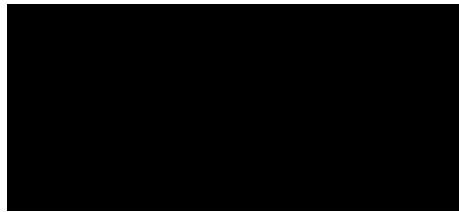


# **River Medway (Flood Relief) Act 1976**

## **The Environment Agency's application to vary the Scheme for the operation of the Leigh Flood Storage Area**

### **Objection to the application**

**From Mrs Lucy Menard**



I have lived at [REDACTED] since June 2007 and have seen how my neighbours' properties have been affected by the flooding and understand that there is now a risk that my garage could be flooded. My household usually has at least two cars parked at the bottom of our garden next to our garage. If we were away from our house for a number of days (perhaps on holiday or visiting family members) and there was a flood there could be damage to cars left on our driveway.

I object to this application to vary the Scheme for the operation of the Leigh Flood Storage Area. The Environment Agency (EA) has failed to properly understand the effect that the operation of the Flood Storage Area (FSA) has on Penshurst. Because of this lack of understanding it has developed a theoretical model of flood events that is fundamentally flawed. This has a knock on effect through the whole project.

The main issue seems to be that there is no measuring of water levels at the confluence of the River Eden and the River Medway a few hundred metres upstream of Bridge House and so the EA rely on theoretical modelling.

Measurement of actual flood levels should have been taken at the confluence of two major Kent rivers to understand the effect that the operation of the FSA causes during times of flooding. Instead the EA relies on measuring actual flood levels at Colliers Land Bridge for the River Medway and Vexour Bridge for the River Eden and then estimating the effect after the confluence. This is a fundamental flaw. Modelling is only ever as good as the inputs into it, if the inputs are flawed, the outputs will also be flawed.

The EA assumes that "Natural Flooding" occurs rather than being the effect of impounding the FSA. In my experience of living in Penshurst (in [REDACTED] since 2007 and previously at [REDACTED] Penshurst 1999-2007) this is not true. There is evidence from neighbours that all floods from 2000 to 2020 in the Village have occurred **after** the impounding of the FSA takes place. This flooding is greater than, and lasts for a longer duration than, any natural flooding.

In the EA's Strategic Flood Policy it states that 1 in 100 years plus climate change is the scenario that should be defended against.

Throughout this project the EA have always quoted 1 in 100 years plus climate change as the scenario used.

In the application the EA have quoted a 1 in 75 years scenario. This conflicts with their own National Guidance.

The current Scheme allows the FSA to be used when the rate of flow in the River Medway exceeds 35 cubic metres per second. Since 2011 the EA have only used the FSA when the flow exceeds 75 cubic metres per second, as to "go too early" would leave them with no spare capacity. Yet they ask to retain the lower figure. This places a great risk on Penshurst. With an increased capacity they could start impounding of the FSA too early and this would increase flood levels.

Tom Tugendhat MP has been supportive of our vulnerable position within this proposal.

Rogues Hill is a major route into and through the Village. It is the route used by the Fire Brigade, Police and Ambulance Service responding to emergency calls. It is also used by school buses and village traffic. When the EA impound the FSA this road floods to a depth of up to 1 metre, making it impassable, yet vehicles still attempt to pass. Raising the level of the FSA can only increase this flooding. This would create a **Moral Hazard**, with the potential for death. The water flow is known to be in excess of 70 cubic metres per second and should a school bus attempt to go through the flood, it could easily be carried away downstream. This risk of multiple death is high. The EA have merely said that it is the responsibility of the Highways Agency.

When the Leigh FSA was built in 1982 the EA's predecessor identified the risk of access to properties on the Penshurst Estate, and paid for the construction of a concrete road to ensure safe access. The EA's proposal to raise the height of the FSA now places access via that same concrete road at risk. There are six residential properties and farm buildings but also a nursery school with

many children in its care who could face being cut off during a flood.



Flooding will affect a number of properties on the High Street, not just Longford. There are buildings used for warehousing, hobbies and garages to the rear of these properties. Increased flooding will cause damage to property and access problems. One of these properties also claimed compensation for flooding caused by the EA's impounding of the FSA in December 2013. Early in 2020 the EA admitted liability and paid compensation to the owner of the property.