Public Document Pack

Supplemental Items for Resources and Place Scrutiny Committee

Tuesday 15 September 2026 at 5.30pm

in the Council Chamber Council Offices Market Street Newbury

Part I

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4 **Environment Agency Update** 1 - 18

To receive an update on the activity of the Environment Agency within West Berkshire, including their work in holding Thames Water to account.

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WEST BERKSHIRE COUNCIL SCRUTINY COMMITTEE – 15 September 2026

Presentation by David Willis, Area Environment Manager, Environment Agency.

Update on the Environment Agency's ongoing actions in regulating Thames Water.

Good evening and thank you for inviting me to speak at this session to provide an update on the Environment Agency's role and ongoing actions in regulating Thames Water. There have been significant developments on this since I updated you at the last session in October 2024.

The Environment Agency's regulation of Thames Water remains focused on ensuring that the company delivers its environmental responsibilities and covers three principal areas –

1. The assessment and reporting of the company's environmental performance.
2. Providing guidance on and assessment of the company's plans to protect and improve the environment.
3. The determination of environmental permits and associated compliance assessment and enforcement.

I will summarise the latest position on each of these three areas.

In relation to the assessment and reporting of Thames Water's environmental performance, the Environment Agency undertakes annual assessments which are published each autumn. The assessments cover several key aspects of the company's environmental performance and result in a 1 star to 4 stars performance rating, with 1 star being poor and 4 stars being industry leading.

Thames Water received a poor rating of 1 star for 2024 showing that the company requires urgent and significant improvements to its environmental performance. Performance had declined from 2 stars in 2023 with particular concerns regarding the total number of pollution incidents, the high number of serious pollution incidents and the delay to some environmental improvement schemes.

The publication of the Environmental Performance Assessment for 2025 is due out in October. The details will be published next month, but we remain seriously concerned with the company's environmental performance. We have also completed a consultation on revisions to our annual Environmental Performance Assessment methodology including proposals to extend and tighten the assessment, and this is being implemented for the 2026 assessment.

In relation to the provision of guidance and assessment of the company's plans to protect and improve the environment, the Environment Agency's role includes the provision of advice to government on a range of water company plans and leading on the Water Industry National Environment Programme (WINEP) as a key part of the 5 yearly water company Price Review led by Ofwat. The WINEP sets out a 5-year investment programme of schemes required to deliver environmental obligations. Water company plans also include Drainage

& Wastewater Management Plans, Pollution Incident Reduction Plans and Water Resources Management Plans. These are all vital to set out the company's future plans to protect and improve the environment over the short, medium, and long term.

Thames Water submitted its business plan for 2025-2030 to Ofwat in 2023 including the WINEP which sets out the company's plans to improve the environment. This plan is critical to deliver key environmental improvements by 2030. The plan includes implementation of the governments Storm Overflows Discharge Reduction Plan.

The Final Determination by Ofwat for 2025-2030 was published in December 2024 which for Thames Water allowed £20.5 billion to improve services and the environment (this is £8.4 billion, approx. 70% higher than 2020-2025). The Environment Agency's position is that Thames Water must deliver all statutory improvements as set out in the WINEP and Water Resources Management Plan and fully comply with all environmental permits. The environmental improvement targets for 2030 included in the final determination for Thames Water include reducing pollution incidents by 30%, reducing storm overflow spills by 29% and reducing phosphorous entering rivers from the company's Sewage Treatment Works by 15%. Thames Water are currently appealing Ofwat's final determination with the Competition and Markets Authority, and this is currently deferred pending ongoing work on the recapitalisation of the company.

We welcome the large increase in investment and associated environmental improvement targets which includes a large number of schemes across Berkshire. We expect water companies to ensure assets are well maintained and resilient to extreme weather patterns and the pressure of population growth. The health of our rivers is not where it needs to be, and improved wastewater treatment investment is one of the key actions required to make progress.

The Environment Agency's role includes determining appropriate environmental permits under the Environment Permitting Regulations with conditions that control their environmental impact. It also includes undertaking appropriate compliance assessment and enforcement actions.

In relation to Thames Water, we undertake a wide range of compliance assessment activities relating to the environmental permits that the company have been issued. These include data return assessments, site inspections and audits.

Since April 2024, the Environment Agency has received significant additional government funding and water quality permit charge increases to fund a larger and more specialised workforce to enhance our water company regulation. We have now set up six new teams which regulate Thames Water and deliver a step change in our water quality compliance and enforcement activities. For example, the number of physical inspections we undertake on Thames Water wastewater assets increased fourfold to over three hundred inspections in 2024/25 and increased further in 2025/26 to over 850 inspections. Our large increase in wastewater asset inspections is driving improved compliance with environmental permits.

We have undertaken a range of enforcement action against Thames Water. For example, since 2015 we have had successful prosecutions at 17 Thames Water sites with fines totalling in excess of £37M.

We also have a significant number of live investigations that are currently underway at a national and local level. Our local investigation into the serious river pollution incident at Thatcham in 2020 is currently before the Crown Court alongside offences at several other sites, with the next hearing due at Reading Crown Court in November. We also currently have several other serious cases relating to Thames Water pollution offences before the courts.

At a national level, our largest ever criminal investigation into potential widespread breaches of environmental permit conditions at over 2000 sewage treatment works by all water and sewerage companies continues to make progress. Our assessment indicates that there may have been widespread and serious non-compliance with environmental permit conditions. We continue to undertake further investigations on specific sites.

The Environment Agency welcomes the Water (Special Measures) Act 2025 which is driving significant changes in how we regulate water companies. It gives us new powers helping us to hold water companies to account faster and more easily. The Act is:

- Enabling us to speed up our enforcement response by imposing faster and more predictable civil penalties for the less serious levels of offending. Defra have recently published the outcome of its consultation on this and we are currently consulting on required changes to our enforcement and sanctions policy. Our new powers and duties for civil penalties are expected to commence on 1 January 2027 subject to Parliamentary approval this autumn.
- Enabling us to focus our prosecution activities on the most serious offences and allow us to better recover enforcement costs from water companies.
- Strengthening penalties for obstruction offences, to prevent water companies blocking investigations and to make sure they face the consequences of their actions and inaction.
- Ensuring accountability through the introduction of a new statutory requirement for water companies to publish annual Pollution Incident Reduction Plans (PIRP). Thames Water published its first statutory PIRP in March 2026 and following review the Environment Agency has recently issued the company with a warning letter for not appropriately addressing some sections of the requirements.

The Environment Agency also welcomes the governments publication of ‘A New Vision for Water’ earlier this year and we are working with Defra and other regulators to help shape water reform and inform decisions on the future scope and functions of the Environment Agency.

Summing up

- We remain seriously concerned about Thames Water's poor environmental performance which is unacceptable and needs to improve rapidly.
- We have significantly expanded our specialised workforce and have implemented a step change in our water company compliance and enforcement activities.
- We will continue to hold Thames Water to account to drive improved environmental performance including increased investment in the company's operations and assets.
- We welcome the new Water (Special Measures) Act 2025 which is driving significant improvements in how we regulate water companies.
- We expect Thames Water to deliver a step change in investment and environmental performance through delivery of its business plan 2025-2030.
- We welcome the governments publication of 'A New Vision for Water' earlier this year and we are working with Defra and other regulators to help shape water reform.

I hope that my summary has been useful to update on the Environment Agency's latest position on the regulation of Thames Water and I will be happy to take any questions.

WEST BERKSHIRE COUNCIL SCRUTINY COMMITTEE – 15 September 2026

Presentation by Sally White, Area Flood and Coastal Risk Manager, Environment Agency.

Update on the Environment Agency's ongoing actions in managing flood risk.

Hello, my name is Sally White and I am one of the Thames Environment Agency Area Flood Risk Managers. My remit includes leading the team which oversees our capital programmes for the area, and our three Partnership and Strategic Overview teams who manage our responses on flood risk to planning and permitting applications. Our Flood Risk Department also holds the Area Incident Team, who lead on planning and managing our response to incidents. I am joined today by one of my team leaders who oversees our work across Berkshire, Rich Hancock.

Today I will update on relevant changes from the Environment Agency and government. We have reviewed the questions raised in advance and I aim to address the general issues raised in my update, rather than addressing each of the many individual issues raised. We are aware of these individual issues and have previously engaged on these directly with those who have raised them.

Firstly I'd like to highlight a success for the area from last summer, when the Environment Agency, in collaboration with West Berkshire District Council and the local community, completed construction of the flood alleviation scheme in Great Shefford. The scheme reduces the impacts of flooding to more than 20 properties and the A338 road. The lowest part of the scheme is open channel which establishes new chalk stream habitat flowing into the River Lambourn. We're pleased to confirm that the scheme operated successfully in February/March 2026 with high groundwater levels feeding into the stream during that period.

Looking at wider Environment Agency updates since the last meeting, a number of improvements have been made over the past 2 years.

In autumn 2025, we launched the new, improved Get flood warnings service. While there have been no changes to the core service, including when, where and how flood alerts and warnings are issued, several improvements have been made to the way users access and manage their accounts. These improvements include:

- Maps that allow users to easily view the areas covered by flood alerts and/or warnings.
- Clear information on the types of messages that will be received for a given location, including descriptions of alerts, warnings and severe flood warnings.
- Automatic notifications when an alert or warning is no longer in force.
- Use of one time passcodes rather than passwords and email verifications.

Future enhancements will be prioritised based on a combination of user feedback, operational requirements and cost-benefit considerations. We review the accuracy and timeliness of flood warning messages following each event to help ensure the service remains effective and continues to improve over time.

Lastly, our Forecast Model Improvement Programme continues to enhance flood forecasting models across the country.

The EA carries out reviews of our flood alert and warning thresholds after high flows by checking the river levels and thresholds reached, the decisions made and timings of each warning issued. We always welcome feedback related to the timing of flood alerts and warnings from communities, without such feedback it is not possible to improve the service.

As an example, information gathered from feedback from residents during the January 2024 flooding from Storm Henk, and subsequent meetings of the Newbury Flood and Drainage Forum, resulted in the thresholds used relating to the Shaw river level gauge to issue those alerts and warnings being altered that winter. Fortunately, the higher flows which would trigger alerts have not been experienced since.

We have built a new National Flood Risk Assessment known as NaFRA2 – this system was last updated in 2018. This was released in January 2025, and continues to be reviewed and improved. It provides a single picture of current and future flood risk from rivers, the sea and surface water for England. It uses the best available data both from the Environment Agency and local authorities. Our new data on depth of flooding also provides more information to help people understand the potential flood hazard they could face.

Our flood and coastal erosion risk data and mapping information is available on GOV.UK and the Data Services Platform. This mapping is not static and when new models or reported information on flooding is received, it will be reviewed to see whether adding this would improve the data we have and that people rely on.

This data is used by many people for many services, for example UK insurance underwriters may use this modelling to support their determination of insurance premiums. This data is available to anyone via the National Data Library (data.gov.uk). It should be noted however that the Environment Agency has no role in setting insurance premiums.

In 2025 we also launched our Smart Incident Reporting service. In June 2025 this allowed the public to report water pollution and odour via GOV.UK. In August 2025, we added illegal fishing as a third incident type, with report a Blockage in a Watercourse being released in January 2026. Members of the public can now upload photos directly with any reports, giving us better information about an incident immediately, collate information from multiple reports and understand where there are clusters of or ongoing issues.

The project will continue to expand the service with more incident types and new functionality over the next 12 months.

As a final update, in 2025 the Government committed to invest £4.2 billion over 3 years, from April 2026 to March 2029, to build and maintain flood defences and increase flood resilience.

Following this, the Flood and coastal erosion risk management funding policy was published, which simplified the model for funding flood risk projects. Subject to prioritisation, projects up to £3M may now be fully funded, with projects over this threshold expected to seek 10% partnership funding. Projects will be prioritised by value for money, and against criteria such as creating wider benefits for people or the environment or targeting deprived areas. The policy will also drive more investment in existing assets, with fewer new large schemes. However, these changes will also support more investment in wider local measures around surface water, natural flood management and property flood resilience. It will be reviewed in 2028 to assess effectiveness in meeting its aims and objectives.

While this represents a significant investment overall, demand on this budget is high, and will be prioritised at a national level according to the new policy and tools.

The new programme will be based on improved risk evidence from NAFRA2 as outlined earlier, and from our Asset Management planning system. This will develop a new evidenced based pipeline of projects to deliver the best value for money flood assets and prioritises projects in the places with the greatest risk of flooding. The programme will help enable resilience and adaptation to climate risks.

NAFRA2 has fed into a new National Investment Steer, which will guide investment to areas of greatest need across England. The update to the funding policy and National Investment Steer means that we have an opportunity to revisit some areas which may not previously have met requirements, particularly around partnership funding contributions. It should be noted that allocation of funding is prioritised at a national level and we continue to need to work within the resources available.

Locally, our flood risk teams continue to respond to planning applications, statutory plans, flood risk activity permits and data requests across the area. The EA is statutory consultee for any application involving flood risk from main rivers and the sea and we provide advice and guidance to the Local Planning Authority to assist them in making a determination regarding whether any development may be appropriate. Authorities are under no legal obligation to accept nor apply this advice/guidance when making their decision, or when applying conditions to any planning application.
Our partnership and strategic overview teams and engagement advisors have a key role in working with local flood groups to help communities understand flood risk and prepare and respond to flooding. We also work with local authorities and other partners to develop and progress flood risk management projects. Our incident team continue to be busy responding to drought, but are also starting to prepare for the wetter weather expected over the winter months.

Alongside this our operations and asset management teams plan and undertake maintenance work to assist riparian landowners in higher flood risk areas for the benefit of the wider community. Our work consists of in-channel vegetation control and blockage removal, tailored to the local environment and river conditions. We also liaise with flood groups locally, for example in Eastbury and Great Shefford, regarding incident response, asset maintenance and channel maintenance.

It should be noted that riparian landowners are responsible for ensuring that water flows through their watercourse naturally, and for maintaining it by removing

blockages that may impede the flow of water or cause flooding. The EA have a duty to ensure riparian owners are aware of their responsibilities. No risk management authority including the Environment Agency is provided with the powers to direct riparian or asset owners to operate or maintain their assets.

Where riparian or asset owners contact us for advice and guidance, we are happy to help, and have offered this advice for a number of the issues raised in the advance questions. I hope this clarifies our role in managing flood risk, and highlights the many and ongoing advances in this area.

Resources and Place Scrutiny Committee

15 September 2026

Questions received in advance for the Environment Agency

East Garston Flood and Pollution Forum:

1) **Environment Agency to contact Project Groundwater to set up meetings to discuss residents pumping of groundwater.**
   Environment Agency, West Berkshire Council, Project Ground Water and their consultants held a number of meetings during 2024 and 2025 to develop advice and guidance for similar to “Living on the edge”. This group could not conclude production of a document during 2025.

   These meetings were restarted during summer 2026 and a draft document has now been produced for review. This draft is due to be presented to the International Property Flood Resilience Association during October 2026.

   Note: Project Groundwater is a DEFRA funded, Flood and Coastal Risk Innovation Project, due to end March 2027. It is hosted and run by Buckinghamshire Council.

2) **To West Berkshire Council and Thames Water**
3) **Application and regulation of sewage sludge –** answer provided during the meeting.

Newbury Flood and Drainage Action Group/Lower River Lambourn catchment group

1) **What can be done by the Environment Agency to consider the complex flooding situation in the lower Lambourn and is the Environment Agency in discussion with Thames Water, the LLFA and/or Riparian Owners?**
   There have been two assessments regarding the potential to alleviate flooding in these locations. The first occurred after the Winter 2014 floods, the second during 2025 after the second National Flood Risk Assessment and updates to HM Treasury project funding rules. The second assessment created a national ranking for all communities at risk of flooding in England. This assessment identified the lower Lambourn as an area where investment in flood defences would not be economically feasible. During this review, local Environment Agency teams highlighted areas in Shaw and Donnington Parishes that warrant further investigation, due to the support from residents and flood groups as well as our understanding of the hydraulics. No central government funding is available until the 2028/29 financial year, due to the need to fund projects already in construction and Natural Flood Management measures.

Environment Agency flood risk teams regularly work with personnel from both West Berkshire Council and Thames Water in support of all authorities projects, as well as engaging with riparian owners to ensure they are aware of their role and responsibilities in maintaining watercourses.

2) **Potential for borehole in Newbury - Has the Environment Agency given consideration to this, and have any discussions taken place with Thames Water & West Berkshire Council?**
   There are five observation boreholes located in the Newbury and Thatcham areas, including one at Newbury Sewage Treatment Works. The data from four of these are publicly available (here). Additional boreholes would provide new data which may improve our understanding of the local hydrology. This must be considered and balanced with the cost of installing, operating and maintaining these assets. Due to these financial constraints, it is not possible to install additional boreholes and gauging stations so no discussions have taken place with Thames Water or West Berkshire Council regarding this.
3) **Constrained Channels upstream of Shaw Bridge**
   The National Investment Steer mentioned in our answer to question 1, has identified several areas around Newbury where there may be potential for natural flood management measures. However, without funding allocated to support assessment of these areas, it is not yet possible to investigate whether and/or what measures may be beneficial in these locations.
4) **Control & management of weir at Shaw Mill & lakes at the connection**
   No risk management authority has the statutory powers to instruct any riparian or asset owner to operate or maintain their assets. The Environment Agency and other risk management authorities have permissive powers to carry out works for flood risk management purposes or other works to reduce flooding, should we need to but have no duty to do so. If any party believes they have suffered damages resulting from a riparian/asset owner's action or inaction, this is a civil matter and those affected may look to take legal action. Civil action must be instructed and pursued by the affected party or parties, and the Environment Agency are not able to provide legal advice to any parties regarding such action.
5) **Breach in the North bank of the River Lambourn – Shaw recreation ground. Has the Environment Agency approved the non-repair of this breach?**
   The Environment Agency is only able to determine and approve applications for Flood Risk Activity Permits, under the Environmental Permitting Regulations (England and Wales) 2016. No pre-application enquiries, nor any application for such a permit has been received by the Enviroment Agency relating to the breach in the bank of the River Lambourn and Spout Ditch.
6) **Can the Environment Agency confirm this is hydrologically sound decision and that larger volumes in Spout Ditch causing no greater risk flooding downstream?**

It is not possible to confirm what impacts the breach in the riverbank between the River Lambourn and Spout Ditch may cause without completing some investigation or study, likely including hydraulic modelling.

7) **West Berkshire Groundwater Scheme - Is the Environment Agency likely to give permission for abstraction from the Lambourn, Shefford & Winterbourne wellfields during this current drought?**
We are keeping the potential use of additional wellfields under review. At this stage, it is too early to determine with any certainty the severity and duration of the drought, and therefore whether further wellfields will be required. We will continue to assess the situation and make decisions based on the best available information.

8) **Northbrook Stream – Why has it not been possible to do this testing and when can we expect it to be achieved by the EA, please?**
An Environment Officer joined residents in visiting the Northbrook, between the A4 and River Park Industrial estate in July 2024 to investigate the pollution and status of the watercourse. It was assessed the pollution did not require any immediate EA intervention. The Officer also made a request for water quality monitoring equipment to be deployed, if any were available. This equipment was and since remains committed to monitoring sewage treatment works outfalls.

9) **River Walk bank restoration, permitting advice.**
Officers of Newbury Town Council and the Environment Agency last met during August 2024, to discuss maintenance of the south bank of the River Lambourn, at River Walk. No further meetings have occurred since. We remain available to provide any pre-application permitting advice and guidance necessary and can be contacted using the following email, should anyone require such support; westthamesconsents@environment-agency.gov.uk

10) **Why do incidences of internal property flooding in some Newbury/Shaw properties not appear in Environmental Searches, when property purchases occur?**
No flood Risk Management Authority is required to keep a record of properties that have flooded in England or Wales. Since 30 March 2026 owners/vendors are required to disclose any previous knowledge of their property flooding during conveyancing. Failure to do so may result in claims against the vendors under consumer protection laws. Information regarding the risk of flooding should be included in all environmental surveys conducted during the conveyancing process however this information is also publically available as part of the Environment Agency's Check the long term flood risk for an area in England, found in the following link:-
Check the long term flood risk for an area in England - GOV.UK

11) **Does Environment Agency modelling have an impact on Property insurance and the eligibility for Flood Re insurance?**

Insurance underwriters may use modelling produced by the Environment Agency's national flood risk assessment to support their determination of insurance premiums. The same data is available to anyone as part of the Check the long-term flood risk for an area in England link, provided in response to question 10, or to download via the National Data Library (data.gov.uk), however the Environment Agency has no role in setting insurance premiums.

Flood Re's eligibility criteria are available on their website here - Eligibility Archives - Flood Re. Flood Re is a joint initiative between the UK government and the insurance industry and does not define eligibility to any specific level of flood risk.

12) **Flood warnings for the Lower Lambourn were issued too late in January 2024 – what has been done to rectify this?**

Feedback from residents during the January 2024 (Storm Henk) flooding resulted in the Flood Warning thresholds being altered that month. It will sadly require future high river levels at this location to confirm, how much additional notice of flooding this will provide to residents.

The Environment Agency carries out reviews of our flood alert and warning thresholds after high flows by checking the river levels and thresholds reached, the decisions made and timings of each warning issued. We always appreciate any feedback about the flood warning service because it would not be possible to improve the service without it.

13) **Would the Environment Agency support the installation of smaller river level monitors if funding can be found?**

There is always a desire for more data and additional river level gauging to be installed to help improve the flood warning service. It is unlikely that any new Environment Agency funded gauges can be installed due to the need to maintain and operate the existing network across the country. There are many examples of communities installing and running their own gauges and warning systems designed and focused to better suit their communities. The Pang Valley Flood Forum have installed their own river level monitors at Stanford Dingley on the River Pang, along with their publicly available website.

14) **Does the EA have a log of incidents reported for the Lower Lambourn, can it be shared?**

The Environment Agency keeps records of calls and enquiries submitted to our Incident Communication Service as part of our National Incident Recording System. It may be possible to provide some of this information which can be requested under the Environmental Information Regulations (EIR). Requests can be submitted by emailing - enquiries@environment-agency.gov.uk

Due to General Data Protection Regulations it is not possible to provide all details of such reports because they will include personal information which cannot be shared.

15) **Many fallen or damaged trees have been reported to the Environment Agency and there has been no action, why is this and can the Environment Agency contact Riparian Owners?**
The Environment Agency has permissive powers to take action to remove fallen trees and blockages within watercourses, however we have no legal duty to do this, unless we own the land or tree in question. Operations Management staff have engaged with riparian owners along the lower River Lambourn since Storm Henk. As per the answer to question 4, no risk management authority (including the Environment Agency) have the statutory powers to instruct or direct any riparian or asset owner to operate or maintain their assets. If any party believes they have suffered damages, as a result of a riparian owners action or inaction, this is a civil legal matter. Any civil legal action must be instructed and pursued by the affected party or parties, not the Environment Agency or any other risk management authority.

16) **Please can parish councils have maps showing where the EA is responsible for maintenance of river and assets?**
The Environment Agency's assets map is available online - Asset Information and Maintenance Programme

Limited engagement regarding maintenance plans and timings occurs with any groups, except where Environment Agency teams may require access to private land to carry out any works. We do not publish specific dates when individual maintenance tasks are to be carried out because the dates and times all too often change due to the need to respond to unplanned reactive tasks or incidents that may have to be prioritised.

17) **Is there anything the Environment Agency can do to get better management of the overgrown vegetation and fish schemes installed in 2009 along River Walk?**
Riparian landowners are responsible for maintaining the river channel, banks and associated vegetation. The Environment Agency do not own any land along River Walk. Any landowners failing to carry out their riparian responsibilities may be liable for any damages caused to any third parties, as set out in the answer to question 15.
Further information on riparian landowner rights and responsibilities can be found on the .GOV.UK "Owning a watercourse" web page, available from https://www.gov.uk/guidance/owning-a-watercourse

18) **Has the Lower River Lambourn been surveyed by the EA recently for overgrowth, silting, breakdown of fish schemes, Pollutants, plastic and waste products etc. and if not when were the last surveys?**

Environment Agency Operations Management teams usually conduct walkovers of the River Lambourn and River Kennet in Newbury, once each year. We do not publish dates when these walkovers are planned for reasons set out in the answer question 16, however they usually occur between mid-summer and early autumn.

19) **Does the EA think there is potential for better holistic management of these stretches of a Main SAC/SSSI River and how best can this be achieved please?**

The Environment Agency works with the Kennet Catchment Partnership, hosted by Action for the River Kennet (ARK), made up of local wildlife charities, water companies, Environment Agency, local action groups, and other interested stakeholders. It aims to bring those groups together to address Water Framework Directive (WFD) pressures and improve the ecological condition of the River Kennet and its tributaries, with a focus on developing a pipeline of projects capable of attracting both public and private investment.

Pang Valley Flood Forum:

1) Stanford Dingley suffers sewer flooding each winter causing a health risk and pollution to the River Pang;

a) **Why are the Environment Agency not holding Thames Water to account for this endless pollution?**
b) **Given the unresolved sewage infiltration polluting the River Pang at Stanford Dingley, what is the Environment Agency's rationale for prioritising Thames Water spend on WINEP habitat projects like the Stanford Dingley fish pass, when the underlying pollution that damages that same habitat remains unaddressed? What enforcement action and timeline does the EA have in place to compel Thames Water to resolve the infiltration, and how does that work rank against other WINEP priorities on the Pang?**

Sewage pollution from Thames Water’s sewerage network is unacceptable. The Environment Agency has required Thames Water to develop Groundwater Impacted System Management Plans including at Stanford Dingley. We assess all reported pollution incidents and focus our incident investigations on those that pose the greatest risk to the environment to make the best use of our resources. We are unable to investigate all reported incidents including those that pose a low environmental risk. There is currently no enforcement investigation relating to this issue. Thames Water have informed us that they have completed some investigations at Stanford Dingley, but no root cause or engineering solution has yet been identified. The company are continuing with investigations and local mitigation measures.

The funding for WINEP schemes is linked to Thames Water's 5 yearly Price Review led by Ofwat with the company being funded to deliver specific schemes from the charges to customers. The funding and resources for pollution incident investigation and enforcement come from government and from our environmental permit charges and we have to prioritise our resource. Given the different funding streams, it is not an issue of the Environment Agency prioritising WINEP schemes above pollution incident investigation and enforcement.

2) Since April 2026 there have been large amounts of fly tipping in the Sulham Brook;

a) **What threshold does the Environment Agency apply to decide that a fly-tipped pollutant such as open, unlidded paint tins does not warrant action, and would the EA review that threshold given the cumulative impact of repeated incidents on the Sulham Brook?**
We assess the nature, scale, and location of the incident to determine the environmental risk. Local councils deal with small scale fly tipping on public land while the Environment Agency focuses on large scale, hazardous or organised crime waste dumping. We assess all reported incidents and focus our incident investigations on those that pose the greatest risk to the environment to make the best use of our resources. The cumulative impact of repeated incidents is factored into the assessment of environmental risk. We are unable to investigate all reported incidents including those that pose a low environmental risk.

River Action

2. **What is the Environment Agency doing to ensure Thames Water invests in its commitments to fix leaks in West Berkshire? When will it review West Berkshire abstraction licences for the water company and ALL commercial abstraction licensees to ensure our water resources are conserved sustainably?**
The government has set challenging leakage reduction performance targets for water companies and Ofwat may impose financial penalties on companies that do not achieve them. The Environment Agency works alongside Ofwat to advise and assess Thames Water's Water Resources Management Plan that sets out the company's plans to reduce leakage. The 5 yearly Water Industry Environment Programme (WINEP) provides the opportunity to investigate the impacts posed by water company abstractions and actions to mitigate them. The current AMP 8 programme includes several Thames Water abstractions within the River Kennet and Pang catchments. For non-water company abstraction licences, many are time limited and when a renewal is applied for the sustainability of the licence is assessed. From 2028 we will be

incorporating non time limited licenses into the review process with the programme being phased by catchment.

Thatcham Flood Forum

1) Under UK law, no Risk Management Authority have any duty to reduce the risk of, nor to prevent flooding to any property other than that which they own. The responsibility to prevent any property from flooding falls solely to the owner of that property.
   The Environment Agency are a statutory consultee under the Town and Country Planning Act 1990 for proposed development involving flood risk from main rivers and the sea. We provide advice and guidance to Local Planning Authorities, to support them in making decisions regarding the suitability of development. Local Planning Authorities are under no legal obligation to accept nor apply our advice and guidance when making their decision, nor when applying conditions to any planning permission that may be approved. There should be no conflict between the Environment Agency and any Lead Local Flood Authority when it comes to prioritising any works relating to flood risk, because each organisation is responsible for managing different sources of flood risk, as set out by the Flood and Water Management Act 2010. The responsibility to manage the risk of flooding as set out by the Act, does not make either organisation responsible for the direct operation or maintenance of any type of asset or watercourse (unless specifically owned by that authority), the sea/coast nor any other potential source of flooding.

Bucklebury Ward

1) **What difference we should expect with the presence of Beavers in the river Kennet for boaters and riparian land owners? Also concerns have been raised by those with commercial crops (e.g. cricket bat willow), will there be compensation for commercial damage for example?**

   We would not expect any issues with the Kennet & Avon navigation in terms of blockages, and we are in contact with the Canal & Rivers Trust. Beavers have already been present on the Avon side of the K&A Canal for some time. ARK have organised training for local river keepers and estate managers. Landowners can receive crop protection funding through the RPA. There is a beaver advisory group being developed for the River Kennet. We anticipate a range of benefits relating to river restoration, Natural Flood Management, and climate resilience.

2) **For Thames Water (Issues at/Tankering from Woolhampton STW).**
3) **For Thames Water (Issues at/Tankering from Woolhampton STW).**

4) **For Thames Water (Issues at/Tankering from Woolhampton STW).**
5) **For Thames Water (ownership/operation of Newbury STW).**
6) **Midgham Marshes will the Environment Agency be consulting on further development south of the A4?**
   The Environment Agency are a statutory consultee under the Town and Country Planning Act 1990 for proposed development involving flood risk from main rivers and the sea. We provide advice and guidance to Local Planning Authorities, to support them in making decisions regarding the suitability of development. Local Planning Authorities are under no legal obligation to accept nor apply our advice and guidance when making their decision, nor when applying conditions to any planning permission that may be approved. We are also a consultee for Local Plans, including Strategic Flood Risk Assessments which usually involve the allocation of sites proposed for future development. Environment Agency flood risk teams will review proposed development sites against our flood risk mapping to assess whether developing these locations may change or create any impacts from flooding. As part of the Local Plan process we will provide comments to the Local Planning Authorities, explore potential opportunities that may exist to influence the suitability of and how future development may occur. It must be noted that as with any statutory planning consultation comments or advice the Environment Agency provides, the Local Planning Authorities are not legally obliged to accept nor implement any advice or recommendations we provide.

Shaw-cum-Donnington Parish Council

1) **Have WBC approached EA to get their approval to allow the Lambourn/Spout Ditch breach to continue?**
   The Environment Agency is only able to determine and approve applications for Flood Risk Activity Permits under the Environmental Permitting Regulations (England and Wales) 2016. No pre-application enquiries, nor any application for such a permit has been received by the Environment Agency relating to the breach in the bank of the River Lambourn and Spout Ditch.

2-5) for West Berkshire Council

6) **Why has there been no progress repairing the breach in the bank of the River Lambourn and Spout Ditch?**
   No risk management authority has the statutory power to instruct any riparian or asset owner to operate or maintain their assets. The Environment Agency and other risk management authorities have permissive powers to carry out works for flood risk management purposes or other works to reduce flooding, should we need to but have no duty to do so. If any party believes they have suffered damages resulting from a riparian/asset owner’s action or inaction, this is a civil legal matter and those affected may be able to take legal action.

Civil action must be instructed and pursued by the affected party or parties, and the Environment Agency are not able to provide legal advice to any parties regarding such action.

7) Downstream impacts and funding for repair of, the breach in the bank of the River Lambourn/Spout Ditch.

It is not possible to confirm what impacts the breach in the riverbank between the River Lambourn and Spout Ditch may cause without completing some study, likely including hydraulic modelling.

The Environment Agency are aware of the breach, as well as the effect this is having upon gardens along Dene Way. We sympathise with the issues this is causing residents, however as previously discussed this is a riparian ownership issue. We have engaged with the riparian owner, however it must be noted, we have no powers to compel any riparian or asset owner to take action to operate or maintain their land or assets. At the time of the site visit during July 2024, the funding rules at the time meant that this matter was unlikely to be eligible for any central government funding. The updated rules and guidance from 1 April 2026 do provide a greater provision for the maintenance of existing assets and we remain available to provide riparian owners with advice and guidance, as well as support for any risk management authority who may wish to apply for funding to carry out projects to reduce the impacts of flooding. Further information regarding the April 2026 Flood and coastal erosion risk management funding policy guidance can be found here:- Flood and coastal erosion risk management funding policy guidance - GOV.UK