

Report to the Council

**Subject: Roding Valley Lake
- Emergency and Urgent Expenditure**

Date: 28 June 2007

Portfolio Holder: Councillor M Cohen

Item: 21A

Recommendation:

That the need to incur expenditure of £6,000 outside of the Budgeting Framework, as advised by the Leisure and Young Persons Portfolio Holder, with respect to urgent measures taken to reduce the impact of adverse environmental conditions experienced at the Roding Valley Lake be noted.

Report

1. In accordance with Financial Regulations I am advising Council of the need to incur expenditure outside of the budgeting framework, on the grounds of urgency.
2. On Friday 22 June 2007, the Council were made aware of a substantial number of dead fish evident in the Roding Valley Lake, Roding Valley Recreation Ground, Loughton.
3. Officers from Leisure and Environmental Services immediately attended the site where they met with representatives of the Environment Agency and Thames Water.
4. Initial indications based on the scale of the fish loss, the pervading smell and the recent history of sewerage failures in the vicinity, led Thames Water on their own volition, to undertake emergency remediation works.
5. In response to the situation and in order to minimise any potential health risks and distress to the public, Leisure Services erected warning notices advising people to keep clear of the lakeside. They also arranged for a specialist contractor to attend, to start removing the dead fish.
6. Over the course of the weekend, additional resources were deployed by the Environment Agency to re-oxygenate the lake. The Agency undertook regular water tests to gauge the oxygen levels and to try to identify the cause of the contamination.
7. However, based on these initial water test results and dye-testing of the integrity of the sewer, the indications are now that a natural occurrence is likely to be the cause as opposed to a sewerage leak. Although this has yet to be finally confirmed by the definitive results of a suite of more comprehensive bacteriological tests, Thames Water vacated the site, on Tuesday 26 June withdrawing the majority of their equipment.
8. In order to preserve remaining fish stocks, Leisure Services have hired aeration equipment, which has to be staffed at all times for safety and security

reasons. In addition, additional costs have been incurred by the engagement of the specialist fish removal contractor. To date the current level of unanticipated expenditure is approximately £6000. There is no certainty in the immediate short term, as this is largely dependant on the rate that oxygen levels rise in the lake, around how much longer it will be necessary to retain the aeration equipment. The best estimate at this stage is until early in the week beginning 2 July 2007.

9. Thames Water have indicated that they believe they are not responsible for any pollution arising from their activities, and as such are minded to submit a claim for reimbursement of their costs against the Council. This potential claim which is at this time largely unsubstantiated will likely be refuted by the Council, as Thames were not working under instruction from the Authority.
10. The Council's Insurers have been advised. Finally, I will report back to Council on the final level of costs at a future meeting along with steps being taken to mitigate this unforeseen expenditure.