Ms Fiona Marshall  
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Dear Ms Marshall

Re North Heybridge Flood Alleviation Scheme

Thank you for your letter of 19 December regarding the future ownership and maintenance of the North Heybridge Flood Alleviation Scheme. I am aware of the ongoing local plan examination process and have been kept fully informed by my team. I would like to confirm from the outset that we are committed to finding a sustainable route forward for this important scheme.

One of the main objectives of the Flood & Water Management Act 2010 was to provide clarity on the respective roles of risk management authorities (the Agency, local authorities, etc). Whilst the Environment Agency is responsible for taking a strategic overview of the management of flooding in England, our primary operational responsibility is for managing the risks of flooding from main river and the sea. Local authorities are charged with delivering local flood risk management and have lead responsibilities for managing the risks of flooding from surface water, ground water and ordinary watercourses (as RMA’s themselves), whilst the water utilities have the responsibilities relating to sewers.

I have set out below the key elements that you are seeking clarification on relating to future operation and maintenance and hope this helps confirm what has been discussed at the executive level meetings with all partners.

Future Commitment for Operation and Maintenance;

Our commitment remains to take on the operation and maintenance of the new channel downstream of the reservoir. This will effectively take the main flows to the estuary. This would however be subject to us de-maining the existing main river watercourses (in agreement with the LLFA and Maldon DC). We are committed to working with partners to resolve any remaining issues as part of a Phase 2 scheme.

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Awarded to Essex, Norfolk and Suffolk Area
on the current watercourses to the south and east of the site, to reduce flood risk that cannot be resolved solely through works within the North Heybridge Garden Suburb area.

We would be responsible for operating and maintaining this new watercourse and any structures to convey flows, under our permissive powers under the Water Resources Act 1991. We would use any commuted funds to maintain this and then it would come under the normal government rules to attract future funding for its maintenance and operation. This would be weighed against the competing Flood Risk Management priorities within Essex, Norfolk and Suffolk.

Following discussions on Monday 12th relating to our position on the reservoir, we are pleased we have been able to move forward from our position set out in the meeting notes of the 20th November and previous meetings. We understand Maldon DC’s positions relating to concerns about your ability to operate and maintain such a structure, but we face a reducing workforce and maintenance budget and have concerns relating to the sustainability of ongoing operation and maintenance which need to be resolved to ensure the community has a scheme that protects them and is sustainable in the long term.

Therefore we would welcome entering into a partnership with you to secure the funds for us to undertake the operation and maintenance of the reservoir into the future.

As you know there is history of fluvial flooding in Heybridge that occurs with heavy rainfall when surface water and run off from higher ground and developed area exceeds the capacity of the drainage system as a whole. As you know this area is a complex mix of Ordinary Watercourses, Surface water runoff, Anglian Water surface water sewer discharges and drainage inputs from new developments going into small Main River watercourses that are not able to cope with this level of flows. It is clearly a multi agency issue and I am encouraged to see that we have all pulled together to seek to address the problem of flooding from all sources and not just from the main river.

I hope the above is a clear position that we can all support. To summarise, we will operate and maintain the scheme in its entirety. We now need to work with you to agree the detail of long term funding and who is most appropriate to owner the reservoir. It may be helpful if we set out some options that can be the basis for a future discussion.

Yours sincerely

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