

Scrutiny Panel Agenda



SCRUTINY

 Epping Forest District Council

Safer, Cleaner, Greener Scrutiny Panel Tuesday, 28th April, 2015

You are invited to attend the next meeting of **Safer, Cleaner, Greener Scrutiny Panel**, which will be held at:

**Committee Room 1, Civic Offices, High Street, Epping
on Tuesday, 28th April, 2015
at 7.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

Adrian Hendry, Directorate of Governance
email: democraticservices@eppingforestdc.gov.uk Tel:
01992 564246

Members:

Councillors J Lea (Chairman), Mrs H Brady (Vice-Chairman), K Chana, Mrs R Gadsby, R Jennings, L Mead, A Mitchell MBE, S Neville, Mrs M Sartin, B Surtees and Mrs E Webster

SUBSTITUTE NOMINATION DEADLINE:

18:30

1. APOLOGIES FOR ABSENCE

2. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Director of Governance) To report the appointment of any substitute members for the meeting.

3. NOTES OF THE LAST MEETING (Pages 3 - 58)

To agree the notes of the last meeting held on 24th February 2015.

4. DECLARATIONS OF INTEREST

(Director of Governance). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to

paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

5. PRESENTATION FROM THAMES WATER

To receive a presentation the officers from Thames Water. At this Panel's last meeting, Panel members indicated they would like the following topics covered:

1. Update on Rye Mead sewage treatment plant development;
2. What are TW doing about ensuring appropriate responses are given to Local Planning Authorities when planning applications are received for new development where surface and foul water systems are already at capacity and/or when TW know the systems are defective and/or in need of upgrading?
3. Given the level of proposed development in the Epping Forest District are there any plans to extend the network capacity for both surface and foul water systems in this district?
4. What is TW doing about the overflowing main drains, in particular those causing surface water flooding?
5. What are TW's maintenance regimes for their surface and foul water assets in this district?
6. Are there any plans to expand TW's pumping stations within the district?
7. Do TW's pumping stations have back up systems?

The following officers from Thames Water will be attending the meeting:

- Mr Mark Dickinson – Development Planning Manager;
- Mr Mark Grimshaw – Wastewater Regional Performance Manager; and
- Mumin Islam – Local & Regional Government Liaison.

6. TERMS OF REFERENCE AND WORK PROGRAMME (Pages 59 - 62)

(Chairman / Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Panel. This is attached along with a draft work programme. The Panel are asked at each meeting to review both documents.

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF SAFER, CLEANER, GREENER SCRUTINY PANEL
HELD ON TUESDAY, 24 FEBRUARY 2015
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 9.10 PM**

Members Present: J Lea (Chairman), Mrs H Brady (Vice-Chairman), K Chana, R Jennings, L Mead, S Neville, Mrs M Sartin, B Surtees and Mrs E Webster

Other members present: W Breare-Hall and G Waller

Apologies for Absence: Mrs R Gadsby and A Mitchell MBE

Officers Present K Durrani (Assistant Director (Technical Services)), J Nolan (Assistant Director (Neighbourhood Services)), P Baccharini (Land & Water Quality Officer), S Stranders (Drainage Manager) and A Hendry (Democratic Services Officer)

38. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Panel noted there were no substitute members.

39. DECLARATIONS OF INTEREST

No declarations of interest were made.

40. NOTES OF THE LAST MEETING

The notes of the 6 January 2015 meeting were agreed as a correct record.

41. TERMS OF REFERENCE AND WORK PROGRAMME

The Panel's Terms of Reference and Work Programme were noted.

42. CHANGE IN ORDER OF THE AGENDA

With the permission of the Chairman, item 7 on the agenda, 'PICK form on air pollution' was taken next.

43. PICK FORM ON AIR POLLUTION

The Assistant Director Neighbourhood Services, Mr Nolan, introduced the report that was in reply to Councillor's Neville's PICK form querying the amount of air pollution in our district and in particular the levels of particulate pollution in Epping Forest, attributable to 6% of all deaths.

Councillor Neville asked how many sites was the background information was based on. Mr Nolan said that there were 40 sites in the district. Councillor Neville asked if the background information could be made public. He was told that it could. Officers carried out an assessment every 3 to 4 years based on PM₁₀ particulates.

Councillor Neville then asked what was the worst area in our district. Mr Nolan said that they had only one at present and that was at Bull Common, where they had two houses very close to the road. The only remedy to this would be to either move the road or the houses, neither of which were practical.

Councillor Neville asked what was being done to encourage the public out of their cars in our area. The general consensus was that as this was a rural area with sporadic public transport, cars were indispensable.

Councillor Surtees raised concerns about diesel vehicles being the main source of particulate pollution, especially when they were left idling for a long time. Mr Nolan confirmed that officers did not get notified of such occurrences.

Councillor Waller said that it was a good thing that they were looking at this issue and they owed Councillor Neville a debt of gratitude in bringing this to our attention. Research showed that particulate pollution reduced life expectancy by two years and could also be the cause of serious illnesses. He noted that London Boroughs were better than the worst in Essex. The current Mayor of London had an objective to achieve an ultra low emissions zone in London. However our power to influence this issue was very limited because of the motorways and commuters going in and out of London.

Councillor Breare-Hall commented that the situation at Bell Common was widely recognised, and asked if any progress been made on this study. Mr Nolan noted that information had been given to the county. It may be possible for the junction to be redesigned and help the situation.

Councillor Webster noted that one of the biggest problems was getting the Corporation of London to help us.

Councillor Harding said that it would be better if the Council fleet of vans were petrol and not diesel powered. Also there was a need for a safer set up for cyclists in our area, the rural roads were just too dangerous. Councillor Neville noted that 'Sustrans' the transport charity were looking into this at present in the Epping area.

44. ENGINEERING AND DRAINAGE

The Council's Drainage Manager, Susan Stranders, gave a presentation (copy attached) on the Council's role in alleviating the risk of flooding in the district and what the Engineering, Drainage and Water Team (EDWT) did. She was accompanied by Mr Baccarini, the Land and Water Quality Officer.

Ms Stranders handed out a statement from our planners which outlined the role of planning in flood risk prevention. It was noted that Local Plans should be supported by a Strategic Flood Risk Assessment and policies to manage flood risk from all sources. The National Planning Policy Framework (NPPF) set strict tests to protect people and property from flooding, which all local planning authorities were expected to follow. Where these tests were not met, national policy was clear that new development should not be allowed.

In terms of day-to-day development management planners assessed applications using mapping data made available by the Environment Agency. In addition recent guidelines issued by government requires all local authorities to consult with their Lead Local Flooding Authority; in our case it was Essex County Council, on development of 10 dwellings or more, to assess flood risk from surface water,

groundwater and ordinary watercourses and to promote sustainable drainage proposals.

Ms Stranders noted that EDWT provided a discretionary 24/7 – 365 emergency flood response standby service to deal with out of hours flooding incidents involving Council owned assets or to assist members of the public, where appropriate. They would respond to all types of flooding incidents, working closely with the Environment Agency where necessary.

It was noted that there were three flood alleviation schemes (FAS) in the district that were the responsibility of the Council, they were:

1. Thornwood Brook;
2. Church Lane; and
3. Thornhill, North Weald (North and South)

- These were built in high risk areas, with properties at risk of flooding;
- The levels of water in the storage areas at Thornwood and Thornhill were monitored 24/7, 365 by telemetry and recently installed CCTV;
- In addition there was the Loughton Brook Scheme, which was statutorily classified as a Reservoir and was managed by the Environment Agency.

In addition to the FAS the EDWT monitor and maintain (with the Council's Term Contractor – Hugh Pearl Ltd) the council's 50 storm grilles and approximately 2,500km of ordinary water courses.

It was also noted that:

- We are the only District in Essex with its own Byelaws on Land Drainage;
- As an authority we liaise with Thames Water, Essex County Council (Highways), Affinity Water, Environment Agency (& other organisations);
- Under the Environmental Protection Act 1990, the Council was statutorily obliged to inspect and assess potentially contaminated land sites within its boundary;
- Local Authorities must set out its approach as a written strategy;
- There were thought to be several thousand potentially contaminated land sites, due to historic contamination, with 91 landfill sites;
- Local Authorities also had a statutory duty under the Building Act 1984 and the Public health Acts to ensure buildings have adequate drainage and that blockages, defects and pollution from sewage were properly dealt with;
- In October 2011 most private sector sewers transferred to Thames Water, the Council was still responsible for all rural drainage systems and for many situations where there were drainage problems in urban areas;
- EDWT provided investigation and enforcement services on private sewers that fell outside the jurisdiction of Thames Water;
- The poor performance of Thames Water meant that officers often had to get involved with problems that should have been dealt with by Thames Water;
- EDWT maintain the Council's own drainage records and also have access to the Thames sewer maps;
- EDWT have recently purchased a vehicle and have replaced their old CCTV equipment to assist with flooding and drainage work;
- Our Local plan should take into account climate change over the longer term which would include flood risks;
- EFDC have their own Flood Risk Assessment Zones (FRAZ) set out in its Local Plan;
- The FRAZ have been identified and mapped by officers;

- These FRAZ are not the same as the Environment Agency Flood Zones;
- EDWT officers assess planning applications and if the development falls within a FRAZ a flood risk condition would be recommended;
- The Council encourages all developers to follow the principals of Sustainable Drainage Systems (SuDS) in designing facilities for the handling of rainwater runoff;
- The Government had recently decided to remove the responsibility for delivering SuDS from the Local Lead Flood Authority (ECC) and strengthen the planning system – which has placed the responsibility back on us;
- The Flood and Water Management Act (April 2010) was intended to implement Sir Michael Pitt's recommendations following the widespread flooding of 2007. This flooding was largely caused by surface water runoff overloading drainage systems.

The meeting was then opened up to questions.

Councillor Lea asked if we had our own inspectors to check out that work had been carried out correctly. Ms Stranders said that we did not. SuDS work was not inspected, but they were considering this at present. We did try and carry out ad-hoc visits when we could. Councillor Lea replied that, in an ideal world, it would be helpful if developers could contribute some money into a pot to enable us to carry out remedial work.

Councillor Sartin noted that there was no automatic right to link into a public sewerage system; would Thames Water be the ones to say someone could not do this? She was told that Ms Stranders had spoken to Planning about this and was told that very rarely would Thames Water refuse permission on grounds of capacity. It seemed that water utilities did not say when their system was over capacity.

Councillor Surtees noted that Waltham Abbey was a Tier 2 flood risk area with regards to plans by Essex County Council, as the Local Lead Flood Authority, to carry out a Surface Water Management Plan. How many others were there? He was told that there was only one other Tier 2 area with Loughton being a Tier 1. A Surface Water Management Plan for Loughton was due to be carried out this year.

Councillor Surtees noted that Greenstead were very grateful for our help with their flooding problems, but there was disjointed help offered from the Highways Agency. Ms Stranders replied that a County Task and Finish Panel had asked her section what problems they had encountered in carrying out their work and had replied that it was mainly the inefficiency of the Highways Agency and Thames Water. There was only so much our officers could do without any co-operation.

Councillor Breare-Hall thanked the officers for their presentation and paid tribute to the work done by Ms Stranders and her team. He was glad that the Council had kept the Drainage Team; it was small, with limited resources, but was a credit to the Council and did a superb job. Councillor Lea agreed with this sentiment.

Councillor Jennings asked if Loughton Brook had now been taken back by the Environment Agency. He was told that when it was built it was the responsibility of the District Council. A change in legislation in 2006 re-designated it as a main river and it became the responsibility of the Environment Agency. The Council objected but it was dismissed. It was our money that built the scheme that prevents a large part of Loughton from flooding.

Councillor Brady asked where would the drainage team recommend houses to be built as opposed to the planners. She was told that they would recommend that they stay away from Zones 2, 3a and 3b, the highest risk areas; and they should only look to building in the lowest risk zones.

Councillor Lea asked if we were responsible for ditches. She was told that that we were only responsible for ditches that run through Council owned land. But we had the responsibility to enforce the upkeep of ditches. Councillor Lea added that we were now losing our ditches and hedges, could we not make landowners responsible for replacing them. Councillor Webster commented that nowadays farmers were being encouraged to look after their hedges and ditches and thus look after the wildlife and the land drainage. Ms Stranders added that officers could only encourage landowners to look after and maintain existing ditches and not dig new ones.

The Drainage Manager said that if the Panel wanted Thames Water to come to a future meeting what would they like to discuss with them. Councillor Lea said that her main concern was the main drains overflowing and too much surface water causing flooding. What were they doing about this and were they expanding their pumping stations and providing sufficient drains? Also, did pumping stations have back up systems?

Councillor Sartin wanted to know what kind of maintenance regime they had for the district. She would also like an update on the Rye House development.

Councillor Surtees wanted to know if our planning systems were compromised by the lack of response from Thames Water to planning applications.

These points would be gathered together and set as draft questions.

45. KEY PERFORMANCE INDICATORS 2014-15 - QUARTER 3

The Panel considered the quarter 3 performance of the Key Performance Indicators for 2014/15 relevant to the council services that the panel monitors.

The Panel noted that the position for the end of December 2014 was:

- i) 26 (72%) of indicators had achieved the cumulative third quarter target;
- ii) 10 (27%) of indicators did not achieve the cumulative third quarter target, although 1 (3%) of these KPIs performed within agreed tolerance for the indicator; and
- iii) 29 (81%) of indicators were currently anticipated to achieve the cumulative year-end target.

Nine of the KPI fell within the Safer Cleaner Greener Scrutiny Panel area of responsibility, and their position at the end of December 2014 was:

- i) 7 (78%) of indicators achieved the cumulative third quarter target;
- ii) 2 (22%) of indicators did not achieve the cumulative third quarter target;
- iii) 8 (89%) were currently anticipated to achieve the cumulative year-end target.

Councillor Sartin asked about the indicator on litter (NEI 002), was this down just because of the change over? Mr Durrani said that they did not know for sure, it could just be a general increase in litter; but they were also examining the contractors.

Councillor Lea asked about recycling of household waste (NEI 002) would this mean more landfill? Mr Durrani said it did not mean that. But there was some recyclable

materials going into the residual bins. Overall the waste was dropping, but it was not happening as much as we would like. We were trying to educate the public again.

Councillor Jennings asked how we compared with our neighbouring authorities. Councillor Lea said that we were one of the better ones and Mr Durrani added that they may not have the same KPIs as we did and could only look at similar indicators. We are, however in the top 10 nationally and second in Essex.

Councillor Harding commented that recycling figures should go up in the summer months because of garden waste, but the graph and figures seemed very level. Mr Durrani noted that they were percentage figures. There were peaks and troughs, and the figures were quarterly so this tended to level out the figures.

Councillor Neville asked about litter build up on disputed land (e.g. Highways or Housing land). He was told that contractually we would clear land belonging to us and Highways. But for privately owned land we do not have the authority and this would be where enforcement came in.

RESOLVED:

That the quarter 3 performance of the Key Performance Indicators for 2014/15 were noted.

46. KEY PERFORMANCE INDICATORS 2015-16 TARGETS

The Panel noted that as part of a duty to secure continuous improvement, a range of Key Performance Indicators (KPI) relevant to the Council's service priorities and key objectives are adopted each year. The KPIs provide an opportunity for the Council to focus attention on how specific areas for improvement would be addressed. A number of KPIs would be used as performance measures for the Council's key objectives each year.

Although some revisions to existing KPIs were proposed for 2015/16, it was not intended that significant changes be made to the indicator set for the next year, as the current suite of measures was considered appropriate for the ongoing evaluation of relevant performance factors. Service directors had identified provisional targets for each indicator with the relevant portfolio holder(s), based on third-quarter performance (and the estimated outturn position) for the current year.

The review of KPIs which fall within the areas of responsibility of the Safer, Cleaner, Greener Scrutiny Panel resulted in no changes being made.

The Panel considered the proposed KPIs for the new year and made the following comments:

- The target for recycling had remained at 60% for some years, should an increase in this target be considered? They noted that the district as whole was recycling more but people were becoming more relaxed about this and needed to be re-educated. No increase in this target was felt to be needed for the coming year.
- The overall targets had been met, due largely to the management of the Council and its staff.
- On consideration the Panel were content with the proposed KPIs.

RESOLVED:

That the proposed Key Performance Indicators and targets covering the remit of the Safer Cleaner Greener Scrutiny Panel for 2015/16 be agreed.

47. FUTURE MEETINGS

The upcoming meeting of the Panel was noted.

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Safer Cleaner Greener Scrutiny Panel

Meeting 24th February 2015

Presentation
by the Engineering,
Drainage & Water Team.



SCRUTINY

 Epping Forest District Council

- 1. What the Engineering, Drainage & Water Team do.**
- 2. How the Engineering, Drainage & Water Team deals specifically with flood risk and drainage issues at the planning stage.**
- 3. Aids to mitigate the longer term impact on flood risk:**
 - **The provisions of the Flood and Water Management Act 2010**
 - **Local Lead Flood Authority (Essex County Council)**
 - **The Essex Flood Partnership Board**
 - **The Executive Officers Flood Group.**
- 4. Summary from planners on the role of planning in flood risk prevention.**
- 5. Questions**
- 6. Requirement for Thames Water to attend a future SCGSP meeting and if so specific topics the Council will ask them to address.**

Structure of Engineering, Drainage and Water Team (EDWT) Neighbourhoods (Technical)

Assistant Director Qasim (Kim) Durrani

Drainage Manager Susan Stranders

24/7 - 365 - Emergency Flood Response Service

Land Drainage
Trevor Baker

- ❖ Flooding
- ❖ Council's Flood Risk Assets
- ❖ Land Drainage
- ❖ Flood Risk Policies & Strategies

Land Drainage Inspector
John French

- ❖ Implementation & Enforcement of the Council's Land Drainage Byelaws & Land Drainage Acts

Resident Engineer
Lee Savill

- ❖ Maintenance of the Councils' 18 sewerage treatment plants & 8 pumping stations
- ❖ General Drainage
- ❖ Capital Projects & Council Assets
- ❖ Operation & Maintenance of Bobbingworth Nature Reserve (ex landfill site)

Assistant Engineer
Matt Little

- ❖ Planning - Flood Risk & Drainage
- ❖ Sustainable Urban Drainage Systems (SUDS)
- ❖ Flood Risk Assessments

Land Water Quality Officer
Paul Baccarini

- ❖ Contaminated Land
- ❖ General water environment
- ❖ Public & Private Water Supplies
- ❖ Pollution & environmental enquiries/complaints
- ❖ Complex environmental reports
- ❖ Environment related - Consultations

Technical Officer
Graham Sharp

- ❖ Private Sector Drainage (Urban & Rural)
- ❖ Pollution Complaints

Temporary Water Quality Officer

- ❖ Private Water Supplies

What the Engineering, Drainage & Water Team do

1. What the Engineering, Drainage & Water Team do.

What the Engineering, Drainage & Water Team do

24/7 365 Emergency Flooding Response Service Flooding

- The EDWT provides a discretionary 24/7 - 365 emergency flood response standby service to deal with out of hours flooding incidents involving Council owned assets or to assist members of the public, where appropriate;
- This service includes the monitoring and responding to problems with the Council's flood alleviation schemes and other flood risk assets;
- The EDWT responds to all types of flooding incidents, working closely with the Environment Agency where necessary.

What the Engineering, Drainage & Water Team do

24/7 365 Emergency Flooding Response Service

Flooding



MANAGING THE COUNCILS FLOOD ALLEVIATION SCHEMES, ORDINARY WATERCOURSES, STORM GRILLES AND OTHER FLOOD RISK ASSETS

There are 3 main flood alleviation schemes (FAS) in the District that are the responsibility of the Council:-

1.Thornwood Brook

2.Church Lane

3.Thornhill, North Weald (North and South)

- They have been built in high risk areas where many properties are at risk of flooding;
- The levels of water in the storage areas at Thornwood and Thornhill are monitored 24/7 365 by telemetry and now recently installed CCTV systems;
- These alarm directly to officers of EDWT so effective action can be taken to try and prevent over-topping and flooding and/or escalate to Emergency Planning level;
- The FAS avoid the possibility of flooding by controlling the flow of water in rivers with structures such as storm grilles, embankments and dams;
- In addition we have the Loughton Brook Scheme which is statutorily classified as a Reservoir and is managed by the Environment Agency.

STORM GRILLES & WATERCOURSES

In addition to the FAS the EDWT monitor and maintain (with the assistance of the Council's Term Contractor – currently Hugh Pearl Ltd):

The Council's

- 50 Storm Grilles;
- approx 2,500Km of Ordinary Watercourses.

Land Drainage Byelaws

The Council has had its Land Drainage Byelaws since 1983. We are the only district within Essex with its own Byelaws.

In summary this involves:

- Issuing consents for certain works to or near ordinary watercourses;
- Works are monitored;
- Administering charging regime - £50 for more significant works;
- Delegation from ECC to issue consents in parallel with the Council's Land Drainage Byelaws;
- Enforcement (3 successful prosecutions in 3 years).

What the Engineering, Drainage & Water Team do

Land Drainage Consent issued for works under the Land Drainage Act 1991 & EFDC's Land Drainage Byelaws

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What the Engineering, Drainage & Water Team do

Land Drainage Consent issued for works under the Land Drainage Act 1991 & EFDC's Land Drainage Byelaws

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What the Engineering, Drainage & Water Team do
General Drainage Issues

Liaising with Thames Water, Essex County Council - Highways,
Affinity Water, Environment Agency & other organizations

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Bobbingworth Nature Reserve (former landfill site)

- EDWT was involved in the tender process and then overseeing the construction phase;
- On going operation and management of the complex underground engineering works/drainage systems - in partnership with Country care & Veolia.



Contaminated land

- Under the Environmental Protection Act 1990 the Council is statutorily obliged to inspect and assess potentially contaminated land sites within its boundary;
- Local Authorities must set out its approach as a written strategy;
- Inspection is based on a Prioritisation Scheme;
- Currently upgrading the prioritisation scheme; and
- Updating the Council' s Contaminated Land Strategy;
- Report to be presented to Cabinet about how the Council addresses the matter in the future.

Contaminated land

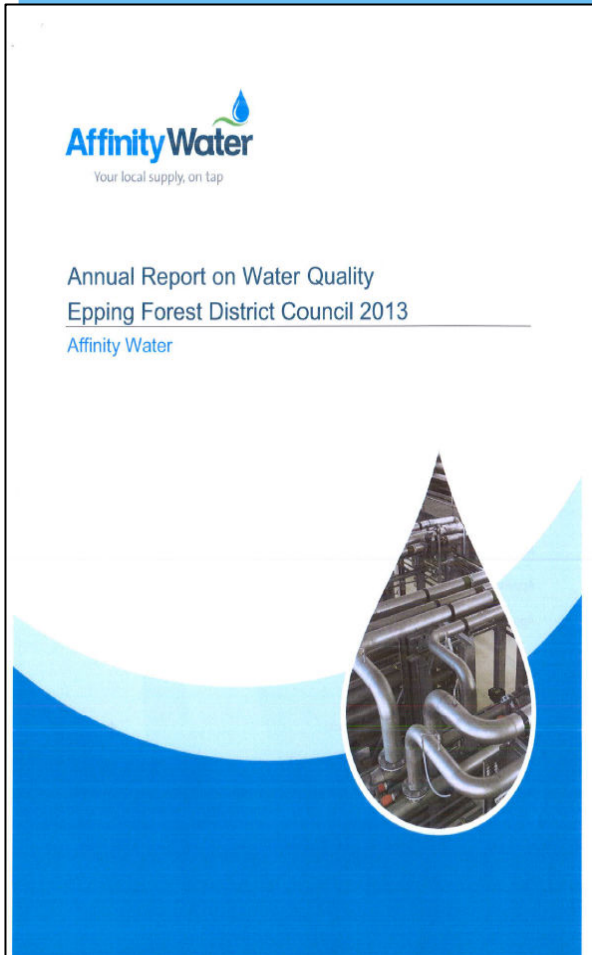
- Several thousand potentially contaminated land sites which are a result of historic contaminative uses of the land;
- 91 landfills (approx 20 thought to be brickfilled/backfilled);
- Carried out 4 'phase 2' (intrusive) investigations to date (successful with bids for grants from Defra for 2 sites);
 - ❑ Glenholme/Holmesfield, Nazeing - ex land fill
 - ❑ St Paul's Field, Nazeing - ex land fill
 - ❑ Bower Hill, Epping - ex gas works
 - ❑ Luxborough Lane (Hill farm), Chigwell – ex landfill site
- 'Phase 1' (desk top study) completed for;
 - ❑ Cascade Road, Buckhurst Hill - brick filled/landfill
 - ❑ Residential , Ongar - ex gas works
 - ❑ Town Mead, Waltham Abbey – ex landfill.

What the Engineering, Drainage & Water Team do

Drinking Water Quality

Annual Reports received by EDWT

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STATUTORY INSTRUMENTS

2009 No. 3101

WATER, ENGLAND

The Private Water Supplies Regulations 2009

Made - - - - - 24th November 2009
Laid before Parliament - - - - - 30th November 2009
Coming into force - - - - - 1st January 2010

CONTENTS

PART 1
Water standards

1. Citation, application and commencement
2. Scope
3. Exemptions
4. Wholesomeness
5. Use of products or substances in private supplies
6. Requirement to carry out a risk assessment

PART 2
Monitoring

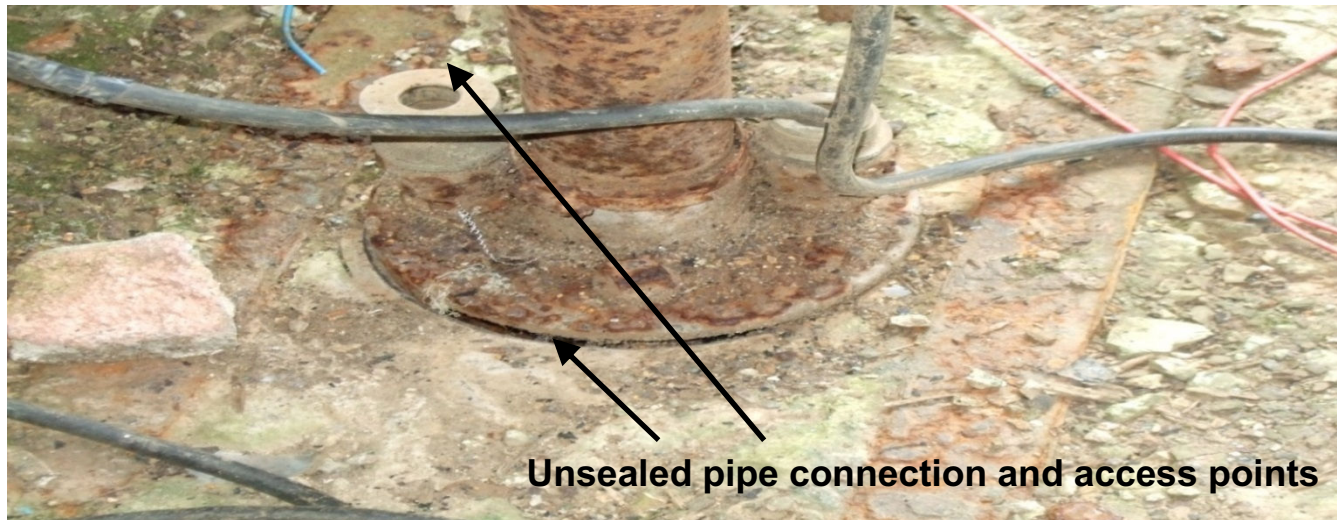
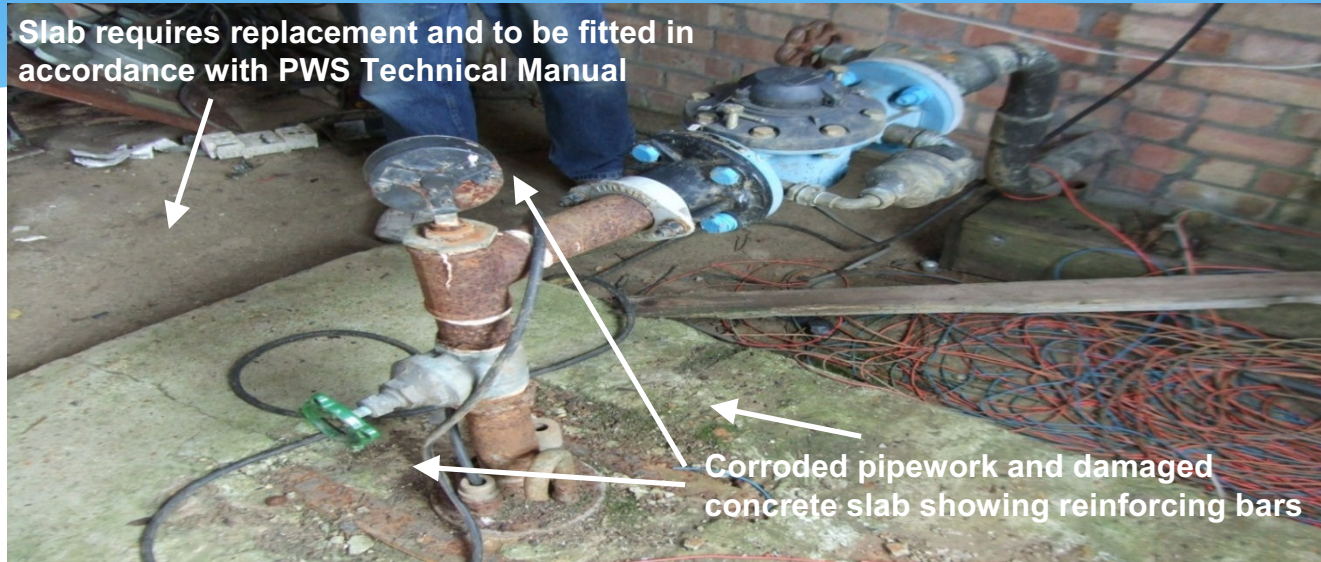
7. Monitoring
8. Further distribution of supplies from water undertakers or licensed water suppliers
9. Large supplies and supplies to commercial or public premises
10. Other private supplies
11. Sampling and analysis
12. Maintenance of records
13. Notification of information

PART 3
Action in the event of failure

14. Provision of information
15. Investigation
16. Procedure following investigation
17. Authorisations of different standards



Sampling-Risk Assessment- Enforcement re Private Water Supplies



Sampling-Risk Assessment- Enforcement re Private Water Supplies

Tank inlet near to roof

Ivy encroaching into roofing joints and close to inlet pipe

Pipework in fair/poor condition and suffering from corrosion. Pipe should protected and insulated



Pipes and taps unsecure, unprotected and uninsulated

Outlet pipes at the bottom of the tank: Right; pipe supplying the most northerly property of Claverhambury via isolated supply pipe; Left; pipe supplying all other properties

What the Engineering, Drainage & Water Team do

Private Sector Drainage

- LAs have statutory duties under the Building Act 1984 and the Public Health Acts to ensure buildings have adequate drainage and that blockages, defects and pollution from sewage are properly dealt with;
- Although in October 2011 most private sector sewers transferred to Thames Water, the Council is still responsible for all rural drainage systems and for many situations where there are drainage problems in urban areas;
- The EDWT provides an investigation and enforcement service on any private sewers that fall outside the jurisdiction of Thames Water, which includes misconnections;
- In addition, the very poor performance of Thames Water means that officers often have to get involved with problems that should be dealt with by Thames Water – even if it is a case of liaising and keeping the impetus going – especially with regard to significant problems where public health is at risk;
- The EDWT have access to Thames Sewers maps and maintain the Council's own drainage records;
- The EDWT has recently purchased a vehicle and replaced the old CCTV camera equipment to assist with both flooding and drainage related work.

**2. How the Engineering,
Drainage & Water Team deals
specifically with flood risk and
drainage issues at the planning
stage.**

National Planning Policy Framework(NPPF)

- NPPF sets out the Governments planning policies for England;
- Local Plans should take into account climate change over the longer term which includes flood risk;
- Development should be directed away from areas at highest risk of flooding.

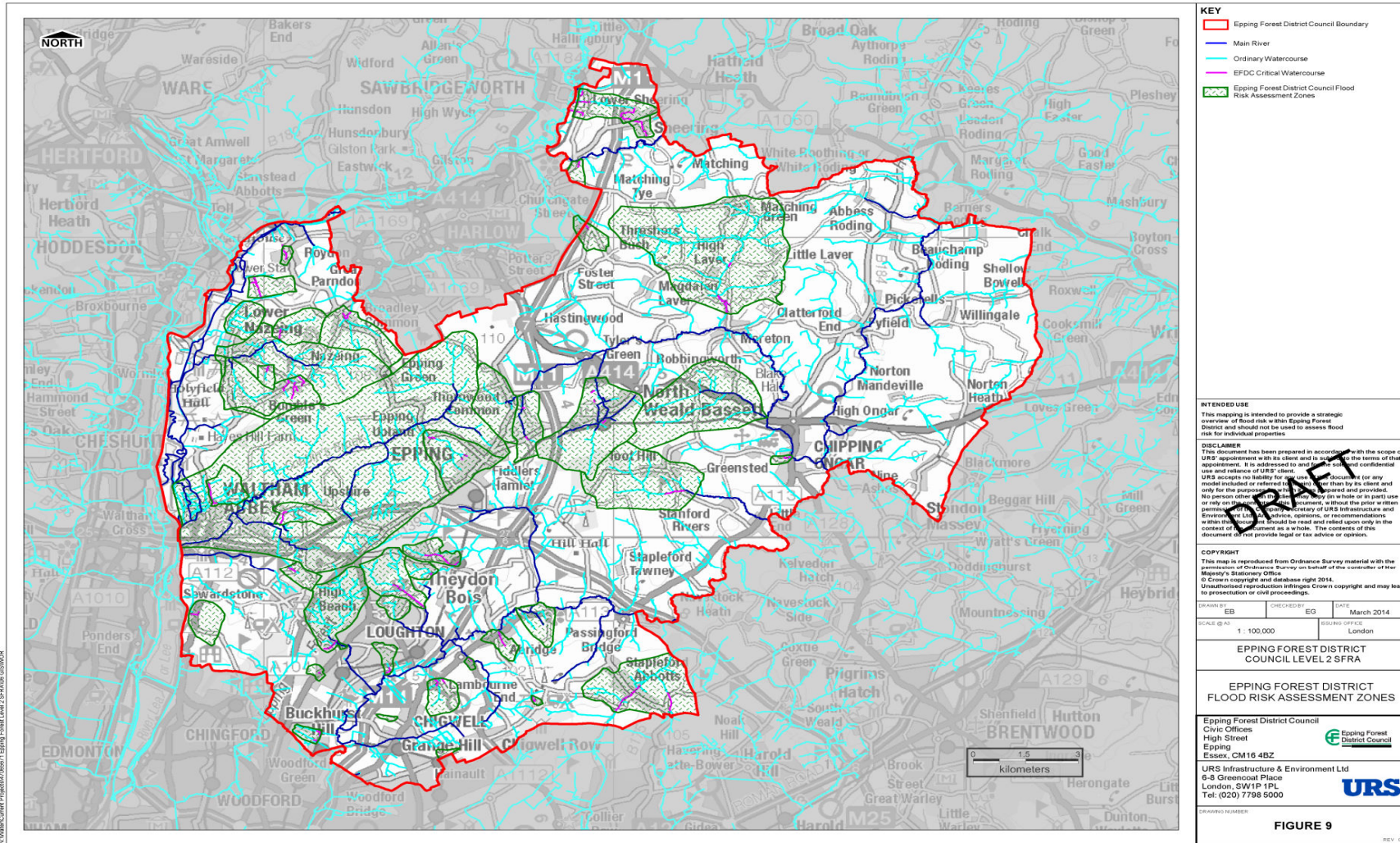
EFDC's - Flood Risk Assessment Zones (FRAZ)

- EFDC is unique as it has its own FRAZ and these are set out in our Local Plan;
- The FRAZ have been identified and mapped by officers;
- The zones are derived from catchments of ordinary watercourses and where there is a particular risk of surface water flooding;
- The purpose of the FRAZ was to manage surface water flooding from incremental development;
- These FRAZ should not be confused with the Environment Agency Flood Zones.

How the Engineering, Drainage & Water Team deals specifically with flood risk and drainage issues at the planning stage.

EFDC's Flood Risk Assessment Zones (FRAZ)

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Proposed Development in EFDC's FRAZ

- We ensure that development in the FRAZ face stricter flood risk management controls;
- Within these zones any proposed development in excess of 50m² (other than house extensions) will be required to submit a specific flood risk assessment;
- EDWT officers assess planning applications and if the development falls within a FRAZ a flood risk condition is recommended.

Standard Planning Conditions re Flood Risk

(i) Submission of an Assessment of Flood Risk (Development between 50-100 square metres footprint in a FRA Zone).

An **assessment of flood risk**, focussing on surface water drainage, shall be submitted to and approved by the Local Planning Authority prior to commencement of the development. The assessment shall demonstrate compliance with the principles of Sustainable Drainage Systems (SuDS). The development shall be carried out and maintained in accordance with the approved details.

Reason:- The development is located in an area identified as being in an Epping Forest District Council flood risk assessment zone and would be likely to result in increased surface water run-off, in accordance with the guidance contained within the National Planning Policy Framework and policy U2B of the adopted Local Plan and Alterations.

Standard Planning Conditions re Flood Risk

(ii) Submission of a Flood Risk Assessment (Development between 100-235 square metres footprint in a FRA Zone).

A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The assessment shall demonstrate that adjacent properties shall not be subject to increased flood risk and, dependant upon the capacity of the receiving drainage, shall include calculations of any increased storm run-off and the necessary on-site detention. The approved measures shall be carried out prior to the substantial completion of the development hereby approved and shall be adequately maintained in accordance with the approved management and maintenance plan.

Reason:- The development is located in an area identified as being in an Epping Forest District Council flood risk assessment zone and would be likely to result in increased surface water run-off, in accordance with the guidance contained within the National Planning Policy Framework and policy U2B of the adopted Local Plan and Alterations.

Standard Planning Conditions re Flood Risk

(iii) Submission of a Flood Risk Assessment (Development over 235 square metres footprint in a FRA Zone).

A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tool. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

Reason:- The development is located in an area identified as being in an Epping Forest District Council flood risk assessment zone and would be likely to result in increased surface water run-off, in accordance with the guidance contained within the National Planning Policy Framework and policy U2B of the adopted Local Plan and Alterations.

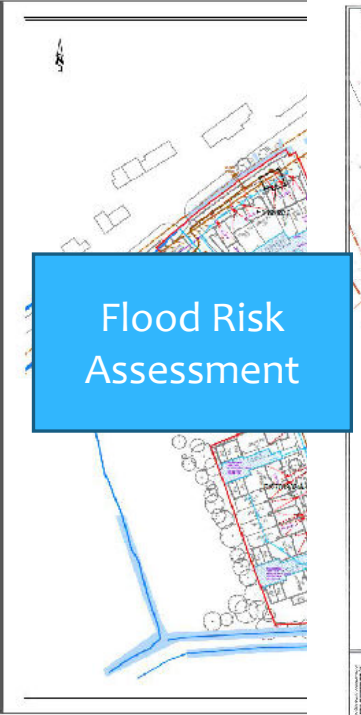
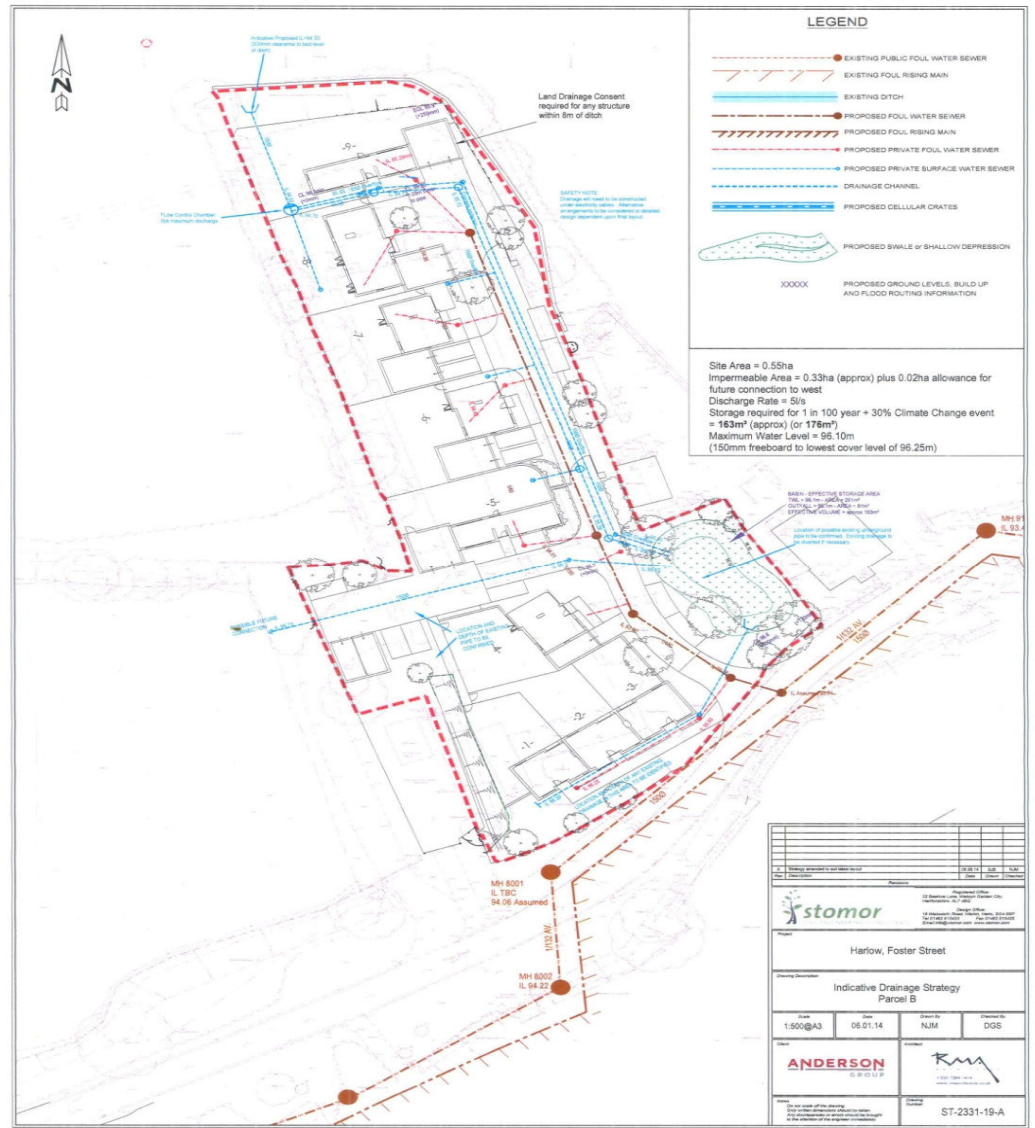
Standard Planning Conditions re Flood Risk

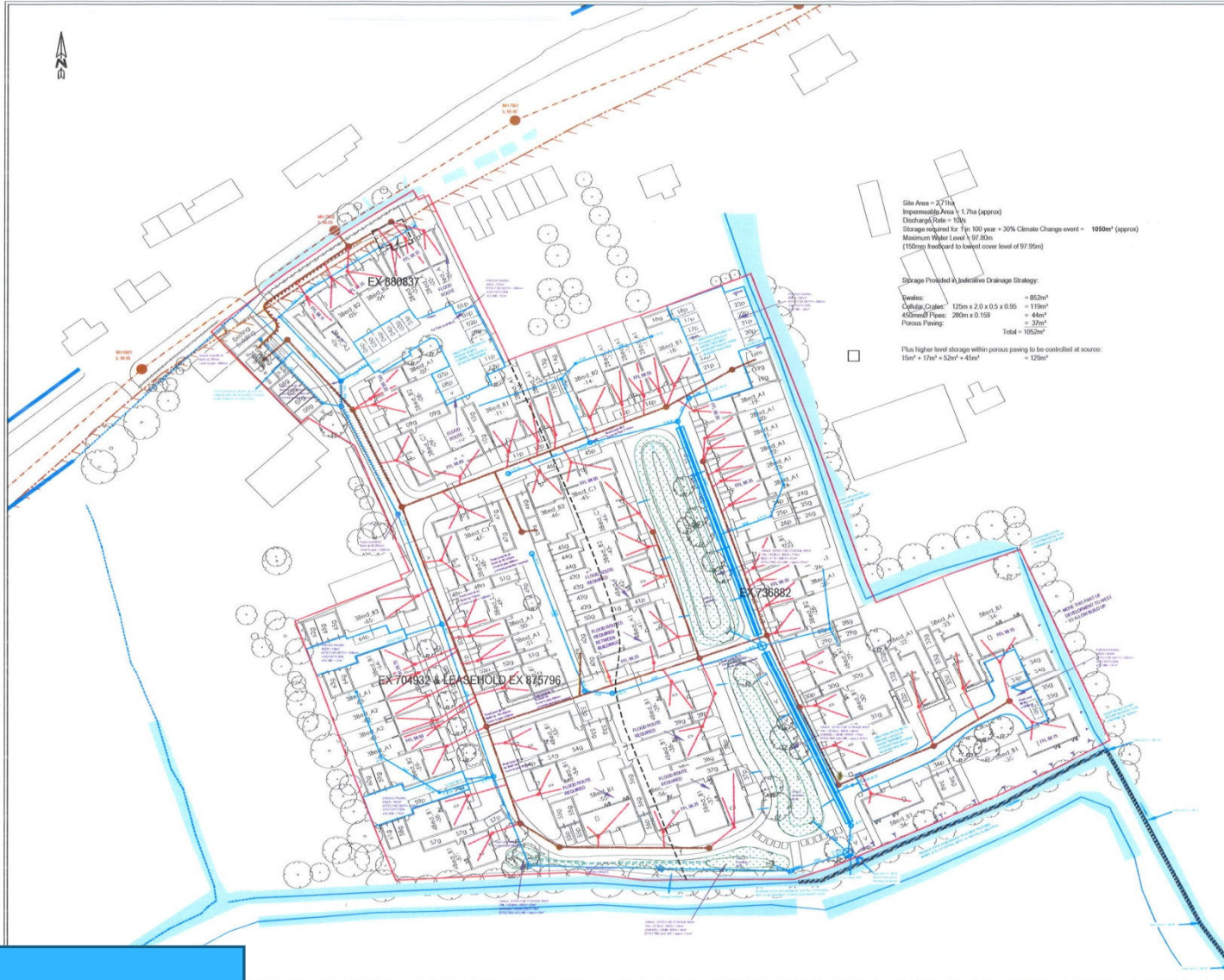
(iv) Submission of a Flood Risk Assessment (Development over 235 square metres footprint but not in a FRA Zone).

A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.

Reason:- The development is of a size where it is likely to result in increased surface water run-off, in accordance with the guidance contained within the National Planning Policy Framework and policy U2B of the adopted Local Plan and Alterations.

Flood Risk Assessment





LEGEND

- EXISTING PUBLIC FOWL WATER SEWER
- EXISTING FOWL BOUNDARY
- EXISTING STORM
- PROPOSED FOWL WATER SEWER
- PROPOSED FOWL BOUNDARY
- PROPOSED PRIVATE FOWL WATER SEWER
- PROPOSED PRIVATE SURFACE WATER SEWER
- DRAINAGE CHANNEL
- PROPOSED CELLULAR CRATES
- PROPOSED SWALE or SMALL OVERFLOW POND
- XXXXX PROPOSED GROUND LEVEL BULLSTOP ANY FURTHER NOT FOR INFORMATION

No.	Description	Revision	Date	Drawn	Checked
A	Strategy as indicated but based layout		06.02.14	S.B.	NJM

stomor
 Registered Office: 37 Abchurch Lane, Westgate London City, Hackney, London, E2 8JF
 Company No: 19 Westgate Street, London, Hackney, E2 8JF
 VAT No: GB 254 852 740
 Tel: +44 (0)20 7384 1414 Fax: +44 (0)20 7384 1415
 Email: info@stomor.com www.stomor.com

Project: Harlow, Foster Street
 Drawing Description: Indicative Drainage Strategy Parcel A
 Scale: 1:500@A1 Date: 07.01.14 Drawn By: NJM Checked By: DGS
 Client: ANDERSON GROUP Architect: *KRM*
 Drawing Number: ST-2331-18-A

Flood Risk Assessment

Standard Planning Conditions re general foul and surface water drainage

➤ **Foul and Surface Water**

No development shall take place until details of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:- To ensure satisfactory provision and disposal of foul and surface water in the interest of public health and in accordance with the guidance contained in the National Planning Policy Framework.

➤ **Surface Water**

No development shall take place until details of surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:- To ensure satisfactory provision and disposal of surface water in the interest of the amenities of the locality and in accordance with the guidance contained in the National Planning Policy Framework.

➤ **Foul Water**

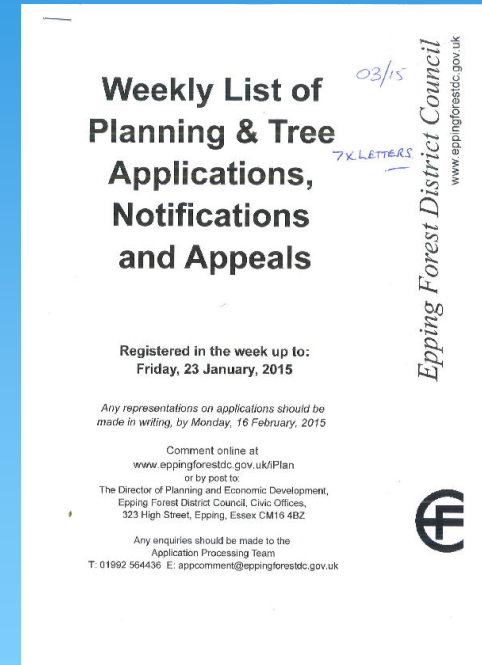
No development shall take place until details of foul water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:- To ensure satisfactory provision and disposal of foul water in the interest of public health and in accordance with the guidance contained in the National Planning Policy Framework.

How the Engineering, Drainage & Water Team deals specifically with flood risk and drainage issues at the planning stage

Standard Planning Informatives for SuDS and Land Drainage Byelaws

- The Council encourages all developers to follow the principles of Sustainable Drainage Systems (SuDS) in designing facilities for the handling of rainwater runoff.
- Further more if storm water drainage discharges to an existing ditch or watercourses and/or if works are to take place to, or within 8 meters of, any open or piped watercourse, the Land Drainage Consent is required from the Council under it's Land Drainage Byelaws.



Sustainable Drainage Systems (SuDS)

- The independent review into the causes of the 2007 floods (The Pitt Review) concluded that Sustainable Drainage Systems (commonly known as SuDS) were an effective way of to reduce the risk of 'flash-flooding';
- SuDS are used to mimic runoff rates from an undeveloped site therefore reducing the impact new development has on existing drainage systems;
- SuDS can be used to enhance biodiversity, treat and manage pollutants leading to improved water quality and create amenity spaces;
- Proposals for SuDS for new developments are assessed by the EDWT and form an inherent part of a Flood Risk Assessment;

Sustainable Drainage Systems (SuDS)

- This Council, through the use of the flood risk standard planning conditions has been very proactive for many years in ensuring that new development is compliant with the principles of SuDS;
- This has and will continue to assist in mitigating flood risk throughout the district;
- This is important for us as there are limitations on installing infiltration systems such as soakaways as the district largely consists of clay geology;
- For SuDS to work correctly suitable maintenance arrangements are necessary;
- There has recently been several consultations about the approach for implementing SuDS and the mechanisms for ensuring their long term maintenance;
- The Government has recently decided to remove the responsibility for delivering SuDS from the Local Lead Flood Authority (ECC) and 'strengthen' the planning system – which places the responsibility it back on us!

How the Engineering, Drainage & Water Team deals specifically with flood risk and drainage issues at the planning stage

Sustainable Drainage Systems (SuDS)

(Storm cell implementation at former council depot, Ongar)



How the Engineering, Drainage & Water Team deals specifically with flood risk and drainage issues at the planning stage

Sustainable Drainage Systems (SuDS) (Ponds)

- Water storage at surface
- Detention basins
- Retention ponds
- Wetlands





3. Aids to mitigate the longer term impact on flood risk


Aids to mitigate the longer term impact on flood risk

Flood and Water Management Act 2010

- **The provisions of the Flood and Water Management Act 2010;**
- **Local Lead Flood Authority (Essex County Council);**
- **The Essex Flood Partnership Board/Executive Officers Flood Group.**

Aids to mitigate the longer term impact on flood risk

Flood and Water Management Act 2010



Flood and Water Management Act
2010

CHAPTER 29

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Flood and Water Management Act 2010

- The Flood and Water Management Act was introduced on 8 April 2010. It was intended to implement Sir Michael Pitt's recommendations following the widespread flooding of 2007. The flooding was largely caused by surface water run off overloading drainage systems;
- The Act was also a response to the need to develop better resilience to climate change;
- The Act requires better management of flood risk, it creates safeguards against rises in surface water drainage charges and protects water supplies for consumers;
- It gives a new responsibility to the Environment Agency for developing a National Flood and Coastal Risk Management Strategy, and gives a new responsibility to local authorities, as Lead Local Flood Authorities (LLFA's) to co-ordinate flood risk management in their area.

Aids to mitigate the longer term impact on flood risk

Lead Local Flood Authorities

- Duties of the Lead Local Flood Authorities (LLFA in our case ECC) include:
 - Flood Risk Management Strategies;
 - Surface Water Management Plans
 - Loughton Tier 1 to be carried out 2015
 - Waltham Abbey Tier 2 no proposed date;
 - Maintaining a register of designated flood assets;
 - Reservoir Safety;
 - Investigating significant flooding incidents;
 - Co-operation, provision and exchange of information.

Flood and Water Management Act 2010

SuDS

- Schedule 3 of the Act re SuDS has been subject to continual delays;
- It removes the automatic right, established by the Water Industry Act, to connect to public sewers and instead initially gave powers to Lead Local Flood Authorities as the SuDS Approving Bodies (SABs) to approve new drainage systems and their connection to public sewers;
- SABs would assess whether surface water drainage proposals met a new National Standard for SuDS and Specified Criteria. The SAB also had a further duty to **adopt and maintain approved drainage systems** serving more than one property and not forming part of the public (adopted) highway.

Flood and Water Management Act 2010

SuDS

- As mentioned previously the Government has recently done a 'U' turn and has decided to remove the responsibility from ECC as the LLFA and place the responsibility with LAs via the existing planning regime ----- from 5th April 2015!;
- This does present some challenges about adoption/long term maintenance etc;
- We are waiting for further guidance from Government;
- Officers from the EDWT and Planners will discuss how the new system will be implemented and the impact it will have on resources in order to deliver the new duties.

Aids to mitigate the longer term impact on flood risk

How the provisions of the Flood and Water Management Act 2010 are being implemented

The roles of the:

- **The Essex Flood Partnership Board –
*attended by PFHs and Senior Officers;***
- **The Executive Officers Flood Group –
*attended by Team Leaders;***
- **The Essex Land Drainage Group –
attended by Land Drainage Officers.**

4. Summary from planners on the role of planning in flood risk prevention

Apologies from Planning that an officer is unable to attend the meeting. However a summary on the role of planning in flood risk prevention has been provided as follows:-

- The National Planning Policy Framework (NPPF) emphasises the active role Local Planning Authorities should have in ensuring flood risk is managed effectively and sustainably as an integral part of the planning process;
- Local Plans should be supported by a Strategic Flood Risk Assessment (SFRA) and policies to manage flood risk from all sources. Local Plans should apply a sequential, risk-based approach to the location of development to avoid, where possible, flood risk to people and property and manage any residual risk, taking account of the impacts of climate change;
- The NPPF sets strict tests to protect people and property from flooding, which all local planning authorities are expected to follow. Where these tests are not met, national policy is clear that new development should not be allowed. Local planning authorities undertake a SFRA to fully understand the flood risk in the area to inform Local Plan preparation;

Summary from planners on the role of planning in flood risk prevention

- In February 2013, the Council commissioned URS Consultants to undertake a SFRA for the District. The scope of works was to provide more detail on the nature of flood risk for potential development allocations over the plan period. However more recently, changes in planning for flood risk, introduced by the Government's Planning Practice Guidance (PPG) on Flood Risk and Coastal Change, (which came into effect on the 6th March 2014 and superseded PPS25 technical guidance), has meant that as part of the existing brief, consultants have been asked to revise the SFRA level 1 Report which will provide a strategic overview of high flood risk areas, enabling development to be directed to areas at lesser risk. However given that much of Epping Forest District lies in the Greenbelt, there are reduced opportunities for development in that development is centred around key settlements. In this instance, additional tests are undertaken as part of the SFRA to identify mitigation measures. The SFRA is currently underway and we anticipate a final study in summer 2015;
- In terms of day-to-day, development management planners assess applications using mapping data made available by the Environment Agency. In addition, recent guidance issued by government requires all local authorities to consult with their Lead Local Flooding Authority, in our case its Essex County Council, on development of 10 dwellings or more, to assess flood risk from surface water, groundwater and ordinary watercourses and promote sustainable drainage proposals.

Thank you for listening

If you have any queries please do not
hesitate to contact the
Engineering, Drainage & Water Team
on
Neighbourhoods contact centre
01992 564608

TERMS OF REFERENCE - STANDING PANEL

Title: Safer, Cleaner, Greener

Status: Standing Panel

Terms of Reference:

1. To approve and keep under review the "Safer, Cleaner, Greener" initiative development programme.

(Note: this development programme will encompass the three main issues and will therefore include matters such as:

- (i) environmental enforcement activity*
- (ii) safer communities activities*
- (iii) waste management activities (in addition to WMPB information))*

2. To keep under review the activity and decisions of the Waste Partnership Member Board and the Inter Authority Member Working Group.
3. To receive reports from the Waste Management Partnership Board in respect of the operation of and performance of the waste management contract
4. To monitor and keep under review the Council's progress towards the preparation and adoption of a sustainability policy and to receive progress reports on the Council's Climate Change Strategy from the Green Working Group
5. To receive and review the reports of the Bobbingworth Nature Reserve (former Landfill site) Liaison Group.
6. To act as the Council's Crime and Disorder Scrutiny Committee and to keep under review the activities of the Epping Forest Safer Communities Partnership as a whole or any of the individual partners which make up the partnership and:
 - That one meeting a year be dedicated as Community Safety Committee meetings.
7. To monitor and review the new Local Highways Panel.
8. To receive the minutes of the North Essex Parking Partnership (NEPP) for the purposes of monitoring the work and progress of the partnership.
9. To monitor and review the minutes of the Police and Crime Panel.
10. To receive copies of the Leisure Board minutes.

Chairman: Cllr. Lea

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Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Lea)
Work Programme 2014/15

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Enforcement activity	Next Due - January 2016	Six monthly report to Panel – last went to the January 2015 meeting	15 July 2014;
(2) CCTV action plan review	Next Due - January 2016	Six monthly report to Panel – last went to January 2015 meeting	07 October;
(3) CSP scrutiny review meetings	April 2015	Report last went to April 2014 meeting	06 January 2015;
(4) Receive notes of Waste IAA Member meetings	As appropriate	Notes reported to Panel at first available meeting following receipt – the January '14 meeting received notes of 24 October 2013 meeting A verbal update on the new waste contract was given to the July 2014 meeting.	24 February; 28 April
(5) Receive notes of Waste Management Partnership Board	As appropriate	Notes reported to Panel at first available meeting following receipt – October meeting received notes of 15 August 2014 meeting	Crime & Disorder Scrutiny meeting – April 2015?
(6) To received updates from the Green Corporate Working Party	As appropriate	The January 2015 meeting received a progress report.	
(7) Receive notes of Bobbingworth Nature Reserve liaison group	As appropriate	Notes reported to Panel at first available meeting following receipt – Sept. 14 minutes went to the January 2015 meeting.	
(8) Recycling in flats and multi-occ dwellings		A verbal report updating members on the latest position was given at the Oct 14 meeting.	
(9) Monitor Local Highways Panel	As appropriate	To keep a watching brief on the effectiveness of the Local Highways Panel – October '14 meeting received minutes from the August 2014 meeting.	

Safer, Cleaner, Greener Standing Panel (Chairman – Cllr Lea)
Work Programme 2014/15

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(10) Review notes of SLM contract monitoring board	As Appropriate	Notes reported to Panel at first available meeting following receipt – October '14 meeting received minutes of the September 2014 meeting	
(11) Receive notes of North Essex Parking Partnership (NEPP) minutes	As appropriate	Notes reported to Panel at first available meeting following receipt – January '15 meeting received notes from the October '14 meeting	
(12) Highway Accident statistics	Presentation went to the July 2014 meeting.	Report went to April 2013 meeting. A further detailed report and presentation from the Police Casualty Reduction Manager went to the July 2014 meeting.	
(13) To monitor the minutes of the Police and Crime Panel	As appropriate		
(14) To consider PICK form submitted by Cllr. Neville on Air Pollution.	Went to the Feb. 2015 meeting	The October 2014 O&S Committee asked that this Panel consider the PICK form on Air Pollution in the District. A report went to the February '15 meeting.	
(15) To review the Specific Quarterly KPI for 2014/15	As appropriate	Reviewed Q2 figures at January 15 meeting	
(16) Presentation on Drainage and Engineering	February 2015	A presentation on Drainage was given to the Feb. '15 meeting.	
(17) Presentation from Thames Water	April 2015 meeting	To receive a presentation from Thames Water	