

# Regeneration, Culture and Environment Overview and Scrutiny Committee

BRIEFING NOTE – No.09/20

**Date:** 16 October 2020

**Briefing paper to:** All Members of the Regeneration, Culture and Environment Overview & Scrutiny Committee

**Purpose:** To brief Members on the Annual Action Plan 2019/20 outcomes, the current Annual Action Plan for 2020/21 relating to the Local Flood Risk Management Strategy and activities of the North Kent Marshes Internal Drainage Board.

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## **1. Executive Summary**

1.1 This Briefing Note provides an overview of the Lead Local Flood Authority Annual Action Plan for 2020/21 and additionally provides an update of the work of the North Kent Marshes Internal Drainage Board, a separate Public Body administered by the council within its LLFA role.

## **2. Background**

2.1 As a Lead Local Flood Authority, Medway Council is responsible for local flood risk management (defined as flood risk associated with surface water, ground water and ditches/streams). The LLFA role is delegated as an Executive function.

2.2 The North Kent Marshes Internal Drainage Board (NKMIDB) is administered as a separate Public Body, which exercises its land drainage functions across the Hoo Peninsula, and is democratically represented by Medway and Gravesham BC Councillors, and landowners.

2.3 Part 1, Article 2, Section 9 of the Flood and Water Management Act 2010 states that a Lead Local Flood Authority must develop, maintain, apply, and monitor a strategy for local flood risk management in its area (a Local Flood Risk Management Strategy).

2.4 The current Local Flood Risk Management Strategy was adopted by Cabinet on 5 August 2014. The strategy complements and supports the National Strategy published by the Environment Agency (EA), which

outlines a national framework for flood and coastal risk management and aims to balance the needs for communities, the economy, and the environment. The EA recently published an updated strategy in Autumn 2020, which will trigger a review of the current local strategy.

- 2.5 The roles and responsibilities of both functions directly contribute towards Council priorities and ways of working included within the Council Strategy and Plan.

Key linked priorities:

- Medway: A place to be proud of.
- Maximising regeneration and economic growth.

Ways of working:

- Giving value for money.
- Working in partnership where this benefits Medway's residents.

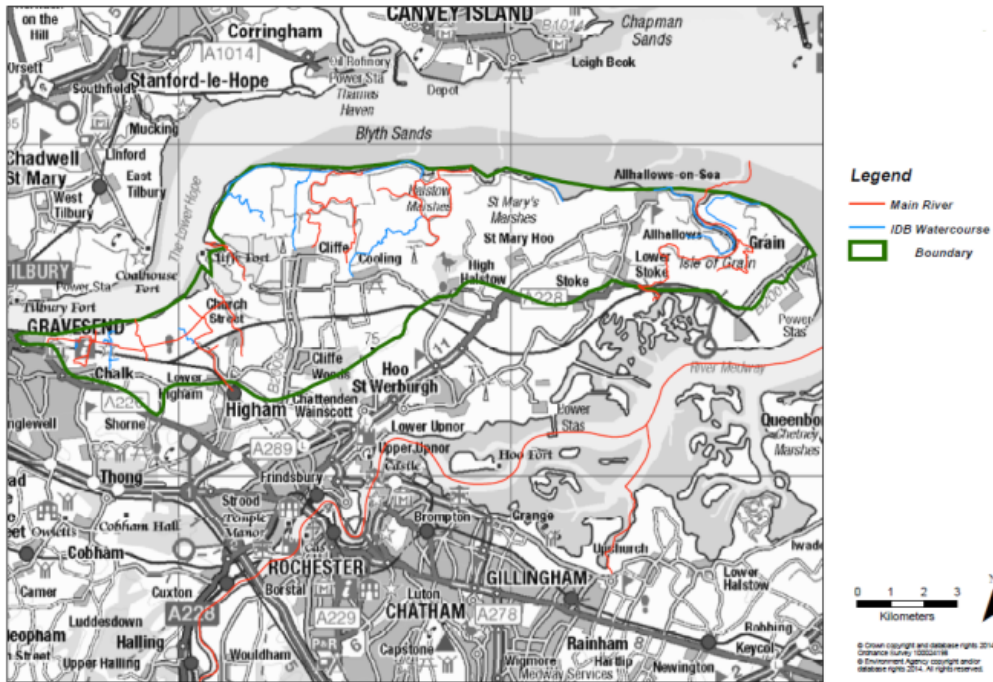
### **3 LLFA Annual Action Plan 2020/21.**

- 3.1 Measures included for the Annual Action Plan 2020/21 reflect a continuation of those integral to the delivery of the Lead Local Flood Authority Role for 2019/20 and is included at Appendix 1.
- 3.2 Each action is directly linked to an overarching theme within the Local Flood Risk Management Strategy, which in turn is linked to an objective to the previous EA National Flood and Coastal Erosion Risk Management Strategy.
- 3.3 An action not included in the themes below is an action to review and update within the existing local strategy in line with the newly published EA national strategy. This will take place from April 2021 and will take place over a duration of 12-18 months.

### **4 North Kent Marshes Annual Action Plan 2020/21**

- 4.1 The NKMIDB will be entering its fifth year of operation during 2020/21. The Board is funded by Local Authority Special Levies and Drainage Rate payers from landowners within the district.
- 4.2 The IDB is located within the Medway Council and Gravesham Borough Council authority areas. It is mostly rural and covers an area of 8,599 hectares between Gravesend and the Isle of Grain. There are 11 watercourses maintained by the IDB, totalling some 29km in length.

**Figure 1: Map showing boundary of the North Kent Marshes Internal Drainage Board**



4.3 The area boasts a number of significant national and international designated sites consisting of an extensive area of grazing marsh, salt marsh, mudflats and shingle, characteristic of the estuarine habitats of the North Kent Marshes.

**Table 1: Extent of designated sites**

<b>Designation</b>	<b>Extent (ha)</b>
The South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI).	3,212
The Thames Estuary and Marshes Special Protection Area (SPA).	2,252
The Thames Estuary and Marshes Ramsar.	3,001
<b>Total extent (ha)</b>	<b>8,465</b>

4.4 The protection of nationally and internationally designated sites is of particular importance due to the sensitivity of the habitats to changes in water level. The Board are currently undertaking a Water Level Management Plan which will include water level monitoring across the marshes to better understand the hydrology.

- 4.5 As well as undertaking operational activities, the Board engage with landowners and external stakeholders to achieve its objectives and seek opportunities of mutual benefit. To date this has included facilitating two landowner workshops to inform the Water Level Management Plan, attendance at events with Birdwise to educate and share information about the marshes, with regular guest speakers at meetings to share wider initiatives and updates (e.g. National Farmers Union, and Environment Agency).

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Appendix 1 LFRMS Annual Action Plan 2019/20						
Theme	Objective	Action 2019/20	Outcome	Rating	Action 2020/21	Timescale
1 Understand the risks	1a Work with stakeholders to develop a collective understanding of local flood risk	Up to four meetings with Risk Management Authorities per annum.	No formal meetings held due to restructure with Southern Water, ad hoc meetings held where needed.	Cancelled	Formal RMA meeting will be reviewed as will likely take place during specific meetings/groups	31 March 2021
		Member training on LLFA/IDB work	Training delivered during Autumn 2019.	Complete	Attend Regional Flood and Coastal Committee (RFCC) quarterly to keep up to date with regional flood and coastal erosion issues  No further sessions planned currently but this can be revisited based on need.  Vice Chair role with South East Coastal Group for Medway and Swale area to assist implementation of Environment Agency Shoreline Management Plan (SMP), SMP refresh and Medway Estuary and Swale Strategy.	31 March 2021  N/A  31 March 2020
	1b Monitor flood risk	Ongoing collection of flood incident data in collaboration with Highways Service	Several flood and drainage incidents investigated with Highways including <ul style="list-style-type: none"> <li>- Haig Avenue, Rochester</li> <li>- Cherry Tree Close, Rainham</li> <li>- Canal Road, Strood</li> <li>- Pilgrims Way, Rochester</li> </ul>	Complete	Ongoing collection of flood incident data in collaboration with Highways Service.	
2 Prevent inappropriate development	2a Ensure local planning policy is consistent with wider flood risk management policies and legislation and provide clear advice	Support Local Plan Policy setting	Flood and Water Management Policy created to support Local Plan	Complete	Develop specific Development Management policies.	TBC, to align with Local Plan Development Management Policy process and SWMP outputs.

	<b>on how to achieve those policies within Medway.</b>	Updated Strategic Flood Risk Assessment reflecting policy changes and risks associated with surface water.	Completed SFRA and drainage Technical Guidance completed Summer 2020		Update/training to be provided SFRA and Technical Guidance to be shared published on website.	
	<b>2b Promote the use of SuDs (Sustainable Drainage Systems)</b>	<p>No retrofitting opportunities identified; however, we continue to work with Highways and Southern Water to identify mutually beneficial projects to partnership fund. One such location is Commercial Road, Strood.</p>	<p>No opportunities at Commercial Road. SuDs retrofit considered for Toronto Road, Gillingham, to reduce risk of flooding at Canadian Avenue. Unfortunately, there are too many services so further investigations are required to look at wider options.</p> <p>Other potential retrofit/improvement locations include</p> <ul style="list-style-type: none"> <li>- Haig Avenue, Rochester</li> <li>- Cherry Tree Close, Rainham</li> </ul>	In progress	<p>Partnership working with Highways Service to establish potential areas for retrofitting Sustainable Drainage to reduce surface water flood risk.</p> <p>Progress investigations with Highways Service for SuDs retrofit and/or traditional drainage upgrades to reduce the risk of flooding at;</p> <ul style="list-style-type: none"> <li>- Haig Avenue, Rochester</li> <li>- Cherry Tree Close Rainham</li> <li>- Toronto Road</li> </ul>	
		Work with Southern Water, Highways Service, RFCC and stakeholders (MHS/Southern Homes) to progress options for a Flood Alleviation Scheme (FAS) at Nelson Terrace. Once an option is identified, investigate funding streams/create Business Case to submit to RFCC for funding.	Southern Water rainfall flow monitoring commenced Spring 2020, a hydraulic model is being prepared by Southern Water to test options for a Flood Alleviation Scheme to reduce the risk of flooding at Nelson Terrace, Chatham	In progress	Work with Southern Water, Highways Service, RFCC stakeholders (MHS Homes/Southern Homes) to progress options for a Flood Alleviation Scheme (FAS) for Nelson Terrace. Once an option is identified, investigate funding streams/create Business Case to submit to RFCC for funding.	Options appraisal by 31 March 2021. Business case development by 31 May 2021.

		Deliver Sustainable Drainage Training to Planning Service.	Landscape Architect / Urban Design attended SuDs Training	Complete	Deliver Sustainable Drainage Training to wider Planning Service	
		Working with the Highways Service, a Commuted Sums Tool has been developed with consultants to establish the whole life costs of SuDs	Complete Summer 2020	Complete	Work with Highways to update the S38 Adoptions Guidance and develop standards for Highway adoption of SuDs.	31 March 2021
	<b>2c Take account of the cumulative effects of developments and climate change on the risk of flooding throughout Medway.</b>	Deliver a Surface Water Management Plan for Hoo and Rainham to assess the impact of development on flood risk areas.	Complete Summer 2020	Complete	Embed outputs into Local Plan Development Management Policies at the appropriate time.  Review all SWMP outputs in 2020/21 and establish actions to take forward in, to be reported in next Annual Action Plan.	TBC, to align with Local Plan Development Management Policy process.  31 March 2021
<b>3 Manage the likelihood of flooding</b>	<b>3a Ensure development has a positive or nil effect on risk of local flooding to and arising from new development.</b>	Lead Local Flood Authority Statutory Consultee role for major developments. Respond to consultations within 21-day statutory timeframe.	Complete	Complete	Ongoing. Performance reported to O&S quarterly. Annual performance reported to MHCLG. 2019/20 performance was 99% compliance across all consultations (major/minor etc)  Develop criteria for prioritising and responding to non-major applications using SFRA outputs as a basis.  Develop new conditions; <ul style="list-style-type: none"> <li>- to secure appropriate management of flood risks during construction stage.</li> <li>- to request submission of drainage details in conjunction with landscaping details to ensure there are no conflicts.</li> </ul> Develop guidance for the discharge of drainage conditions.	31 March 2021  31 March 2021  31 March 2021  Draft by 31 March 2021, to be reviewed against national review of conditions with Association of SuDs Authorities (ASA) and Defra (outputs expected February 2021)
	<b>3b Consider how future infrastructure improvements (e.g. highways, rail, public realm) could be used to deliver local flood</b>	Ongoing as consulted by Project Board and Regeneration Service.		In progress	Strood Flood Risk Strategy to commence Autumn 2020 to look at long term options to reduce risk of flooding to Strood Town Centre, namely around Watermill Wharf/Rochester Bridge/Jane's Creek following regen projects where there are lower standards of protection.	30 June 2021

	<b>risk reduction/benefits.</b>	Set up of a Memorandum of Understanding (MoU) with the East Kent Engineering Partnership (EKEP) to deliver the inspection and maintenance requirements via OJEU procurement methods.	EKEP were approached at the start of COVID but were not able to offer resource. Other options to be explored.	Cancelled	Work with the Regeneration Service to investigate options to secure the long-term maintenance of council owned riverwall assets, to include Rochester and Strood riversides.	31 March 2021
	<b>3c Use flood risk information to implement a risk - based approach to capital investment decisions and maintenance programmes</b>	<p>Work with the Highways Service to establish where increased maintenance to highway drainage assets is required in areas which are known to experience flooding.</p> <p>Annual and ad hoc inspections of council drainage and riverwall assets</p> <ul style="list-style-type: none"> <li>- Ratcliffe Highway attenuation pond</li> <li>- Trash screen at Vicarage Lane</li> <li>- The entire length of Hoo Stream</li> </ul> <p>Maintenance of an Asset Register of local flood risk assets</p>	Additional maintenance currently occurs at Sturdee Avenue	<p>Complete</p> <p>Complete</p> <p>Complete</p>		
<b>4 Help people to manage their own risk</b>	<b>4a Share flood risk information with Risk Management Authorities and the public.</b>	MHS/Southern Homes added to communications list on receipt of Met Office weather warning.	Complete	Complete	Objective to be reviewed following publication of EA national FCERM strategy.	TBC
	<b>4b Increase public awareness with respect to flood risk and responsibility for flood risk management.</b>	Annual letters sent to riparian owners adjacent to Hoo Stream to advise/remind of riparian responsibilities.	<p>Not completed in 2020 due to COVID.</p> <p>Maintenance works undertaken to remove a tree and clear debris at Ratcliffe Highway</p>	Cancelled	<p>Annual letters to be sent to riparian owners to advise of responsibilities.</p> <p>Annual and ad hoc inspections of the Hoo Stream.</p>	



	<b>4c Use information on local flood risk as a tool for flood prediction and warning.</b>	Ongoing – maintenance of data on Geographical Information Systems (GIS).	Complete	Complete	Maintain up to date flood risk data on Geographical Information Systems (GIS).	
		Hoo Stream Telemetry System. Ongoing maintenance. Partnership working with Highways Service to ensure contractor call out on receipt of an alarm to clear out ditch.	Complete. Signage added to Highways trash screen with emergency number in case clearance is required.	Complete	Maintenance and use of of Hoo Telemetry system in collaboration with Highways.	

## Appendix 2: North Kent Marshes Internal Drainage Board programme of work 2020/2021

Activity	Timescale	Output
<i>Finance</i>		
Monitor accounts	31 March 2021.	Completed account for audit. Identify debtors.
Establish landowners for land parcels that are within a 'suspense' account.	31 March 2021.	Identify Drainage Rate payers.
Prepare and arrange Internal and External Audits for End of Year accounting	1-30 April 2020 (Internal Audit) June-September 2020 (External Audit)	Successful audit of accounts.
<i>Strategy and planning</i>		
Review Policy Statement and create an annual strategic plan for delivering the Boards work to achieve objectives	31 March 2021.	This forms a draft of the plan, to be reviewed against strategic priorities.
<i>Stakeholder and partnership working</i>		
Liaise with Partners including other Internal Drainage Board and the Association of Drainage Authorities	31 March 2021.	Act as south east Board Director for Association of Drainage Authorities (ADA).  Engage with LLFA's, IDB's, Water Resources South East (WRSE) and RFCC to identify opportunities across the region to collectively manage water resource issues identified in WRSE Regional Resilience Plan
Stakeholder Engagement (Medway Valley Partnership, Medway and Swale Estuary Partnership, Environment Agency, Natural England, landowners, Medway Internal Drainage Boards).	31 March 2021	Attend meetings and identify opportunities for collaborative working.

<i>Operational</i>		
Undertake wider site visits in the area to gain a better understanding of water level management across the marshes (for example third party structures).	31 March 2021	Identify future improvement opportunities for existing structures across the mar
Undertake annual site visits to Board watercourses to inform annual maintenance	31 August 2021	
Undertake maintenance works identified in 2020. <ul style="list-style-type: none"> <li>- Bank mowing at Ham Wall and North Delph</li> <li>- Desilting at Cooling Marshes</li> </ul>	28 February 2021	Maintained assets during winter to reduce species disturbance.
Review and determine Land Drainage Consent applications	31 March 2021	
Comment on Board's interests for Planning Applications	31 March 2021	IDB representation on planning process to ensure flood risk is not increased and to oversee Boards interests.
Work on behalf of the Boards interests on the Lower Thames Crossing	31 March 2021	Overseeing planning and consenting works as provided by the alternative Development Consent Order process.
<i>Project work</i>		
Support JBA to undertake Water Level Management Plan <ul style="list-style-type: none"> <li>- Providing information and feedback on work to date</li> <li>- Arranging a water level monitoring programme to better understand the marshes</li> </ul>	31 March 2021	Water level monitoring in place across the marshes to observe seasonal differences in water levels to inform operations, and potential future projects for Water Level Management and inform completion of a Water Level Management Plan.
Work with EA and landowners to investigate proposed options project for Allhallows Sluice.	31 March 2021	A Business Case to take forward to realise and alternative water level management solution which will prevent ingress of tidal water into freshwater habitat and retain

		appropriate water levels to support breeding waders.
Board Member elections	November 2020	Full Board complement in situ.