

From: [Burnham-on-crouchTown Council](#)
To: _____
Subject: RE: Burnham Town Front Seating Area
Date: 23 June 2020 09:56:56
Attachments: [image001_one](#)
[image002_one](#)
[image003.png](#)
[image004.png](#)
[image005_one](#)

Good morning

Thank you for consulting Burnham Town Council. The content of your email has been noted.

Regards

Admin Assistant

This email (including any attachments) is intended only for the recipient(s) named above. It may contain confidential or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from your system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses. All communications sent to or from the Council may be subject to recording and monitoring in accordance with relevant legislation.

From: . @environment -agency.gov.uk>
Sent: 16 June 2020 11:23
To: Burnham-on-Crouch Town Council <office@burnhamtowncouncil.com>
Subject: Burnham Town Front Seating Area

Good morning

I wanted to provide you an update following our email to you in March (copy attached) regarding the public safety adjacent to one of the seating areas on Burnham Town Front.

We have now finalised a design for kee-klamp to be positioned on top of the brick work and I attach a basic sketch and annotation showing this. This design ensures the kee-klamp can be fixed as securely as possible to the brick, maximising its stability and therefore public safety. The kee-klamp will be in a black enamel to improve its aesthetics compared with the standard bare steel.

The works are likely to take 5 days and we would need to block off the seating area whilst these works are undertaken and propose we erect heras fencing around the seating area to isolate the working area. We would also erecting fact sheets on the fencing so the public understand what we are doing. I would be grateful if you could let me know if you are happy for us to proceed on this basis.

Given current lead times for ordering materials is much longer than normal, I would be grateful if you are able to come back to me by next week so we can place the order for materials as soon as possible. After which I can keep you updated with then we have proposed dates for the works.

I look forward to hearing from you and I am more than happy to discuss what we are proposing with you in more detail, with my contact details below.

Kind regards

FCRM Catchment Lead | Asset Performance (South Essex)

Environment Agency | Rivers House, Brook End Road South, Chelmsford, CM2 6NZ

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Planning - Burnham-on-Crouch Town Council

From: Burnham-on - Crouch Town Council
Sent: 16 June 2020 11:31
To: Cllr. ;
Subject: FW: Burnham Town Front Seating Area
Attachments: 20.03.09 Email to Cllr .pdf; Burnham Seating Area Kee-Klamp Annotated.pdf; IMG_0021Jpg; Burnham Seating Area Kee-KlampJpg

Please see attached email with attachments.

Thanks

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Planning - Burnham-on-Crouch Town Council

From: Burnham -on -Crouch Town Council
Sent: 23 June 2020 09:57
To:
Subject: RE: Burnham Town Front Seating Area

Good morning

Thank you for consulting Burnham Town Council. The content of your email has been noted.

Regards

Admin Assistant

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From environment-agency.gov.uk>
Sent: 16 June 2020 11:23
To: Burnham-on-Crouch Town Council
Subject: Burnham Town Front Seating Area

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Environment Agency | Rivers House, Brook End Road South, Chelmsford, CM2 6NZ



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PUBLIC SAFETY RISK ASSESSMENT (PSRA) Site Assessment Form v2

Site Name

Burnham Town Front

Lead Function	FCRM	AIMS Asset ID	472479
Asset Manager (Org String) *	Ang - Estn - FCRM Ops Essex	Data Owner Asset Reference	01020063482
Owner		Alternative Asset Reference	
Operator	Ang - Estn - FCRM Ops Essex - Field Chelmer & Blackwater	National Grid Reference (NGR)	TQ9602495330
Maintainer	Ang - Estn - FCRM Ops Essex	Existing Underlying Risk	High
Watercourse *	crouch	New Underlying Risk	High 20
Location	Burnham on Crouch		
Description	complex flood defence through Burnham town front.		
Site Comments	<p>Many Keep off wall signs attached to the flood defence throughout the entire length of the defence wall. Many floodgates within defence wall are not in use and are closed and locked. All floodgates have a sign no12(do not climb) attached. Floodgates that are in use provide access to private yacht club pontoons and private boat yards.</p> <p>The Burnham on crouch town council seating area and their accesses pose a risk to public safety. The seating area lowers the height of the tidal defence structure and provides easy access for children to climb onto the defence crest. This has been witnessed by myself and Two other colleagues on two separate occasions. There is a significant drop onto rock revetment/concrete and into water on the seaward side. The environment agency have placed temporary measures in place at these points by means of signage. Signage includes the warnings, (keep off wall) and (sudden drop). I would strongly recommend that a more permanent measure is put in place in these areas such as i.e, key klamp rail.</p> <p>There is also a low section of wall with a significant drop at the crouch yacht club end of the defence. The environment agency have fitted (KEEP OFF WALL) sign Burnham town council have been informed in writing of the Environment agencies findings to the defence wall.</p>		

Name of Assessor

Assessment Date

21/3/2019

Guidance: An Asset Manager formally identified for each site. They are responsible for: co-ordination of all authorised activities on site; striking a balance between the risks and making the best use of the asset; the risk assessment process including ensuring Risk Assessments are carried out by competent person(s); ensuring control measures are put into place; prioritising action plans; monitoring progress and reviewing risk assessments for the asset.	
Site Hazard / Description	Risk on the basis that no control measures are in place
Existing Control Measures	Risk based on existing measures are in place
Control Measures Needed	Risk based on recommended control measures being implemented
Underlying Risk Rating	This is the highest level of (underlying risk identified in sections 1 or 2.
Change in Circumstances	Factors contributing to the risk need to be monitored for change (e.g. new schools, parks etc. within the vicinity), and that the control measures are still suitable.

Risk Matrix						
Likelihood	likelihood					
		1	2	3	4	5
	1	1	2	3	4	5
	2	2	4	6	8	10
	3	3	6	9	12	15
	4	4	8	12	16	20
	5	5	10	15	20	25

Definitions:		
Score	Severity	Likelihood
1	Minor Injury	Very Unlikely
2	First Aid Required	Unlikely
3	Serious (3-day)	Likely
4	Major (Requires Hospital)	Very likely
5	Fatal	Almost Certain
Overall Risk Score:		
1-5 LOW	6-10 MEDIUM	11-25 HIGH

1.0	SITE RISK FACTORS	DESCRIPTION
1.1	Location <i>Proximity of schools, parks, footpaths, recreational facilities.</i>	Local town, shops, hotels, public houses, boat yards, cafes, recreation ground, Yacht clubs.
1.2	Type and level of activity [based on local knowledge] <i>What type and how much activity occurs in or adjacent to the water, e.g. angling, watersports, boating etc?</i>	This area is extremely busy throughout the most of the year. The summer months sees visitors in abundance. Walkers on footpath regularly. Visitors pass through the floodgates to access private pontoons or cafe seating areas. There is two raised local authority owned seating areas adjacent to the defence.
1.3	Evidence of people entering the water <i>What type and how much activity occurs in or adjacent to the water, e.g. angling, watersports, boating etc?</i>	No evidence of people entering the water from the flood defence wall. The floodgates within the wall itself provide access to private pontoons where water activities take place.
1.4	Existing land access <i>Do the public have access onto or through the site e.g. footpaths, other owners. Are existing land access controls present? Do they reduce risk of entering water or do they pose additional hazard to those in or on the water?</i>	No land access controls in place. public footpath adjacent to defence wall.

2.0	SITE HAZARDS (Land Accessed)	Underlying Risk			Existing Control Measures	Current Risk			Measures Needed	Residual Risk		
2.1	Vertical drops and slopes <i>Slipping or walking / falling off edges / ardown slopes / banks etc</i>	5	4	20	Signs 12 (KEEP OFF WALL) placed at every access to the defence and also at further intervals along the wall. (SUDDEN DROP) signage placed at seating area. Do not Climb signs placed at all floodgates along defence wall. Key klamp and mesh infill, do not climb sign egde protection in place at footpath ramp .	5	2	10	Edge protection required on low sections of wall at the location of the local authority seating area.	5	1	5
2.2	Uneven ground/floor <i>Danger of tripping e.g. loose/ uneven floor, ng protruding obstacles etc</i>				N/A No trip hazards on site. Local authority maintained				No measures requi red			
2.3	Traps and confined spaces <i>What kind? e.g. Deep mud / bogs, chambers, manholes, self-lacking doors / hatches etc</i>				N/A No confined spaces on site				No measures required			
2.4	Trees <i>Danger of being hit by fallen tree/ branch, or vehicle hitting a fallen tree/ branch</i>				N/A No trees on site				No measures required			

PUBLIC SAFETY RISK ASSESSMENT (Public Safety Assessment Form v2)

2.5	Moving parts <i>Adequately guarded e.g. mechanical electrical, gravity flywheels, automatically operated.</i>				No moving parts on site.				No measures required.			
2.6	Electricity <i>Danger of electrocution e.g. exposed wires, damaged casings, overhead power lines</i>				N/A No power source on site				No measures required			
2.7	Deep/fast flowing water around/through structure <i>Danger of drowning e.g. weir, flooded area, wide well, water filled pit etc</i>				N/A No fast flowing water				No measures required			
2.8	Combustible materials <i>Fire risk e.g. petrol, chemical build up of waste materials etc</i>				N/A No combustibles on site				No measures required			
2.9	Storage <i>Collapse of items or storage system. e.g. uneven, too high, space constraints etc</i>				N/A No storage on site				No measures required			
2.10	Other Land Accessed Hazard Low sections of wall at local authority seating area.	5	4	20	Ea has put temporary measures in place i.e signage, (keep off wall) (sudden drop) at the seating areas.	5	3	15	Recommend edge protection on the low sections of wall .	5	1	5

3.0	SITE HAZARDS (Water Accessed / Recreational Accessed)	Underlying Risk			Existing Control Measures	Current Risk			Measures Needed	Residual Risk		
3.1	Deep water/ mud <i>Drowning unable to exit water etc</i>	5	2	10	Various private pontoons and open floodgates for egress from the water	5	1	5	No further measures required.	5	1	5
3.2	Underwater structure <i>Drowning or serious injury when in contact with submerged structure</i>				N/A No under water structures				No measures required			
3.3	low bridge <i>Struck by low structure</i>				N/A No bridges on site				No measures required			
3.4	Steep sides <i>Unable to exit water, risk of drowning etc</i>	5	2	10	Various private pontoons and open floodgates provide egress from the water	5	1	5	No further measures required	5	1	5
3.5	Turbulent water <i>Risk of drowning when cropped in turbulent flow caused by structure (also known as a hydraulic jump)</i>				N/A No turbulent water				No measures required			

PUBLIC SAFETY RISK ASSESS, r,1... (0 S t | s.tr.> Assessment Form v2

3.6	High Freeboard <i>Unable to exit water, risk of drowning</i>	5	2	10	Various private pontoons and open floodgates provide egress from the water	5	1	5	No further measures required	5	1	5
3.7	Cross-river structure <i>Causing significant risk to those in or on the water</i>				N/A No cross river structures				No measures required			
3.8	Water quality <i>Contaminated water or mud, risk of poisoning or disease</i>				N/A Water constantly moving				No measures required			
3.9	Sudden change in water level <i>Risk of drowning in deep or turbulent water</i>				N/A No sudden change in levels. Tide rises and recedes steadily				No measures required			
3.10	Other Water or Recreational Accessed Hazard				No other observed hazards at the time of this assessment.				N/A			

4.0

**SITE PLAN / SKETCH / PHOTOGRAPHS/
Site Information Sign Appendix**

This box should be used to identify the required control measures. For Flood and Coastal Risk Management structures include the plan from AJMS: Inventory, otherwise a hand-drawn sketch. Use photographs to clarify the hazard risk or proposed work.

PHOTOS. 1 to 36.

No 1, key klamp edge protection and no3 decal.

No 2, missing keep off wall sign.

No 3, concrete cill trip hazard

No 4,8,11,17,24,33,34. Keep off wall signs.

No 5,6,7,12,13,28, Foot path / berm .

No 10, mesh infill and keep off wall sign.

No 14, concrete block low point and (sudden drop, keep off wall) signage.

No 16,17,18,19, 21,24,25. Low sections of wall at seating areas.

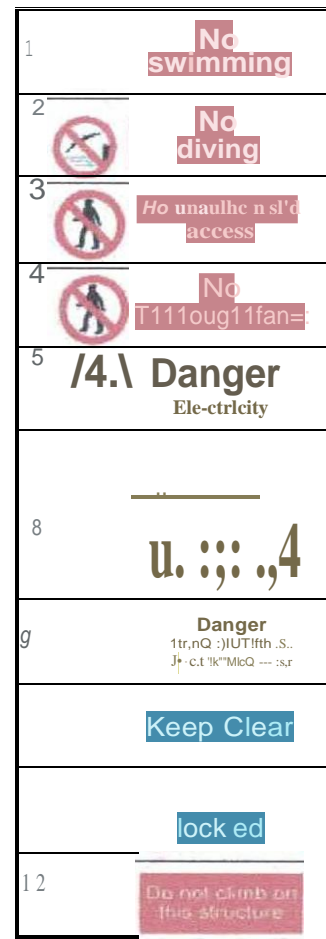
No 14, 15, 18, 22 24,27, (keep off wall) and (sudden drop signage) around the seating areas.

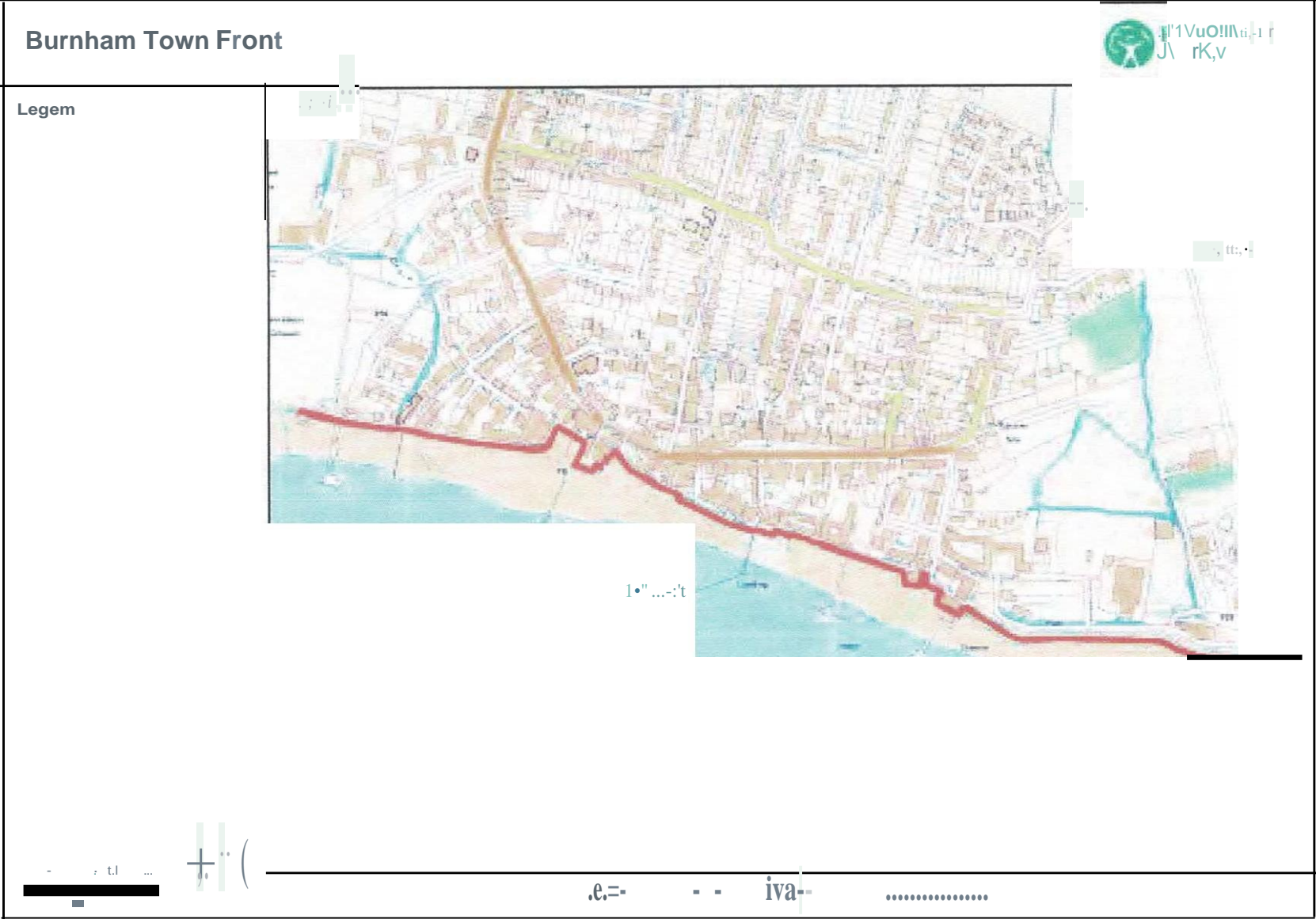
No 31,35,36, low section of wall at crouch yacht club end of defence.

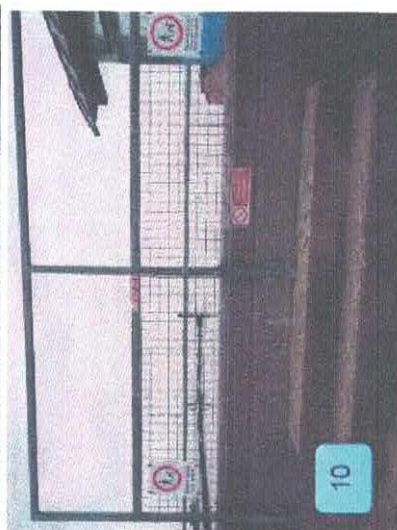
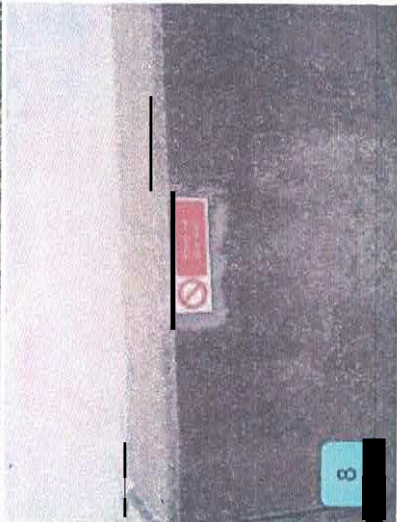
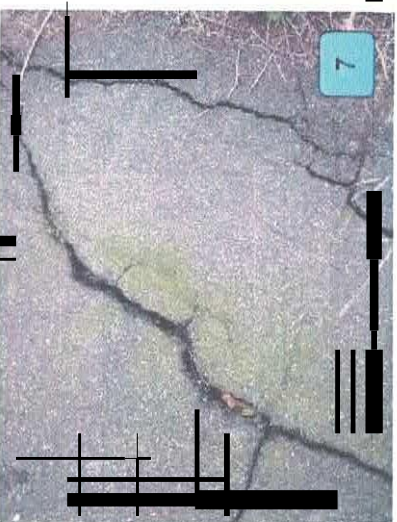
No 32,33,34, key klamp edge protection with mesh infill and do not climb sign.

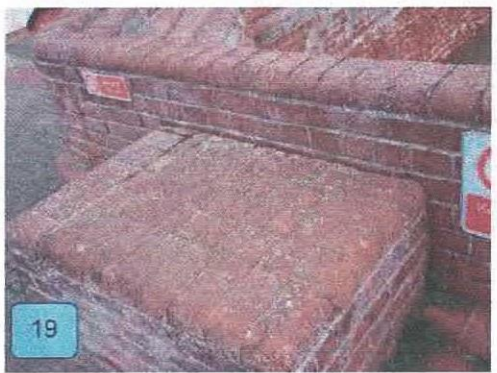
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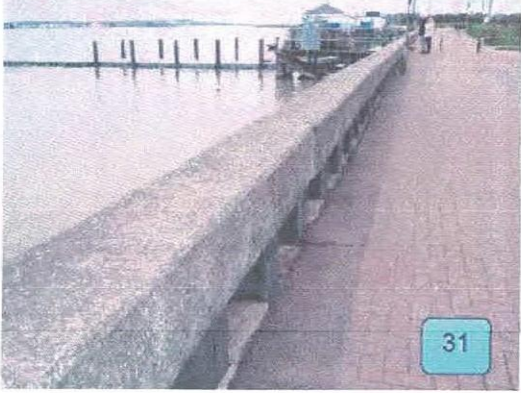
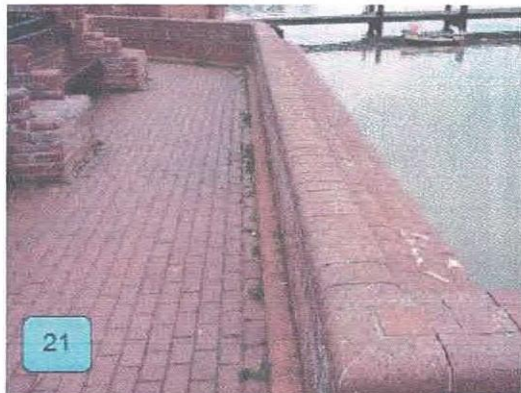
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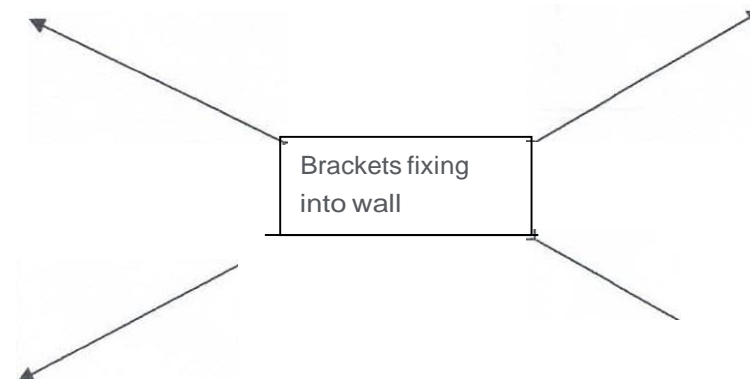
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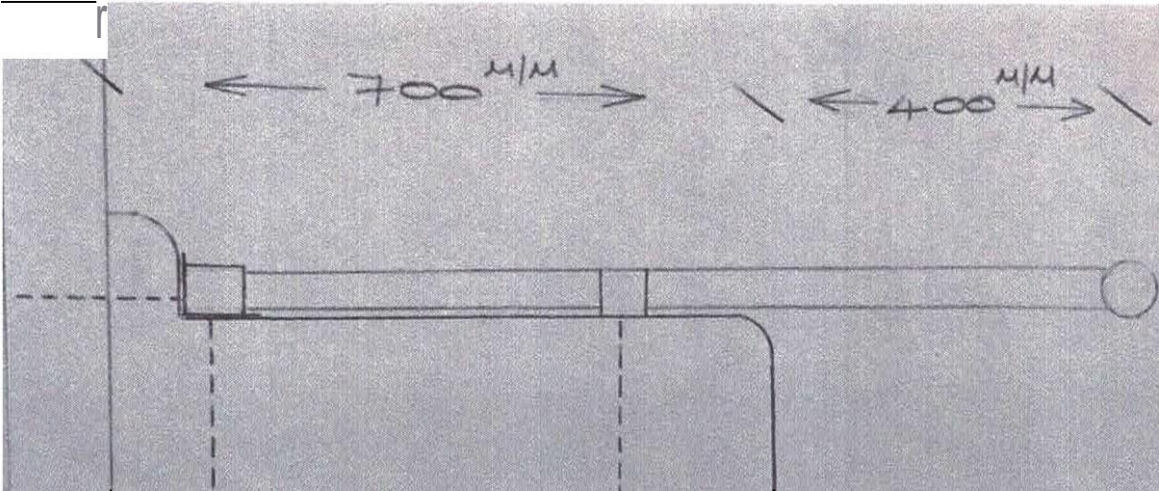
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Black Enamel Finish_____

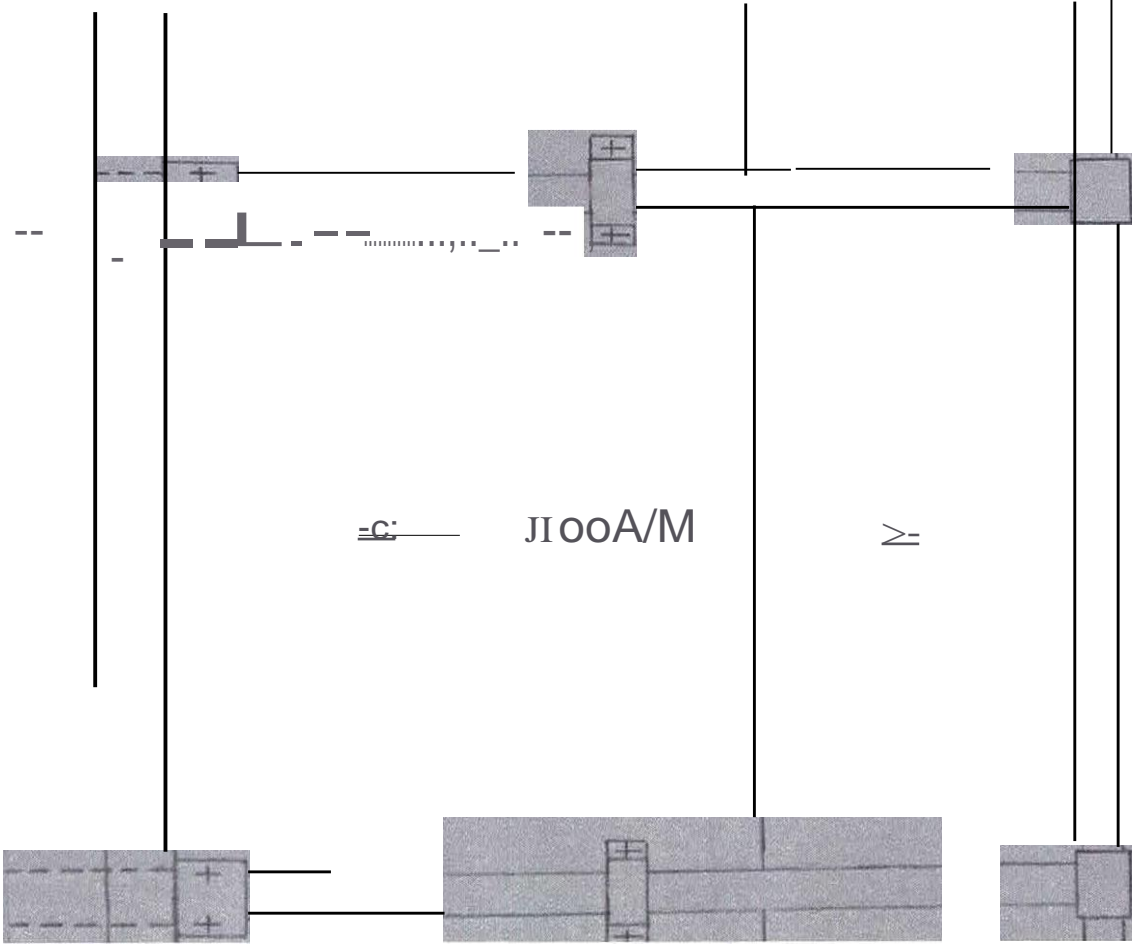


Bullnose Capping Course





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EssexOperations

From: Burnham-on-Crouch Town Council <office@burnhamtowncouncil.com>
Sent: 19 January 2021 12:00
To: EssexOperations
Subject: RE: Burnham Town Front Seating Area - installation of kee klamp

Good morning,

Thank you for your email. Just to let you know I have forwarded it to our temporary Town Clerk, our
Town Mayor, and our Deputy Town Mayor One of them will hopefully
reply to you soon.

Thanks again.
Stay safe.

Admin Assistant

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From: EssexOperations <EssexOperations@environment-agency.gov.uk>
Sent: 19 January 2021 11:53
To: Burnham-on-Crouch Town Council <office@burnhamtowncouncil.com >
Subject: Burnham Town Front Seating Area - installation of kee klamp
Importance: High

Good morning

I am writing to provide you with an update following our previous correspondence in July regarding the public safety adjacent to the seating areas on the attached map.

We are planning to start the installation of the kee-klamp on top of the brick work from Monday 25th January 2021. We will be blocking off the seating area whilst these works are undertaken and will erect heras fencing around the seating area to isolate the working area. We will also be erecting fact sheets so the public understand what we are doing.

If you would like any more information or have any questions, please do not hesitate to contact us.

Kind regards

CatchmentLead, Asset Performance Essex - Blackwater
Environment Agency | Chelmsford Office, Brook End Road, Chelmsford, Essex, CM2 6NZ

Essex.Operations@environment-agency.gov.uk

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Location plan - Burnham Seating Area



Key:

D

Access route to load/unload

Working area

Herras to prevent public

Kee-Klamp Install

Emergency meeting point:

Shore Road, Burnham, CMO SAT

Planning - Burnham-on-Crouch Town Council

From: Burnham-on -Crouch Town Council
Sent: 25 January 2021 11:42
To: Planning
Subject: FW: Burnham Town Front Seating Area - installation of kee klamp
Attachments: Location map.pdf

Importance: High

Just to keep you in the loop

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From: EssexOperations <Essex.Operations@environment -agency.gov.uk>
Sent: 19 January 2021 11:53
To: Burnham-on-Crouch Town Council <office@burnhamtowncouncil.com>
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Importance: High

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Kind regards

Catchment Lead, Asset Performance Essex - Blackwater
Environment Agency | Chelmsford Office, Brook End Road, Chelmsford, Essex, CM2 6NZ

Essex.Operations@environment -agency.gov.uk

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or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.

Planning - Burnham-on-Crouch Town Council

From: Cllr
Sent: 22 February 2021 22:19
To: Burnham-on -Crouch Town Council;
Subject: FW: Burnham Town Front Seating Area - Correspondence
Attachments: FW: Burnham Town Front Seating Area; Burnham Seating Area Kee-Klamp Annotated.pdf; IMG_0021.jpg; Burnham Seating Area Kee-KlampJpg

Dear All

This is important as the EA has taken the acknowledgement email of receipt as approval!! This is NOT the case.

This communication is intended for use of the addressee(s) and may contain legally privileged and confidential information. If you are not the addressee you are notified that any transmission, distribution or replication of this message is strictly prohibited. The legal privilege and confidentiality attached to this email and its contents is not waived, lost or destroyed by reason of mistaken delivery to you. If you have received this message in error, please permanently delete the email from your system.

Email transmission cannot be guaranteed to be secure or error free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message which arise as a result of email transmission.

From: EssexOperations [mailto:Essex.Operations@environment-agency.gov.uk]
Sent: 22 February 2021 16:32
To: Burnham-on-Crouch Town Council
Cc: Cllr
Subject: Burnham Town Front Seating Area - Correspondence

Good afternoon

Further to my conversation with Cllr Stamp, please find attached correspondence regarding the installation of kee-klamp, including confirmation email from Burnham Town Council.

I have also attached the original attachments from the email I sent on 16th June, detailing the design.

Kind regards

FCRM Catchment Lead | Asset Performance (South Essex)
Environment Agency | Rivers House, Brook End Road South, Chelmsford, CM2 6NZ



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Planning - Burnham-on-Crouch Town Council

From: EssexOperations <Essex.Operations@environment-agency.gov.uk>
Sent: 22 February 2021 16:32
To: Burnham-on-Crouch Town Council
Cc: Cllr
Subject: Burnham Town Front Seating Area - Correspondence
Attachments: FW: Burnham Town Front Seating Area; Burnham Seating Area Kee-Klamp Annotated.pdf; IMG_0021Jpg; Burnham Seating Area Kee-Klamp.jpg

Good afternoon

Further to my conversation with Cllr , please find attached correspondence regarding the installation of kee-klamp, including confirmation email from Burnham Town Council.

I have also attached the original attachments from the email I sent on 16th June, detailing the design.

Kind regards

FCRM Catchment Lead | Asset Performance (South Essex)
Environment Agency | Rivers House, Brook End Road South, Chelmsford, CM2 6NZ



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Burnham Town Council
office@burnhamtowncouncil.com

Our ref: FR/04/S051-472479
Date: 25 February 2021

Dear Burnham Town Council

Kee-klamp Railings at Burnham-on-Crouch

I write to you regarding the recent installation of the kee-klamp safety railings we have installed along Burnham Town Front.

Following complaints we have received from members of the public regarding this installation, we wanted to clarify our position alongside providing you with background information and context.

We undertake routine public safety inspections of all the assets we maintain. Following a number of observations of children climbing on the tidal defence in front of the raised seating area, we identified the structure as being a public safety risk.

Risk assessment is dynamic and it changes over time depending on observation and knowledge giving us new information. In this case it may not have been an identified risk for a number of years but human behaviour and interaction with the environment changes over time and this is an example of new information identifying a safety risk.

The edge protection of the existing wall due to the raised platforms was of a concerning height. The introduction of the railings raises the edge protection height.

We notified Burnham Town Council raising our concerns and advising they take appropriate action in 2018, however they stated they did not believe they own the structure. We did not wish to leave a public safety risk unaddressed and therefore as we maintain this flood defence asset we took the decision to act to minimise the safety risk and as a temporary safety measure we installed warning signs.

In March 2020 we sent a letter to a councillor at Burnham Town Council stating although we do not own the area, we can use our permissive powers to provide a more permanent safety measure.

Consequently kee-klamp railing has been installed, which is a recognised public safety structure providing edge protection and is not a solid structure that might prevent the view from the seating area altogether. We considered black enamel was preferable to improve the aesthetics compared to the standard bare steel rails.

In June 2020 we sent an email to Burnham Town Council detailing the work we planned to undertake, including a description and sketch of the kee-klamp railing design. We asked the council if they were happy for us to proceed and whether they needed more detail. The council responded with written acknowledgement of the design and did not raise any concerns or requirement of any further information. We assumed the Town Council to be representing and notifying the local residents on the matter.

In January 2021 we provided Burnham Town Council with a date that we would start the works.

Based on our correspondence with you in 2020 and 2021, we therefore had an understanding that the Town Council were in agreement with our work and were not aware of there being any outstanding objections.

It is not our intention to create difficulties within the local community, however our priority is to address the risk to public safety.

Please let me know if you would like copies of the correspondence I refer to above.

I hope this has provided you with the information you require for any internal discussions you may have. Thank you for the invitation to attend a council meeting, but in this instance we will be declining the invitation. If you require any further information prior to your discussions or subsequently then please contact us.

Yours faithfully

Team Leader - Asset Performance - Blackwater Team - Essex

Essex.Operations@environment-agency.gov.uk

Planning - Burnham-on-Crouch Town Council

From: Cllr
Sent: 26 February 2021 10:54
To: Burnham-on-Crouch Town Council; Cllr.

Cc:
Subject: RE: Kee-klamp Railings at Burnham-on-Crouch

Hi

I didn't see email in Jan but makes sense why contacted the conservation officer. I still can't believe he didn't do anything as the work hadn't even started.

I did not receive one reply from councillors back in June when the email was sent out as ASAP and I stepped down shortly after that as Mayor. Obviously it feels through the cracks of new mayor etc. My view is we can't stop the railings going up but we can try and get them to change them into 'more in keeping' with the conservation area.

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From: Burnham-on-Crouch Town Council
Sent: 26 February 2021 10:28
To: Cllr

Cc: Accounts
Subject: FW: Kee-klamp Railings at Burnham-on-Crouch
Importance: High

Good morning,

Please see email below and letter attached. I will not reply to their email as I'm sure one of you will want to.

Thanks

This email (including any attachments) is intended only for the recipient(s) named above. It may contain confidential or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from your system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses. All communications sent to or from the Council may be subject to recording and monitoring in accordance with relevant legislation.

From: EssexOperations <Essex.Operations@environment-agency.gov.uk>
Sent: 25 February 2021 15:59
To: Burnham-on-Crouch Town Council <office@burnhamtowncouncil.com>
Subject: Kee-klamp Railings at Burnham-on-Crouch

Good afternoon

Please find attached a letter for the attention of Burnham Town Council

Regards

Essex Operations

Essex Asset Performance

Environment Agency | Rivers House, Brook End Road, Chelmsford, Essex, CM2 6NZ

Essex.Operations@environment-agency.gov.uk

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Planning - Burnham-on-Crouch Town Council

From: Cllr
Sent: 02 March 2021 15:53
To: Essex.Operations@environment-agency.gov.uk
Cc: Burnham -on -Crouch Town Council;
Subject: Confirmation emails

Dear

Thank you for this, the main reason for asking for copies of all correspondence was to ascertain exactly when Burnham Town Council AGREED to the railings and the design as claimed in the letter dated 25th February 21

I cannot see anywhere that BTC did agree to the above.

Kind Regards

Cllr

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Planning - Burnham-on-Crouch Town Council

From: EssexOperations <Essex.operations@environment-agency.gov.uk>
Sent: 02 March 2021 12:57
To: Burnham -on -Crouch Town Council
Subject: Burnham Town Council Correspondence
Attachments: 20.06.23 BTC confirmation of works.pdf; 20.03.09 Email to Cllr .pdf;
20.03.09 Attachment in Email to Cllr .pdf; Burnham Seating Area Kee-Klam p
Annotated.pdf; IMG_0021.jpg; Burnham Seating Area Kee-KlampJpg; 21.01.19
Reply from Burnham Town Council.pdf

Good afternoon

Further to your conversation with my colleague Andrew Calcutt, please find attached correspondence regarding the recently installed railings at Burnham.

For clarity, these documents are detailed below. Please note the PDFs are named with the date first in the order of year, month, day.

March 2020

- 20.03.09 Email to Cllr
Attachments to this email:
 - o 20.03.09 Attachment in Email to Cllr

June 2020

- Design Burnham Council & BTC confirmation of works
Attachments to our email:
 - o Burnham Seating Area Kee-Klamp Annotated
 - o IMG_0021
 - o Burnham Seating Area Kee-Klamp

January 2021

- Confirmation of Kee-Klamp Installation to Burnham Town Council & reply

Please let me know if you have any further queries.

Regards

FCRM Catchment Lead | Asset Performance (South Essex)
Environment Agency | Rivers House, Brook End Road South, Chelmsford, CM2 6NZ



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Councillor Ron Pratt C.C. Town Mayor
Town Mayor

Sarah Grimes, Town Clerk
Telephone: 01621 783 426
email: office@burnhamtowncouncil.com

Council Offices

Chapel Road
BURNHAM-ON-CROUCH
Essex
CMO 8JA

Environmental Agency

March 2021

Dear

At the last Burnham on Crouch Town Council meeting, I was asked to write to you to place on record the disappointment with the design and approach of the Environment Agency when placing the Kee-Klamp on the sea wall at Burnham on Crouch

Burnham Residents are not happy with the installation, whilst the email received from the Environment Agency was "**NOTED**" by Burnham Town Council, the acknowledgment sent from Burnham Town Council did not equate to consultation or acceptance of works to be carried out.

I have been asked that the Environment Agency provide the paper trail to support their claim of Burnham Town Council's support, as to date, this has not been received.

Correspondence was exchanged with the Conservation Officer at Maldon District Council and the Environment Agency following public safety concerns. Burnham Town Council were consulted and approved the railings design on the understanding that the railings would be placed on top of the wall. Following investigation by EA the wall was deemed not strong enough for the railings to go on top,. This investigation report was not given to Burnham Town Council.

The Town Council also ask why, if the railings need to be placed on the sea wall for Health & safety reasons, then can't the railings be put on the other side of the wall?

In the light of this problem may the Town Council please ask that a proposal to look for an alternative railing design with input from Maldon District Council Conservation Officer and Burnham Town Council be considered.

This part of the sea wall is in a Conservation Area and had a homeowner carried out such works of this nature, they would be in serious trouble.

Furthermore, by placing the railings where they are it now causes an increased Health and Safety issue by installing these railings.

The Town Council agrees that the following information,

- An email was received on 9/3/2020 detailing permissive powers under Health and Safety.
- 16/6/2020 A Risk Assessment was sent to Burnham Town Council, this was noted by Burnham Town Council, a further email was received January 2021.

I look forward to your response

Temporary Town Clerk

EssexOperations

From: EssexOperations
Sent: 09 March 2020 10:02
To: cllrw @burnhamtowncouncil.corn
Cc: office @burnhamtowncouncil .com
Subject: Handrail installation at Burnham-on-Crouch seating areaBurnham
Attachments: town front.pdf

Dear Cllr ,

Thank you for your email dated 4 March 2020 regarding the ownership of the quay area in Burnham-on-Crouch and the installation of a handrail on the tidal defences there.

I can confirm that it is not us but the Local Authority who own this area. Under the Water Resources Act 1991 and the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010) the Environment Agency is granted a number of powers to require certain works to be undertaken by riparian owners and also to undertake its own works in relation to its flood risk management function on designated Main River watercourses. The powers for the Environment Agency to undertake work to assist the landowner are however discretionary, a "permissive" in nature and the Environment Agency has no duty to undertake such works, nor to maintain or repair works once constructed.

We are planning to use these permissive powers to undertake Health and Safety works on the tidal flood defences along the quay in Burnham-on-Crouch as highlighted by a Public Safety Risk Assessment we have had carried out which is attached to this email.

I hope this answers your questions,

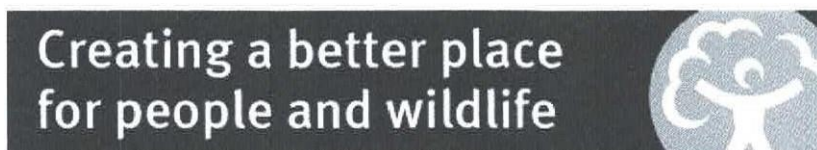
Essex Operations

Essex Operations

Essex Asset Performance

Environment Agency | Rivers House, Brook End Road, Chelmsford, Essex, CM2 6NZ

Essex.Operations@environment-agency.gov.uk



Planning - Burnham-on-Crouch Town Council

From: Area Manager Correspondence, East Anglia
<AreaManagerCorrespondence.EastAnglia@environment-agency.gov.uk>
Sent: 15 March 2021 12:52
To: Planning - Burnham -on -Crouch Town Council
Subject: Automatic Acknowledgement

Dear Sir/Madam

Thank you for contacting Area Manager Correspondence, East Anglia.

Please note that our reply may be delayed due to the national situation in respect of the coronavirus (COVID-19) pandemic, which is challenging for everyone at the moment. Your request is important to us and we are working hard to provide responses to all of our customers.

To report an incident please phone our Freephone 24 hour incident hotline on 0800 80 70 60.

For further information on what you can expect from us and our full service commitment to you, please click this link: <https://www.gov.uk/government/publications/environment-agency-customer-service-commitment>

Thank you for your patience.

Area Manager Correspondence, East Anglia

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Planning - Burnham-on-Crouch Town Council

From: Area Manager Correspondence, East Anglia
<AreaManagerCorrespondence.EastAnglia@environment-agency.gov.uk>15
Sent: March 2021 13:22
To: Planning - Burnham -on -Crouch Town Council
Subject: RE: AMC/2021/12646 Sea Wall Railings

Dear

Thank you for your email of 15 March 2021. Please note that [redacted] has left the Environment Agency, so your original email would not have been received.

We take all complaints very seriously and I am sorry to hear you are not happy about the railings installed along part of Burnham-on-Crouch, Essex frontage.

I have passed this on to the Essex Operation team, who are the best people to look into it.

They will contact you by 29 March 2021.

Please note that our reply may be delayed due to the national situation in respect of the coronavirus {COVID-19} pandemic, which is challenging for everyone at the moment. Your request is important to us and we are working hard to provide responses to all of our customers.

Further details concerning the Environment Agency's complaints procedure and service commitment standards are available on our website at: [https:// www.gov.uk/government/ organisations/ environment - agency/ about/ complaint s-procedure](https://www.gov.uk/government/organisations/environment-agency/about/complaints-procedure)

Kind Regards

Customers & Engagement Officer
Customers & Engag ement Team
East Anglia Area

WExternal Tel: 02030 251938

[areamanagercorrespondence.east_anglia@envir onment -agency.gov.uk](mailto:areamanagercorrespondence.east_anglia@environment-agency.gov.uk)

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From: Burnham-on-Crouch Town Council [mailto:planning@burnhamtowncouncil.com]
Sent: 15 March 2021 12:52
To: Area Manager Correspondence, East Anglia <AreaManagerCorrespondence.East Anglia@environment-agency.gov.uk>
Subject: AMC/2021/12646 Sea Wall Railings

Good afternoon

This is the second email I have sent to yourselves regarding the railings that have been erected on the Burnham on Crouch sea wall

The letter, which is attached, was directed to Mr but he has not replied to the letter.

Can you please let me have the Agencies response to this letter of complaint ASAP?

Much appreciated

Speak with you soon

Regards and thank you

Temporary Town Clerk for Burnham on Crouch Town Council

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Planning - Burnham-on-Crouch Town Council

From: EssexOperations <Essex.Operations@environment-agency.gov.uk >
Sent: 15 March 2021 09:14
To: Cllr
Cc: Burnham-on-Crouch Town Council;
Subject: RE: AMC/2021/10200 Confirmation emails

Dear Cllr

Thank you for your email of 2 March 2021 and your queries over the wording in our previous correspondence.

Whilst the work we undertook did not require any consents or formal approval, we contacted Burnham Town Council in June 2020 to bring it to your attention and provide you the opportunity to comment. In that correspondence we described the design, including providing sketches, and that we would be happy to discuss the works in more detail. We requested we would like a response so that we could then purchase the materials.

The response we received on 23 June 2020 thanked us for the consultation, did not detail any objections or follow up queries. Additionally given that we had highlighted we would be purchasing materials following their response, this gave us no reason to believe that Burnham Town Council had any of the concerns now being raised.

We would also like to make you aware that we intend to amend the signage on the seawall to include that children must be supervised at all times.

I hope that helps clarify our position where we felt we had provided the opportunity for discussion before works commenced.

Kind regards

FCRM Catchment Lead | Asset Performance (South Essex)
Environment Agency | Rivers House, Brook End Road South, Chelmsford, CM2 6NZ



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From: Cllr [mailto: @burnhamtowncouncil.com]
Sent: 02 March 2021 15:53
To: EssexOperations <Essex.Operations@environment-agency.gov.uk>
Cc: Burnham-on-Crouch Town Council <office@burnhamtowncouncil.com>;
Subject: Confirmation emails

Dear

Thank you for this, the main reason for asking for copies of all correspondence was to ascertain exactly when Burnham Town Council AGREED to the railings and the design as claimed in the letter dated 25th February 21 by

I cannot see anywhere that BTC did agree to the above.

Kind Regards

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Planning - Burnham-on-Crouch Town Council

From: EssexOperations <Essex.Op erations@environment-agency.gov.u k>
Sent: 29 March 2021 13:01
To: Burnham -on-Crouch Town Council
Subject: AMC/2021/12646 Sea Wall Railings

Dear

Thank you for your email of 15 March 2021 on behalf of Burnham on Crouch Town Council. I have responded to each of your concerns below:

- 1. Burnham Residents are not happy with the installation, whilst the email received from the Environment Agency was "NOTED" by Burnham Town Council, the acknowledgment sent from Burnham Town Council did not equate to consultation or acceptance of works to be carried out. I have been asked that the Environment Agency provide the paper trail to support their claim of Burnham Town Council's support, as to date, this has not been received.**

This information has been provided in our emails sent to on 2 March 2021 and 15 March 2021.
- 2. Burnham Town Council were consulted and approved the railings design on the understanding that the railings would be placed on top of the wall. Following investigation by EA the wall was deemed not strong enough for the railings to go on top,. This investigation report was not given to Burnham Town Council.**

Our email to office@burnhamtowncouncil.com on 23 June 2020 included drawings showing the finalised design for the Kee-Klamp railings. This shows that the Kee-Klamp railings were to be placed on the landward side of the seawall.
- 3. The Town Council also ask why, if the railings need to be placed on the sea wall for Health & safety reasons, then can't the railings be put on the other side of the wall?**

For the same reasons that the Kee-Klamp railings could not be placed on top of the seawall, it could not be placed on the seaward side of the seawall due to stability.
- 4. In the light of this problem may the Town Council please ask that a proposal to look for an alternative railing design with input from Maldon District Council Conservation Officer and Burnham Town Council be considered.**

I would highlight that we did consider aesthetics and chose black enamel railings to match what is already there. We have also been in correspondence with Burnham Town Council multiple times in the last year and in particular June 2020, when we provided drawings and a description of what we were proposing to install. We invited the Town Council's comments and response before we ordered materials. However, we would welcome suggestions for a low cost alternative design.
- 5. Furthermore by placing the railings where they are it now causes an increased Health and Safety issue by installing these railings.**

Kee-Klamp railings are a recognised public safety measure which provide edge protection. In addition to this, there is signage in place advising the public to keep off the wall and of the sudden drop beyond the sea wall. As stated in our previous email correspondence with Burnham Town Council, we intend to amend the signage to include that children must be supervised at all times. These public safety measures have been considered appropriate by our public safety risk assessor. We have since had the location peer reviewed independently by two other assessors and they are in agreement with the measures we have installed.

Please do respond to the following email address to ensure it is picked up: Essex.Operations@environment-agency.gov.uk. Additionally, where we have received multiple correspondence from different individuals within Burnham Town Council, we would kindly ask if your correspondence are tied up together. This will hopefully avoid repeating information and messages overlapping with others.

I trust this has answered the matters raised to your satisfaction. If you require further details concerning the Environment Agency's complaints procedure and service commitment standards, more information is available on our website at: <https://www.gov.uk/government/organisations/environment-agency/about/complaints-procedure>

If you are unhappy with this response and wish to escalate your concern, you can do this by contacting our complaints co-ordinator on: AreaManagerCorrespondence.EastAnglia@environment-agency.gov.uk, by calling 0203 02 55472 or writing to Environment Agency, Icen House, Cobham Road, Ipswich, Suffolk, IP3 9JD or Environment Agency, Bromholme Lane, Brampton, Huntingdonshire, PE28 4NE. Please ensure you include an explanation for your reason for escalation and which aspects you would like further clarification on.

Kind regards

Catchment Lead, Asset Performance Essex - Blackwater

Environment Agency | Chelmsford Office, Brook End Road, Chelmsford, Essex, CM2 6NZ

Essex.Operations@environment-agency.gov.uk

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