



Havering
LONDON BOROUGH

Notice of Non-key Executive Decision

Subject Heading:	Acceptance of Environment Agency Funding for the South Rainham Flood Study 2025/2026 (iDec-667127149)
Decision Maker:	Imran Kazalbash Director of Environment
Cabinet Member:	Lead Member for Environment
SLT Lead:	Neil Stubbings Strategic Director, Place
Report Author and contact details:	Phil Greet Senior Engineer 01708 432937 FloodandWaterManagement @havering.gov.uk
Policy context:	People – Ensuring flood risk areas are investigated and flood management issues within Critical Drainage Areas (CDAs) are addressed for the residents of Havering. Havering Local Plan 2016-2031
Financial summary:	Request for and acceptance of external funding based on the Environment Agency (Risk Management Authority) estimate of £0.090m. Non acceptance of the grant would impact on the Councils ability to meet the requirements of managing flood risk.

Non-key Executive Decision

Relevant OSC:	Places
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

Non-key Executive Decision

The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents [x]

Place - A great place to live, work and enjoy [x]

Resources - A well run Council that delivers for People and Place.

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

For the reasons detailed in this report, the Director of Environment is recommended to agree:

1. To apply for £90,000 grant funding from the Environment Agency.
2. Where the grant application is successful, to accept and manage the grant, in accordance with the application and associated terms and conditions.
3. Subject to recommendations 1 and 2, to commence a tendering process via Team Matrix MM framework for the commission of the South Rainham Flood study, utilising the grant at the cost of £90,000.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

Scheme 3.3.3 - Powers common to all Strategic Directors

1. General

1.1 To take any steps, and take any decisions, necessary for the proper management and administration of their allocated directorate

4. Contracts

4.1 To approve commencement of a tendering process for all contracts below a total contract value £1,000,000

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5. Grants

5.1 To apply for, accept and thereafter spend / allocate any grant funding connected with their directorate provided that any match funding or residual liabilities can be met from the existing budget of the directorate. For the avoidance of doubt this delegation shall allow the acceptance of any grant offered / allocated to the Council without any application.

STATEMENT OF THE REASONS FOR THE DECISION

Non-key Executive Decision

To ensure the London Borough of Havering is fulfilling its duties as Lead Local Flood Authority in managing flood risk by investigating and flooding in critical drainage areas (CDAs)

The South Rainham area was identified as a Critical Drainage Area (CDA) in the 2011 drain London Surface Water Management Plan for Havering.

A Section 19 study has been carried out after a major flood event occurred in 2020, which resulted in the internal flooding of 35 properties.

As it was not considered possible to delineate one or several sources as a primary cause of flooding to the areas near Brookway, South Rainham, where considerable property flooding occurred, it was recommended that a separate investigation be undertaken. This investigation should aim to more fully understand flooding in the area and allow agreement of an updated, cross-agency Water Management Plan for the marshes and surrounding areas, including participation from Thames Water, Royal Society for Preservation of Birds, London Borough of Havering, Environment Agency & Network Rail. The plan should include agreed upon emergency response procedures in the event of predicted severe weather and will facilitate joint understanding of the overall hydrology mechanisms in the area and cooperation between the agencies towards preventative measures through joint management.

As a result of the recommendations set out in the Section 19 report, a request for external funding from the Environment Agency was made to allow further study works to be carried out.

Approval to request and spend external funding obtained from the Environment Agency to undertake South Rainham Flood Study is required, and it is recommended that approval be given so that work on the Study can proceed.

OTHER OPTIONS CONSIDERED AND REJECTED

The project was originally going to be carried out in partnership with the EA's consultant Jacobs, however they are no longer their default consultant.

PRE-DECISION CONSULTATION


Councillor Mugglestone is aware and supportive of proposals to undertake the South Rainham Study.

Non-key Executive Decision

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Phil Greet

Designation: Senior Engineer

Signature: 

Date: 03/03/2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a duty, as a lead local flood authority under Section 19 Flood and Water Management Act 2010. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate which risk management authorities have relevant flood risk management functions, and whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood. There is a duty for the authority that carries out the investigation to publish the results and notify any relevant risk management authorities.

The Council has the power to accept the grant and commence a tendering process under Section 111 of the Local Government Act 1972 which permits the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The Council also has a general power of competence under Section 1 of the Localism Act 2011 to do anything an individual can do, subject to any statutory constraints on the Council's powers. None of the constraints on the Council's Section 1 power are engaged by this decision.

The estimated contract value is £90,000.00, which is below the threshold for services under the Public Contracts Regulations 2015 (PCR). The contract is therefore not subject to the full PCR regime and does not need to be advertised on Find a Tender Service (FTS).

In accordance with paragraph 17.5 of the Council's Contracts Procedure Rules (CPR), all requirements for consultancy or professional services should be sourced via the approved framework and procured in accordance with that policy. The proposed procurement route satisfies this requirement. Officers must ensure they follow the framework process for selecting a supplier

The Council's legal department should review any relevant grant agreement prior to the Council entering into it.

For the reasons set out above, the Council may apply for and accept the grant funding, and subsequently commence the tendering process.

FINANCIAL IMPLICATIONS AND RISKS

After a major flood event in 2020, where 35 properties were flooded, The Environment Agency have offered Highways £0.090m towards the study and management of flood risk and drainage within Havering. Subject to the council agreeing and complying with the terms and condition of the grant agreement.

The grant must be used solely for the purpose set out in the grant offer letter relating to the management of flood risk.

Non-key Executive Decision

The grant offer is the maximum amount of contribution to be made by the Environment Agency, and this amount will not be increased as a result of any overspend.

Budget and contract monitoring will be regularly carried out by officers throughout delivery to ensure the project is completed within the approved grant allocation.

Highways will provide The Environment Agency at their request such information, explanations and documents as they may reasonably require in order to determine whether the conditions of the grant agreement have been complied with.

Failure to accept and spend the grant would have a detrimental impact on the council's ability to manage flood risk within the current £0.060m revenue budget, which will create an additional financial pressure within the service.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The officer time required to support the study can be delivered from within existing staff resources. Otherwise the recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Havering has a diverse community made up of many different groups and individuals. The Council values diversity and believes it essential to understand and include the different contributions, perspectives and experience that people from different backgrounds bring.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

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The Council demonstrates its commitment to the Equality Act in its decision-making processes, the provision, procurement and commissioning of its services, and employment practices concerning its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing of all Havering residents in respect of socio-economics and health determinants.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

Greater London, including Havering, continues to be exposed to far greater potential damage from flooding due to the fact that a significant proportion of London lies within the floodplain of the River Thames.

Whilst flood protection levels are presently good, the increased risk of flooding from climate change could lead to damage to buildings and property, disruption of Havering's drainage systems and transport networks.

The London Borough of Havering should continue to identify and introduce improved flood management processes and ensure they are balanced with developmental and regeneration needs, as part of Havering's ongoing responsibility to represent North East London Councils on the London Risk Advisory Group and North East London Flood Partnership Group¹⁴.

Continued close monitoring and recording of flooding issues across the borough ensures extreme climatic conditions and effects of climate change are factored into risk any future flood management projects.

BACKGROUND PAPERS

None

APPENDICIES

None

Non-key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed _____



Name: Imran Kazalbash
Director of Environment

Date: 12.05.2026

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____