



Essex County Council

# Essex Flood Partnership Board

<b>10:00</b>	<b>Wednesday, 27 April 2022</b>	<b>Online Meeting</b>
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Please do not attend County Hall as no one connected with this meeting will be present.

**For information about the meeting please ask for:**

Lisa Siggins, Democratic Services Officer

**Telephone:** 033301 34575

**Email:** democratic.services@essex.gov.uk

## Essex County Council and Committees Information

This meeting is **not** open to the public and the press although the agenda is available on the [Essex County Council website](#) and by then following the links from [Running the Council](#) or you can go directly to the [Meetings Calendar](#) to see what is happening this month.

## Accessing Documents

If you have a need for documents in, large print, Braille, on disk or in alternative languages and easy read please contact the Democratic Services Officer before the meeting takes place. For further information about how you can access this meeting, contact the Democratic Services Officer.

		<b>Pages</b>
<b>1</b>	<b>Online meeting protocol and software functionality</b>	
<b>2</b>	<b>Membership, Apologies, Substitutions and Declarations of Interest</b>	<b>4 - 4</b>
<b>3</b>	<b>Minutes: 26.01.22</b>	<b>5 - 8</b>

To approve as a correct record the Minutes of the meeting held on 26 January 2022.

**4 Essex Water Strategy**

To receive a presentation from Lucy Shepherd, Lead Local Flood Authority Manager regarding the upcoming Essex Water Strategy scoping study.

**5 Highways Floods Enforcement Officer**

To receive an update from Lucy Shepherd regarding the recently appointed Highways Floods Enforcement Officer.

**6 Essex Capital Flood Programme and Essex Forestry Initiative**

**9 - 13**

To receive a report **EFPB/02/22** from Dave Chapman, Project Delivery Manager, on the progress of schemes in the Floods Capital Programme. This will be followed by a presentation on the Essex Forestry Initiative end of year review.

**7 Environment Agency Scheme Update**

To receive a video presentation from Graham Robertson, Environment Agency regarding the Coggeshall, Feering and Kelvedon scheme.

**8 Partner Updates**

Open session to receive any further presentations and updates from members of the Essex Flood Board, or feedback on items of interest for future meetings.

**9 Any Other Business**

**10 Date of Next Meeting**

To note that the next meeting will be held on Wednesday 6th July, online at 11am.

**Exempt Items**

(During consideration of these items the meeting is not likely to be open to the press and public)

The following items of business have not been published on the grounds that they involve the likely disclosure of exempt information falling within Part I of Schedule 12A of the Local Government Act 1972. Members are asked to consider whether or not the

press and public should be excluded during the consideration of these items. If so it will be necessary for the meeting to pass a formal resolution:

**That the press and public are excluded from the meeting during the consideration of the remaining items of business on the grounds that they involve the likely disclosure of exempt information falling within Schedule 12A to the Local Government Act 1972, the specific paragraph(s) of Schedule 12A engaged being set out in the report or appendix relating to that item of business.**

## Agenda item 1

**Committee:** Essex Flood Partnership Board

**Enquiries to:** Lisa Siggins, Democratic Services Officer

### Membership, Apologies, Substitutions and Declarations of Interest

#### Recommendations:

To note

1. Membership as shown below
2. Apologies and substitutions
3. Declarations of interest to be made by Members in accordance with the Members' Code of Conduct

Membership	
Cllr Lee Scott	Essex County Council
John Meehan	Essex County Council
Lucy Shepherd	Essex County Council
Peter Massie	Essex County Council
Graham Brown	Environment Agency
Rachel Keen	Environment Agency
Carl Smith	Thames Water
Jonathan Glerum	Anglian Water
Mark Eaglestone	Essex County Fire and Rescue Service
Cllr Richard Moore	Basildon Borough Council
Cllr Wendy Schmitt	Braintree District Council
Cllr Jon Cloke	Brentwood Borough Council
Cllr Simon Hart	Castle Point Borough Council
Cllr Mike Mackrory	Chelmsford City Council
Cllr Simon Crow	Colchester Borough Council
Cllr Nigel Avey	Epping Forest District Council
Cllr Nicky Purse	Harlow District Council
Cllr Sue White	Maldon District Council
Cllr David Sperring.	Rochford District Council
Cllr Nick Turner	Tendring District Council
Cllr Gary Collins	Thurrock Council
Cllr Carole Mulroney	Southend on Sea Borough Council
Cllr Richard Pavitt	Uttlesford District Council

## Minutes of the meeting of the Essex Flood Partnership Board (Private Meeting), held Online on Wednesday, 26 January 2022

### Present:

### Members of the Board:

Cllr Lee Scott	Essex County Council
Cllr Nigel Avey	Epping Forest District Council
Cllr Simon Crow	Colchester Borough Council
Cllr Gary Collins	Thurrock Council
Jonathan Glerum	Anglian Water
Cllr Simon Hart	Castle Point Borough Council
Rachel Keen	Environment Agency
Peter Massie	Essex County Council
Cllr Mike Mackrory	Chelmsford City Council
John Meehan	Essex County Council
Cllr Richard Moore	Basildon Borough Council
David Orrin	Environment Agency
Cllr Richard Pavitt	Uttlesford District Council
Cllr Nicky Purse	Harlow District Council
Cllr Wendy Schmitt	Braintree District Council
Lucy Shepherd	Essex County Council
Cllr Dave Sperring	Rochford District Council
Cllr Nick Turner	Tendring District Council

### Also present:

James Ennos	Tendring District Council
Daniel Johns	WRE
Richard Powell	RFCC
David Prudence	Essex Highways
Peter Richardson	Essex County Council
Glenn Shaw	Essex County Council
Tim Simpson	Essex County Council
David Strang	Water UK
Lisa Siggins	Essex County Council – Democratic Services
Mandy Thompson	Epping Forest District Council
Nuvtej Tung	Thurrock Council

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**1 Online meeting protocol and software functionality**

Councillor Scott explained the online meeting protocol and software functionality.

**2 Membership, Apologies, Substitutions and Declarations of Interest**

The report of the Membership, Apologies, Substitutions and Declarations was received.

It was noted that Cllr Sue White had been reappointed at the representative for Maldon District Council

Apologies had been received from:

Peta Denham- EA – David Orrin substituting  
Mark Eaglestone - Essex County Fire and Rescue Service  
Cllr Mulroney - Southend-on-Sea Borough Council

No declarations of interest were made

**3 Minutes from the previous meeting**

The Minutes of the meeting held on 23rd November 2021 were approved as a correct record.

With regards to Minute 8 (**Local Nature Partnership**), Cllr Schmitt enquired as to whether the first meeting had taken place. Tim Simpson advised that there had been some internal delays, but the first meeting was now planned for February.

**4 Water UK: A Legal and Policy Introduction**

The Board received a presentation from David Strang, Senior Legal and Policy Adviser at Water UK (<https://www.water.org.uk/>)

The Water UK team engages with companies and regulators to ensure customers receive high quality tap water at a reasonable price and that our environment is protected and improved.

Jonathan Glerum raised the issue of wet wipes and the problems that they cause.

Cllr Hart raised an issue concerning local authorities being reluctant to impose planning conditions on developers. A discussion followed and it was acknowledged that this did vary across the various authorities within the County.

Cllr Collins raised an issue within his area with it being confirmed that contact will be made with him in this regard.

The presentation can be found [here](#)

## **5 Water Resources East (WRE): Regional and Local Strategies**

The Board received a presentation from Daniel Johns, Managing Director, Water Resources East (<https://wre.org.uk/>) regarding the ongoing Regional Strategy and leading Local Water Resource Strategies.

The Board were advised that WRE's Water Resources Regional Plan was out to consultation and that WRE were hosting a webinar to launch the Regional Plan on 1<sup>st</sup> February. Full details and links were forward to members following the meeting.

In response to a question raised by Cllr Turner, Mr Johns clarified the relationship between Ofwat and the water companies.

Mr Johns also gave details of drought resistance plans in response to a question raised by Cllr Collins.

The presentation can be found [here](#)

## **6 2021-22 Essex Capital Flood Programme update**

To receive a report **EFPB/01/22** from Dave Chapman, Project Delivery Manager, which was presented by Peter Richardson, project design engineer on the progress of schemes in the Floods Capital Programme.

Members were asked if there were any questions or issues arising from the report and there were none.

## **7 Land Drainage Law and Watercourse Regulation Case Studies**

The Board received a presentation from Lucy Shepherd and Glenn Shaw from the Lead Local Flood Authority Team, which provided a recap on the requirements of Land Drainage Act responsibilities and visiting some recent case studies from across the County.

It was confirmed that guidance on maintenance responsibilities was available online, a copy of which was forwarded to Members following the meeting.

In response to a question, it was confirmed that enforcement under Sec 23 of the Land Drainage Act 1991 was retrospective for a period of six months.

There followed a discussion regarding the issues concerning maintenance responsibilities.

Two examples of recent case studies were shown to the Board.

The presentation can be found [here](#)

## **8 Development and Flood Risk. Sustainable Drainage Team Update**

The Board received a presentation from Tim Simpson, Green Infrastructure and Sustainable Drainage Manager, on Essex County Council's statutory role as a consultee for Sustainable Drainage.

Cllr Turner raised an issue regarding the safety and maintenance responsibilities of locating of ponds in housing developments. Mr Simpson advised that the design of such features was key to minimise risk and that enforceable maintenance responsibilities should be incorporated in the accompanying planning consents

Cllr Hart requested a link to the video, which was part of the presentation, with it being confirmed that the presentation would be forwarded to Members following the meeting. He also raised an issue regarding the Local Plan in his District with Mr Simpson confirming that ECC do provide comments and feedback.

The presentation can be found [here](#)

## **9 Any Other Business**

Cllr Turner requested that Ofwat attend a future meeting of the Board in order to provide greater clarity of its relationship with the water companies.

## **10 Date of Next Meeting**

The Board noted that the next meeting is scheduled for Wednesday 27th April at 10am, to be held online.

The meeting closed at 12.22 pm

**Chairman**



<b>Report title:</b> 2021/22 Essex Capital Flood Programme	AGENDA ITEM 6 <b>EFPB/02/22</b>
<b>Report to:</b> Essex Flood Board	
<b>Report author:</b> David Chapman Project Delivery Manager	
<b>Date:</b> 27 <sup>th</sup> April 2022	<b>For:</b> Discussion
<b>Enquiries to:</b> John Meehan (Head of Environment and Climate Action) <a href="mailto:john.meehan@essex.gov.uk">john.meehan@essex.gov.uk</a> David Chapman (Project Delivery Manager) <a href="mailto:dave.chapman@essex.gov.uk">dave.chapman@essex.gov.uk</a>	
<b>County Divisions affected:</b> All Essex	

## 1. Purpose of Report

- 1.1. To update the Flood Board on the 2021/22 Capital Flood Programme

## 2. Recommendations

- 2.1 The 2021/22 capital programme was made up of schemes and funding that were previously deferred because of capital funding reprioritisation at the start of the 2020/21 financial year. The reprioritisation meant that the initial funding and property benefits set for 2020/21 have been split over the last 2 financial years. Our targets were to better protect 185 residential properties and generate £1.75 million from external sources. I'm pleased to confirm that we have achieved 392 properties better protected and generated £2 million worth of external funding. We have also managed to achieve £150k in efficiency savings.
- 2.2 For Essex Flood Board Members to note the successes of the capital programme. Using the lessons learned, combined with developing stronger partnerships, the aim is to continue the upwards trend and we hope to retain this level of service, and where possible improve it for future years.

## 3. Summary of issue

- 3.1 The Floods capital programme has now completed 8 years. Over this period, we have delivered several projects ranging in size and complexity, been nominated and won awards but we continue to push the boundaries in terms of design interventions and achievable benefits.
- 3.2 During the current programme we have demonstrated the success achieved and the benefits delivered to residents of Essex. During the life of the programme, the team have investigated more than 85 sites for the potential to deliver capital schemes.

3.3 By the end of the current programme, we will have generated £7.5m pounds worth of external funding will have been realised through the delivery of schemes on the capital programme and reduced surface water flood risk to over 1500 residential properties.

3.4 The knowledge gained from these projects will help to unlock more funding in the future and reduce the risk of surface water flooding to more residential properties in Essex. To deliver schemes on the Flood Programme, we are using several consultants and in-house expertise to design and build bespoke mitigation projects.

3.5 The Capital Flood Programme is broken down into 2 elements

- 1) Property Flood Resilience (PFR) is a scheme that offers residents of previously flooded properties an opportunity to apply for individual property protection. The applications are then vetted and prioritised.
- 2) Capital funded Flood Alleviation Schemes (FAS) forms the bulk of our programme; this area focuses on delivering projects on the ground in the areas most at risk of surface water flooding.

Below is more specific detail on the Capital Programme FAS.

- West Mersea – Construction is in week 23. We have experienced delays as result of inclement weather, unforeseen design changes and the dissolving of the Old City Flood Gate Group. As a result of these issues, the scheme is being reviewed and changes to the scope of the project may occur.
- Brent D Ursuline School – Work on site is in its 11<sup>th</sup> week. Some delays have been caused by wet weather recently and this has meant that the delivery programme has been extended. As it currently stands the project is forecast for completion in June 2022.
- Urban Tree Challenge Fund - Is designed to support the planting and maintenance of more mature trees and understand better their flood resilience benefits in an urban setting. The project is scored favourably in an area such as Canvey Island owing to the lack of canopy cover and high levels of surface water flood risk, the density of people and the levels of social deprivation in the area. We have partnered with Castle Point Borough Council and Town Council on the project.
- Polstead Close, Rayleigh - This scheme was identified through the S19 flood investigation process. Several properties have been previously flood by surface water runoff from surrounding land. A small bund with toe drainage was installed to channel the surface water away from the properties, into a nearby drainage system. This work was carried out on land owned by the Wildlife Trust.
- Western Esplanade, Canvey - This scheme is being delivered in partnership with Essex Highways. Work had already begun on improving the surface water drainage in the area when an opportunity was identified to create additional storage and install new gullies to benefit properties from a long history of surface water flooding. The flood team have provided funding for the

additional work to be delivered and benefits to be provided. This is a project that demonstrates the great working relationship between highways and the floods team.

- Telford Place, Chelmsford - This was a previous CFIF scheme that has been delayed through legal and design complications. Failure of an existing soakaway system has put 17 residential properties at risk of surface water flooding. Following a feasibility study, it was decided the following mitigation measure would be installed; lockable manhole covers, new pipe connections, pump installation, new soakaway, and silt trap.
- The 7 optimisation projects are now complete. 4 of these projects have identified viable solutions that are moving into design and delivery for the 2022/23 financial year.

To note this programme will contribute towards ECC's ambitions to meet climate change commitments by delivering schemes that offer flood mitigation, Green Infrastructure, habitat creation and biodiversity net gain. The following strategic policies will also be met when delivering the floods capital programme;

- Improve the health of people in Essex
- Help to secure stronger, safer, and more unneighbourly communities
- Help to secure sustainable development and protect the environment
- Facilitate growing communities and new homes
- Develop the capability, performance, and engagement of our people

## **4. Links to Essex Vision**

4.1 This report links to the following aims in the Essex Vision

- Strengthen communities through participation
- Develop our County sustainably
- Connect us to each other and the world
- Share prosperity with everyone

For more information visit [www.essexfuture.org.uk](http://www.essexfuture.org.uk)

4.2 This links to the following strategic aims in the Organisational Plan:

- Help create great places to grow up, live and work
- Transform the council to achieve more with less

## **5. Financial implications**

5.1 Over the completed 8 years of the programme, we have developed strong working relationships with a wide range of stakeholders such as the Environment Agency, Anglian Water and District Councils. During this process the Flood and Water Management team has been able to attract external contributions and income to support several functions, these include

- Feasibility and assessment studies
- Delivery of capital flood alleviation schemes
- Delivery of Property Flood Resilience projects

5.2 We have a target of generating 25% of our annual budget from external stakeholders, but this year we aim to raise this to 50%.

Previous contributions to the flood programme are as follows;

- £125,771 contributions secured in 2014/15
- £225,227 contributions secured in 2015/16
- £436,490 contributions and income secured in 2016/17
- £1.63m contributions secured in 2017/18
- £1.57m contributions secured in 2018/19
- £1.53m contributions secured in 2019/20
- £1.68m contributions secured in 2020/21

## **6. Equality and Diversity implications**

6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic. *(Describe the specific equality and diversity implications of the proposal, any adverse findings from the equality impact assessment and your proposed mitigation measures)*

## **7. List of appendices**

- Equality Impact Assessment

## 8. List of Background papers

- 2020/21 FBC

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>
<b>Councillor Lee Scott, Cabinet Member for Cabinet Member for Highways Maintenance and Sustainable Transport</b>	
<b>Mark Ash, Executive Director for Climate, Environment and Customer Services</b>	