



London Borough of Hackney
Living in Hackney Scrutiny Commission
Municipal Year 2016/17
Wednesday, 21st November, 2018

Minutes of the proceedings of
the Living in Hackney Scrutiny
Commission held at BSix
College, Kenninghall Rd,
London E5 8BP

Chair:	Councillor Sharon Patrick
Councillors in Attendance:	Cllr Sade Etti (Vice-Chair), Cllr Ian Rathbone and Cllr M Can Ozsen
Apologies:	Cllr Michelle Gregory and Cllr Anthony McMahon
Officers In Attendance:	Andy Wells (Civil Protection Service Manager) and Aled Richards (Director of Public Realm)
Other People in Attendance:	Councillor Margaret Gordon, Rob Hales (Regional Performance Manager, Thames Water), Sean Walden (Head of Regional Networks, Thames Water) and Mark French (Representing Sedgwick (loss adjusters for Thames Water))
Members of the Public:	20
Officer Contact:	Tom Thorn  0208 356 8186  thomas.thorn@hackney.gov.uk

Councillor Sharon Patrick in the Chair

1 Apologies for Absence

- 1.1 Apologies had been received from Cllrs Gregory and McMahon.

2 Urgent Items / Order of Business

- 2.1 The Chair welcomed guests and residents. This meeting had been called further to the flood in the Leabridge Ward, caused by a burst to a Thames Water water main.
- 2.2 The meeting would be largely focused on giving residents and local Councillors the opportunity to hear from and ask questions of Thames Water. This would be in regards to its management of the incident in Leabridge, and why this had happened despite the improvements it had sought to put in place following recent previous major bursts both in Hackney and elsewhere.

- 2.3 The Chair advised that the Commission had previously heard from Thames Water just under two years ago. Those sessions had followed major flooding in Stoke Newington caused by another burst. Homes, businesses and the public realm had suffered significant damage as a result. That flood had been one of a number around the Thames Water area, including Islington. Part of the Commission's investigation had involved a joint meeting with a Scrutiny Commission in Islington.
- 2.4 The items of around two years ago had heard that Thames Water were embarking on review and improvement programmes. These would include explorations of the causes of the numerous bursts to their major mains, their management of the network and the company's response to incidents, and would set out steps for improvement.
- 2.5 In light of this, she had been particularly disappointed and concerned that a further major flood from a water main burst had now occurred around 1 mile away from the one of two years ago. This had caused damage, distress and huge inconvenience.
- 2.6 Representatives from Thames Water were in attendance for the public discussion. Staff from the loss adjusters used by Thames were also available in case residents needed to discuss individual cases with them.
- 2.7 The first substantive item on the agenda was designed to give some insight into the response of the Council to the incident, and the range of services which had been involved. Further to that, the main part of the evening would be spent in discussions with Thames Water.
- 2.8 There were no urgent items and the order of business was as laid out.

3 Declarations of Interest

- 3.1 There were no declarations of interest.

4 Thames Water Main Burst in the Leabridge Ward - summary of response by the Council

- 4.1 Guests in attendance for this item were:
- Andy Wells, Manager, Civil Protection Service, Hackney Council
 - Aled Richards, Director of Public Realm, Hackney Council
- 4.2 The Manager, Civil Protection Service introduced himself and advised that as head of this area he was the lead for Emergency Planning and Emergency responses in the borough.
- 4.3 The paper in the agenda packs on pages 3 to 9 set out a time line of Council involvement in the event, the contributions of the different Council services involved, and pictures taken from the scene.
- 4.4 The involvement of the Council had started at 06:05 on the 3rd October 2018. This was the point where Thames Water made contact to advise they had a

- burst water main at Waterworks Lane. They had advised that they had their own services on the scene capable of dealing with the issue and that no assistance from the Council was required.
- 4.5 Despite this and as per procedure, the on-duty Silver Officer (the figure within the Civic Protection Service to whom incidents were relayed in the first instance) made contact with the on-call Gold Officer (a Director-level officer), Communications and Housing Services to make them aware and to seek potential premises in the area for any operation.
- 4.6 Further to this – at 09:02 – the police requested the presence of a Local Authority Liaison Officer presence. Local Authority Liaison Officers were on site at 10:05.
- 4.7 The paper laid out the intensive activity by the Council from that point up to 20:30 that evening, and starting again the next morning at 06:19. This included action to aid police in traffic management, to assist Thames Water by digging drainage ditches, to ready alternative accommodation, and to secure the use of a community hall by a nursery whose building was flooded.
- 4.8 Moving forward, the timeline showed the reduction in activity as the incident moved to recovery phase. A dedicated Council Recovery Group was overseeing this work, chaired by the Director of Public Realm.
- 4.9 The paper detailed the very wide range of services involved and their contributions.
- 4.10 The Chair thanked the Manager, Civil Protection Service. She said she was grateful for the work of the Council to best mitigate the impact of the incident.

5 Thames Water Main Burst in the Leabridge Ward - evidence from Thames Water and question and answer session

- 5.1 Guests in attendance for this item were:
- Sean Walden, Head of Regional Networks, Thames Water
 - Rob Hales, Regional Performance Manager, Thames Water
- 5.2 The Head of Regional Networks firstly said that he was aware of the huge impact that the water main burst had had, and that he was very sorry for this.
- 5.3 He presented a set of slides which Thames Water would seek to make available after the meeting. He highlighted one showing a map of the area, and marking the site of the leak and the valves surrounding it.
- 5.4 Valve 4 was the closest valve to the burst. Turning this off would have stopped the flow of water from the burst main. However, upon reaching this valve it was found to be faulty, and not be closable. It had then taken a few hours for experts to arrive with the ability to tackle the issue.
- 5.5 The precise cause of the fault with the valve was difficult to ascertain as it had been further damaged while the repair was being made. However, due to the

- widths of the major mains which they supported, the valves on these were openable and closable via a gearbox system. This system was not operating correctly on the day.
- 5.5 In cases where the valves closest to a burst were not possible to turn off, Thames Water would explore the viability of turning others off further distances from a burst. However, they had ascertained that the one they would have turned off would have cut water to 55,000 households. Taking this action would be likely to have gone against Drinking Water Inspectorate (DWI) advice.
 - 5.4 Coming in at this point, the Regional Performance Manager, Thames Water said that isolating mains to stop flows of water from leaks was a very complex process, in which wrong decisions could lead to bursts and flooding elsewhere. Thames Water managed 20,000 miles of pipe.
 - 5.5 A resident said that she and residents expected the valves and mains to be working without issue. Residents paid their water rates for this. They should not be flooded in return. Another said there needed to be greater focus on customers and those paying their water bills, rather than shareholders.
 - 5.6 The Head of Regional Networks accepted these points. The system should be operating fully effectively. Inspection programmes did include the testing of valves. This said, there was a need for these and other maintenance programmes to be intelligence led.
 - 5.7 Elaborating on this the Regional Performance Manager, Thames Water said that it would not possible for all valves and pipes to be replaced. That would take a 40 years, even if unlimited funds were available. It was therefore vital that what was done, was targeted. Thames Water were investing in improving technology to better identify where pipes should be prioritised.
 - 5.8 Thames Water had also shown a strong commitment to improve. An £11 million was planned. This commitment was supported by both shareholders and the Chief Executive. The former had not received share dividends for two years. The latter was not taking a bonus. He felt this showed that there was a commitment to working hard to put things right.
 - 5.9 The Chair recalled that after the previous major burst in Northwold Road Members and residents had been given similar accounts by Thames Water. The burst had had a major effect on residents, businesses, and the public realm. She said it was positive to hear that the Chief Executive had forgone bonuses but suspected that their salary alone was reasonable recompense for the job.
 - 5.10 The Chair understood that planned improvement programmes set out in response to the previous wave of major bursts had included the relining of 1.7km of pipe in Hackney. However, she also understood that this plan did not cover the treatment of the section of pipe which burst in Leabridge. She asked if that suggested that Thames Water's plans were not valid. She asked how Thames Water identified what the worst sections of pipe were.
 - 5.11 The Head of Regional Networks advised that partly as a result of the burst in Stoke Newington the full length of major pipe under Northwold Road had been

- replaced. This work had not extended to Leabridge. Thames Water tested the strength of pipes through non-destructive testing. This included the use of devices to sound out leaks. Thames Water were investing significant amounts on improving its testing technology which was limited compared to that used for testing gas pipelines.
- 5.12 The burst at Leabridge Road would be used to help inform future improvement programmes.
- 5.13 A Member recalled that a water main and section of pipe had been replaced on Leabridge Road around 2 years ago. He had spoken to staff on site who had advised that they had initially installed pipes of the wrong width. This had added significant delay. Engineers had also explained to him that they had been told to finish the replacement outside the Prince of Wales Pub on Leabridge Road, and not beyond. This had been due to funds being exhausted. This had seen the engineers join the new plastic pipe to a cast iron one. They had advised him that they would need to return to finish the work as it would not last in its current state. However, this work was not done. He strongly felt that this had led to the recent burst and the damage caused.
- 5.14 He said Thames Water had consistently let residents down, with shoddy work and a shirking of responsibility. There was a lack of accountability. Shareholders were distant figures. Thames had not put right the damage caused to the public realm from the previous works in Leabridge. Both he and the previous Director of Public Realm had continuously asked Thames Water to replant grass in an area they had damaged, to no avail
- 5.15 A resident agreed with the points made. The last work in Leabridge had seen the replacement of one pipe with an incorrect pipe, bringing the need for this to be done again. Thames Water left rubbish and mess on the site when they left, and a green space carved up.
- 5.16 A Member wished to echo these points. She was hugely disappointed that the devastation caused to residents and businesses through the bursts in Islington and in Hackney in 2016, was now being seen again in Leabridge. These floods took a huge toll on everyone. Action should be taken to put things right, and they should not happen again. There could be no more excuses.
- 5.17 She was concerned that it would be residents and Council Tax payers who would need to pay for putting things right. She implored Thames Water to pay for the costs incurred by the Council in responding to the incident.
- 5.18 Another Member agreed with this point. He said that the Council and the Fire Brigade had done the job which Thames Water should have. The first Thames Water staff on site following the burst had been described as scratching their heads and not knowing what to do. The Council had provided sandbags. Thames Water did not have any.
- 5.19 The Head of Regional Networks said he fully understood the hurt and distress caused by the flood. Again, he was very sorry for this, and action was needed to better ensure that incidents like these did not happen. However, he did wish to state that the staff in attendance at this meeting and others had worked

very hard for many hours following the flood to seek to put things right. Many who had been on site lived in the area and took pride in their work.

- 5.20 The Chair said the Commission was not seeking to any attack individual Thames Water staff. However, the event had caused real anger against Thames Water and what very much appeared to be its lack of management and care. She also wished to ask the question about recompense to the Council for the work it had needed to do in response to the incident. The Council was under very significant financial pressure with all its funds accounted for. This unexpected expense would make things even more difficult if costs were not fully covered.
- 5.21 The Head of Regional Networks said he was currently not aware of having received a claim from the Council but that any claim would be considered upon receipt.
- 5.22 The Director of Public Realm confirmed that the Council would be making a claim to Thames Water at the point of the full costs incurred it being known. The claim would include costs incurred for damage and repairs to trees, paths, roads, and for traffic management operations.
- 5.23 A resident recounted her experience, from the point of the flood starting on the night of the 2nd October. Residents started to see water rising at 11pm. Residents were feeling hugely anxious as the water continued to rise. They took it upon themselves to move cars and other property. However - despite calls to Thames Water to report the scale of the issue - the first member of staff on site from the company was a loss adjuster.
- 5.24 There appeared to be a complete absence of an emergency response plan. Nobody from Thames Water was available to advise residents on what the issue was, how it was being dealt with, and what they needed to do. Residents took it on themselves to manage the situation, moving their possessions up to higher levels and to the higher floor flats of their neighbours. They were up all night worrying. All this time and during the following day water was continuing to rise, entering flats and houses, and still residents were not advised on when or if the water would be diverted away. Neither did Thames Water supply sandbags during this time. Residents themselves deployed them after they were provided by the Council. A crucial question to ask was why it had 14 hours for the water to be diverted.
- 5.25 She said that Thames Water needed to put this right, in terms of the material and emotional losses suffered. There was strong media interest in what had happened and Thames' lack of response. She herself as a journalist would seek to help ensure that it continued to be a high profile issue until Thames Water properly put things right.
- 5.26 The Head of Regional Networks said that it did not matter what he said in response to this; he could not defend cases where Thames Water had not communicated with residents effectively. He was very sorry. Without wishing to sound contrite, he would very much value and appreciate spending some time with the resident to go through what happened and to seek detailed input on the communications and the form of these which would have made the period

- less stressful. This would help Thames Water improve. It was clear that the communications had not been adequate.
- 5.27 Having said that, Thames had sought to improve in this area, including through a stronger presence on social media. Hearing from affected residents on how communications could be improved would be invaluable. There had been a presence on site and the first Thames Water representatives to arrive had not been loss adjusters. It was clear that Thames Water needed to improve its on-site management due to this having appeared to have been the case.
- 5.28 Elaborating on this the Regional Performance Manager said that following lessons learnt from the reviews after the series of trunk mains burst two years ago, Thames had put in place more customer representatives who they could and did deploy to sites. They were there following the burst at Leabridge. However – given the accounts of residents - it was clear that there would be further lessons around how these representatives communicated with those affected.
- 5.29 The Head of Regional Networks noted the point around it having taken 14 hours to divert the water. He apologised. Precise answers as to why this was the case were not yet known, but would be made available when they were. Diverting water was complex and brought risk, and was done in conjunction with advice from the Fire Brigade. He could also not yet provide an explanation on why sandbags had not been provided.
- 5.30 The Chair said it very much appeared that Thames Water's communications strategy needed to be improved. From the points made she also felt it was clear that Emergency Planning procedures needed to be reviewed. She noted that the Council's Civic Protection Service had successfully and effectively responded to a range of incidents in the borough. From previous scrutiny work she was aware of the extent of ongoing reviews, testing and improvements that the service continuously applied to its emergency procedures. She asked whether – if the Council was willing to provide it – Thames Water might purchase advice and support from the Civic Protection Service.
- 5.31 The Head of Regional Networks said he would very much welcome and be grateful for the advice of the Civic Protection Service Manager, if this was available.
- 5.32 A resident introduced himself as the chair of a Buddhist charity (Chan Khong Monastery UK) which had bought the Old Schoolhouse. This was a Grade 2 listed building which it was now planning to renovate. This would be in order to deliver meditation and other services which would be accessible to all of those who would benefit, including residents with mental ill health. Funding was needed for the renovation work, and the plan had been for this to be raised through activities being held on site. The flood had damaged the building and also resulted in access to it being closed. This was preventing the charity from being able to move forward.
- 5.33 He had a number of issues to raise. Firstly, after initial contact with Thames Water and its loss adjusters being very positive, he had now been left with the impression that loss adjusters appeared to be focused on stopping claims being made. It had been very difficult to see one. He had waited some hours with his

- architect (for whom he was paying an hourly rate) to see one and they had then been rude. There had been a lack of personal understanding and empathy applied to his case and others.
- 5.34 This experience had led him to feeling like a victim of Thames Water, whereas at the onset he had been trusting and had held confidence in them. He had now secured the services of his own loss adjuster and solicitor, and now saw the process of one of a fight between his charity and Thames.
- 5.35 A Member agreed with these points. He was aware from discussions with residents that others had encountered issues in securing appointments with loss adjusters. Another Member asked if more dates could be made available for affected residents and businesses to visit loss adjusters.
- 5.36 The Regional Performance Manager, Thames Water agreed that Thames Water could and would set up some more clinics.
- 5.37 Mark French who was sitting in the audience came in at this point. He worked for Sedgwick, who were appointed loss adjusters for Thames Water. He wished to apologise to the resident who had not been treated as he should have been. Sedgwick were aware this case and it was being taken extremely seriously.
- 5.38 His company's job was to survey and quantify damage. It did need to follow a clinical approach. However, there was a keen awareness of the worry and stress that customers had suffered. They sought to actively encourage claims, and their focus was on reaching resolutions which put customers back in the position that they would have been in had the incident not occurred. He and the other loss adjuster in attendance would appreciate and welcome further individual discussions with this resident and any others at the end of the meeting.
- 5.39 The same resident said that it appeared action had been taken during the response to the incident which had directly led to the Old Schoolhouse being flooded. Due to the renovation work needed, the building had been surrounded by boarding. Water had been flowing past this boarding without breaching the building. However, it appeared that Thames Water had lifted a section of boarding. He said that had this section not been lifted the building may have been left unaffected.
- 5.40 The Head of Regional Networks said he had investigated this matter after the concerns had been raised with him previously. During the flood the Fire Brigade had carried out investigations to ensure that there was nobody at risk who was in the building. However, discussions with both them and Thames Water representatives had not identified any action taken to deliberately lift the boarding. Water at volume was immensely powerful and may have caused the issue. Thames Water had worked with loss adjusters to ensure that an approach was in place which sought to put lives back together following these incidents.
- 5.41 The Chair, other Members and residents made it clear their support for the Chan Khong Monastery UK charity which was bringing the Old Schoolhouse back into community use. The Chair noted that following the burst at Northwold Road Thames Water had made a small gesture by helping to fund a reopening

- celebration for a restaurant which had been closed due to flooding. She suggested that a similar approach might be taken with the Old School House and or that a contribution to its renovation might be made.
- 5.42 Another resident added to this point. She was concerned around processes to claim for damage and issues which could not be quantified. This was in terms of the stress which had been caused, and the time which residents had needed to expend on dealing with the situations. She had lost chargeable hours of work. She was keen to explore how Thames managed the flood and also its work to ensure it did not happen again. However, she said the immediate need was for the damage and stress caused to be recognised and put right.
- 5.43 Another resident agreed with this point. She was a leaseholder of a housing association. She was concerned around damage to her building and others due to the flood might only come to light some time into the future. She worried that this would mean that she, other leaseholders and other residents generally would find themselves needing to pay for this.
- 5.44 The Head of Regional Networks said that payments through loss adjusters could be made for items which receipts could be provided for. However, a separate process could provide goodwill payments. These payments were made to households affected, and were made on a per-person of the household basis. Proof of household numbers would be required in these cases, as insisted upon by regulators to ensure fair use of water rate payers. Thames Water were currently working on arrangements for this.
- 5.45 A Member said she was pleased to hear Thames Water's acknowledgement that their response to the incident was not good enough. It was also positive that they had committed to working with residents in regards to compensation including through the delivery of more loss adjuster clinics, and also that they were open to taking on learning from the Council's Emergency Planning function.
- 5.46 The Chair agreed with these points. She wished to move to exploring how Thames Water were working to minimise the risks of these bursts reoccurring. She felt that action was required on this following numerous floods in quite a small area covering Hackney and Islington.
- 5.47 The Head of Regional Networks said the flood had been caused by a burst to a water main and the subsequent failure of the valve closest to it. There were testing programmes for mains and valves which sought to mitigate risks. Renewal programmes were also informed by risk. Hackney had a higher than average pipe renewal rate, although this did not include the affected areas.
- 5.48 The Regional Performance Manager added that significant investment was coming through – £11.7 billion in investment over five years plus an additional £2.1 billion to improve the resilience of water supply systems. This level of investment was unprecedented and partly reflected the commitment of both the Chief Executive and shareholders to put things right. It also reflected changing approaches by the regulator (OFWAT) to better hold utility companies to account.

- 5.49 In terms of mitigating risk, he added that one of the outcomes from the reviews following the previous series of trunk main bursts had seen Thames Water deploy 6 specialist engineers in locations and roles meaning that 80% of valves on the network could be reached within 30 minutes. Very unfortunately, this went live the day after the incident in Leabridge and not before this.
- 5.50 Changes were also being sought through reviewing the areas selected for most regular checks due to the scale of damage failures in these locations could cause. The locations currently included mains close to some transport hubs, for example. Thames were exploring whether more areas should be included in this set of locations.
- 5.51 A Member referred to a letter from the London Joint Authorities Group (made up of authorities including Hackney) to OFWAT, setting out concerns around Thames Water's performance. He advised that this was sent further to the burst in Leabridge.
- 5.52 He read out passages stating that there had been a lack of investment, that Thames did not have an understanding nor proper intelligence on their pipe network, that there were issues around how they treated customers effected by bursts. It cited evidence on the numbers of emergency works undertaken by Thames Water in the six months from October 2017. This showed that there had been 267 in Hackney. Some other boroughs had seen numbers of over 600 in the same period. The letter cited this as evidence of the scale of work which London's highways authorities were having to manage on a day to day basis due to what it stated was Thames Water's poor performance.
- 5.53 The Member said that through this meeting for which a written record would be produced, that the Commission should add to this evidence base.
- 5.54 The Head of Regional Networks had not seen the letter the Member referred to. He hoped that the record of the discussion would show the commitment and ambition for improvement.
- 5.55 The Chair noted that the meeting had highlighted a range of issues.
- 5.56 In regards to communications, she suggested that a further letter be sent to the households and businesses affected. This should set out what was currently known about the causes of the incident, a date of when the fuller investigation would be completed and a promise that residents would be informed of this, and also the routes through which discussions with loss adjusters could be arranged.
- 5.57 She looked forward to Thames Water setting up more loss adjuster clinics as agreed, and completing the further action needed to put things right. This included the finalising of goodwill and compensation arrangements.
- 5.58 She also felt that – with the investigation following the incident currently live – a further item held by this Commission was warranted. This would seek the re-attendance of Thames Water to feedback on the elements which were promised in the meeting. As further actions, she suggested the Commission would write to OFWAT setting out its concerns.

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5.59 The Chair thanked residents and guests. She advised that loss adjusters were available to those needing to speak to them. She brought the meeting to a close.

6 Any Other Business

6.1 There was no other business.

Duration of the meeting: 7.00 - 8.55 pm