

# 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, 9 March 2020.

PRESENT: Mr A R Hills (Chairman), Mr M J Angell (Substitute for Mr K Pugh), Mr A H T Bowles, Mr I S Chittenden, Mrs L Hurst, Mr P W A Lake, Mr H Rayner, Mrs J Blanford (Ashford BC), Mr D Mortimer (Maidstone BC), Mr H Rogers (Tonbridge and Malling BC), Mrs C Mackonochie (Tonbridge Wells (BC), Mrs G Brown (KALC), Mr C Mackonochie (KALC) and Mr D Brown (Kent Fire and Rescue)

ALSO PRESENT: Mr M A C Balfour, Miss S J Carey, Ms S Hamilton, Mr M D Payne, Mrs P A V Stockell and Mrs L Wright (Thanet DC)

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

### UNRESTRICTED ITEMS

**1. Minutes of the meeting on 11 November 2019**  
*(Item 3)*

RESOLVED that the Minutes of the meeting held on 11 November 2019 are correctly recorded and that they be signed by the Chairman.

**2. Environment Agency on National Flood and Coastal Risk Management Strategy - Presentation by Sally Harvey, Environment Agency Kent and South London Area Director and**  
*(Item 4)*

(1) Ms Sally Harvey (Area Director – Environment Agency, Kent and South London) briefly introduced herself. She said that the recent flooding events and the frequent occurrences of extreme weather that were being experienced both demonstrated the need for all agencies to work closely together.

(2) Simon Curd (EA Area Flood and Coastal Risk Management Support Officer) gave the detailed presentation. The accompanying slides are contained within the electronic papers on the KCC website.

(3) Mr Curd said that the Environment Agency was committed to protecting an additional 300,000 homes nationally from flooding by the end of its current six-year programme in March 2021. The EA had already achieved half of this figure.

(4) There were currently 60,000 properties (50k residential and 10k commercial) at risk of flooding from rivers and the sea in Kent. These were mainly located along the North Kent Coast, Thanet, South East Kent and the River Medway.

(5) Mr Curd then said that Kent and South London had secured an allocation of £114m for its 2019/21 Capital Programme out of an overall total of £846m. It was forecast that over 21,000 properties in the Region would see reduced flood risk over the next two years. These were mainly those where the works were expected to be more complicated than those that had already been completed.

(6) Mr Curd showed a slide which demonstrated the Flood Defence Grant in Aid (FD GIA) for the years 2015/16 to 20/21 divided into EA and Local Authority Projects. He explained that "OMs" were Outcome Measures. OM2s represented homes that were better protected from flooding and OM3s were homes that were better protected from coastal erosion.

(7) Ms Harvey explained that there were very clear rules determining how the FD GIA money was spent. These rules were usually very helpful but, in some cases, made it difficult to deliver schemes. She added that the EA was optimistic that it would shortly receive a revised longer-term settlement, including revisions to the funding rules that would assist in providing greater clarity and, in turn, ensuring that allocations could always be spent as needed.

(8) Mr Curd then set out the Local Authority Capital Programme for 2020/21. The overall total of £5.78m (including Medway) was apportioned between the Chatham Waterfront, Hythe to Folkestone Beach Management and Beach Recharge.

(9) Mr Curd turned to the method of allocating funding for capital schemes. This was based on the partnership funding model. The previous model had been based on cost benefit analysis which had prevented any funding for projects that failed to achieve the required score. The new model enabled them to go ahead if cost savings or other funding could be found to meet the remainder.

(10) Mr Curd said that the EA had developed a robust pipeline of future projects for what was expected to be the next 6-year capital programme starting in 2021. These were mainly projects that would be technically difficult or which would need securement of partnership funding.

(11) Ms Harvey replied to a question from Mr Angell by saying that the EA had a Regional Team which responded to consultations on all planning applications. The EA had a performance indicator which measured whether the outcome had been in line with its decision to support or object to the application in question. She confirmed that the EA did not have the authority to insist that permission should be refused.

(12) The Chairman referred to a speech by Sir James Bevan (Chief Executive of the EA) in which he had indicated that in the event that a Local Authority did permit a housing development in the flood plain, it should ensure that the properties were flood-resilient.

(13) Mrs Blanford said that Sir James Bevan's speech referred to the need to avoid building in the flood plain but also indicated that a sensible flood-resilient measure

was to have the residential part of the property on the first floor above the garage. This would, however, run the risk of leaving the residents stranded if they could not use their vehicles to leave the property whilst the land around was flooded. She added that Ashford BC had recently turned down a major application where the developer had wanted to build a large number of properties in the flood zone and green corridor with inadequate flood mitigation measures.

(14) Ms Harvey replied that the EA recognised that Local Planning Authorities had competing priorities. They needed to build more homes and the EA did not wish to be an agency which was against growth. At the same time, it wished to avoid supporting development in the flood plain wherever possible. She added that some people moved into a property in the full knowledge of its location in a flood plain but would then sell it on to people who were not aware of this. Awareness of the risk was often lost, especially as flooding events often did not occur with regularity.

(15) Mr Curd then set out some of the schemes that were in the programme but would not be delivered. These were the Flood Alleviation Schemes in the Great Stour Flood Plain (300 properties at risk) which were still being worked on and would be in the next programme and East Peckham (192 properties at risk) because the partnership funding required could not be raised.

(16) Mr Curd replied to a question from Mr Payne by saying that the EA was progressing the Property Resilience Scheme in East Peckham at a cost of £600k as an alternative to the flood alleviation scheme.

(17) Mr Curd said that the options appraisal for the Nailbourne groundwater flooding Scheme had just been completed and was now under evaluation.

(18) Mr Curd then showed the most important capital programme Schemes for 2021. These were: Rother Tidal Walls East and West; River Stour FAS; Tillingham and Scots Float Sluice Refurbishment; Romney Marsh Pumping Station Refurbishment; Medway Estuary and Swale schemes; Capital Maintenance to EA and LA defences; Lydd Sea Defences project; and Five Oak Green. All of these would require some element of partnership funding.

(19) The Shoreline Management Plans were currently in the process of being refreshed. This would take the form of a high-level review of projects that had already been undertaken.

(20) Mr Curd said that the UKCP climate change projections were being taken into account. The updated predictions would be incorporated into all future schemes. This could increase the funding gap as costs increased.

(21) Ms Harvey replied to a question from Mr Chittenden by saying that Sir James Bevan's personal view was that house building should not take place in flood plains. The EA's response when consulted on planning applications in these circumstances was to highlight the risks as clearly as possible.

(22) Mr Rodgers said that the required funding for the East Peckham scheme had not been forthcoming, although Tonbridge and Malling BC had offered a substantial sum as its contribution. The landowners and businesses had, however, been

reluctant to make significant contributions of their own. He asked for details of the East Peckham Walls scheme that had appeared in the presentation slides.

(23) Mrs Brown said that Yalding PC had recently been faced with two housing applications on the riverbank which had included downstairs bedrooms. The Borough Council had not needed to consult them on these applications because they conformed to EA guidelines. She asked whether the guidelines could be tightened up.

(24) Mr Curd noted this comment and agreed to discuss it with the local EA Planning Team.

(25) Mrs Mackonochie referred to a previous presentation from the EA on Property Flood Resilience. She had asked whether any money was set aside for new build. Recent events had suggested that this policy was not the right one and could lead to local authorities having to adopt a different approach to property planning applications.

(26) Mr Curd replied that the government funding policy was not to fund protection measures for properties built after 2012 as it was the developer's responsibility to ensure that their buildings were flood resilient. He did not expect this policy to change.

(27) Mr Lake thanked the Environment Agency for explaining the Leigh and Hildenborough scheme to the people of Leigh and Penshurst. He then said that he was concerned that the more that Leigh and Hildenborough were protected, the higher the water levels would be in Edenbridge, which had just experienced its third flooding event in a year. He stressed the need to dredge the rivers Medway and Eden and their tributaries.

(28) Mr Curd replied that if the Leigh flood storage area were to affect Edenbridge, the water would be coming over the A21 viaduct. This would represent an impossibly high high water level. He accepted that a major cause of flooding in Edenbridge was the result of issues. The responsibility for this would rest with the EA in part as well as the Highways Authority, landowners and the local IDB.

(29) Mr Tant said that when water reached a certain level in Edenbridge, there was nowhere for rainfall in the town to drain to. Mitigation measures would be neither cheap nor easy to implement. These were not the responsibility of the EA. This was a drainage issue, which was not the EA's responsibility.

(30) Ms Harvey said that the responsibility for each tributary was clearly mapped out and that she could provide Mr Lake with the details.

(31) The Chairman said that all agencies needed to develop the way in which they worked together in order to overcome the historical complexity of the issues of responsibility.

(32) RESOLVED that Ms Harvey and Mr Curd be thanked for their presentation and that its content be noted.

**3. Natural Flood Defences - Presentations by Tom Cook (Environment Agency and Phil Williams (Natural England)**  
*(Item 5)*

(1) Both of the presentations for this item can be found in the electronic agenda papers for this meeting on the KCC website.

(2) Mr Tom Cook (EA Biodiversity Specialist) gave the first presentation. He said that Defra had allocated £15m in 2016 to the EA for Natural Flood Management (NFM) across the UK. £300k of this had been allocated to Medway NFM enabling the testing of nature-based techniques to contribute to the evidence base, whilst reducing the flood risk to properties, drawing in other funding, engaging with communities and delivering multiple benefits.

(3) Medway NFM was part of the Medway Flood Partnership. It worked together with the South East Rivers Trust which was leading and co-ordinating delivery of the project which was currently match-funded by FRAMES (an EA interreg funded project) together with contributions from Maidstone BC and other partners (including KCC). The EA also reported on the property benefits, biodiversity and landscape character, building up an evidence data bank for future NFM work.

(4) Mr Cook went on to say that the Medway Flood Partnership had begun its work by identifying the areas in the Medway where NFM would be most achievable. The best place to start was in the upper catchment so that water could be stored before reaching the vulnerable villages and hamlets lower down. The EA's national mapping tool had been used to gather evidence, including mapping, elevations, soil types of all the water bodies. This information was then mapped in conjunction with those properties which were known to be at risk. This had yielded 10 water bodies located in the catchment area. The South East Rivers Trust had then spent a great deal of time in discussion with local landowners as well as Natural England and other partners in order to ascertain where the monies could best be put to use during the project's two-year life.

(5) The first project was at Bedgebury Forest, in partnership with the Forestry Commission. This site had been planted with conifers over a period of a hundred years. It had good drainage facilities which had enabled the landowners to maximise their profits. The project involved slowing the waterflow by installing leaky wood dams to distribute overflow on the forest land. It would change the nature of the forest by enabling it to store more water. It was an important demonstration site as it showed Forestry Commission staff what NFM could achieve. At the same time, environmental surveys were being undertaken to assess the nature and level of change to the natural habitat.

(6) The second demonstration site was at Sissinghurst Castle. The main partners were the National Trust who had a large estate beyond the gardens and had also decided to adopt NFM measures on their own land, locally and nationally.

(7) Mr Cook explained that the EA's site was at the Hammer Stream, which was an IDB watercourse where the riverbed lay some 3 metres below the flood plain, resulting in the water flowing very rapidly downstream. The project had involved capturing some of the peak flow from the Sissinghurst Stream which joined the

Hammer Stream on the estate. The historic old channels were utilised to store water which was also able to infiltrate the soil. Surveys had also been carried out to analyse the impact of the increased water on the soil's quality.

(8) Mr Cook then said that the School Stream at Headcorn was the location of the third project. A number of properties were at risk of flooding because, although the Stream was small, it was in a catchment area that was intensively used and had a high run-off rate from the escarpment – although it was prone to dry out completely during the summer. A mature fallen willow upstream was almost blocking the watercourse and served an important NFM function. South East Rivers had carefully mapped all the features, including pathways in order to develop the best site-specific option. There had only been limited take up by the large number of landowners, but it was hoped to be able to adapt the pathways and install leaky wood dams and to encourage more landowners to participate as they saw the benefits occurring. The work already carried out included digging out and extending a pond in order to increase its storage capacity.

(9) Mr Cook said that the largest project was on the Alder Stream in Five Oak Green, where some 100 properties were at risk of flooding. This was a very steep-sided valley of pasture and woodland. A large proportion of the landowners were engaged and carrying out interventions. The project involved the installation of several natural structures to slow down the water flow, which had proved successful during the recent storm events.

(10) Mr Cook confirmed that the EA and the Forestry Commission had prepared a risk assessment guide for leaky wood dams to assess their safety.

(11) The outputs from the project were that the South East Rivers Trust had engaged successfully with landowners and developed two key demonstration sites. It was hoped to secure further funding after it came to an end during the summer. Meanwhile the data gathered would be collated in order to determine all its multiple benefits and would also be published on the internet. The final report would inform the national debate about the role of NFM in flood prevention and mitigation.

(12) Mr Cook concluded his presentation by saying that the legacy of the NFM work with such organisations as Natural England, the Forestry Commission, the National Trust and the RSPB was that it would influence land management nationally and help inform targeting for future land management grants. This was an opportunity to strengthen partnership working on water management to deliver multiple benefits to the communities. These included more drought and flood resilient farming, carbon offsetting, biodiversity and net gain through habitat creation as well as landscape and recreational benefits.

(13) Mr Phil Williams (Natural England Conservation Advisor) began his presentation by explaining that his purpose was to set out Natural England's national policy on Natural Flood Management. It was very important to ensure that NFM not only prevented or mitigated flooding, but also that it delivered significant environmental benefits.

(14) Mr Williams said that stakeholders had priorities which varied from the restoration of pristine wetland natural habitats on the one hand to hard engineering solutions on the other. Natural England sought to persuade them that hard

engineering would work better if more natural features were built into a project. An example of this was that NFM could “de-synchronise” the discharge of tributaries into rivers. If they could be made to discharge at different times, there would be a smaller peak downstream.

(15) Natural England was interested in NFM that was holistic, sustainable, integrated, based on the principles of natural function and which delivered for the natural environment. It should not just use nature as an engineering material. An example of what was not required would be the creation of a reservoir surrounded by bunds, failing to deliver anything for nature.

(16) Mr Williams described Natural England’s pyramid of what constituted an ideal project. It should be based on natural function, understanding the causes of the flooding within the catchment. It should recognise the effects of previous flood alleviation by mitigating sustainability and building natural capital. It should identify and take advantage of opportunities for environmental enhancement. There would always need to be compromises which would need to be explained to the local communities. The project would need clear objectives and expectations based upon the principles of nature and the way in which the catchment worked.

(17) Mr Williams said that the evidence for NFM was difficult to quantify in the way in which hard engineering solutions could be measured. The evidence was necessarily “soft” as it could not clearly demonstrate cause and effect. Nevertheless, it was clear that NFM was effective for flooding at moderate scales and could deliver wider biodiversity to the eco system in general. More research was needed, including monitoring of the impact of pilot schemes.

(18) Mr Williams said that NFM could not solve flooding on its own but that it could help where there was a viability gap in funding more expensive schemes. NFM was worthwhile for the sake of the wider benefits to the countryside. NFM should be undertaken on a “no regrets” basis for this reason, even if it transpired that the expected flood alleviation benefits did not result.

(19) NFM was relevant on a large or landscape scale. This was difficult to achieve if there were several landowners. It was preferable (if not always achievable) to carry out an NFM approach that benefited the whole catchment. It was also relevant from the headwater source to the sea. An example of the latter would be the encouragement of saltmarsh development to help prevent coastal erosion. SuDS was also an NFM solution as it held up water in a controlled way which prevented a “boom and bust” effect.

(20) Mr Williams then said that the NFM measures did not necessarily have to be put in place at the point where the problem showed. Work should often start at the top of the catchment in all the tributaries so that the effects were beneficial further downriver. NFM was not a competing land use. It could be integrated into the existing use of the land quite easily. He added that NFM was “a layer cake not a pie.”

(21) Mr Williams gave an example of NFM using a leaky woody dam. It could be said that this was an example of a feature that was more ecologically functional providing less flood risk benefit. He added that river morphology, involving re-instating meanders and bends was more useful than de-straightening them through

hard engineering. There was also a lot of scope for the re-connection of rivers with their plains because so much of the river had been embanked. Wet woodland was a priority habitat because it had the effect of slowing water as it passed through the rough terrain.

(22) Mr Williams said that he worked in Land Management and was experienced in discussing flood alleviation measures with farmers. The first consideration was whether NFM such as riparian buffer strips could be employed to improve the functionality of their land holdings. Natural England was always keen to show how conservation management could reduce flooding. It also promoted landscape-scale delivery in its C21 Strategy Document.

(23) Natural England responded to consultations on planning applications which might affect designated sites. This enabled them to push for sustainable planning decisions and to promote a green infrastructure approach. They advocated the use of Net Gain as a tool to build in NFM.

(24) Mr Williams concluded his presentation by summing up Natural England's future work. They would continue to advocate NFM to the Government and push for NFM principles in the new Flood and Coastal Erosion Risk Management (FCERM) Strategy. They were shaping the approach to NFM in the new Environment Land Management Scheme (ELMS) which would soon replace the Countryside Stewardship Scheme. More locally, it would support local teams through the development of an NFM toolkit and continue to provide advice to farmers on Catchment Sensitive Farming on how to reduce soil erosion and flooding on their land as well as on a landscape-scale. Finally, they would continue to gather evidence to demonstrate the benefits of NFM in alleviating flooding, which had often been a result of hard engineering.

(25) Miss Carey (KCC Environment Cabinet Member) asked whether there were any NFM techniques were not recommended. Mr Cook replied that the data was still being evaluated. He could provide data on case studies for information. In general terms, cost benefit analysis was important. An apparently excellent project might be of less value if it was prohibitively expensive. Leaky Wood Dams were usually a very cheap and effective option.

(26) The Chairman replied to a question from Mr Bowles by saying that the presentations given to the Committee enabled its Members to disseminate the information in their Districts, Parishes and the wider community as well as within KCC itself.

(27) Mrs Brown said that the KALC Area Committees were always looking to invite speakers. She could ask the KALC Chief Executive to promote these presentations to them.

(28) Mr Mackonochie said that he had been invited to inspect the work at the Alder Stream at Five Oak Green (*see para 9*). The work being undertaken there had impressed him, particularly in his capacity as a Flood Warden. This was certainly an example that KALC would find interesting. His only concern was that the leaky wood dams wood need community involvement to keep them up to scratch.

(29) Mr Brown said that Kent Fire and Rescue would like the presenters to provide input on NFM as part of their training programme for Flood Managers on *Module 5 Water Incident Management*. He asked whether Volunteers were used to help build the flood management dams.

(30) Mr Cook replied that some of the dams were built by contractors as they involved specialist skills such as chainsawing. The scheme at Bedgebury was mostly carried out by Volunteers.

(31) Mr Rogers said that one of the most difficult tasks was the identification of land that could be used for NFM projects. He was aware in his capacity as Chair of the Upper Medway Drainage Board that there were conflicting interests for farming landowners between their aim of maximising crop output and the protection of their land from flooding.

(32) RESOLVED that Mr Cook and Mr Williams be thanked for their presentations and that their content be noted.

#### **4. December 2019 Floods - KCC Debrief Report** (Item 6)

(1) Mr Harwood explained that the report only related to the heavy flooding event of Thursday, 19 December 2019, which had continued into the weekend. Further debriefs had taken place following Storms Ciara and Dennis as well as the more recent event of 5 and 6 March 2020. These would be reported in due course.

(2) Mr Harwood continued that it was vital to capture learning from the responses and to assimilate that learning as expeditiously as possible as this was a time of unprecedented challenge in terms of climate change and rate of urbanisation in Kent as well as significant changes in land use on agricultural land and in the suburbs. This change required speedy adaptation.

(3) Mr Harwood turned to the report itself, saying that the KCC internal debrief had involved officers from Highways Drainage, Emergency Planning and Adult Social Care and Health amongst others.

(4) Mr Harwood said that the debrief had concluded that amongst the things that had gone well was that close links had been established very quickly (and maintained thereafter) between the KCC Emergency Centre and the Environment Agency Incident Room. These links had notably enhanced the response. There had not been a large and cumbersome Command and Control system. The model followed had, instead, been one of single agency command supplemented by regular inter-agency discussion. The telephone lines had been left permanently open, enabling immediate response to any issue that arose, unencumbered by any layer of bureaucracy.

(5) There had also been effective co-ordination between KCC and the Kent Fire and Rescue Service (including the Tactical Adviser Water and Flooding) which had enhanced the effectiveness of the response. This had been successful across the whole county where surface water was an issue and not just in the flooding hotspots.

The benefit had been that it had enabled a proactive response which, in many cases, had headed-off flooding to properties before it happened.

(6) Mr Harwood drew attention to the finding that enhanced flood storage at the recently restored semi-natural land on the River Len floodplain upstream of Maidstone town centre had significantly ameliorated downstream impacts from increased flows. This underlined the message given earlier in the meeting on the value of NFM. Water from the River Len had been released at the optimum times in order to ensure that Maidstone itself was not impacted by flooding from the Len and Medway.

(7) Mr Harwood replied to a question from Mrs Brown by saying that the draft debrief reports on Storms Ciara and Dennis were close to being ready. As soon as they were, they would be sent to Members of the Committee. Any additional comments would be assimilated into the final version of the debrief reports.

(8) Mr Bowles said that he concurred with the recommendations in the debrief report but warned that drafting them did not necessarily mean that they would be put into place. He noted that one of them was that “*Specific locations where ditches and other flood attenuation features have been lost to be identified and communicated to Flood Risk Management Team.*” He asked how this would be carried out.

(9) Mr Tant added to Mr Bowles’ comments by saying that simply locating such ditches did not mean that they could simply be reinstated.

(10) Mr Rayner placed on record his concern at the risks now being run by all those living and those involved in emergency flood response activity at the Little Venice Country Park residential caravan site in Yalding. He then asked to move, seconded by Mr Bowles the following motion:

*This Committee requests the Cabinet Member for the Environment to arrange for a full risk assessment of the continued residential occupation and those tasked with evacuation and shelter of residents of the Little Venice Country Park residential caravan site at Yalding.*

*KCC as strategic authority for emergency planning and severe weather response in co-operation with Maidstone BC (should she wish) are asked to examine the possibility of KCC purchasing Little Venice Country Park at Yalding, being the total area in which residents reside, if necessary by compulsory purchase, in order that the existing leases and licenses permitting those who reside there will cease to do so as soon as may reasonably be arranged.*

(11) The Chairman ruled that he would not accept this motion because Members of the Committee had not had the opportunity to consider it beforehand and did not have the information necessary to reach an informed decision. It had implications for other Local Authorities and also because it had only a tenuous connection to the Committee’s Terms of Reference.

(12) The Chairman then said that, as Mr Rayner had raised this matter, he would write to the Cabinet Member for the Environment in order to formally notify her of the Committee’s interest and arrange for a report to be produced, possibly with input from Maidstone Borough Council, the Environment Agency, Kent Fire and Rescue

Service and Yalding Parish Council, setting out in detail what options had been considered and whether compulsory purchase was practical in all the circumstances.

(13) Mrs Brown said that she was meeting one of the Directors of Maidstone BC on this matter during the following week. She said that this was a complicated and explained that the site had originally been for use as holiday homes and had been closed during the winter months. A later landowner had rented out the caravans as residences for 11 months each year without specifying which 11 months these were. It was a commercial premise which meant that Yalding received no precept for it. During the previous week's flooding event there had been 16 vulnerable residents who had been evacuated to the Church before being placed in hotels. When the Emergency passed, no agency was prepared to pay for them to be returned to the site. She added that she had been struck by the increase in the number of vulnerable people now resident since the evacuation in December 2019. This was a state of affairs that could not be allowed to continue and she would be happy to ask the appropriate Maidstone Director to contact KCC to discuss proposed courses of action.

(14) Mr Mortimer said that he was the Chairman of Maidstone BC's Housing and Environment Committee. He was aware of the complexity of the situation and the difficulty of resolving it. He understood that there had been some 24 Little Venice residents in temporary accommodation over the weekend, and that most of them had now returned home. He said that he would also like to be a part of Maidstone BC's discussions with Yalding PC in order to help move things forward.

(15) Miss Carey said that there were significant flooding problems across Kent and that the available budget covered all of it. It was therefore necessary to weigh up the issues and prioritise spending. She would take note of what had been said at the meeting but was unable to promise that she would allocate funding in the way put forward.

(16) Mrs Blanford said that she was concerned that the maintenance of drains was not being sufficiently updated. Some cottages on the A28 had recently flooded. Kent Fire and Rescue had needed to clear out the drainage system in order that the water could flow away. She had long considered that maintenance work was not being undertaken frequently enough and that land next to the roads was flooding as a consequence. She asked whether there were actual maintenance plans or whether drainage was investigated after a complaint had been raised.

(17) Mr Tant said it was very rare for a ditch to be the responsibility of KCC Highways. Most of them were owned by the adjacent landowner, who had responsibility for the maintenance. This was the same for pipes. He suggested that anyone who had seen such an issue should contact him in order as he would ensure that the responsible landowner was identified. Reactive (rather than proactive) repairs could then be carried out.

(18) Mrs Brown referred to Mr Earl Bourner's presentation to the previous meeting of the Committee (*Minute 15/19*) in which the discussion had focussed on the maintenance of old and new ditches. The flooding in Yalding during the previous week had seen more water than usual flooding off the land. The result had been that the road had turned into a "river of mud." Yalding PC had therefore written to KCC to ask whether it had any powers to dig new ditches. The reply from Mr Bourner

had indicated that this was a grey area. He had been content for this letter to be passed to Helen Grant, MP for her to raise this question with Defra with the aim of tightening up the legislation if possible.

(19) Mr Bowles said that he had often come across this particular problem over the years and that he supported the aim of seeking clarification from Defra.

(20) Mrs Mackonochie said that there had been no special KCC emergency telephone number. It had subsequently taken 40 minutes to get through to Southern Water. She asked whether KCC could provide a number that was to be used only during an emergency. This would save time, which was particularly important if power outages were being experienced for example.

(21) Mr Rayner said that the 1980 Highways Act gave powers to the Highways Authority to enforce riparian landowners to drain their land or, if the landowner did not do so, to enter the land and take such action as was necessary and to charge the landowner for it.

(22) Mr Payne said that KCC had allocated additional resources for the improvement of Highways drainage assets. The greatest difficulty facing the Authority in this regard was the extremes of weather. For much of 2019, the major issue had been the threat of drought as a result of a very lengthy dry spell which had been interspersed with very heavy downpours, saturating the sun-baked land and creating huge drainage problems, no matter which landowner or agency was responsible for its maintenance in each individual case. This had also applied to drainage systems where the level of risk was 1 in 100 or greater. The challenge for Highways was in developing a successful approach to dealing with drainage problems that were not directly caused by water running off Highways land. The flooding events over the past two weeks had placed an additional pressure of some £2m on the service.

(23) Ms Hamilton referred to the issue of Common Land where the ditches needed to be cleared. In Lamberhurst, the Parish Council was responsible for clearing the ditches on a piece of common land and she had been asked to gather advice on who they should approach to provide the resources for this significant work. Mr Tant agreed to discuss this matter in detail with her after the meeting.

(24) Mr Bowles said that it would be useful for the Committee to receive a definitive explanation of what KCC Highway's legal powers were in respect of clearing ditches on private land.

(25) Mrs Hurst said that the best way for Parish Councils to get necessary work done quickly on drains, ditches and culverts was to report the problem online.

(26) RESOLVED that the report be noted together with the comments made about the debrief report and on Little Venice Country Park in Yalding as set out in (10) to (15) above.

**5. Environment Agency and Met Office Alerts and Warnings and KCC severe weather response activity**  
*(Item 7)*

(1) Mr Harwood introduced the report by highlighting the very high number of severe weather alerts and warning since 11 November 2019. He provided updated figures which took account of the events that had taken place since publication of the agenda papers. The figure for Flood Alerts in paragraph 2.4 of the report had risen from 131 to 147 whilst that for Flood Warnings had risen from 30 to 44, bringing the cumulative total to 193.

(2) Mr Harwood then said that the figures given only related to the fluvial and coastal flood plains. A lot of the response activity had also been related to surface water and highway flooding.

(3) Mr Harwood drew attention to the corresponding figure of 25 Flood Alerts and Warnings for the same period in 2018/19, demonstrating the unpredictability and extreme variations in weather patterns from year to year.

(4) Mr Harwood moved on to update the figures in Appendix 2 of the report in respect of Met Office Severe Weather Warnings. The Warnings for rain had risen from 21 to 22 and for wind from 17 to 18. This gave an overall total of 49, contrasting with the figure of 13 during the same period in 2018/19.

(5) Mr Harwood said that KCC had contacted the Government in order to express an interest in claiming under the Bellwin Scheme because it had spent more than 0.2% of its entire budget on response activity over the Winter.

(6) Mr Harwood concluded his remarks by saying that an important factor had been the cumulative impact of the prolonged intermittent severe weather events over the Winter. Relatively small downpours were now resulting in major flooding events because catchments were full and the ground saturated. This had been evidenced on 5 and 6 March 2020 by the severe flooding on the A26 between Mereworth and Hadlow, the A20 at Bethesden and on the A228, all of which had resulted in road closures for a long period. There had also been a significant impact on the rail infrastructure, resulting in disruption, including the collapse of the Martello Tunnel between Folkestone and Dover.

(7) RESOLVED that the very high number of Alerts and Warnings since the last meeting be noted.

## **6. Recent Flooding Events in Yalding and Collier Street** *(Item 8)*

(1) The Chairman agreed to take this oral report as an Urgent Item as the most recent flooding had taken place after the agenda papers had been published.

(2) Mrs Brown addressed the meeting in her role as Chairman of Yalding PC. She described the Parish Council's activities during the three flooding events over the Winter. The recent event had been better than the previous two, although there had been a greater amount of surface water, leading to more road closures than had been the case during Storms Ciara and Dennis.

(3) Yalding PC was part of a pilot scheme for road closures, enabling them to close roads themselves and to notify KCC after it had done so. Simon Jones (KCC Director of Highways, Transportation and Waste) had provided the Parish Council with plastic water-filled barriers in order to implement the road closures.

(4) Mrs Brown said that tremendous support had been provided by South East 4x4, who had been permanently present throughout each of the three events. They also had a direct line to Kent Police, which had helped ensure that the road closures were respected.

(5) Mrs Brown continued that the Confluence Communications Group, consisting of KCC Emergency Planning, Kent Fire and Rescue, the Environment Agency, Yalding and Collier Street Parish Councils, Maidstone BC and KCC Adult Social Care and Health had held two conference calls each day so that all the participating agencies were fully briefed on the entire response to the event and were also able to provide whatever was needed when requested. This had worked brilliantly, and could, hopefully be rolled out to other parts of the County.

(6) The recently installed property flood resilience (PFR) measures in Yalding and Collier Street had only been tested at Acott Fields. The Environment Agency had previously organised exhibition events in both Yalding and Collier Street to demonstrate to the residents how to put them up properly. It would not have been possible for the Flood Wardens to do so as there were not enough of them. Most houses did have PFR, but there were still 46 properties with no protection at all.

(7) Mrs Brown summed up her report by saying that everybody in the community needed to learn to work together. People should not expect the Borough Council to do everything for them. She thanked all the agencies who had supported Yalding so well.

(8) RESOLVED that Mrs Brown be thanked for her report and that its content be noted.