

**FLOOD RISK ALLEVIATION - UPDATE**

<b>Final Decision-Maker</b>	Policy & Resources Committee
<b>Lead Director</b>	Director of Finance & Business Improvement
<b>Lead Officer and Report Author</b>	Director of Finance & Business Improvement
<b>Classification</b>	Public
<b>Wards affected</b>	High Street, Coxheath & Hunton, Headcorn, Marden & Yalding, Staplehurst

**Executive Summary**

Maidstone Borough Council works with other agencies as part of the Medway Flood Partnership to address flood risk in the Medway catchment area above Allington Lock. This report provides an update on work carried out over the past six months and details of future plans. It also includes a request for funding for a Natural Flood Management scheme, to be funded from the Council's Flood Action Plan capital budget.

**This report makes the following recommendations to this Committee:**

1. That progress be noted with flood management initiatives delivered by Maidstone Borough Council as part of the Medway Flood Partnership.
2. That £13,352 be allocated for the Natural Flood Management scheme described in paragraph 2.17 and Appendix B subject to confirmation of match funding.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Policy & Resources Committee	20 October 2021

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## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	The decision will support all four strategic plan objectives by reducing flood risk, but in particular supports the strategic priority of making the borough safe, clean and green.	Director of Finance & Business Improvement
<b>Cross Cutting Objectives</b>	The report recommendations support the objective of respecting biodiversity and environmental sustainability.	Director of Finance & Business Improvement
<b>Risk Management</b>	See paragraph 5.1.	Director of Finance & Business Improvement
<b>Financial</b>	The Council has a capital budget of £950,000 to fund the Flood Action Plan projects described in this report.	Director of Finance & Business Improvement
<b>Staffing</b>	Staffing support for flood risk alleviation and community resilience is provided by the Head of Transformation and Property and her team.	Director of Finance & Business Improvement
<b>Legal</b>	<p>The initiatives to manage flood risk detailed in this report as proposed by the Medway Flood Partnership will enable the Council to continue to discharge its statutory duties to include the responsibilities outlined below.</p> <p>The Flood and Water Management Act 2010 gives the Environment Agency (EA) a strategic overview of the management of flood and coastal erosion risk. It also gives upper tier local authorities, responsibility for preparing and putting in place strategies for managing flood risk from groundwater, surface water and ordinary watercourses in their areas.</p> <p>Kent County Council as the lead local flood authority has the responsibilities referred to above.</p>	Legal Team

	<p>In addition, Maidstone Council is a risk management authority and can carry out flood risk management works on minor watercourses, working with Lead Local Flood Authorities and others, including through taking decisions on development in their area which ensure that risks are effectively managed.</p> <p>The public authorities with responsibility for flood risk management are obliged to have regard to the EA's National Flood and Coastal Erosion Risk Management Strategy for England and KCC's strategy when taking action to tackle flooding in their area.</p> <p>All risk management public authorities have a duty to co-operate with each other and to share data. to deliver flood risk management better to the benefit of their communities.</p> <p>The recommendations in this report are in accordance with the statutory obligations and the requirement for co-operation between the public authorities when discharging their functions under the 2010 Act.</p> <p>The recommendations also fall within the Policy and Resources functions, which includes (1) risk management strategy; (2) emergency and resilience planning.</p>	
<b>Privacy and Data Protection</b>	Data collected as part of projects described in this report, e.g., data about individual households affected by flooding, is processed in accordance with the Data Protection Act.	Policy and Information Manager
<b>Equalities</b>	An EqIA will be carried out as appropriate for each individual project.	Equalities and Communities Officer
<b>Public Health</b>	The report recommendations support the public health agenda by reducing the risk of individuals being affected by flooding.	Public Health Officer
<b>Crime and Disorder</b>	Flood risk has an impact on community safety generally. The measures outlined in the report will help to achieve increased community resilience and	Director of Finance & Business Improvement

	reduce the risk to health and safety during incidences of flooding.	
<b>Procurement</b>	Council and statutory procurement requirements will be met in relation to all procurement and commissioning carried out as part of flood risk management work.	Director of Finance & Business Improvement
<b>Biodiversity and Climate Change</b>	Section 5 of the Biodiversity and Climate Change Action Plan has direct implications on the subject of this report. Namely that long term adaptation policy to the flooding impacts which are projected to increase due to climate change must be considered for both public awareness and long-term resilience building. This report sets out the actions taken for 'natural flood management' and building 'community resilience' which are in keeping with the Biodiversity and Climate Change Action Plan objectives.	Biodiversity and Climate Change Manager

## 2. INTRODUCTION AND BACKGROUND

### Background

- 2.1 Maidstone Borough is at the heart of the Medway catchment area. The rivers Beult, Teise and Medway join at Yalding and flow through Maidstone towards the Thames Estuary. This brings a significant risk of flooding, as was seen in the floods of winter 2013/14. Recognising that a collective approach is needed to address these risks, the Medway Flood Partnership was established in 2017. It brings together a range of organisations concerned with flood risk management and reduction in the Medway catchment area upstream of Allington Lock, including not only the Environment Agency (EA) and the principal local authorities but also a whole range of other relevant bodies.
- 2.2 More recently, heavy summer rainfall has given rise to flash flood events in the borough. Managing this risk is also an important part of the flood risk alleviation agenda. Recent events are described below together with some of the measures being taken in response.
- 2.3 This report describes the work being carried out under the three headings used by the Medway Flood Partnership, namely:
- capital investment and maintenance
  - natural flood management
  - community resilience.

### **Capital investment and maintenance**

- 2.4 Following the floods of winter 2013/14, extensive work was carried out to investigate the feasibility of large scale engineering solutions to flood risk.

The only large scale capital scheme in the overall Medway Flood Partnership programme is the expansion of the Leigh Flood Storage Area in Tonbridge & Malling. A local public inquiry was held into this scheme in April/May 2021, following which the Secretary of State has decided to accept the Inspector's recommendation to confirm the scheme. Other capital investment and maintenance work has been on a smaller scale, focused on local flood risk. The two projects within Maidstone Council's capital programme are described below.

### **Medway Street Flood Barrier**

- 2.5 Maidstone Council has developed a scheme to manage flood risk in the area of Medway Street, Maidstone. The scheme was originally conceived as part of the Bridges Gyratory Scheme. Prior to construction of this scheme, there had been flooding in the Lower High Street area, which was attributed to the flow of water through the subways beneath the A229. As a consequence, the two subways either side of the High Street were blocked up. The Medway Street subway, which also acts as a conduit for flood water to reach the lower High Street area, was kept open as it was considered important to retain pedestrian access to the riverside. However, this led to a residual flood risk, which it is now proposed to address by means of a glass flood barrier in place of the existing pedestrian barrier opposite Drakes, with additional returns constructed to contain flood water.
- 2.6 Development of the scheme has unfortunately been much delayed, in spite of agreement in principle in 2017 by KCC and the Council to go ahead with it and the availability of funding. Recent discussions with KCC have focused around the following issues:
- Confirmation that the scheme as designed is the optimum solution
  - Need for a commuted sum for ongoing maintenance and operation.
- 2.7 Further consideration of the scheme and external consultation confirms that the proposed scheme is the most effective means of addressing the flood risk identified. The need for the scheme has meanwhile been reinforced by more recent experience with flood events.
- 2.8 A commuted sum would be payable to KCC if the flood barrier were to be handed over by MBC, and KCC were to maintain it. Given the relatively low level of maintenance required, and MBC's existing experience of responding to flood events locally, it is now proposed that the flood barrier remains as an MBC asset and this council takes responsibility for it. An assessment will be undertaken of the likely ongoing costs and risks involved before making a final commitment.
- 2.9 Work is now ongoing on commissioning the scheme, including the appointment of an Employer's Agent for the works.

### **Mote Park Lake**

- 2.10 Following the mandatory 10 year review under the Reservoirs Act 1975 of the Mote Park Lake reservoir in 2014, the Council received recommendations for measures in the interests of safety. The measures advised that the spillway

capacity of the lake be increased to reduce risk of failure of the dam due to overtopping, to as low as reasonably practicable.

- 2.11 Accordingly, works were carried out last year comprising a 50m wide auxiliary spillway, an abutment formed with grass covered articulated concrete blocks and a wave wall. A certificate under Section 10(6) of the Reservoirs Act 1975 was issued by a member of the All Reservoirs Panel on 20th December 2020 which has been accepted by the Environment Agency, ensuring that the Council's legal obligations for the works have been discharged.
- 2.12 A final element in the works, concerning the sluice gates, was due to commence in October 2021. An update will be provided at this evening's meeting.

### **Maintenance**

- 2.13 Maintaining watercourses, drains and sewers is essential to minimise the risk of flooding. Kent County Council is the Lead Local Flood Authority (LLFA) for the area and has the prime responsibility for co-ordinating this work. Maidstone Borough Council works closely with the relevant officers at KCC to identify and address problems in our borough. We hold a small budget of £30,000 per annum which allows us to carry out drainage works and maintenance works to ordinary watercourses. Normally these works would be the responsibility of the landowner, but in some situations it is more cost-effective to fund the work ourselves rather than relying on enforcement action.

### **Natural Flood Management**

- 2.14 Natural Flood Management (NFM) is the alteration, restoration or use of landscape features to reduce flood risk to properties. There are a wide range of techniques used including small 'leaky dams', new hedgerows, river bank restoration, targeted tree planting and techniques to hold water temporarily on land to 'slow the flow', reduce and delay flood peaks and store more water away from homes. As well as helping to reduce flood risk, NFM techniques also provide wider social and environmental benefits by improving the environment and wildlife for people to enjoy.
- 2.15 Following a report to Policy and Resources Committee in October 2018, it was agreed to provide £25,000 for an NFM scheme, carried out by the South East Rivers Trust (SERT), to manage flood risk along the Hogg Stream (also known as School Stream) in Headcorn. SERT engaged with landowners in the area and obtained agreement to install NFM structures to help mitigate flooding downstream. Specifically, a flood storage pond has been created and a number of Leaky Woody Structures have been installed. Details of the completed scheme are set out in Appendix A.
- 2.16 The Committee gave approval to contribute a further £50,000 at its meeting on 24<sup>th</sup> March 2021 to the following projects:
- Completion of the School Stream project
  - Working with landowners to deliver a climate-resilient River Beult catchment

- Holistic water management around poly-tunnels.

2.17 Funding is now sought for another NFM scheme, described in Appendix B. This involves the development of a 2.2 hectare wetland on unproductive farmland that lies South of Carpenters Lane in Staplehurst. Total projected costs are £59,785. The Environment Agency is funding the majority of the costs, but there is a funding shortfall of £13,352. It is recommended that the Council provides the balancing amount of funding to enable this scheme to go ahead.

### **Community Resilience**

2.18 The summer of 2021 has been notable for a number of incidents of flash flooding, which have tested community resilience. Three in particular are worth noting. They were due to run off from fields and roads and were short lived but intense (between 1-2 hours).

- Yalding – 4 properties affected
- Ulcombe – around 20 properties affected
- Staplehurst.

2.19 The impact was in the form of damage to building and property. Recovery activities carried out by the council included dealing with requests for sandbags from Staplehurst and Ulcombe after the flooding. Although we delivered the sandbags as requested, we did reiterate the fact that sandbags are more effective as a preventive measure.

2.20 Following the incidents, we have provided advice and guidance to Ulcombe Parish to enable them to get started on preparing their community flood plan. We have also shared dates for volunteer Flood Warden training sessions coming up in October and November 2021.

2.21 In the recent MBC parish newsletter, we have reminded parishes of the need to have community emergency and flood plans. We shared the contact details for our emergency planning team who will be happy to help and guide them in the process of creating the plans.

2.22 Looking forward to the winter, the following preparations are being undertaken:

- Sandbag levels checked and sufficient for the winter period if needed
  - Team briefing for staff with roles within the council's emergency plan scheduled for October and November. This is to bring staff volunteers up to date on emergency response guidelines and prepare everyone for potential flooding incidents over the winter months.
  - Welfare centre directory updated – we have been in touch with the locations to check availability and suitability of the venues in addition to updating contact details.
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### **3. AVAILABLE OPTIONS**

- 3.1 **Option 1:** To continue to work with the EA and other partners as part of the Medway Flood Partnership and to utilise the Flood Action Plan capital budget for schemes that meet the objectives of the Partnership and the Council's own investment criteria.
- 3.2 **Option 2:** To remain as a member of the Medway Flood Partnership but not commit any funding for flood risk management.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The preferred option is Option 1 as this is the most likely option to deliver reductions in flood risk and is affordable in the context of the Council's medium term financial strategy.
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### **5. RISK**

- 5.1 This report deals with the broad risk to the community posed by flooding. Risks associated with projects described in the report are addressed at the level of the individual project.
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### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 Progress on flood risk management work is reported to Policy and Resources Committee. The Council also maintains regular contact with representatives of the local community, including parish councillors, in relation to flooding issues.
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### **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The Council will continue to work with the Medway Flood Partnership in implementing the actions described in the report.
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### **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

Appendix A: South East Rivers Trust report: Natural Flood Management on the School Stream

Appendix B: Proposed Natural Flood Management Scheme

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## **9. BACKGROUND PAPERS**

None.