

KENT COUNTY COUNCIL

KENT FLOOD RISK MANAGEMENT COMMITTEE

MINUTES of a meeting of the Kent Flood Risk Management Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Monday, 18 November 2013.

PRESENT: Mr M J Harrison (Chairman), Mr A H T Bowles, Dr M R Eddy, Mr G Lymer (Substitute for Mrs P A V Stockell), Mr B E MacDowall, Mr L B Ridings, MBE and Mr M J Vye

IN ATTENDANCE: Mr M Tant (Flood Risk Manager), Ms B Buntine (Sustainable Drainage Engineer), Mr T Harwood (Senior Emergency Planning Officer), Mr M Salisbury (Emergency Planning Team Leader) and Mr A Tait (Democratic Services Officer)

ALSO IN ATTENDANCE: Mrs J Blanford (Ashford BC), Mr J Muckle (Dartford BC), Mr J Scholey (Sevenoaks DC), Mr A Hills (Shepway DC), Mr G Lewin (Swale BC), Mr H Rogers (Tonbridge and Malling BC), Mr D Elliott Tunbridge Wells BC) and Mr L Cooke (Romney Marshes Area IDB)

UNRESTRICTED ITEMS

10. Minutes of the meeting on 22 July 2013

(Item 3)

RESOLVED that subject to some minor textual amendments, the Minutes of the meeting held on 22 July 2013 are correctly recorded and that they be signed by the Chairman.

11. Dates of meetings in 2014

(Item 4)

(1) The Committee agreed the following meeting dates in 2014:-

- (a) Tuesday, 11 March 2014;
- (b) Monday, 21 July 2014;
- (c) Monday, 17 November 2014.

(2) The Committee agreed in principle to Mr Tant's proposal that its March meeting should encompass a tour of the Hothfield Flood Storage reservoir, the restoration works on the Great Stour at Godinton Park, and the drainage at Singleton Hill. As these sites were all in Ashford, the Committee meeting itself would be held in a suitable venue in the neighbourhood.

12. East Coast Flooding Update

(Item 5)

(1) Mr Mark Salisbury (Emergency Planning Team Manager) began his presentation by setting the background. Kent's coastline was some 525 km in length. Tidal and coastal flooding was a key risk for the Kent region. January 2013 had seen the 60th anniversary of the East Kent Flood which had killed over 300 people in the UK whilst affecting a great number of homes, leading to large scale evacuations. Some 46,000 farm animals had also died as a consequence of this event and the overall estimated cost had been between £40k and 50k. This would equate to £5 billion if the same event were to be repeated today.

(2) Mr Salisbury went on to say that coastal flooding continued to be a "tier one risk" which required a co-ordinated and resilient response across a large number of Local Resilience Forums (LRF) with the ability to co-ordinate national resources.

(3) Mr Salisbury stressed the need for timely and accurate weather predictions as well as other intelligence which would inform the decision-making process and the co-ordination of national resources where they were most needed. A crucial aspect of local preparation work was the ability to warn the general public, complementing the prior work of increasing its understanding of what should be done in the event of an emergency. To this end, a multi-partnership Information Group was in operation, chaired by Mr Salisbury himself.

(4) Mr Salisbury moved on to describe the national threat. An East Coast Flood (ECF) event had a 0.5% chance of occurring between September and April in any given year. It had been estimated that such an event could lead nationally to up to 400 fatalities and 11,000 injured with some 297,000 residents affected (of whom about 20% would be likely to require assistance with evacuation). It was anticipated that 357,000 buildings would be affected, including 224,000 residential properties. The overall cost of damage to property would be over £23 billion. People would be stranded over a large area with 11,000 people in need of rescue or assistance over a 36 hour period. A further 107,000 people in caravan and camping sites would be affected during the high season, together with nearly 5,000 km of roads and 423 bridges and fords.

(5) Mr Salisbury then said that there would be five broad phases in the management of a major ECF event. These would be Early Warning (Kent would receive 5 days warning); an Assessment phase; a preparedness phase; the Impact itself; and the Recovery phase.

(6) Mr Salisbury turned to the question of Kent's preparedness for an ECF event. He said that 200 people had attended the East Coast Flooding Workshop in April 2013. These had included Emergency Planning Officers from KCC and representatives from the District authorities.

(7) The Environment Agency had developed flood data and mapping to support the planning for evacuation and critical infrastructure in an ECF event which would affect some 12,500 properties in areas such as Dartford; the

Thames Estuary; the Isle of Sheppey, Faversham, Graveney Marshes, Seasalter and Swalecliffe; the Sandwich, Deal, Romney Marsh area; and (indirectly) Dover Port. This did not include mobile homes of which there were 10,000 in Shepway District alone.

(8) Mr Salisbury outlined the next steps. The Kent Resilience Forum would be involved in a joint exercise with the Essex Resilience Forum in January 2014 to test ECF preparedness. Meanwhile the KRF Public Warning and Informing Group had produced a public booklet entitled "Are You Ready." This was due to be launched in January 2014. It would be sent to every household with e.versions being placed on the KCC and all District Council websites.

(9) Dr Eddy noted that the next steps were due to take place in January 2014. He asked how prepared the county would be if an ECF event were to happen before then. Mr Salisbury replied that an East Coast Flood surge inundation would happen between the months of April and September. Kent had only recently been identified as an area at risk. The steps described demonstrated that the risk of an ECF event was now being taken very seriously at a national level.

(10) The Committee asked for feedback at its next meeting from the joint exercise with the Essex Resilience Forum, and from the bespoke Dft/Defra ECF workshop.

(11) RESOLVED that:-

- (a) the potential level of the threat that an East Coast tidal surge could pose to the communities, infrastructure, environment and economy of Kent be noted; and
- (b) the KCC and wider-partnership approach be endorsed as outlined in the report.

13. Environment Agency Flood Alerts and Warnings and KCC Flood Response activities since the last meeting

(Item 6)

(1) Mr Harwood said that there had been 38 flood alerts in Kent between the months of January and October 2012. The overall figure for 2012 had been 87. This demonstrated that the winter months were by far the most concentrated time for such events. The total figure for flood alerts up to this point in 2013 was 40.

(2) Mr Harwood then said that work with other agencies had continued to take place and that overall resilience was improving.

(3) Mr Harwood referred to the East Kent tidal surge on 10 October 2013 which had triggered a high state of readiness and multi-agency liaison but had not led to a Severe Weather Warning because its occurrence had not conflicted with high tides.

(4) The St Jude's Day storm on 28 October 2013 had caused power outages which had led to a need to put humanitarian support interventions in place.

(5) In response to a question from Mr Vye, Mr Harwood said that early warnings of Severe Weather were usually received 4 to 5 days before the event occurred. This enabled the necessary planning to be put in place. It was essential that public warning and information and evacuation measures avoided generating any unnecessary panic.

(6) Mr Harwood then said that flood risk response planning was focussed on the less well defended areas, rather than areas with robust coastal defence structures, which he described as "superb." He also explained that if a breach of the flood defence structures should occur during a flood event, a dynamic approach to evacuation and temporary repair would be expedited.

(7) The Committee asked whether future reports on this matter could display the statistical information in tabular form.

(8) RESOLVED that the level of alerts received since the last meeting of the Committee be noted together with the need for sustained vigilance in the light of recent rainfall and forecast unsettled weather conditions.

14. Flood and Water Management Act and Sustainable Drainage

(Item 7)

(1) Ms Buntine gave a presentation on KCC's responsibilities under Schedule 3 of the Flood and Water Management Act and its future duties in respect of Sustainable Drainage approval. She said that the law, once commenced, set out that construction work with drainage implications could not be commenced unless a drainage system for the work had been approved by the approving body (in this case KCC). The approving body (SAB) had to grant permission if it was satisfied that the drainage system complied with National Standards for sustainable drainage.

(2) Ms Buntine explained that sustainable drainage elements could be landscaped or hard-engineered, and that they aimed to mimic natural processes.

(3) Ms Buntine turned to the drainage approval process, which began with pre-application consultation before an application either to the Local Planning Committee or, directly, to the SAB. The drainage approval process ran parallel to and independently of the planning process.

(4) Mr Scholey asked how much consultation had taken place between KCC and the District planning authorities in respect of the arrangements. He also asked for clarification on whether a District planning authority could decide to reject the SAB's advice in respect of planning applications. Ms Buntine replied that it was acceptable for a planning authority to disregard the SAB's advice when determining a planning application, given that the SAB was a statutory consultee to the planning process. It remained the case that the SAB would exercise its role in respect of the drainage approval process.

(5) Ms Buntine then considered the role of SABs in detail. Their first task was to respond to pre-consultation by assessing applications against a number of principles designed to ensure that surface runoff was managed both on the surface and at its source wherever it was practical and affordable. These principles were assessed against the criteria of drainage hierarchy, peak flow rate and volume, water quality and function. The second task was to ensure compliance with national standards by issuing technical approvals and carrying out adoption inspections. Lastly, they would adopt specific SuDS and carry out ongoing maintenance.

(6) Ms Buntine briefly set out the roles of the various KCC Departments in delivering the SAB role and then explained the financial implications. It was intended that the role would be self-funding through application fees and inspection costs. There remained, however, a lack of clarity over maintenance cost recovery.

(7) Ms Buntine described the Defra implementation timetable which would culminate with the legislation being laid before Parliament in January 2014 with the intention of commencing in April 2014. KCC would undertake a series of District workshops in the New Year. SuDS would be promoted through pre-application advice and workshops with developers.

(8) Ms Buntine summed up her presentation by saying that the Flood and Water Management Act 2010 gave KCC a statutory duty to approve, and in certain circumstances, adopt and maintain drainage systems for new developments. KCC already had a strong skill set in flood management and drainage which would be built upon to deliver the SAB role. It was expected that the SAB would be self-funding through pre-application charges, application fees and maintenance fees, although the charging and fee structure had not been fully announced by Defra.

(9) Dr Eddy asked how the establishment of SABs would link with the work of local district planning authorities and whether there was a danger that local knowledge of drainage conditions would be undermined by national standards. Ms Buntine replied that SABs would need to carefully explain their needs and expectations to local planners. At the same time, they would need to ensure that local knowledge was fully taken into account. The Act did not specify that planning authorities needed to be consulted, but she considered it to be fundamental that they were.

(10) In response to a question from Mr Vye, Ms Buntine confirmed that there was an ability to appeal against a SAB decision.

(11) Ms Buntine replied to a question from Mr Muckle by explaining that implementation would be phased, starting with major applications for more than 10 homes or greater than 0.5 ha, moving to minor and permitted developments over 100m² in size after three years.

(12) Ms Buntine agreed with Mr Scholey's comment that elected members from District Councils needed to be included in the consultation process. She agreed that KCC should consider the option of offering to give presentations at or before District Council Planning meetings.

(13) Mr Rogers commented that there would be a great deal of duplication of roles as Planning Committees already had the responsibility of considering drainage implications. He noted that KCC had the option of delegating the role to another public body and asked why this option had not found favour. Ms Buntine replied that although the function could be delegated, this did not apply to the actual responsibility. Consequently, there would need to be oversight. Mr Tant added that only one of Kent's Districts had indicated that it had the capacity to take these duties on.

(14) Mr Hills commented that he did not believe that the Districts and IDBs had sufficient manpower to fully carry out this new responsibility. He considered that standards and consistency would best be maintained if KCC as the only Kent-wide authority carried out the role.

(15) Mr Cooke said that the IDBs wished to be consulted not only for proposed developments in their own areas but also for those in their wider catchment areas.

(16) Mr Lewin said that it was important to have service levels defined within a memorandum or service agreements in order to ensure a clear communication channel between the District authorities and the SAB. This would ameliorate the risk of the local planning authorities seeing some of their spatial planning powers eroded, whilst also enabling effective consultation during the preparation and review of Local Plans.

(17) RESOLVED that KCC's new responsibilities under Schedule 3 of the Flood and Water Management Act with respect to Sustainable Drainage approval be noted, together with comments made during consideration of this matter.