference, it seems as though ideas such as LEAPs are of little more than cosmetic value. | Point noted, although the Vision statement looks for a "balanced" relationship in the West Midlands – Zone Area. The order of the wording does not therefore imply any prioritisation. The comments are noted. The overall powers and remit of the Environment Agency is a national issue and it is not possible to address it at this local level. However, it is one of the major functions of the LEAP to further partnerships between relevant agencies, so that truly integrated environmental improvements can be made. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-----------------------------|---------------------|--|--|
| H Reeves West Heath | Issue 24/General | Would like to have seen more reference made to River Rea which flows across the city into the Tame and has played an important part in Birmingham's history and development. Flash flooding in the past has led to deep culverting of the river from Cannon Hill through to its confluence with the Tame. City Planners have recently produced a Framework plan for enhancing the Rea in the Cheapside/Markets area. What are the Agency's views on raising water levels in the culverts? Can it be achieved with weirs – and do these improve the water quality by oxygenation? | <p>Comments about lack of specific reference to the River Rea are noted. Many references to the "Tame" throughout the report were generic and referred to the Tame and its tributaries.</p> <p>The Agency is generally supportive of the opening up of culverts and the general "naturalisation" of river channels, but must balance this with the need to comply with Flood Defence standards in order to protect people and property from flooding.</p> <p>Technically, water levels can be raised by using weirs, and in certain circumstances these can improve water quality by oxygenation. However – low oxygen levels are usually associated with urban run-off and consequent high river flows when weirs do not have an effect on oxygenation.</p> |
| Mr A Singh Smethwick | General | I wish to complain about the entrance of Victoria Park. The entrance of the park on the High Street is covered in bird droppings. There should be a sign in the entrance of the park notifying people to stop throwing bread at the gates. This will therefore stop attracting pigeons to the scent. | These problems are all outside the remit of the Environment Agency. Parks maintenance, refuse and litter collection is the responsibility of the local authority. In this case the comments should be made to Sandwell Metropolitan Borough Council, Environment and Development Services Department (0121 569 4054/5). |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-----------------------------|---------|---|--|
| Mr A Singh (Continued) | General | Another complaint I have is that the rubbish that everyone puts out occasionally is not collected on time, especially after holidays, leaving smells behind and attracting rats and cats to the area. | See response above. |
| T Singh Handsworth | General | I am pleased with the way the Environment Agency are tackling issues that will affect us more than most know. (Request for technical information). | Comment welcomed. (Technical information sent). |
| Mr R D Snowden Aldridge | General | I should like to see a greater emphasis on efforts to encourage the re-opening of rail routes eg Walsall-Aldridge-Sutton-Birmingham, which along with other routes, would both reduce congestion on certain major road corridors as well as helping to improve air quality. Encouragement for more park and ride schemes as in Shrewsbury and Maidstone etc, these also help reduce air pollution. Canal improvements outside the well publicised areas such as Gas Street up to the ICC and NIA need to be looked at and maintenance/cleaning must be on a regular basis, not when the canal is choked with debris. | The comments are noted. The Agency recognises that traffic and traffic congestion in particular are major contributors to air pollution and will in principle support measures to reduce the environmental impact of unsustainable travel. However, the Agency has no powers regarding transport which is the responsibility of national, regional and local government. Canal maintenance is very important, the Agency has some responsibilities with regard to the conservation of the flora and fauna of the canal but not navigation which is the responsibility of British Waterways. The Agency would not encourage cleaning of the canal at the expense of the associated wildlife. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|---------------------------------------|---|--|
| James Taylor Elected Representative Leamington Spa | Issue 21 Air Quality Monitoring | <p>Stratford-on-Avon perform monitoring across their district so I have not picked out this issue. However, it is an issue of great public concern in relation to (a) traffic and (b) in Southam and Rugby, the burning of alternative fuels in cement kilns.</p> <p>Following the recent floods I am concerned that, for various reasons including highways and building development, the flood plain has changed. In particular, the by-pass and Wilcon Homes development in Southam may have extended the flood plain of the Stowe in Southam.</p> | <p>Comments are noted, but are not within the scope of the West Midlands – Tame LEAP which only covers the area defined by the catchment of the River Tame and tributaries down to Kingsbury. The area described is covered by Lower Severn's Warwickshire Avon LEAP and your comments have been forwarded to the Agency's Lower Severn Area who will respond accordingly.</p> |
| Sheila Thomson East Lothian | General | <p>Report is heavy-going compared to the NRA's Tame CMP.</p> <p>Don't forget my idea of a path/filter bed of gravel (approx 10' wide x 18" deep) to protect Tame from run-off. Could be used as a track both sides?</p> <p>I would like it made possible to go all the way with the Tame – walk beside the river, and NO MORE HOUSING!</p> | <p>Comments noted, thank you for your continued interest.</p> <p>Your suggestion of a gravel path/filter bed has been passed to our Development Control and Conservation & Recreation Department for further consideration.</p> <p>The Agency has no responsibility for housing and road development although it will object to developments which are likely to cause a deterioration to surface water quality. The Agency will, in principle preferentially support development on brownfield sites in preference to greenfield sites.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|--|-----------|--|---|
| Sheila Thomson (Continued) | General | Presumably you think the new road and other "improvements" benefit the Tame and the rest of the area? The endless addition of roads and houses must stop. Get the BTCV to start on the Tame Walkway and then I can be involved. | See response above. We are currently looking into the possibility of using BTCV for various projects – however the use of volunteers for Agency projects does have health and safety implications which have to be fully considered. |
| Holly Young Clayhanger | General | Please could you tell me where I could get involved with a local environmental organisation? I am 13 years old. | (Details sent separately). |
| Birmingham City Council Dept of Education | General | The report is an excellent resource for environmental education and provides a valuable overview of issues in the region. | Comments appreciated. |
| Birmingham City Council Dept of Planning and Architecture | 2.3 Water | The section on canals could mention their importance as part of the industrial heritage and as archaeological features in their own right. | The archaeological importance of canals is of course recognised by the Agency and referred to in Section 2.4 of the Consultation Report. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|--------------|---|---|
| Birmingham City Council Dept of Planning and Architecture (Continued) | 2.4 Heritage | Heritage should not be combined with wildlife but should be a separate section in the overview. | It is likely that heritage and wildlife will be separated in future reports. |
| | Issue 2 | Additional benefit – could improve access to, and appreciation of, archaeological and historical features. This needs to be included in addition to the potential damage noted in the constraints. | Whilst not explicitly mentioned it has always been the intention to point out features of historical, archaeological and biological interest in any leaflets produced for the Tame Walkway. |
| | Issue 4 | Constraint to creation of off-line refuges for fish:- construction may affect archaeological and historical features. | The possibility of damage to archaeological sites is always considered when carrying out works of this or indeed any other type. |
| | Issue 9 | Sutton Park is included in English Heritage's "Register of Parks and Gardens of Special Historic Interest". Peat deposits in the park's wetlands have the potential to provide information on vegetational history and may contain waterlogged archaeological remains. The objective heading should read "Sutton Park SSSI, National Nature Reserve and Registered Park". | The issue here is damage to ecology caused by nutrients. The historical aspects are of course important but not in the context of the issue. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|----------------|---|--|
| Birmingham City Council Dept of Planning and Architecture (Continued) | Issue 13 | Concerns expressed regarding the impact of rising groundwater and the impact that the potential use of the canal network as a water transfer mechanism to the Avon catchment may represent. | <p>The Council's comments regarding rising groundwater levels within the canal network are noted.</p> <p>By promotion of Issues 13 and 14 the Agency is keen to ensure that any long term effects on the hydrological environment are fully explored.</p> <p>It is hoped that by working in conjunction with the Council and developers that we can all gain a greater understanding of the aquifers beneath Birmingham.</p> |
| | Issue 26 | A benefit of the implementation of an agreed management strategy could be improved protection of archaeological and historical remains. | Comment noted. |
| | Section 4.4.2 | It is important to recognise the historic environment as part of the environment as a whole. There should be an additional heading "The Historic Environment" making reference to PPGs 15 & 16, local authority policies in development plans and the importance of prior assessment of the implications of a proposed development on the historic environment. | <p>While recognising that the historic environment is part of the environment as a whole, the issues highlighted are the ones for which the Agency has some responsibility.</p> <p>The responsibility for ancient monuments lies with the local authorities in this instance.</p> |
| | Appendices 1.1 | There should be a reference to the impact of new development on the historic environment. | The impacts of new developments listed under this section are the ones for which the Agency has responsibility. Other impacts such as transport and archaeology are outside the remit of the Agency. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|------------------|---|---|
| Birmingham City Council Dept of Planning and Architecture (Continued) | Appendices 1.7 | There should be a reference to the potential damage to archaeological and historical features from recreational activity. | See above response. |
| | Appendices 3.4.3 | Check the total number of Scheduled Ancient Monuments because there have been additions and removals to the schedule recently. | The number of Scheduled Ancient Monuments was derived from those notified to us by English Heritage up to the date of preparation of the document. Inevitably the number will change. |
| | General | Arrangements for dealing with clinical waste need to be addressed by the EA with Government and local authorities. The EA should be more proactive regarding fly tipping. | The Agency is the competent authority for enforcing legislation under the EPA 1990, where clinical waste is handled at sites requiring a Waste Management Licence. The Agency as well as other authorities, companies and individuals may enforce the Duty of Care, which covers clinical waste. |
| | Water Quality | The quality of water in many of the rivers and brooks within the city and most notably the River Tame continues to be a concern. Long term remedial action within and beyond the city should continue to be a priority. | Agreed. The actions identified in the Tame Action Plan to tackle issues 4-12 should maintain and improve the quality of watercourses in the LEAP catchment area. |
| British Trust for Conservation Volunteers | General | Support for the report plus an offer to assist on the ground to help deliver actions. | Support welcomed and offer noted. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-----------------------------|----------|---|---|
| British Waterways | Issue 10 | The proposed action to "upgrade river or canal water quality" supports our policy. British Waterways would like to be consulted before any such mechanism is introduced as well as when RQOs for specific canal lengths are revised. | Canal objectives will be reviewed over the next few years. No downgrading of objectives occurred during the translation from the old NWC Classification System to the new Rivers Ecosystem Classifications. |
| | Issue 16 | Litter remains a problem on canals. Under the Water Resources Act 1991 the EA can prosecute persons causing or knowingly permitting solid matter to enter a watercourse. British Waterways has lesser powers than the EA to prosecute and would like to work in partnership with the Agency to tackle this issue. | The difference between littering and flytipping is not always clear. Local authorities have responsibility to deal with litter in public places. Both the Agency and LAs have responsibility for taking legal action against fly-tippers. A Memorandum of Understanding between the Agency and local authorities has been established to provide a framework for co-operation in order to make best use of limited resources. |
| | Issue 12 | Existing leachability triggers are a fall back position for guidance where developers did not wish to carry out a risk assessment. The new contaminated land guidance is still being developed by the DETR and this should be noted as taking precedence. | The new contaminated land regime is based on a rigorous risk assessment procedure which is used to determine the existence of contaminated land. This is established when pollutant linkages are identified by which a contaminant from a source can reach a receptor via a pathway, with the possibility to cause "significant harm" or pollution of controlled waters. |
| Countryside Commission | Issue 2 | Lack of public access along river bank. | A comprehensive strategy is required but the Agency only has responsibility for recreation on land associated with water. We have discussed the Tame Walkway with the local authorities involved and feel that it is up to them to draw up comprehensive policies. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|--|------------------|--|---|
| Countryside Commission (Continued) | Issue 3 | Enhancement of watercourse corridors in urban areas for wildlife etc. | Comments noted. |
| | Issue Additional | Development Pressure. | The Agency welcomes the support for resisting development in flood plains. We will seek to persuade the planning authority to deal sensitively with redevelopment of riverside areas. The opportunity for contribution to economic regeneration by enhanced river corridor development and rehabilitation is noted. |
| English Nature | General | Request that the Agency uses the "Natural Areas" system when considering conservation objectives and for setting relevant targets for action at the catchment scale. | This system was still being developed during the period when the Tame LEAP was being written but it will be used in future LEAPs. |
| | Issue 1 | General support but a wish to see a greater prominence to the biodiversity action plan process in the Actions. | Support welcomed. |
| | Issue 4/5 | English Nature would welcome the involvement of the Agency in investigating how the water quality of the Chad Brook might be improved in the long term to alleviate adverse effects on the Edgbaston Pool SSSI. | The Agency has responded in the past to address issues of domestic wrong connections and would be happy to discuss with the pool owners how the wider problem of urban drainage might be combated. |
| | Issue 6 | Notwithstanding the implementation of phosphate stripping at Barston STW, English Nature is of the opinion that further action to reduce phosphate discharges from other sewage treatment works affecting the River Blythe may be justified. | A joint meeting is planned between the Agency and Severn-Trent Water Limited and where sufficient evidence is available, as to cause, funding for improvement can be sought. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-------------------------------|----------|--|--|
| English Nature (Continued) | Issue 8 | <p>The scope of coverage and level of detail given to the issues and actions specific to the River Blythe is seemingly reduced compared to that previously given in the Blythe/Bourne/Cole CMP.</p> <p>We would like the Agency to confirm a linkage between the LEAP and the joint Environment Agency/English Nature Conservation Strategy for the River Blythe (currently at draft stage).</p> | <p>The CMP concentrated on water-related issues, whereas the LEAP also incorporates waste and air quality matters over a wider catchment. Nevertheless, Issue 8 covering the River Blythe in the Action Plan is very comprehensive.</p> <p>Acknowledged. It has been agreed nationally to draw up and implement strategies for all river SSSIs.</p> <p>A joint meeting is proposed in the near future to discuss this and other matters such as the consenting protocol for the River Blythe SSSI.</p> |
| | Issue 9 | We recommend that conservation considerations should be of primary concern when deciding the future of this significant land holding. | As part of the delivery of its Environmental Strategy the Agency has nationally agreed to reduce over-abstraction by reviewing licences at 10 SSSIs. Sutton Park has been chosen for the Upper Trent Area. A contract will be let shortly to start this review. |
| | Issue 15 | We note the environmental damage caused by excess groundwater abstraction in the adjacent Stour catchment and suggest that this area should be looked at as a possible positive recipient of excess water beneath Birmingham. | Comment noted. Although it is not within the Agency's remit to undertake such a scheme we would be willing to assist with the facilitation and promotion of the project. |
| Friends of the Earth | Issue 1 | There is no mention in the report of the natural methods for controlling Japanese Knotweed and Himalayan Balsam. | The Agency acknowledges that biological forms of control are preferable, however they are not really practicable within the channel of the urban River Tame. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
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| Friends of the Earth (Continued) | Issue 2 | We would like to see an Agency statement supporting the "Raise the Rea" campaign. | We strongly support the aim of improving the River Rea corridor. Agency staff have attended several "Raise the Rea" campaign meetings but there is concern from both the Agency and Birmingham City Council that the original proposals could lead to severe flooding in storm events. Discussions between parties are ongoing. |
| | Issue 3 | Why was better access to the River Rea not created during the construction of the Heartlands Spine Road? | Although a number of options were discussed with the local authority and road builders, it was not possible to include such improvements during road construction. |
| | Issue 20 | We dispute the inclusion of increasing energy from waste within the targets to be achieved. Reduction and recycling are the ways forward and not incineration which produces toxic by-products and is not a sustainable method of waste disposal. | <p>The Agency believes that it is correct to include increasing energy from waste within targets especially as incineration with energy recovery can provide significant environmental benefits and in some cases prove to be the Best Practicable Environmental Option.</p> <p>The Agency will continue to work closely with local authorities, industry and commerce to identify joint initiatives and working arrangements to encourage sustainable waste management.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-------------------------------------|---------|---|--|
| Friends of the Earth (Continued) | Issue 6 | We hope that the Environment Agency will be making very strong representations to OFWAT to ensure that vital expenditure is committed to water quality improvements. | The review of water company prices by OFWAT must take account of the cost of restoring and protecting our environment, where it is affected by water company operations. Figures are still being reviewed but the Agency has identified an essential programme of work requiring an investment in the order of £6.5 billion. |
| | Issue 6 | We would like to see big improvements in water quality via the RQO assessments (but appreciate that river quality is not the sole responsibility of Severn Trent Water). | In the Midlands Region we need to seek improvements to around 300 Sewage Treatment Works, modify 240 Combined Sewer Overflows and implement about 12 resource schemes for low flow issues. Where water quality is affected or threatened by sources outside the control of the Water Companies the Agency is equally committed to obtaining any necessary improvement. |
| | Issue 9 | We hope that the area surrounding Sutton Park will be targeted during the campaign against sewer wrong connections, to help reduce the nutrient levels in the pools. | Such a campaign was carried out by the Agency in the latter part of 1998. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-------------------------------------|----------|---|--|
| Friends of the Earth (Continued) | Issue 10 | The Environment Agency should be looking to improve the quality of rivers such as the Tame, Rea, Tipton Brook and Ford Brook. We realise that other parties must be involved but there is no incentive to push for water quality improvements if the water quality objectives are set at low levels. This is giving future developers of contaminated land carte blanche to allow their land to continue polluting. | The Agency is actively committed to individual catchment surveys and investigations to address issues of poor water quality in conjunction with seeking solutions to contaminated land sites where they affect water quality, in particular on the Ford Brook and Wolverhampton Tame Catchments. Contaminated land is redeveloped via the Planning Process making the land both fit for the proposed use and ensuring the protection of controlled waters. Actions to remedy problem sites are detailed in the Action Plan under Issue 12. |
| | Issue 11 | The input of pollution from the M6 motorway is a major concern of ours and we would like to see the Environment Agency working with the Highways Agency to find low cost solutions to this problem. | The impact of winter de-icing is regularly reviewed and the Agency is keen to apply Best Management Practice to new developments, including road schemes to improve urban drainage. The M6 is only one potential source amongst many within the LEAP catchment area. Funding is not currently available to retrospectively apply these new practices. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-------------------------------------|------------------|--|--|
| Friends of the Earth (Continued) | Issue 12 | We are concerned at the increasing number of contaminated sites where the new development is protected from the contaminated ground whilst the land is not remediated. Sites like the Star Site at Nechells have not been required to undertake such measures and thus continue to be a threat to the River Tame. | Currently the Planning System remains the primary system controlling the re-development of contaminated land. The Agency as a statutory consultee may identify, via an application, that a site poses a threat to surface or ground waters and may require further works. Where there is known or it is strongly suspected that historical contamination exists, site investigations are routinely required. The new contaminated land regime requiring local authorities to identify contaminated sites in their area is currently scheduled for implementation in July 1999. |
| | Appendices 2.2.1 | The waste hierarchy shown in fig 5 on p 92 puts energy generation on the same level as recycling and composting. We are strongly opposed to the incineration of waste when insufficient recycling facilities are available and would like to see this waste hierarchy changed to reflect the fact that minimisations re-use and recycling are the best options with energy generation and disposal (including incineration) the worst. | <p>The hierarchy shown is based on that in the white paper on waste "Making Waste Work" in which energy from waste was considered on a par with recycling and composting. The Agency accepts that there has been a change in Government opinion as stated in the recent published consultation paper on the national waste strategy "Less Waste More Value" which indicates that the present Government places a higher priority on recycling and composting than incineration with energy recovery.</p> <p>The opinions expressed in the paper may be adopted as policy in the future, at which time, and not before, it would be appropriate to amend the hierarchy accordingly.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-------------------------------------|------------|---|---|
| Friends of the Earth (Continued) | Appendix 3 | We would like to see a commitment to improve all water quality and this might be better reflected in Table 13. There are some long term objectives which are of far worse quality than at present. | In a number of stretches water quality is better than the long term River Quality Objective. Where we believe that there is sufficient analytical data to support this difference and that the quality is sustainable, up-gradings are normally proposed through the LEAP Consultation Process. Where such a difference occurs through "over performance" of a consented discharge, RQO's are set based upon the actual consent limits. |
| Groundwork Black Country | Issue 3 | <p>The creation of pools and riffles is detailed, however, there is no mention of lateral improvements, such as the creation of meander bends. The feasibility of these should have been considered.</p> <p>There is no mention of sediment yields, which are important in relation to the erosive power of the stream, this has implications for flood defences.</p> <p>The overall context of this report is very thorough. The holistic approach taken will greatly contribute towards future sustainable development.</p> | <p>The Agency will seek to reinstate natural river features, including meanders, wherever it is appropriate/feasible.</p> <p>Comments noted.</p> <p>Comment welcomed.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---------------------------------|------------------|---|--|
| Inland Waterways Association | Appendices 3.1.5 | Specific query relating to the remediation of the Barnes Hill Landfill. (An old site in Weoley Castle). | <p>The examples in this section are sites that have already been remediated or are likely to be designated as Special Sites under the new Contaminated Land regime.</p> <p>The Old Barnes Hill Landfill was a former Birmingham City Council site which ceased operation in November 1977. The site is known to be producing landfill gas and domestic refuse was known to have been deposited prior to the site being licensed. Birmingham City Council have installed a perimeter passive gas ventilation trench and 30 permanent gas monitoring boreholes.</p> <p>Similar sites are numerous within this LEAP area. The remediation of such sites will remain the responsibility of the Landowner, often, as in this case the Local Authority. Your concerns have been referred to Birmingham City Council, Environmental Protection Unit. The Agency is of course, available to provide advice and information, where necessary.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|--|---------|--|---|
| Inland Waterways Association (Continued) | Issue 1 | <p>Whilst welcoming efforts to enhance Biodiversity we would not wish to see the canals in the area damaged in any way for the purposes of protecting a species (water vole) which, although endangered on a national scale, is quite safe in this area.</p> <p>We are pleased to note that otters are being encouraged into the catchment but would object to any restriction of existing navigation and recreation as a means to achieve this.</p> | <p>Otters and their "places of shelter" and the burrows of water voles are fully protected under the Wildlife and Countryside Act 1981. Whilst the continuation or even an increase in boat traffic is very unlikely to cause problems to either of these species, the presence of water vole burrows may lead to constraints on construction and maintenance work. It is however, a legal requirement to take this into account.</p> <p>The body chartered with administering the legislation is English Nature and detailed queries should be directed to them.</p> |
| | Issue 2 | <p>We would urge the Agency to reconsider its current policies so as to encourage informal gentle cycling but to prevent the waterside paths from becoming cycleways which are alternative routes to roads or purpose made cycle tracks.</p> | <p>The Agency is aware of the problems created by multiple use of canal towpaths, particularly those caused when anglers and cyclists are attempting to use the same area. However this is purely a matter for British Waterways which both owns and administers canal towpaths.</p> <p>The Agency has not, in this area, been involved in the creation of cycle tracks along canal towpaths.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|--|-----------------|---|--|
| London Office, Birmingham, Black Country & Worcestershire Branch | Issue 4 | Comments relating to the use of urea as de-icer on the M5 and M6 motorways which runs off to the canal system. | The environmental impact of such discharges, within the overall de-icing programme, is reviewed annually with the Highways Agency. The potential to divert some, if not all, of such discharges away from the canal system has been put to the Highways Agency. No decision has yet been taken on such a proposal. |
| | Issue 6 | The Association notes the proposals regarding the combined sewer overflows to both the high and low level Birmingham/Wolverhampton Canal in Smethwick. The Association would hope that British Waterways have been, or will be involved in the planning of these proposals. | British Waterways have already been consulted regarding this improvement scheme. |
| | Appendices 2.9 | There is no mention of canal fisheries within this section. | Canal fisheries are referred to in the Consultation Report on pages 19 and 20 under "Canals and Fisheries". |
| | Appendices 2.10 | <p>The Agency's "Strategic Objectives" – Objective 3 "rivers and wetlands in the catchment" should be amended to "watercourses and wetlands in the catchment" so that this definition is not overly prescriptive towards rivers over other watercourses such as canals.</p> <p>There does not appear to be any mention of the damage which is being caused by invasive alien species.</p> | <p>Comment noted.</p> <p>Japanese Knotweed is discussed on pages 27-28 in the Consultation Report and actions to control it are detailed in Issue 1 of the Action Plan.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|--|--------------------------|---|---|
| Inland Waterways Association (Continued) | Appendices 3.4.3 | We are concerned by the somewhat sweeping statement that canal structures are more robust than other archaeological features. | The comment that "canal structures are generally more robust than archaeological features" refers to the fact that while they are of archaeological interest, they are also working structures. |
| | New issue (Suggested) | We fear the loss or damage of plaques and milestones during Agency work. These are important features which, because of their small size in comparison to other features, may not necessarily be perceived as such and we would hope that the Agency will be mindful of this. The proposed restoration of the Dudley No 2 canal from its current start at Hawne Basin through Lapal Tunnel to its junction with the Worcester and Birmingham Canal at Selly Oak. | As far as damage is concerned, no Agency maintenance work takes place on canals and any capital works which might affect a canal would be subject to a full environmental assessment including archaeology. |
| London Office | Issue 10 | Titford Canal – proposals to improve access to the canal to encourage visitors on foot and by water. IWA is pleased that the Agency appears to be applying RQOs on an increasing number of canals. We are pleased to see that a certain level of importance is being attached to water quality in canals. | Comments noted. The Agency would welcome any opportunity to be involved in discussions relating to these proposals. Although the length of canal classified has not increased the Agency is committed, as far as possible, to ensuring compliance with the objective quality for the individual stretches. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|------------------|---|--|
| Birmingham, Black Country & Worcestershire Branch | Para 8, page 9 | The Agency should be putting proposals forward on how, in these days of controlled expenditure, this money is to be found. | Such funding has been successfully obtained and utilised in the LEAP area by British Waterways in partnership with others bringing about very significant improvements. Where appropriate, the Agency, is happy to support British Waterways who have the primary responsibility in such matters. |
| jdt (Division of Matt MacDonald) | Appendices 3.4.3 | The number of scheduled monuments is now too low. New sites are being identified during the ongoing monument protection programme. | Noted. The number reported was that given to the Agency up to the preparation date of the report. |
| MAFF | Issue 8 | Note referring to the designation of the River Blythe as a NVZ under the EC Nitrate Directive. | Comment noted. |
| Merevalve & Blythe Estates | General | There has been a loss of otters in the catchment due to the release of mink at Lea Marston. The report does not mention policies to control mink. | <p>The decline of otters in the UK occurred in the late 1950s as a result of the introduction of the pesticide Dieldrin. Mink were scarce in the UK at that time and therefore not implemented in the decline of otters.</p> <p>Otters have recolonised many areas in England over the last 15 years despite the presence of large populations of mink which have subsequently declined. Recently the Agency has discovered signs of otter activity along the entire length of the River Blythe.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|---------|---|---|
| Merevalve & Blythe Estates (Continued) | General | <p>Potential for nitrate inputs from non-agricultural sources.</p> <p>It appears that, over a number of years, the pattern of flooding and ebbing on the River Blythe has changed. The river is now more flashy, we wonder if this is as a result of increasing urbanisation around Solihull with attendant quickening of the run-off.</p> <p>Severn Trent Water Limited have, in the past, perhaps because of a malfunction in their switch gear, completely drained the River Blythe several times. Clearly this is unacceptable.</p> | <p>Simulated catchments for the River Blythe and River Bourne confirm that agriculture is the major input particularly in the Bourne catchment. There are of course other sources.</p> <p>Development has increased peak flows/floods in the catchment whilst at the same time reducing the baseflow contribution because of a loss of infiltration area. The Agency is working with local authorities' planners to promote better sustainable urban drainage methodology.</p> <p>Severn Trent Water Limited hold a Water Abstraction Licence which permits abstraction from the rivers Blythe and Bourne under certain conditions. Abstraction from the Blythe can only occur when the flow in the river downstream of their abstraction point is greater than 23 ML/d. If the estates could provide dates and times of when the River Blythe has been "completely drained" we will investigate the matter. If the river dries up in the future the Agency should be contacted immediately on 0800 807060.</p> |
| National Urban Forestry Unit (Chris Rance) | General | We would like to emphasise the important contribution to the urban environment of wooded corridors following rivers or other interconnected open space. | Comments noted. The Agency, in principle, agrees and supports tree planting where this will not interfere with other legitimate uses of the Environment Agency. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|--------------------------------|-----------------|--|---|
| NFU | Issue 2 | Lack of public access etc. | Agency appreciates your view and where riverside walks are proposed, riparian owners permission is always the key issue. |
| | Issue 3 | Unnecessary flooding of agricultural land. | Any reprofiling of the flood plain or other engineering means to increase the frequency of flooding, would need to be agreed with the riparian owner and in some cases compensation may be applicable. |
| | Issue 19 | We would urge the Agency to press for landfill tax funds to be used to help landowners who have "hot spots" afflicted by fly tipped rubbish. | The Agency, although sympathetic to the cause, does not see itself as the appropriate body to press for landfill tax contributions to be utilised in resolving problems experienced by landowners as a result of fly-tipping. However the Agency will continue to liaise with local authorities, landowners and other interested parties to combat the problem. |
| | Issue 24 | | |
| NFU East Midlands Region | Issue 19 S.3 | Is it possible for landfill tax to be used to help landowners subjected to flytipping? | The landfill tax was introduced by the Finance Act 1996 and is regulated by H M Customs and Excise. The Landfill Tax (Amendment) Regulation 1996 SI 1996/2100 stipulates how monies recovered from this duty may be allocated and spent. In order for these monies to be used in combating or cleaning up flytipping an amendment to these regulations would be required. |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|----------|---|---|
| NFU East Midlands Region (Continued) | Issue 19 | How can Agency help landowners suffering from flytipping? | The Agency remains the lead authority for combating commercial scale flytipping on private land. The Agency does not have monies allocated for clear up, this responsibility remains with the landowner, unless monies can be recovered via court proceedings. The Agency in partnership with local authorities is involved with this problem at all levels. The relative responsibilities are outlined in a Memorandum of Understanding. |
| Powergen | Issue 20 | Recognition for the importance of energy generation from waste and a need for a change in public perception of the environmental and safety standards of such plant. | Comments noted. |
| | Issue 21 | The gathering of air quality data is crucially important. At present data is collected by a variety of organisations which is not always readily available. A key objective of the Agency ought to be to establish a database from which a true understanding of air quality in the local area can be gauged. In practice, it may not mean that additional monitoring is required, but ensuring that all data is available on a central database. | Agreed. The picture should be clearer following work with local authorities on the National Air Quality Strategy, and the Midlands Regional Air Quality Action Plan. (See Issue 21 in the LEAP Action Plan). |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|----------|---|--|
| The Ramblers Association | Issue 26 | Park Hall Farm – there is a footpath to Castle Bromwich which appears to pass under the motorway then stops. There is no right of way through this bit of land between the motorway and railway. The creation of a path to Water Orton would provide a link to pass through Minworth works as well as the riverside path to Curdworth Bridge and the proposed major path at the Hams Hall site. | <p>We are currently examining all aspects of the future of Park Hall Farm. Public access will of course be a consideration. The Agency is fully aware of the need to link footpaths along the River Tame (see Issue 2 in the Action Plan).</p> <p>The Agency, and previously the National Rivers Authority, have put great effort into creating a Tame Walkway. The creation of the path around the Hams Hall site, which you mention, was largely as a result of representations by the Agency to the local planning authority.</p> |
| River Cole & Chinn Brook Conservation Group | | <p>Concentration on main river at expense of upstream non-main.</p> <p>Reduction of base flow.</p> | <p>Main river status is only significant for hydraulic efficiency purposes. Environmental quality issues have same priority for main and non main river.</p> <p>All new abstraction licences for the River Cole that result in a net loss of water are granted with a prescribed flow condition, such that when the flow in the river falls below a certain threshold, the abstraction must cease. Flows in the River Cole catchment are measured either by the Agency's gauge at Bacon's End or by a weir installed at or near the point of an abstraction.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|--|---------|------------------------------------|--|
| River Cole & Chinn Brook Conservation Group (Continued) | | Reduction of base flow (continued) | <p>With regard to varying existing licences, this is not usually done without the licence holder's consent. Once an application to vary a licence is received then all of the conditions on the licence can be reviewed. Some surface water licences issued in the catchment are Licences of Right which were granted for abstractions occurring prior to the legislative requirement for licences and therefore contain minimal conditions.</p> <p>Any new licences or increases to existing licences that result in a net loss of greater than 20 cubic metres per day are now issued subject to a time limit which provides an opportunity to review licence conditions on a regular basis.</p> |
| | | Concern over future development. | <p>The Agency has objected to development of the greenbelt in the Blythe Catchment and where development is allowed, sustainable drainage methods are recommended.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|--|------------|--|--|
| River Cole & Chinn Brook Conservation Group (Continued) | | CSOs | The Agency seeks to improve water quality by tackling polluting discharges at source. Unsatisfactory CSOs will be improved via the ongoing Water Company's Asset Management Plan Process (see Action Plan, Issue 6). |
| | General | The concrete weirs at the Ackers on the River Cole are a positive barrier to fish movements up and down the river | There are no proposals to alter the weir at present. This may be reviewed if sustainable water quality improvements in the immediate area are achieved. |
| | Appendix 3 | <p>We cannot accept that your long term RQOs (p141) can be set at a lower level than that which currently exists, as reported for the River Cole from Stratford Road to Warwick Road at Greet.</p> <p>We also find it difficult to understand how the water quality from Trittiford Mill Park to Stratford Road can be RE3, fair quality. The last time this was surveyed, around 1993, it was classed, under the ratings used at that time as 1B, good quality.</p> | <p>The long term RQOs were set for rivers in the 1970s and the Agency or predecessor bodies did not downgrade any of the objectives when the new Rivers Ecosystem Classification was introduced in the 1990s.</p> <p>In a number of stretches, water quality is better than the long term River Quality Objectives. Where we believe that there is sufficient analytical data to support this difference and that the quality is sustainable, upgradings through the LEAP consultation process are normally proposed. Where such a difference occurs through "over performance" of a consented discharge, RQOs are set based upon the actual consent limits.</p> |

3 Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|-----------------------------|-----------|---|---|
| RSPB | Issue 24 | Review of Maintenance Regime is welcomed. | The possibility of further progression to enhancing flood plain wetlands has been noted and is covered also in issue 3 of the Action Plan. |
| | New Issue | Water Level Management Plan | These have been included in the Action Plan as a new issue (see Issue 27). |
| Severn Trent Water Limited | General | We are concerned that in developing LEAPs the Agency takes full account of DETR and Agency national policies such as those for water services companies investment as expressed in the AMP2 Effluent Quality Guidelines and in any similar guidelines relating to future AMPs. In addition, the implications of the mechanism in place for determining the levels of WSC expenditure by OFWAT through the periodic review process need to be fully recognised. Where actions proposed for Severn Trent would require significant investment to meet new quality obligations, the Action Plan will need to recognise that the availability of funding will be subject to the constraints and timescales of the AMP planning process. | Comments noted and agreed. The LEAP Annual Reviews will detail the significant improvement schemes agreed in AMP2/3 and any alterations to timescales can be reported by this review process. |

3. Comments Received and Agency's Response

| Organisation/ Individual | Section | Comments | Response |
|---|------------|--|---|
| Severn Trent Water Limited (Continued) | General | We have been concerned that in previous reports our role has not been adequately described, especially as we have then been associated with a significant number of actions. | Comments noted. Severn Trent Water Limited's contribution to delivering improved water quality is detailed in Issue 6 of the Action Plan. |
| | General | We already have in place a range of measures to reduce leakage and encourage efficiency in water usage. Our leakage has been reduced by 17 percent over the last year (96/8 to 97/8) and we have further targets to meet. We would like these existing measures to be recognised in formulating comments in the LEAPs which refer to the need for such measures. | Comment noted. |
| Sutton Park Visitors Centre (Stefan Bodnor) | Issue 9 | The Birmingham City Council Water Management Plan for Sutton Park is co-authored with English Nature. Your second paragraph (P40) seems to suggest it isn't. | Comment noted. |
| | | Secondly, can you advise on what issues not dealt with in the "Water Management Plan" need to be included in a "Water Level Management Plan" (WLMP). | The WLMP should not contain any new issues but will focus in detail on methods to action the desired water levels in the park. |
| Uplands Allotments Association | Issues 2/3 | Opening up watercourses in urban areas. | Any proposals to create new riverside walkways would involve discussion with the riparian owners affected and their agreement required. |

4 Errors and Omissions

| Section | Issue or sub-section | Error or Omission | Raised by |
|-----------|-----------------------|---|---|
| 2.3 - 2.4 | Wildlife | The LEAP report gives some space to water habitats in the Tame basin but it does not mention the Edgbaston Pool SSSI fed by the Chad Brook. | Birmingham Natural History Society |
| Overview | Key Details | There is no inclusion of the River Blythe as a salmonid fishery despite having noted on p.20 that the middle reaches are managed exclusively for trout. | Friends of the Earth |
| 2.3 | Canals | The list of canal related activities available should include navigation. | British Waterways |
| 2.4 | Air | The data in the chapter dedicated to air quality does not reflect the current status of information held by Sandwell MBC on air quality monitoring. | Sandwell MBC Dept of Environment and Development Services |
| 2.4 | Heritage | The number of scheduled ancient monuments is too low with new sites being identified during the ongoing monument protection programme. | jdt |
| 2.4 | Wildlife and Heritage | This section fails to provide a thorough description of the catchment's important species, habitats and sites. | RSPB |

4 Errors and Omissions

| Section | Issue or sub-section | Error or Omission | Raised by |
|------------|-------------------------------|---|----------------------|
| 3.0 | Issue 1 | An omission from the list of proposed actions are any specifically relating to the freshwater habitats for which the Agency is lead organisation eg reed beds and Alder woodland. | English Nature |
| 3.0 | Issue 1 | There is no mention of the natural methods for controlling Japanese Knotweed or Himalayan Balsam. | Friends of the Earth |
| Appendix 1 | New Development – Hams Hall | It is incorrect to say that the Freight Terminal will create Ladywalk Nature Reserve since it has existed for several decades. | English Nature |
| Appendix 2 | Management of Water Resources | There is little or no reference to the water level management plan process being undertaken by operating authorities in consultation with English Nature. | RSPB |
| Appendix 3 | Surface Water | Discrepancy between nomenclature of gradings for chemical water quality. p.132 Table 11 Fair = C p.133 Map 17 Fair = D | Albright & Wilson |

4 Errors and Omissions

| Section | Issue or sub-section | Error or Omission | Raised by |
|------------|----------------------|---|---|
| Appendix 3 | Table 13 | The Grand Union Canal "48km length Camphill to B'ham/Fazeley Canal" should read 4.8km. | British Waterways |
| Appendix 3 | General | <p>The report does not mention Rotton Park and Titford Reservoirs.</p> <p>Both BCDC and B'ham Heartlands Dev. Corp. were dissolved on 31 March 1998.</p> <p>Hereford and Worcester CC is now Worcestershire CC and The County of Herefordshire District Council.</p> | <p>Inland Waterways Association (IWA)</p> <p>IWA</p> <p>IWA</p> |
| Appendix 3 | Map 23 | <p>The following sites are missing:</p> <ul style="list-style-type: none"> • Eastern Part of Bickenhill Meadows • Brook Meadow, Darley Green on a trib. Of Cuttle Brook. • Windmill Naps Wood on the headwaters of the River Blythe. | English Nature |

5 Local Seminars

In June 1998 the Environment Agency organised two seminars where the public and representatives from local industry and business were given the opportunity to discuss the content of the West Midlands - Tame LEAP Consultation report with staff from the Agency. This section summarises the discussions that took place.

**WEST MIDLANDS – TAME LOCAL ENVIRONMENT AGENCY PLAN (LEAP)
FOR INDUSTRY AND BUSINESS.
THE CROSSING AT ST PAULS, WALSALL.
4th JUNE 1998**

AGENDA

| | |
|--------------|--|
| 09.15 - 0945 | Arrive for tea/coffee |
| 09.45 | Introductions |
| 10.00 | Issues relating to managing water |
| 1030 | Issues relating to industry regulation |
| 1050 | Coffee/tea |
| 1110 | Issues relating to air quality |
| 1130 | Issues relating to land quality |
| 1150 | Issues relating to biodiversity |
| 1220 | The historic environment |
| 1230 | General discussion |
| 1300 | Lunch |

Attended by:- Judith Ashworth - Chairman AEG (Chair)

Chris Allen - Smith Stone and Knight
Mike Hodder - Birmingham City Council
Gavin Tringham - Birmingham City Council
Gareth Davies - Cadbury's Ltd
Jonathan Bowen - Barclays Bank
Robert Duff - English Nature
Glynn Phillips - British Waterways
Natasha Round - Groundwork Black Country
Hugh Garratt - Merevale and Blythe Estates
Geoff Davies - Federation of Small Businesses
David Mitchell - University of Wolverhampton
David Wickens - Severn Trent Water Ltd

From the Agency:- Philip Burns - Area Manager
Chris Stanley - LEAPs Officer
John Buckingham - Flood Defence and Water Resources Manager
Anne Dacey - Team Leader Water Resources
Simon Slater - Regional Technical Planner
Ian Baird - Development Control Officer
Doug Freakley - Team Leader Environment Protection
Vaughan Wilkinson - Team Leader Environment Protection
Martin Cooper - Fisheries, Ecology and Recreation Manager
John Floyd - Tactical Planning Officer
David Othen - Team Leader, IPC/RAS
David Hudson - Environment Planning Manager

Apologies were received from David Middleton (Midlands Environment Business Club) Peter Field (Walsall Metropolitan Borough Council), and Duncan Wemyss (Area Environment Group and British Secondary Metals Association).

(1) Introduction

Philip Burns welcomed those attending. Philip pointed out that not all those attending were from 'industry' or 'business' and that the meeting would have been more appropriately entitled a "Consultation Seminar for PARTNERS". He described how 'traditional' LEAP launches had previously been held, and how the desire for improved consultation had led to these consultation seminars for the West Midlands - Tame LEAP. Philip then explained that these minutes would be circulated prior to placing them in the Statement of Public Consultation.

Judith Ashworth briefly described the agenda for the seminar and asked those present to introduce themselves. Judith described the role of the Area Environment Group.

Chris Stanley briefly explained that the seminar had been subdivided into the Agency's five Regional Environmental Initiatives relating to Managing Water, Industry Regulation, Air Quality, Land Quality, and Biodiversity. Chris explained that appropriate representatives of the Agency would each briefly describe relevant issues from the LEAP before opening the floor up for discussion on each initiative. The LEAP area was shown in context with the other LEAP areas in the Midlands Region, and the delegates were asked to fill in a table designed to prioritise the issues in the plan according to four different criteria (See Appendix 1 for the table and results).

(2) Issues relating to managing water

| | | |
|----------|---|-----------------|
| Issue 4 | Urban run-off and deoxygenation of the River Tame | (Doug Freakley) |
| Issue 5 | Sustainable urban drainage | (Ian Baird) |
| Issue 10 | The current quality of rivers and canals. | (Doug Freakley) |
| Issue 13 | The impact of rising groundwater beneath Birmingham | (Anne Dacey) |

Hugh Garratt commented that we often see rapid flooding of land around the Rivers Blythe and Cole, and asked what we were trying to do about it. Ian Baird described how where possible, we are attempting to introduce drainage measures that mimic natural systems. HG commented that he expects flooding, but does not want to suffer for it. There is nothing in the report about flood defence schemes on the River Cole.

David Mitchell remarked that the report does not adequately emphasise relationships between issues. For example with regard to water quality and contaminated land, heavy rain 'washes out' metals from the land causing localised pollution, but the contaminants are then removed from the local system thus lowering the concentration of the contaminants in the land. Issues need to be properly linked and 'traded off' against each other. *(NB. Chris Allen later reiterated this viewpoint to Chris Stanley)*. Philip Burns recognised the point but reminded DM that relevant issues are cross-referenced at the bottom of each issues table. DM suggested that a section could be added to emphasise the cross-referencing, CS replied that it may be possible to produce a table or diagram to this purpose in future plans.

David Wickens referred to Issue 4 (Urban run-off and the deoxygenation of the River Tame) and commented that the option to direct all drainage on industrial sites to foul sewer would not always be appropriate.

Gavin Tringham noted the lack of consistency of LEAPs across the Region, particularly with regard to Water Management issues. Four recently published LEAPs across the Region all describe different water movement strategies with no apparent linking or co-ordination. Also, the Agency's Water Management Plan had not been open to consultation. Anne Dacey responded by commenting on the difficulties of consulting on a large Water Management Plan. Referring to the lack of consistency, Martin Cooper pointed out that the consultation stage of the LEAP process is sometimes used as a vehicle to suggest ideas that are only at the very earliest stages of being considered. Simon Slater remarked that he would take the point back to Regional Head Office for consideration.

David Mitchell noted the importance of canals in the LEAP area and asked if there should not be a closer relationship between the Environment Agency and British Waterways. Judith Ashworth responded that there was indeed dialogue between the organisations, and Glynn Phillips (for British Waterways) agreed that BW and the Agency do work closely, but that of course BW is a private organisation. Philip Burns commented that the document is an Agency consultation report, and as such cannot be used to speak for others at this stage.

(3) Issues relating to industry regulation -

Issue 17 Enclosure of waste transfer activities (Vaughan Wilkinson)

Chris Allen pointed out that it should be recognised and remembered that costs incurred by enclosure of waste facilities do not simply fall with the owners of the waste transfer stations, as they will be passed on to their customers. Philip Burns replied that this was recognised, but that there is a need to balance the monetary costs on the operator (*etc.*) with the corresponding benefits on the surrounding area. Gareth Davies asked if the issue is, or if the issue is likely to become a national policy. Vaughan Wilkinson replied that it is not a national policy, but relates specifically to the problems in urban areas. PB added that the policy was being taken up in a lot of areas.

(4) Issues relating to air quality

Issue 21 Air quality monitoring (David Othen)
Issue 23 Odour problems in Sandwell (David Othen)
Issue 22 Industrial heavy metal pollution in Pleck, Walsall. (David Othen)

David Mitchell pointed out that the particulate PM₁₀ pollutant is not exclusively made up of diesel particles. What studies were being undertaken in respect of this? David Othen replied that the Agency does not monitor these pollutants. Gavin Tringham (Birmingham City Council) agreed to discuss this with DM after the meeting.

(5) Issues relating to land quality

Issue 12 Contaminated land (Chris Stanley)
Issue 19 Flytipping (Vaughan Wilkinson)

Hugh Garratt asked if he should be contacting the Agency on the occasions that waste is flytipped on (his) land. Vaughan Wilkinson replied that it is the landowners responsibility to clear up flytipped waste, but that the Agency will attempt to identify and prosecute offenders where possible. Glynn Phillips remarked that as major landowners, British Waterways suffered greatly from flytipping, there is a perception that because so many get away with it, those who offer a "service" of taking away peoples rubbish only to tip it later are thought to be outside the law. VW responded that this was certainly not the case, but that tracing offenders can be a very difficult task needing high resources. Gareth Davies commented that if it is such a big problem, shouldn't the Agency be putting more resources into it? Philip Burns explained that we do already

put a great deal of resources into the problem, for example a simple flytipping case can easily take up 3 to 4 man days.

David Wickens asked if we measured the number of incidents, and if there was a trend. Philip Burns replied that we reported incidents on a monthly basis. Vaughan Wilkinson said that a recent report had indicated a possible increase since the introduction of landfill tax, but that a significant trend had not been recognised. Gareth Davies asked about getting the police involved in cases of flytipping, PB responded that the police were involved in some cases.

Judith Ashworth remarked that education was very important and Philip Burns mentioned that the Agency was starting up environmental initiatives to get education to SMEs. Geoff Davies commented that he was not aware of any such information from the Agency at meetings for SMEs that he had attended. PB responded that the Agency's involvement may not always be clear because of limited staff numbers involved with such projects. GD then pointed out that one way to get the message across was to work with organisations such as the Federation for Small Businesses and use their networks/newsletters as a method of disseminating information. John Floyd said that the Agency Tactical Planning team would look into this.

Chris Allen expressed his concern over what he should actually be doing about contaminated land on his site (from previous use). To what standard should he be aiming to clean up the land? What if the standards change? There appeared to be a problem of "moving goalposts". There was general agreement over a lack of legally agreed standards, Philip Burns pointed out that the land needed to be "fit for purpose", and Anne Dacey suggested that CA contacted Kirsten Johnson at the Agency for further details of the standards used by the Agency. David Mitchell remarked that he understood that under the 1995 Environment Act, Local Authorities would have to describe and classify contaminated land in the area. Gavin Tringham replied that the legislation had not yet been implemented, and that the actual definition of 'Contaminated Land' was still not agreed. The various Local Authorities can take no real action until some standards are agreed, and the Government applies the legislation with clear guidelines.

Robert Duff commented that many contaminated land sites have become areas of urban wildlife resource, and that some account must be taken of this when considering the remediation of a contaminated site. Mike Hodder agreed and pointed out that the historic built environment and aspects of industrial heritage should be similarly considered.

(6) Issues relating to biodiversity

| | | |
|----------|--|-----------------|
| Issue 2 | Lack of public access routes along river banks | (Martin Cooper) |
| Issue 3 | Enhancement of watercourse corridors in urban areas for wildlife and amenity | (Martin Cooper) |
| Issue 9 | Excess nutrient levels in Sutton Park Pools | (Martin Cooper) |
| Issue 26 | The future management of Park Hall Farm | (Martin Cooper) |

Hugh Garratt expressed his interest in any flood alleviation works on the River Cole. He remarked that there was no mention in the consultation report of mink control to encourage recolonisation of the River Blythe by Otters. He had been unaware of the rarity of the Black Poplar and offered to try to grow it on the Merevale and Blythe Estates. Martin Cooper thanked him for the offer and agreed to discuss matters further after the meeting.

David Mitchell observed that the report mentioned the use of pools and riffles to improve watercourses, but not the bigger, geomorphological features of the rivers, which had been lost in many urban rivers. Could these be rectified at all? John Buckingham agreed that the river channels were in many cases restricted by the urbanisation, but channels have been moved for improvement where possible, for example the River Tame by Triplex Lloyd in Walsall. Philip Burns reminded the group that the document was not a River

Management Plan, but a 'Total Environment Plan', and was already very big. The Agency has to strike a balance in the amount of information in the document to prevent it from becoming too large.

Robert Duff welcomed the Agency's approach to biodiversity issues, but would like to see us target key habitats, such as the encouragement of reedbeds. Martin Cooper commented that this was happening - not especially in this LEAP catchment, but further downstream on the River Tame, and in the Lower Severn Area. RD also welcomed the collaborative approach to resolving problems in Sutton Park but hoped we would look at the wider wetland environment and not just the pools themselves. Doug Freakley agreed that this is important and said that this should be taken into account by the Water Management Plans referred to in the report.

(7) The historic environment

Mike Hodder (Birmingham City Council - Planning and Architecture Department) made a presentation on the historic environment as a subject area to be further considered by the Agency in the LEAP process and all aspects of the Agency's work. The following summarises Mike's discussion.

The historic environment includes visible features, but also below ground features or evidence of human activities found in waterlogged ground. The historic environment relates to several issues in the LEAP, for example contaminated land itself is often part of the historic environment. There is a need to establish linkages between the historic environment and the other issues, particularly with regard to benefits and problems. The historic environment is included in (Birmingham's) LA21.

Within the Local Authority planning system there is protection for the historic environment, but it is essential that assessments of the implications of proposed works are made to protect it. Protection should not be seen as a negative aspect to development, it can have very positive aspects, for example increased opportunities for access, leisure and education. However, *specialist* advice needs to be taken on the historic environment, but it is often "lumped in" with advice on the natural environment.

Martin Cooper responded that the Agency does carry out environmental assessments when appropriate, and County Archaeologists are contacted when doing works. Mike Hodder accepted the point, but re-emphasised the point that many environmental 'specialists' do not have any real expertise in archaeology.

Philip Burns thanked Mike Hodder for his contribution and agreed that we must reflect these concerns in the forthcoming Action Plan, but must balance it with our own duties and actions within our own remit.

(8) General Discussion

Geoff Davies remarked that it was obvious that the people at the seminar were interested in environmental matters, but to do the job properly the Agency needs to reach those that we are *not* currently reaching, particularly small businesses. There is a need for simplified literature that answers simple questions such as:

- What the Agency insists you must do;
- What happens if you don't do it;
- What the Agency *asks* that you do;
- What the Agency will do for you whether or not you request it;
- What the Agency will do for you if you specifically request it;
- What the Agency will not do for you;
- Who to contact to give information to the Agency; and
- Who to contact for requests for advice and assistance.

GD suggested that to communicate effectively to the entire business sector, we need the help of a much broader body of people and that we should try to 'plug' into other services (eg group newsletters etc). Should we not have a panel to meet with representatives of Business and Industry? Philip Burns responded that the Agency did try to achieve this through the Area Environment Group (AEG), but conceded that we did not currently have a representative of small businesses on the Group. Judith Ashworth explained that the AEG meetings were open to the public and Chris Stanley mentioned the increasing involvement of the Agency with Business Agenda 21. GD reminded the group that small businesses were, collectively, very big business! PB agreed and recognised the potential of other networks to "Piggy Back" the Agency's information to other sectors.

David Mitchell asked if we should be costing and prioritising our issues in the LEAP? (*NB. Others also made this comment during the morning.*) Philip Burns replied that the issues would be costed and the details clarified in the Action Plan. Gavin Tringham commented that the assumption was always that the listed options were for environmental improvement, and was surprised that no legitimate environmental assessment had been undertaken on the options. Furthermore, there was nothing in this LEAP about our own environmental agenda for environmental standards, for example the current state of Lea Marston Lakes. PB expressed surprise that it was felt there was a need for the Agency to further explain its environmental standpoint, and that there was an issue on the future management of Lea Marston Lakes in the report. David Wickens took up GT's point of environmental assessments of options, pointing out as an example the potential environmental damage caused by the relaying of major sewers to improve Combined Storm Overflow performance. Martin Cooper commented on the Lea Marston Lakes being unusual in that it is the Agency that pays to improve the water quality coming from the conurbation.

Judith Ashworth ended the meeting by explaining that the consultation period was still going and further comments would be welcome, and also that the environment is not just the responsibility of the Environment Agency, but that it is the responsibility of all.

**WEST MIDLANDS – TAME LOCAL ENVIRONMENT AGENCY PLAN (LEAP)
PUBLIC SEMINAR, BIRMINGHAM COUNCIL HOUSE
10 JUNE 1998**

| | |
|-------------|--|
| 1830 - 1900 | Arrive for tea/coffee |
| 19.00 | Introduction |
| 19.15 | Overview |
| 19.30 | Issues relating to industry regulation and air quality |
| 19.45 | Issues relating to land quality |
| 20.00 | Issues relating to managing water |
| 20.15 | Issues relating to biodiversity |
| 20.30 | General discussion |
| 21.00 | Close |

Attended by:-

| | |
|--------------------|--|
| Judith Ashworth | Chairman, Area Environment Group |
| Vicki Valsecchi | Women in Business |
| Judy Morgan | Women in Business |
| Mr P Tetley | Gun Barrel Co Ltd, Rowley Regis |
| Peter Herbert | North Warwickshire Local Councils |
| Gavin Tringham | Birmingham City Council |
| Clive Wright | Birmingham City Council |
| Leona Dickinson | Birmingham City Council |
| Paul Archer | Birmingham City Council |
| Mr H Reeves | Rea Valley Conservation Group |
| Cyril Ashmore | Rea Valley Conservation Group |
| Mr Thornton | Local Resident |
| Sheila Hadley | Sandwell Valley Field Naturalist |
| Peter Langley | Government Office for the West Midlands |
| Celine Hynes | Care and Repair |
| Colin Needham | Wardell Armstrong |
| John Needham | Wardell Armstrong |
| Mr M Scully | Harambee Organisation |
| Jeanne Glenn | Selly Park Residents Association |
| Tony Latt | Local Resident |
| Laura Burrows | Friends of the Earth |
| Mark Jones | Friends of the Earth |
| Paul Webb | Friends of the Earth |
| Sally James | Local Resident |
| Liz Morrish | CSV & Brumcan |
| Richard Gotheridge | Sutton Park |
| Andrew Coulson | Councillor (Birmingham) |
| Richard Hammersley | University of Central England |
| Andrew Lydon | West Midlands New Economics |
| Philip Burns | Upper Trent Area Manager |
| David Hudson | Environment Planning Manager |
| Stuart Baker | Environment Protection Manager |
| John Buckingham | Flood Defence and Water Resources Manager |
| Martin Cooper | Fisheries, Ecology and Recreation Manager |
| Cliff Dobson | Customer Services Manager |
| Chris Stanley | LEAPs Officer |
| John Jarman | Team Leader, Business Support |

For the Agency:

(1) Introduction and Overview

After Judith Ashworth's welcome speech, Philip Burns began the meeting by explaining the background and role of the Environment Agency and the LEAP process. Chris Stanley then gave a brief overview of the history of the area relating to the effect of the developing conurbation on the environment.

(2) Issues relating to industry regulation and air quality

David Hudson gave a brief talk describing the relevant issues before the floor was opened for discussion. Questions from the audience and the Agency's response (in italics) are described below:

- What is the logic behind the difference between the Agency and Local Authorities with regard to looking after different processes, and are the differences desirable? (*Differences in regulations described & explained that when regulations were 'put together it was considered that the local environmental health authorities were more appropriate to deal with the very many Part B processes*)
- Was routine air monitoring occurring near the Rover premises? (*Not by Agency - Gavin Tringham answered further for Birmingham City Council*)
- Praise for the LEAP in general, but concern that figure 5 (p92) appears to put 'energy from waste' on same level as 'recycling'. This is wrong because incineration causes air pollution. (*Figure shows incineration only one step higher than landfill, but accept the broad comment*)
- The LEAP does not include any risk assessment of different (potentially polluting) companies in the area.
- Is the Agency's role a policing role, or of working with business in partnership? (*Policing always in background of environmental protection, but most effective way is through encouragement and partnership*)
- With regard to monitoring, do we rely on public complaint or have a system of our own? (*Well established system - fair degree of self regulation by industry*)

(3) Issues relating to land quality

Stuart Baker gave a brief talk describing the relevant issues before the floor was opened for discussion. Questions and comments made by the audience included:-

- Folk of Warwickshire fed up of being dumping ground for West Midlands. What will Agency do to reduce waste levels and contribute to sustainable waste management? (*Planning Authorities have extended life of Packington Landfill for another 25 years. We will focus on SME's to encourage waste minimisation at source and a national survey to identify actual waste produced will give us much better information than that which currently exists.*)
- Does the Agency have involvement with Waste Minimisation Clubs? (*Yes, we need to work in partnership with others and encourage these clubs, Government targets should have a significant effect*)
- Levels of waste in Birmingham keep increasing, falling way short of recycling targets. The only option other than landfill seems to be incineration. This is unacceptable, what is being done to promote recycling? (*The effect of the packaging regulations were discussed, then a fairly long discussion ensued about specific recycling targets and the need to ensure that there was an end use for recycled products else they end up being incinerated or landfilled after collection.*)
- Local Authorities are 'looking in anxiety' about the forthcoming legislation for the register of contaminated land. Is the Agency similarly worried about special sites? (*The future is still not clear as to the implications of the legislation. The Agency and Local Authorities must work closely as the legislation draws closer.*)

- Question about funding. (*Funding comes from a number of sources, notably charging schemes, but also partly from grant-in-aid. Recent price increases (of charging schemes) show the Government's recognition of our need for funding for (e.g.) flytipping and contaminated land. Other 'funds' are potentially available but need to be successfully applied for*)
- Will the forthcoming identification of contaminated land sites inhibit the development of brownfield sites? (*Shouldn't do so. As part of our own planning liaison process we look to determine potential levels of contamination anyway*).

(4) Issues relating to managing water

John Buckingham gave a brief talk describing the relevant issues before the floor was opened for discussion. Questions and comments made by the audience included:-

- Concern about issues 4 & 5 (Urban run-off and sustainable urban drainage). Agency involvement in oxygenation at Lea Marston and building of fish refuges is spending money at symptoms, not causes. (*River Tame can support fish about 98% of time, but problems mostly caused by urban run-off. Very difficult to solve in the short term, at least refuges etc provide some realistic protection in the meantime.*)
- Would like to see real targets that can be monitored. Long term River Quality Objectives (RQOs) are often the same as the current quality. This suggests we have given up on the quality of these reaches.
- With regard to issues 2 & 3 (Lack of public access and enhancement of watercourse corridors), would like to see the River Tame as an important link in the wildlife chain. Work has been done at Hams Hall but access to a filthy river is only a little bit better than nothing! (*The Agency works with developers as the opportunity arises, difficulties do occur where an existing development butts up directly onto riverbanks.*)
- Rivers are improving, the LEAP doesn't make enough mention of continued improvements by Severn Trent, for example the major improvement programme at Minworth and the reinforcing of sewerage systems from the Black Country. Although there are obviously difficulties associated with urban run-off, it should be remembered that £130,000,000 is being spent on improvements in the area (about 1/5 of the National amount). (*The point is acknowledged. With respect to the comment on urban run-off, it is hoped that the LEAP will encourage local authorities and other developers to consider alternative ways of draining water, seminars are currently in progress with Birmingham City Council, and the Agency is very much encouraged by the progress made in Birmingham.*)
- An eco-management audit scheme should be applied to the LEAP to see if the Agency can actually reach its targets. (*We are currently looking at ways in which we will report on own environmental performance*)
- Is the West Midlands - Tame LEAP connected in any way with the Tame Catchment Management Plan by the National Rivers Authority? (*With the advent of the Agency, LEAPs supersede CMPs, although annual reviews for the latter will continue until the appropriate LEAP plans have been produced. The catchment of the Tame downstream of Lea Marston will be covered in the forthcoming 'Burton, Nuneaton and Tamworth' LEAP*)
- Industry could use the rising groundwater in Birmingham for non-potable applications. (*Yes, in fact we are already making good progress along these lines, and the rising groundwater issue may be soon resolved*)
- The Agency should try a more educational role in attempting to combat the problem of misconnections to sewers. (*Agreed, we are working with Severn Trent on this. With regard to the problem at Sutton Park, we will be sending out 8000 letters with flyers about wrong connections. We are also looking at issuing leaflets through DIY stores.*)
- Can the 'leachability trigger' standards used in the Black Country be used elsewhere, for example on contaminated land in Birmingham? (*Yes, although it must be remembered that these were devised by*

the National Rivers Authority as working standards specifically relevant to the contamination of watercourses, because of the (potential) effects of works by the Black Country Development Corporation. They are not part of any proposed legislative standards, but we understand they are being used as working standards in various parts of the country.)

- *Who will pay or who is responsible for the pumping away of rising groundwater? (We hope that the issue will be resolved by willing abstractors, otherwise, flooded basements etc are the responsibility of the property owner).*

(5) Issues relating to biodiversity

Martin Cooper gave a brief talk describing the relevant issues before the floor was opened for discussion. Questions and comments made by the audience included:-

- *The LEAP mentions Biodiversity, but what about plants? (Plants are included within the concept of Biodiversity, they are particularly relevant in the issues relating to Sutton Park and the River Blythe SSSIs)*
- *This doesn't come across to the general public. (Point noted, it must be remembered however that the Agency's remit is limited to aquatic or waterside plants)*
- *Could the quality of the River Tame habitat be improved in the area around Pebble Mill? (NB - Councillor Andrew Coulson made the comment. The Agency would be pleased to get involved in such a scheme.)*
- *Should the Agency be targeting agriculture and domestic sources to improve nitrates? (Yes, Agency does need to target these sources, but for example in the River Blythe, treated sewage is a major source of nitrates).*
- *By attempting to naturalise the urban environment, it is possible that the Agency (or others) may damage our 'heritage'. (This is a point that has been made before, and the Agency acknowledges its relevance).*

Appendix 1

Issues rankings by Walsall Seminar Attendees

| ISSUES RANKED IN ORDER OF "RELEVANCE TO MY BUSINESS" | |
|---|---------|
| <ul style="list-style-type: none"> Contaminated land The impact of rising groundwater beneath Birmingham Sustainable Waste Management Air quality monitoring | HIGHEST |
| <ul style="list-style-type: none"> Sustainable urban drainage The current quality of rivers and canals Water resources development strategy for canals Enclosure of waste transfer activities | |
| <ul style="list-style-type: none"> Investment by Severn Trent Water Limited to improve water quality | |
| <ul style="list-style-type: none"> Enhancement of watercourse corridors in urban areas for wildlife and amenity River flows and water quality in the River Blythe Packington Landfill Site Flytipping Industrial heavy metal pollution in Pleck, Walsall Odour problems in Sandwell | |
| <ul style="list-style-type: none"> Biodiversity The effect of the West Midlands-Tame catchment on downstream water quality Baseflow contribution to the River Tame Litter and the aesthetic pollution of rivers and canals Urban run-off and deoxygenation of the River Tame Review of flood defences on the River Tame The proliferation of surface water balancing systems in Solihull | |
| <ul style="list-style-type: none"> Lack of public access routes along river banks Lea Marston Purification Lakes Excess nutrient levels in Sutton Park Pools The future management of Park Hall Farm | LOWEST |

| ISSUES RANKED IN ORDER OF "RELEVANCE TO LOCAL AREA/COMMUNITY" | |
|---|---------|
| <ul style="list-style-type: none"> The current quality of rivers and canals Flytipping | HIGHEST |
| <ul style="list-style-type: none"> Lack of public access routes along river banks Sustainable urban drainage Contaminated land Litter and the aesthetic pollution of rivers and canals | |
| <ul style="list-style-type: none"> Enhancement of watercourse corridors in urban areas for wildlife and amenity Investment by Severn Trent Water Limited to improve water quality | |
| <ul style="list-style-type: none"> Biodiversity Air quality monitoring Odour problems in Sandwell | |
| <ul style="list-style-type: none"> Urban run-off and deoxygenation of the River Tame Excess nutrient levels in Sutton Park Pools The impact of rising groundwater beneath Birmingham Water resources development strategy for canals Enclosure of waste transfer activities Sustainable Waste Management | |
| <ul style="list-style-type: none"> Packington Landfill Site Industrial heavy metal pollution in Pleck, Walsall Review of flood defences on the River Tame | LOWEST |
| <ul style="list-style-type: none"> Lea Marston Purification Lakes River flows and water quality in the River Blythe The effect of the West Midlands-Tame catchment on downstream water quality Baseflow contribution to the River Tame The proliferation of surface water balancing systems in Solihull The future management of Park Hall Farm | |

Appendix 1 Issues rankings by Walsall Seminar Attendees

| ISSUES RANKED IN ORDER OF "WIDER ENVIRONMENTAL IMPORTANCE" | |
|---|---------|
| <ul style="list-style-type: none"> Sustainable Waste Management | HIGHEST |
| <ul style="list-style-type: none"> Investment by Severn Trent Water Limited to Improve water quality Contaminated land | |
| <ul style="list-style-type: none"> Biodiversity Sustainable urban drainage | |
| <ul style="list-style-type: none"> Air quality monitoring | |
| <ul style="list-style-type: none"> Urban run-off and deoxygenation of the River Tame The current quality of rivers and canals Litter and the aesthetic pollution of rivers and canals Flytipping | |
| <ul style="list-style-type: none"> The impact of rising groundwater beneath Birmingham Water resources development strategy for canals | |
| <ul style="list-style-type: none"> Enhancement of watercourse corridors in urban areas for wildlife and amenity The effect of the West Midlands-Tame catchment on downstream water quality Enclosure of waste transfer activities | |
| <ul style="list-style-type: none"> Lack of public access routes along river banks Baselw contribution to the River Tame Review of flood defences on the River Tame | LOWEST |
| <ul style="list-style-type: none"> Lea Marston Purification Lakes River flows and water quality in the River Blythe Excess nutrient levels in Sutton Park Pools Packington Landfill Site Industrial heavy metal pollution in Pleck, Walsall Odour problems in Sandwell The proliferation of surface water balancing systems in Solihull The future management of Park Hall Farm | |

| ISSUES RANKED IN ORDER OF "URGENCY" | |
|---|---------|
| <ul style="list-style-type: none"> Contaminated land | HIGHEST |
| <ul style="list-style-type: none"> The impact of rising groundwater beneath Birmingham | |
| <ul style="list-style-type: none"> Flytipping | |
| <ul style="list-style-type: none"> Sustainable Waste Management | |
| <ul style="list-style-type: none"> Biodiversity Urban run-off and deoxygenation of the River Tame | |
| <ul style="list-style-type: none"> Enhancement of watercourse corridors in urban areas for wildlife and amenity Investment by Severn Trent Water Limited to Improve water quality Water resources development strategy for canals Litter and the aesthetic pollution of rivers and canals Air quality monitoring | |
| <ul style="list-style-type: none"> The current quality of rivers and canals Packington Landfill Site Industrial heavy metal pollution in Pleck, Walsall The proliferation of surface water balancing systems in Solihull | |
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