

Councillor Denise Lelliott – Cabinet Member for Jobs and the Local Economy

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Councillor Cowles
c/o Rotherham Town Hall
The Crofts
Moorgate Street
ROTHERHAM
S60 2TH
by email

16 March 2020

Dear Councillor Cowles

Council Meeting – 26th February 2020

Following on from last week's Council meeting and your supplementary question relating to the Pumping Station at Whiston.

The Worrygoose Lane Pumping Station in Whiston was constructed by Yorkshire Water and it continues to be managed and maintained by them. Representatives of Yorkshire Water and the Environment Agency have confirmed that the storm water overflow from the pumping station, which discharges to Whiston Brook, was installed at the time of the construction of the pumping station. It is approved under a consent to discharge order consented by the Environment Agency (Permit NE/WRA7787/001). The public register (https://environment.data.gov.uk/public-register/water-discharges/registration/NE-WRA7787-001?__pageState=result-water-discharge-consents) suggests that this was granted on 26th February 2002. A copy of the Permit has been requested from the EA which I will share once I receive it.

The Council do not however have any records to confirm if any consultation took place when the pumping station was constructed to serve the residents of Whiston and the surrounding area.

Having looked back through the Council's own information, the Council did receive a petition in May 2005, objecting to the consent to discharge and to a potential variation in the permit. This suggests that the EA received a request for a variation by Yorkshire Water in December 2004. The petition was sent to the EA as the regulatory body for the Permit. The Council's response was clear that the Council had no powers to approve or reject the variation to the Permit.

The Council has confirmed Whiston Brook is classified as a main river and is therefore the responsibility of the Environment Agency to manage and regulate. Again, this is a matter of public record and can be found at <https://www.gov.uk/government/collections/main-river-map-for-england-proposed-changes-and-decisions>.

The river travels through a number of areas of agricultural land and private gardens. The landowners on either side of the riverbank have a responsibility to maintain the riverbed and walls to allow the uninterrupted flow of the river through their land. As riparian owners of the river the landowners should ensure they remove any debris that could affect the capacity of the river and they must ensure the structure of the river is maintained through their land. Therefore, if any walls collapse the landowner has a responsibility to arrange urgent repairs and remove any obstructions as soon as practicably possible.

Having said that, Tom Smith wrote to the EA on Friday 28th February to ask if the river is impeded/blocked by a wall or debris, whether the EA be duty bound to undertake any work. He also asked that, if the EA had such a duty, what action they now propose to take at Whiston Brook. We will happily share the response once it is received.

Yours sincerely,

Councillor Denise Lelliott
Cabinet Member for Jobs and the Local Economy