

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, 17 July 2017.

PRESENT: Mr A R Hills (Chairman), Mr A H T Bowles, Mr K Gregory, Mr S J G Koowaree (Substitute for Mr I S Chittenden), Mr M D Payne, Mr K Pugh, Cllr Ms R Doyle (Canterbury CC), Mr J Scholey (Sevenoaks DC), Mr L Laws, Mr G Lewin (Swale BC), Mr H Rogers (Tonbridge and Malling BC) and Ms G Brown (KALC)

ALSO PRESENT: Mr M A C Balfour

IN ATTENDANCE: Mr M Tant (Flood Risk Manager), Mr T Harwood (Resilience and Emergencies Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

8. Membership and Terms of Reference

(Item 1)

The Committee noted its Terms of Reference and membership.

9. Minutes of the meeting on 6 March 2017 and 25 May 2017

(Item 4)

(1) Mr Harwood informed the meeting in respect of Minute (3) that a recent permission granted by Maidstone BC for an economic development application had delivered 25 acres of new flood plain woodland within the corridor of the River Beult as part of a section 106 developer contribution. This demonstrated that there were means of delivering rewilding for flood mitigation, landscape and biodiversity other than direct capital funding.

(2) RESOLVED that the Minutes of the meetings held on 6 March 2017 and 25 May 2017 are correctly recorded and that they be signed by the Chairman.

10. Introduction to the work of the Committee

(Item 5)

(1) Mr Tant introduced the report by saying that it was appropriate at the start of the new Council to bring forward suggested topics for future consideration. He referred to paragraph 6 of the report and said that, although Sustainable drainage systems (SuDS) were a very important topic, there had been no significant change

since the previous occasion when it had been discussed. In his view, it would be better to consider a report when once a change either occurred or was proposed.

(2) Mr Bowles commented that the first 5 topics in paragraph 6 of the report were all very important. He made particular reference to “the role and structure of the Environment Agency.”

(3) Mr Pugh said he was particularly keen to consider a report on coastal erosion risk and management.

(4) Mrs Brown said that it was very important to have a firm understanding of the role and structure of the Environment Agency as their work was crucial whenever flooding took place. For this reason, the Committee should aim to monitor this question on a regular basis rather than rely on very occasional reports.

(5) Mrs Doyle commented that reports on the role of the Internal Drainage Boards would encourage them to play a full part in the wider work of the Committee.

(6) Mr Tant explained that the Environment Agency de-maining project Kent pilot related to their identification of a number of hitherto main rivers as posing a low level of risk. They had therefore identified 5 pilot areas in England (including Kent) where they were planning to “de-main” some main rivers in order to return them to the status of ordinary watercourses, allowing them to be maintained by other authorities such as IDBs. One of the pilot areas was within the River Stour IDB, which was expected to finish in the Autumn. A report to one of the next two Committee meetings would be appropriate. Mr Tant clarified that this did not apply to the River Stour itself, which would retain its main river status.

(7) Mr Harwood informed the Committee that the Environment Agency had recently named Duncan McLintock as their Liaison Officer with Kent County Council for resilience and emergency planning matters.

(8) Mr Harwood then said that tidal flooding was identified in Kent’s Emergency Planning local risk register as the top risk in the light of the county’s 326 miles of coastline and 369 square miles of land located within the tidal flood plain. This risk had been the theme of the previous year’s *Exercise Surge*, whose lessons and resultant changes to practice would be reported to the Committee in due course.

(9) Mr Lewin referred to Minute (4) (12) from the previous meeting of the Committee and asked for the topic of the Thames Barrier and also the Medway Estuary and Swale Strategy to be born in mind during agenda planning.

(10) Mr Pugh said that the last flooding surge had been very close indeed to flooding Lower Halstow. Mr Harwood confirmed that on 6 December 2013 there had been inundation of some coastal areas in the Faversham and Isle of Sheppey localities. This had been caused by the coincidence of the high tide and the heavy amounts of water being pushed down the North Sea by a storm event. If these two events had been more closely aligned, the consequences would have been even more serious than had been the case. Emergency Plans had to be constantly updated in the light of lessons learned from this and similar events.

- (11) RESOLVED that the report be noted and that the comments made by Members of the Committee in response to its suggested future activities be taken into account during agenda planning.

11. Local Flood Risk Management Strategy (Item 6)

(1) Mr Tant introduced the report. He explained that KCC was designated as the Lead Local Flood Authority for Kent. This meant that it was the Lead for *local flooding* as opposed to being the Lead for all flooding locally. One of KCC's duties was to prepare the Local Flood Risk Management Strategy in order to set out how local flooding from surface water, groundwater and ordinary watercourses would be managed.

(2) Mr Tant said that the original Local Flood Risk management Strategy for Kent had been published in 2013. This document was to have a relatively short time frame, acknowledging the fact that the role of Lead Local Flood Authority was new to KCC at the time. The time was now right to develop a more medium term Strategy.

(3) Mr Tant continued by saying that the new Local Strategy in its draft form was differed from its predecessor in terms of its brevity. The first local Strategy had set out the work that would be undertaken to build an understanding of the risk of local flooding in the county. This information was now contained in the *Flood Risk to Communities* documents which covered all the Districts in Kent. All of these were now complete with the exception of Dartford and Gravesham. As a consequence, there was no further need to include it in the Local Strategy. Some of the policy issues had also been removed.

(4) Mr Tant said that the draft Local Strategy document contained a short overview of the flood risks in Kent, information on progress and developments since the publication of the first Local Strategy and an assessment of the challenges which remained, leading to objectives and actions to enable continued delivery of flood risk management in the county together with a description of funding. The Appendices set out the Works Programme and a risk assessment based on the preliminary flood risk assessment.

(5) Mr Tant concluded his introduction by referring to the colour map which he said was an example of the methodology of the Strategy which aimed to present its information in as brief and accessible a manner as possible.

(6) Mr Gregory commented that the different definitions of flooding sources set out in the map, coupled with the responsible Authority illustrated the potential risk of responsibility for an event not being taken up at all. He gave as an example the definitions of *Coastal Flooding* (Environment Agency) and *Main Rivers* (Environment Agency) and *Watercourses* (KCC and IDBs) In Thanet, the flood risk posed by the River Stour arose from tidal influence not letting the water flow rather than the quantity of water flowing in the river itself.

(7) Mr Harwood acknowledged that there could be some confusion over lead responsibilities in relation to different kinds of flood risk, but asked the Committee to bear in mind that flood response activity was always multi-agency. The immediate

response would involve the various rescue services and other partners, whilst the matter of lead responsibilities was addressed through the Kent Resilience Forum (KRF) which enabled all the Category 1 and Category 2 responders to work together under clear and well-defined leadership. The Command and Control element of the KRF was specifically designed to overcome any confusion which might arise. Overall control at the response stage would come from the Gold Commander (Kent Police) who would hand over to KCC for wide area events or the affected District (for local events) when the recovery phase began.

(8) Mr Scholey referred to paragraph 5.6 of the draft Strategy Document (SuDS adoption and maintenance). He said that in Sevenoaks a recent planning decision had aimed to introduce a SuDS scheme, expressing that the water companies would hopefully adopt them. This was extremely unlikely. He asked who would ensure that the system was properly maintained. A condition had been included and that the developer had set up a maintenance company to carry it out. He asked whose responsibility it was to ensure that the job was properly done. The risk was not to the nearby properties, but rather to those properties downstream.

(9) Mr Tant replied that according to the DCLG it was the role of the Planning Authority to both apply such conditions and to make sure that they were delivered. He added that the water companies would not adopt the most beneficial SuDS but that there were parts of SuDS that they would adopt. KCC's position was that it would prefer to see a more robust system in operation and that it was SuDS itself, by for example monitoring the implementation of an aspect of a scheme over a ten year period to ensure that it was delivered according to the agreed development plan.

(10) In response to a question from Mr Pugh, Mr Tant said that KCC had been obliged under the Flood Risk Regulations to carry out a Preliminary Flood Risk Assessment as part of the Strategy in order to identify *Areas of Significant Flood Risk*. Any such areas then had to be mapped and modelled in response, together with an action plan to manage the risk. The criteria for identification of Areas of Significant Flood Risk were set jointly by the Environment Agency and DEFRA. Six such areas had been identified by the Environment Agency in Kent. KCC disagreed with these assessments because it was considered that, even though they did carry a level of risk, these were not "significant" (as defined by the Government) on a national scale. The difference between KCC and the Environment Agency was that KCC had access to more local information and data, whereas the Environment Agency had undertaken an assessment on nationally available data. Many of the areas identified by the Environment Agency had measures planned.

(11) Mr Pugh then said that the growth in housing in Kent would see a significant increase in the risk of sewer flooding if there was insufficient capacity to cater for these developments.

(12) Mr Tant said that combined sewer networks had been identified as a Challenge in Section 5 of the Strategy. He was keen to work closely with Southern Water in respect of flooding as well as the facilitation of growth. Closer working with other Local Authorities was also necessary when planning new developments by taking into account water infrastructure. He added that this would also have implications in terms of water supply. There was a clear link between surface water flooding and sewage capacity. Southern Water had prepared a Drainage Strategy which covered North East Kent (Deal and Thanet) which assessed the issues they

faced up to 2040. These included climate change, development and asset deterioration. They found that in some towns in the area they could only accommodate some 40% of the proposed development with the current infrastructure. Additional work resulting from this Assessment could include surface water separation and implementation of sustainable drainage (including retro-fitting). It might also entail development being phased by planning authorities in order to enable Southern Water to improve its water infrastructure.

(13) Mr Rogers returned to the theme of SuDS. He said that Kent would be seeing the construction of 7 to 8,000 houses each year. He considered that the importance of SuDS had been understated in the Strategy and that there were currently too many opportunities for the water companies, planning authorities and developers to avoid the need to take responsibility for sustainable drainage. He suggested that message of the final sentence of paragraph 5.6 in the draft Strategy should be more aspirational than was conveyed by the phrase “we hope to identify any opportunities to improve the uptake of full SuDS and promote the benefits.”

(14) Mr Gregory noted that the Southern Water Drainage Strategy covered the period up to 2040 whereas District Authorities’ Local Plans went up to 2031. He suggested that these documents should all cover the same period.

(15) Mr Tant said that different bodies had different statutory timeframes to work to. The water companies worked to “Asset Management Periods” of 5 years. They would not be entitled to vary this.

(16) Mr Laws said that it was extremely rare for water companies to object to a proposal on water infrastructure grounds. He expressed the hope that the planning authorities would be forceful whenever the water companies offered to provide a sustainable drainage scheme but failed to deliver.

(17) Mrs Doyle said that her experience on Canterbury CC’s Planning Committee had been that Southern Water had often demanded increased sewer capacity which the developers had been obliged by condition to install.

(18) Mr Tant explained that water companies were not allowed to object to planning applications. They had to provide sewage whenever an application for development was permitted because there was an automatic right to connect to sewers. They were allowed to say that there was no capacity locally and therefore insist that the developers should provide it. If it became clear that the lack of capacity was systemic, it was the Sewerage Undertaker rather than the developer who had to fund the necessary improvements.

(19) RESOLVED that the report and accompanying draft Local Flood Risk Management Strategy be noted together with the comments made by Members of the Committee.

**12. Environment Agency and Met Office Alerts and Warnings and KCC
Flood response activity since the last meeting
(Item 7)**

(1) Mr Harwood said that since publication of the report, the number of yellow Met Office severe weather alerts since the previous meeting had increased from 6 to 8 (7 for heavy rain and 1 for high winds). In most cases, the heavy rain forecast had not materialised in Kent.

(2) Mr Harwood continued by saying that since the winter months, it had been exceptionally dry. This was reflected in the relatively small number of flood alerts issued by the Environment Agency. There had been 32 between March and July in 2016 but only 5 for the corresponding period in 2017. This had consisted of one coastal flood alert arising from a spring tide and four in areas which were known as “rapid response catchments” where surface water could be an issue (Pent Stream, Folkestone and Rivers Shuttle and Cray on the Dartford border with LB Bexley).

(3) Mr Harwood then said that the lengthy dry period had led to the Kent Resilience Forum updating their Drought Plan which was currently out for consultation with stakeholders, including KCC.

(4) Mr Bowles commented that heavy rainfall was now becoming a far more localised event than had ever previously been the case.

(5) Mr Gregory asked whether “Yellow Alerts” were being reviewed for their accuracy. Mr Harwood replied by saying that weather forecasting was not an exact science. A Yellow Alert would always be issued when heavy rainfall was forecast to fall in or near to Kent. Yellow Alerts were also issued in response to highly localised events. The North Downs often constituted a barrier for weather pattern with rain falling on one side whilst the other side remained dry. Nevertheless, it was very important not to issue warnings on too many occasions for events that did not materialise. There was a particular risk in respect of flood alerts that people would not react when they received a warning of a serious event. This risk was being mitigated as far as was possible in the circumstances described by regular discussions with the met Office and Environment Agency.

(6) Mr Payne said that Southern Water were saying that Kent was at a stage of imminent drought but that there would not be a drought unless another dry winter occurred. He was concerned that the water companies had not put any customer restrictions in place. If concern were to be voiced now by the water companies about an imminent drought, people would be better prepared in the event that a drought did occur the following year.

(7) Mr Tant informed the Committee that because of the groundwater conditions in Kent, it would require two consecutive dry winters before it experienced a drought. It was therefore likely that any work on preparation for a drought would not commence until the middle of winter, when the winter rainfall effect on water resources would be understood.

(8) Mrs Brown said that long periods of dry weather tended to bring about a sense of public complacency in relation to flood risk. She suggested that KCC could produce a public document in response to the dry weather and drought whilst reminding everyone not to forget the danger of flooding. She also drew attention to people’s reactions to receiving a flood warning very early in the morning only for nothing significant to materialise. This would result in people losing interest, even though the Parish Councils would attempt to maintain preparedness.

(9) The Chairman commented that as development increased, there would be a growing risk of both drought and flooding. Water management was therefore taking on ever increasing importance both for waste and fresh water. He agreed to raise Mrs Brown's suggestion for a publicity document with the Environment Agency.

(10) Mrs Doyle gave an example of the oscillation between drought and flooding by explaining that when she had first been elected to serve on Canterbury CC she had been told that the River Nailbourne would never flow again because it was so dry. A few years later it had flooded severely.

(11) Mrs Doyle then asked whether the creation of reservoirs for water storage was a matter which the Environment Agency could instruct the water companies to undertake.

(12) Mr Tant replied that the Water Companies would need to identify the need for a reservoir in their Water Resources Plan, which was updated every five years and looked at the resources that would be needed in the next 25 years.

(13) Mr Tant said that water was now used far more efficiently than had been the case thirty years earlier. This was evidenced by the fact that less water was now used in Kent even though its population had increased considerably.

(14) Mr Harwood described the water cycle in Kent as "intimately linked." He said that the rivers relied on groundwater for their headwaters and flow. Whenever the chalk aquifers were denuded of water resource the river flows became much lower so that water could not be extracted to fill the reservoirs. At Bewl Reservoir the question was how to get the river flows high enough to enable water extraction without causing an environmental impact on the dilution of sewage and dissolved oxygen levels in local rivers needed to maintain aquatic wildlife.

(15) Mr Harwood then said that it could not be known whether there would be a drought in 2018 until the level of winter rainfall had been calculated. Summer rain would not be effective in this regard due to evapotranspiration by vegetation. It was essential for steady winter rain to fall in order to replenish the groundwater. Meanwhile, the message that should be given to the public was that water should be used responsibly and conserved.

(16) RESOLVED that the current water resources situation be noted together with the level of alerts and warnings received since the last meeting of the Committee and with the contributions made by Members during the meeting.

13. Kent Resilience Forum Pan Kent Flood Group *(Item 8)*

(1) Mr Harwood reported on current activity undertaken by the KRF Pan Kent Flood Group. He referred to the debrief report given to the Committee on the responses to the very serious flooding events of 2013/14. One of the key recommendations had been that partners needed to work more routinely together on flood planning. The Pan Kent Flood Group had consequently been created in 2015. It consisted of professional responders drawn from the Environment Agency, the Fire

Service, Local Authorities and others, meeting on a regular basis, usually quarterly but more often if urgent work needed to be completed. The Group was chaired by Luke Thompson from the Environment Agency. Mr Harwood himself was the Vice-Chair.

(2) Mr Harwood then said that much of the Pan Kent Flood Group's work programme had arisen out of discussions at this Committee. An example of this was the issue of community road closures during flooding events where the Committee had discussed the fact that road closures were often ignored, leading to danger and damage from bow wave impact in places such as Barham, Collier Street and Eynsford. The key theme of East Kent surge preparedness had also arisen in response to discussions by the Committee.

(3) Mr Harwood replied to a question from Mr Gregory by saying that Minutes were not circulated publicly but that the Group was aware of the need to ensure that all of its business that was not exempt could be made available to the public through Freedom of Information requests. He suggested that the best way to ensure that the Committee was kept up-to-date on the Group's progress was for him to report regularly to the Committee on the Group's work and activity. Although some of this activity was very technical, there was much that was of wider public interest. The work undertaken on off-site reservoir inundation planning would be a particularly clear example of such matters.

(4) RESOLVED that:-

- (a) the work programme for the Kent Resilience Forum Pan Kent Flood Group be noted; and
- (b) a report giving and update on the Pan Kent Flood Group's work be submitted to each future meeting of the Committee.

14. Future Visits *(Item)*

The Committee considered the possibility of inspecting the Environment Agency's emergency equipment at its Scots Float Office in Rye, with the possibility of holding a future Committee meeting there on the same day.