

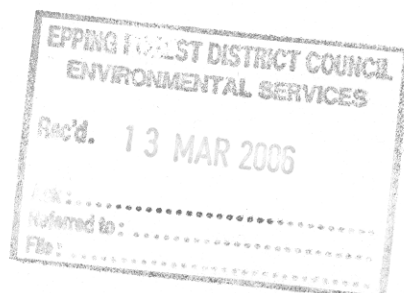
Our ref: GRC/ EFDC COWs

Date: 8th March 2006



**ENVIRONMENT
AGENCY**

Qasim Durrani, Senior Engineer Land Drainage
Engineering Services Group
Epping Forest District Council
Civic Offices
High Street
Epping
Essex CM16 4BZ



Dear Kim,

RE: ENMAINMENT OF CRITICAL ORDINARY WATERCOURSES (COWS) BY THE ENVIRONMENT AGENCY

I refer to your letter dated 17th February 2006 and would apologise for the delay in responding.

In regard to the Memorandum of Understanding and clause 7.5. Please accept this letter as confirmation that the Environment Agency consents to Epping Forest District Council contracting out works in respect of Flood Risk Management associated with those Critical Ordinary Watercourses that remain scheduled to transfer to Main River Status on the 1st April 2006.

As you are aware the Memorandum of Understanding is a national document which the Agency is not prepared to alter. It is supposed to seal our working relationship and is not a formal contract.

In order to allay any fears you have about the MoU I would make the following comments about the various clauses in the MoU that you have identified as being unacceptable and those that you, ideally, would wish to see included:

1.4 If there are any disputes at Supervisor Level that cannot be resolved they will be picked up by clause 15.1

3.2 (your number) It is doubtful that the Agency will specifically request any works to be carried out by you or your contractor without first agreeing them. We would expect to be consulted on a programme of works and agree them before they are carried out. The Agency will raise an order for the works on an annual basis. It is anticipated that you will invoice us on a monthly basis. On termination of the MoU, and in accordance with Clause 3, reasonable notice will be provided and any works which have been started will be completed and paid for, provided they have been first agreed. The Agency would not expect to be liable for any costs associated with persons, contractors, plant, tools or materials provided reasonable notice of termination of the MoU is given (all these items should have been costed for when agreeing the works and associated costs). Any works carried out as part of your riparian responsibilities and not specifically for Flood Risk Management reasons and

Cont/d..

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