

FLOOD RISK MANAGEMENT - UPDATE

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

Executive Summary

Maidstone Borough Council is a member of the Medway Flood Partnership, which was established in 2017 to address flood risk in the Medway catchment area above Allington Lock. The Council has allocated £1 million of capital funding to support the work of the Partnership. This report describes Partnership initiatives currently in progress and sets out priorities for funding.

This report makes the following recommendations to this Committee:

1. That progress with flood management schemes to be delivered by the Medway Flood Partnership be noted.
2. That the capital investment criteria set out in paragraph 1.19 be noted.
3. That £100,000 be allocated for the Natural Flood Management schemes described in paragraph 1.14 and Appendix 1.
4. That authority is delegated to the Director of Finance and Business Improvement in consultation with the Chairman of Policy and Resources Committee to commission feasibility studies as required for any further schemes that meet the capital funding criteria.

Timetable

| Meeting | Date |
|------------------------------|-----------------|
| Policy & Resources Committee | 24 October 2018 |

FLOOD RISK ALLEVIATION - UPDATE

1. INTRODUCTION AND BACKGROUND

Background

1.1 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 most recently 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. The partnership's objectives are defined as follows:

- Develop a shared understanding of the strategic challenges and opportunities within the catchment and the need for collaboration to address them
- Develop a shared action plan for the next 5 years, and a 25 year vision for the future
- Improve communications and engagement by adopting a joined up approach to engagement with communities, government and MPs
- Broker strategic solutions to problems identified through the partnership
- Identify the inter-relationships between partner projects and ensure coordination between them.

1.2 The partnership therefore provides a vital framework for developing initiatives to manage flood risk. It recognises that effective management of flood risk requires a range of different approaches, and so categorises these in three work streams, as follows:

- capital investment and maintenance
- natural flood management
- community resilience.

Capital investment

1.3 Capital investment planned by the Medway Flood Partnership comprises:

- Expansion of the Leigh flood storage area and construction of embankments at Hildenborough (Tonbridge & Malling)
- East Peckham flood alleviation (Tonbridge & Malling)
- Middle Medway Flood Resilience Scheme (Maidstone / Tonbridge & Malling)

Whilst Maidstone Borough Council is not directly involved with the expansion of the Leigh flood storage area, by providing greater upstream storage capacity, the scheme will benefit the borough.

- 1.4 Phase 1 of the Middle Medway Flood Resilience Scheme (MMFRS) involves installation of Property-level Flood Resilience (PFR) measures for properties at very significant risk of flooding. 28 properties in the eight parishes that comprise the MMFRS catchment area had PFR measures installed by the EA's contractors at the end of 2017 and full surveys have been completed on a further 249 homes that are at very significant risk of flooding.
- 1.5 This work is eligible for government Flood Defence Grant in Aid (FDGiA) funding of up to £7,500 per household. Where the cost of PFR exceeds £7,500 for an individual property, the EA has been able to call on additional funding from the Southern Region Flood and Coastal Committee (SRFCC) to contribute to all or part of the additional costs.
- 1.6 Unfortunately, the contractor that carried out the initial installations has gone out of business, which means that the EA has re-procured the work. It now expects that installation for the remaining homes will start later in 2018.
- 1.7 Not all properties at very significant risk of flooding are suitable for PFR. In such cases, alternative measures such as small walls or embankments may be suitable. The EA has commissioned Jacobs Engineering to undertake initial assessments on properties for which property flood resilience measures are not suitable. Site visits are currently taking place and this phase of the project is due to be complete late January 2019. This work has been funded from a £50,000 contribution to the EA from Kent County Council, backed by a commitment to match this funding from MBC. This funding will cover only Jacobs' design and feasibility work; funding will have to be sought separately to deliver whatever schemes emerge from their work.

Maidstone Town Centre

- 1.8 Following flooding of properties at the lower end of the High Street in 2013/14, the two subways beneath the A229 have been blocked off. However, the Medway Street subway also acts as a conduit for flood water to reach the lower High Street area. Accordingly, as a final part of the Bridges Gyrotory Scheme, a flood barrier will be built on the town side of the subway. This work has been delayed, but Maidstone Council has now allocated a Project Manager to work with partners including KCC and the EA to bring this work to fruition.
- 1.9 Additional protection for the lower end of the Town Centre could be provided by temporary flood barriers which would be erected along the A229. The cost and feasibility of MBC procuring and storing these barriers is being investigated by our Project Manager.
- 1.10 This work is to be funded from the balance of funding from the Bridges Gyrotory Scheme, amounting to £150,000.

Mote Park Lake

1.11 Mote Park Lake is a reservoir retained by an embankment dam across the River Len. The Reservoirs Act 1975 requires that a review of the dam by an All Reservoirs Panel Engineer takes place every 10 years. The 2014 inspection and review concluded that the dam did not meet current standards and that works of improvement were required. Policy and Resources Committee agreed at its meeting on 25 April 2018 to proceed with works to the Mote Park Lake spillway, as outlined by our consultants Black & Veatch, intended to reduce the risk of failure of the dam due to overtopping as low as reasonably practicable. A planning application for these works is currently being prepared. Funding of £1.9 million for this project has been allocated in MBC's capital programme.

Maintenance

1.12 Heavy rain in the borough in Spring 2018 caused several local floods, highlighting the importance of regular maintenance of watercourses, drains and sewers. The position is complicated by the range of authorities and landowners involved. Kent County Council is the Lead Local Flood Authority (LLFA) for the area and has the prime responsibility for co-ordination. Maidstone Borough Council works closely with the relevant officers at KCC to identify and address problems. We also hold a small budget of £30,000 per annum which allows us to commission inspections from KCC and to instruct contractors to carry out periodic maintenance and clearance of debris. This work is the responsibility of the landowner. However, in some situations it is more cost-effective to carry out the work ourselves rather than relying on enforcement action.

Natural Flood Management

1.13 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.

1.14 The Medway Flood Partnership sees NFM as an integral part of flood risk management. It is proposed to complement the existing focus on capital investment and community resilience with a number of projects in the River Beult catchment. Kent County Council has already funded a 12,500m³ natural flood storage area at Mill Farm, Marden which illustrates a possible approach. The Medway NFM partnership (Natural England, South East Rivers Trust, Environment Agency, KCC and others) are developing a number of proposed small-scale projects in Maidstone borough, for which they are seeking funding, as follows:

- Development of Landowner Relations to enable NFM
- Headcorn School / Hogg Stream flood management

- Beult SSSI NFM Projects
- Bockingfold Wetland Creation Project

These projects benefit communities in Maidstone that are subject to flood risk and are consistent with our capital funding criteria (see below). As most of these projects are likely to be eligible for funding from other sources, Maidstone Council funding would unlock investment by matching funding from elsewhere. Details are set out in Appendix 1.

Community Resilience

1.15 The main agencies responsible for emergency planning, response and recovery - Kent County Council, Maidstone Borough Council and the Environment Agency - have an established framework for responding to flood incidents. This allows us to make joint decisions and respond effectively by co-ordinating operational activity and share resources and equipment. However, it is essential that individual households and local communities are equipped to protect themselves and their properties. We will therefore continue to work with local communities to increase community resilience to flooding and to ensure that in a flood situation all steps are taken to raise awareness of any impact and to minimise flood damage where possible.

Funding

1.16 There is £1 million in the capital programme for Flood Action Plan projects. It was envisaged in the aftermath of the 2013/14 floods that the risk of future floods could be substantially mitigated by large scale engineering solutions. These would require multi-million pound funding commitments from a range of partners, including central government, KCC and district authorities. However, on further investigation, the only such project that was demonstrated to be cost-effective was the expansion of the Leigh flood storage area mentioned in paragraph 1.3. Funding has now been obtained for this project, but Maidstone has had no direct involvement, as it is outside the borough.

1.17 Taking into account the proposed allocation of £100,000 from Maidstone Council's Flood Action Plan capital budget for NFM projects, and including funding from all other sources, the overall funding position may be summarised as shown overleaf.

Summary of Funding for Flood Risk Management

| | Capital / Revenue | MBC budget £000 | Total budget £000 | Notes |
|--|----------------------|-----------------------|---|--------------|
| Capital Investment and Maintenance | | | | |
| Middle Medway Flood Resilience Scheme (MMFRS): | | | | |
| - Phase 1 | Capital | 0 | approx 2,000 | Grant funded |
| - Phase 2 Feasibility | Capital | 0 | up to 100 | Grant funded |
| - Phase 2 Delivery | Capital | tbc | tbc | |
| Town Centre | Capital | 150 | 150 | |
| Mote Park Lake Dam | Capital | 1,900 | 1,900 | |
| Maintenance | Revenue | 30 per annum | 30 per annum | |
| Natural Flood Management | | | | |
| Natural England / EA projects | Capital | 100 | tbc | |
| Community resilience | | | | |
| Ongoing support | Revenue | 0 | No specific allocations - salary and general costs covered by revenue budgets for Communities and Resilience Team | |
| Capital budget not yet allocated | Capital | 900 | tbc | |

1.18 It may be seen from the above table that there is a potential requirement for capital funding in phase 2 of the MMFRS. In addition, further projects may emerge during the course of the Flood Partnership's work that may be suitable. In order to ensure effective deployment of the capital budget, and to avoid unnecessary commitment of funds if no suitable projects are available, it is appropriate to re-confirm the Council's principles for capital investment as set out in the Medium Term Financial Strategy.

1.19 The criteria are as follows.

a. Required for statutory reasons

Funding has already been allocated separately for the Mote Park Lake Dam project, which is required for statutory reasons. However, other flood risk management projects may emerge that are required for statutory reasons.

b. Self-funding scheme focused on Strategic Plan priority outcomes

A scheme may be self-funding, eg if the costs can be entirely met through contributions from partners.

c. Other schemes focused on Strategic Plan priority outcomes

Amongst the Council's current strategic plan objectives is Providing a Safe, Clean and Green Environment, which is supported through flood risk management measures. Consultation is currently taking place on a new Strategic Plan. Amongst the draft objectives that are being considered are a number which likewise could be supported through flood risk management measures, eg Great Environmental Quality and Well Connected Safe and Empowered Communities.

Funding for individual schemes will need to reflect their relative contribution to effective flood risk management. For example, a scheme that will benefit a large number of households will have priority over a scheme benefiting a single household, all other factors being equal.

d. Other priority schemes that will attract significant external funding

Working with our partners in the Medway Flood Partnership, we are well-placed to maximise the value of our investment by enabling projects to go ahead through our contributions. Phase 2 of the MMFRS is an example of how this may happen, given that it is supported by KCC and the EA.

1.20 This report recommends that these criteria are re-confirmed and provide the basis for consideration of flood risk management projects. A business case will be required for all projects, and if appropriate, more detailed cost-benefit evaluation.

1.21 Flood risk management projects typically require initial investment in feasibility studies, so this report recommends that the Director of Financial and Business Improvement, in consultation with the Chairman of Policy and Resources Committee is authorised to commission feasibility studies where the eventual project is expected to meet one or more of the criteria set out above.

2. AVAILABLE OPTIONS

2.1 **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.

2.2 **Option 2:** To remain as a member of the Medway Flood Partnership but not commit any funding for flood risk management.

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

3.1 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.

4. RISK

4.1 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.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 Progress on flood risk management work is reported regularly 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.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 The Council will continue to work with the Medway Flood Partnership in implementing the actions described in the report.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

| Issue | Implications | Sign-off |
|---------------------------------------|--|--|
| Impact on Corporate Priorities | The decision will impact upon the protection of the character of the borough as there will be implications for the villages and homes within the flood area. Resilience against flooding supports making the borough an attractive place for all. | Director of Finance & Business Improvement |
| Risk Management | See paragraph 4.1. | Director of Finance & Business Improvement |
| Financial | These are covered in the report. | Director of Finance & Business Improvement |
| Staffing | Staffing support for Flood Risk | Director of |

| | | |
|---------------------|--|---|
| | <p>Management is provided by the Property and Procurement team for capital investment and maintenance and by the Communities and Resilience Team for community resilience.</p> | <p>Finance & Business Improvement</p> |
| <p>Legal</p> | <p>The report sets out details of a flood risk management scheme at Mote Park Lake which is required by statute.</p> <p>The Flood and Water Management Act 2010 makes provision for an extensive regime of flood management, with a focus on prevention and preparation rather than reaction once a flood occurs.</p> <p>The Environment Agency has a duty to maintain a strategy for flood risk management in England – 2010 Act, s.7.</p> <p>Kent County Council as the lead local flood authority is also required to maintain a strategy for local flood risk management (flood risk from surface runoff, groundwater and ordinary watercourses – 2010 Act, s.9.</p> <p>Under the Act, Maidstone Council is a risk management authority. 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>The recommendations in this report are in accordance with the statutory obligations and the requirement for co-operation between the public authorities when discharging</p> | <p>Legal Team</p> |

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| | <p>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> | |
| Privacy and Data Protection | Data collected as part of projects described in this report, eg data about individual households affected by flooding, is processed in accordance with the Data Protection Act. | Director of Finance & Business Improvement |
| Equalities | Consideration is given to the equalities impacts as part of each of the individual projects described in this report. | Director of Finance & Business Improvement |
| Crime and Disorder | Flood risk has an impact on community safety generally. The measures outlined in the report will help to achieve increased community resilience and reduce the risk to health and safety during incidences of flooding. | Director of Finance & Business Improvement |
| Procurement | 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 |

8. REPORT APPENDICES

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

Appendix 1: Proposed Natural Flood Management Schemes

Appendix 2: Phase 2 Property Locations and Natural Flood Management Schemes in Maidstone Borough Council

9. BACKGROUND PAPERS

None.