

## **MATTER 9 RIVER MEASE SOUNDNESS EN2**

### **Submitted by C.Tandy representing Ashby Civic Society and Ashby residents**

The River Mease is in unfavourable condition due to high phosphate content. The Water Quality Management Plan has been developed to address this issue. There are three congruent approaches being undertaken.

Severn Trent are undertaking work to reduce P discharge from their sewage treatment works. Progress has been made and some reductions in P concentration in outflows have been achieved. However it has now been proposed to pump out sewage work outflows to the River Trent thus achieving a dramatic reduction of P in the River Mease. Our concerns about the tight timetable proposed and the ecological impact of significantly reduced flow were discussed under Matter 5 and would therefore refer you sir to your notes on this.

The Environment Agency and Natural England are working on detailed Riparian improvements to the River to reduce phosphorus and improve habitat. Phosphorus reduction measures delivered through the WQMP will achieve overall reductions in phosphorus levels in the river, rather than simply off-setting increases associated with new development and thereby maintaining the status quo.

The third element is accommodating housing and employment development in the Mease catchment. This is controlled by policy EN2 and the DCS schemes 1 and 2.

The primary objective of the developer contribution scheme (DCS) is to mitigate the negative effects of development. In doing so, the DCS will ensure that new development does not compromise the primary purpose of the WQMP; to reduce the levels of phosphate within the River Mease SAC

In order for actions funded through the DCS to mitigate the negative effects of development, they must lead to phosphorus reductions. Actions which are purely investigative in nature cannot provide such mitigation; whilst they may add to the evidence base against which mitigation measures are considered, they do not lead to actual reductions in the river and hence will not themselves mitigate the effects of development

In order for the DCS to mitigate the negative effects of development, it is important that the reduction measures are implemented in a timely manner which reflects the rate at which development comes forward. Payment of developer contributions will therefore be due upon implementation.

In order to ensure that the DCS meets its primary objective, to mitigate the negative effects of development, where a development window fails to achieve sufficient phosphorus reduction, the contributions in subsequent development windows would need to off-set the difference. Consequently it is possible, that in a future window the contributions sought may need to fund phosphorus removal over and above that associated with the actual development delivered in that window.

Policy DCS1 was written and went to public consultation in 2012. The Civic Society pointed out errors in calculation of both phosphorus removal and cost of mitigation. DTA recognised the errors in the values of P used, but despite agreeing the error was significant in terms of performance and cost decided to recommend no change to the policy. I took up this matter directly with the NWLDC cabinet, the CEO's of the Environment Agency and Natural England, who all supported the erroneous policy. The policy was adopted in November 2012.

DCS1 promised to deliver one silt trap and 7 reach improvements in a timely manner to mitigate authorised housing development of 2400 houses.

This window closed in 2016 and DCS 2 was proposed November 2015 authorising a further 1826 properties. Version one of this proposal again contained erroneous P data. However it was corrected in version 2 was adopted in September 2016 after a further public consultation.

DCS1 authorised 2400 houses to be built in the catchment with the promise to remove 800g per day of Phosphorus through sort term mitigation of 1 silt trap and long term P removal through 7 reach restoration projects. The cost is £640k

So where are we in 2017, 4 years later with DCS1.

The average phosphate level in the River has risen from 0.188mg/l in 2012 to 0.194mg/l in 2015. The main contributor is at ashby where phosphates rose from 0.118mg/l in 2012 to 0.460mg/l in 2015. This rise has occurred despite only 700 houses of the 2400 authorised have been built and the windfall 30% reduction of phosphates from the closure of Arla dairy.

So far £155 k of funding has been collected and spent on Interpretation panel and seats by the River.

Septic tank leaflet

Website

Pop up signs

Culvert removal on a subsidiary ( not in DCS plan)

3 year monitoring contract

Project management

Appointment of river restoration specialists.

The one key effective mitigation, the silt trap is still awaiting authorisation and funding of £25k, after 4 years. The £155k spent has made zero mitigation in phosphates.

DCS2 authorises 1826 properties and mitigation of 329g/ day through 2 silt traps and restoration of 2 reaches with a total cost of £821k commencing in 2017.

Finally, I would like to compare the unsound policy DCS1 versus the corrected DCS2.

### **Mitigation cost**

DCS1 is £914 per gm of P per day

DCS2 is £2495 per gm of P per day

### **Equipment costs**

DCS1 silt trap is £45k

DCS2 silt trap is £80k

DCS1 reach restoration is £35k per reach

DCS2 reach restoration is £66k per reach

### **Silt trap performance**

DCS1 claims 724g of phosphorus removed per day

DCS2 claims 168g of phosphorus removed per day

### **Reach Restoration**

DCS1 claims 114g of phosphorus removed per day

DCS2 claims 30g of phosphorus removed per day

It becomes glaringly obvious that DCS1 performance claims are ridiculously high and the policy is grossly underfunded.

Therefore policy G1 para 5 of DCS2 is triggered and DCS must be reviewed and amended.

Policy G1 states that In order to ensure that the DCS meets its primary objective, to

mitigate the negative effects of development, where a development window fails to achieve sufficient phosphorus reduction, the contributions in subsequent development windows would need to off-set the difference. Consequently it is possible, that in a future window the contributions sought may need to fund phosphorus removal over and above that associated with the actual development delivered in that window.

We conclude that because Local Plan policy EN2 is reliant on the soundness of DCS1 and DCS2 policy EN2 is unsound. Policy EN2 also does not reflect on the future actions proposed in pumping out outflow from the STW's . This should also be inserted into the policy

