

Ms Robertson

Joanna Vincent, the Programme Officer for the Leigh FSA Inquiry, has sent me your email to her of 6th April (16:58) in which you ask for a copy of the Leigh Flood Storage Area operating procedures (the Procedures).

You should be aware that the Procedures contain sensitive information and when we have supplied them previously under the Environment Information Regulations 2004 (the 2004 Regulations) we have had to redact some parts of the Procedures on the grounds of national security. You have asked for the Procedures as part of the procedure for the Inquiry but, considering the security implications of releasing information about the operation of the Leigh Flood Storage Area, we see it as appropriate to apply the exemptions under the 2004 Regulations in this instance.

I set out below in italics the reasons for refusing to disclose the redacted information in the Procedures in accordance with the 2004 Regulations, used for previous requests.

I do hope you understand our approach and, indeed, we have chosen to send them to you in this manner since the Inquiry starts shortly and you do need adequate time to consider the Procedures. The time for replying under the 2004 Regulations is 20 working days which would take us beyond the first day of the Inquiry.

Finally, considering the Procedures form a large document I shall send you five emails with the Procedures attached. Please confirm receipt.

Thank you.

Relevant exemptions

EIR Regulation 12(5)(a) applies to this information because disclosure would adversely affect international relations, defence, national security or public safety

The Public Interest Test

We have weighed the public interest factors in favour of maintaining the exceptions and find that they outweigh the public interest factors in disclosing the information. In carrying out the public interest test we have considered:

We recognise that there is a general presumption of openness, and only withholds information if it is sure that disclosure would cause substantial harm. There is a need generally to promote accountability and transparency, and where possible to contribute to the effective running of the public sector by confirming whether we hold information and if we do by releasing information. We only withhold information when we are sure that disclosure would cause substantial harm. Here the harm is to public safety where the information relates to detail of the operation of the Leigh Barrier.

Provision of information can contribute to the debate of issues and lead to greater public participation in environmental decision-making, but here we do not consider that this is relevant. Disclosure of these details would not contribute to sustainable development, nor to public health and safety; in fact do we consider that the opposite is true, in that making technical detail available to the world at large would risk damage to the environment, and possibly a threat to human life and to property.

We have also been able to separate out and redact the information we consider to be sensitive, allowing us to provide the remaining information in the Leigh Flood Storage Area operating procedures that has been requested.

As indicated, upon assessing the factors in the public interest test, we have assessed that in relation to the national security/public safety exception, we find that the factors in favour of withholding information outweigh the public interest factors in disclosing the information.

Pete

Pete Carty

Senior Lawyer (Team Leader)

Legal Services National Team 1 FCRM, Planning and Professional Support

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Leigh Flood Storage Area Officer Procedures

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2. National Flood Warning Service Introduction
3. KSL Duty Officer Arrangements
4. Flood Forecasting Centre & Weather Products
5. Systems – Hyrad & Setel
6. Leigh FSA Background & Design
7. Leigh Flood Storage Area Operator Standby Role
8. Forecasting & Operational Planning
9. Monitoring
10. Impounding
11. Reservoir Drawdown
12. Gate Commissioning & Supervising Engineer Visits
13. Contingency Arrangements – Mechanical Risk
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Appendices

- A. Medway catchment information
- B. Handover prompt sheet
- C. Inflow forecast into the Leigh Structure in +7hrs
- D. Operational plan template
- E. Accessing the office
- F. Ensfield Road Flooding Operational Guidance
- G. Issuing Preliminary or Impounding Notification
- H. Manual Operation of gates from North Pier and Cabinets
- I. Powdermill Penstock Manual Operation
- J. Mott MacDonald Leigh FSA RBS and GOC user guidance
- K. Leigh FSA alarm list
Leigh FSA alarms
- L. Hever Castle
- M. Impounding Inspection Guide
Impounding Inspections risk assessment
- N. Staff trained in reservoir incident management (T333)
- O. Gate openings look up chart
- P. 

1 INTRODUCTION

1.1 PREFACE

The Environment Agency is a Category 1 Responder under the Civil Contingencies Act (2004). In order to comply with our Incident Management obligations under the act, we operate a series of duty officer roles on a 24 hours a day, 7 days a week rota.

The Kent and South London Area of the Environment Agency South East Region operate the Leigh Flood Storage Area (FSA); located on the River Medway upstream of Tonbridge. The principals of operation of the Leigh FSA are stated in the Medway Rivers Relief Act (1976).

1.2 SCOPE OF THE DOCUMENT

This document contains the Leigh FSA operational procedures for the Leigh Flood Storage Area Operator (LFSAO) to follow when operating the asset.

1.3 DOCUMENTS TO SUPPORT THE FLOOD LFSAO PROCEDURES

There are a number of other procedures and plans that may be used to support the LFSAO in Kent and South London. The list below is not exhaustive, but shows the key documents that you should be aware of, and which may help you when responding to a flood incident.

The following are operational procedures for other duty officers who have a role in managing flooding incidents:

- Flood Warning Duty Officer (FWDO) Procedures
- Assistant Flood Warning Duty Officer (AFWDO) Procedures
- Area Base Controller (ABC) Procedures
- Flood Incident Duty Officer (FIDO) Procedures
- Assistant Flood Incident Duty Officer (AFIDO) Procedures
- Monitoring and Forecasting Duty Officer (MFDO) Procedures

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2 NATIONAL FLOOD WARNING SERVICE

As the Leigh Flood Storage Area Operator (LFSAO) you will be required to converse with the KSL FWDO South, where operational trigger levels for flood alerts/warnings may be triggered for communities downstream of Leigh FSA. This section provides an overview of the national flood warning service.

2.1 DEFINITION OF FLOOD WARNING CODES

Please see 'Flood Warning Codes – what they are and what to do' a Guide to the Environment Agency's Flood Warning Codes.

2.2 COVERAGE OF FLOOD WARNING CODES

There are many different sources and types of flood risk and flooding including river, coastal, estuarial, groundwater, sewer, surface water, overland flow, burst water mains, etc. The "codes" apply only to flooding from rivers, the sea or groundwater, or flooding related to rivers, the sea and groundwater, such as from sewers unable to discharge into swollen rivers.

The Flood Warning Service applies to specific locations known as "Flood Warning Areas". Flood Alerts provide more general information and are issued for the wider area at risk of flooding. Flood Warnings and Severe Flood Warnings are more closely targeted at the residents of specific Flood Warning Areas.

Any of the codes (Flood Alert, Flood Warning and Severe Flood Warning) can be issued at any stage and do not have to be issued in sequence.

2.3 FLOOD ALERT ONLY SERVICE

Flood Alerts allow the Environment Agency to extend coverage of flood warnings to the wider floodplain. This approach may result in the Agency providing a different level of service to people at risk of flooding. Some people in the wider floodplain will only receive a Flood Alert Service, in contrast to some locations, which will receive a targeted Flood Warning Service. A Flood Alert Only service is viewed as an interim measure unless it is shown that it is not technically possible to offer anything more. The ultimate goal is a targeted Flood Warning Service for all areas, provided it is technically and financially feasible.

2.4 LOCAL VARIATIONS TO THE NATIONAL FLOOD WARNING SERVICE

The Environment Agency's flood warning service aims to provide prior warning (2 hours in general) to people living in designated flood risk areas where a flood forecasting facility exists, and where lead times are sufficient to enable the Environment Agency to do so. In the upper reaches of urban catchments (particularly in London) and in upland areas (upper parts of the Medway), rivers can respond to heavy rainfall within a very short space of time. In such cases the warning target of two hours is not feasible without accurate, quantitative rainfall forecasts from the Met Office. Until and unless such forecasts become available an effective warning lead time of thirty minutes to one hour may be the best that can be achieved.

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3 KENT & SOUTH LONDON DUTY OFFICER ARRANGEMENTS

3.1 GENERAL DUTIES

All Kent and South London Duty Officers are required to:

- Agree to and comply with the '*Terms of Reference*'
- Take part in the standby roster when required.
- Maintain a good understanding of all relevant operational procedures.
- Undertake a formal duty handover whenever the duty officer changes - including attendance at the Wednesday briefing/telecon. (see section 3.3)
- Ensure that they have the equipment and communication tools required to undertake their role.
- Attend regular training sessions and training exercises when required.
- Act as a mentor/coach to new duty officers and staff involved in incidents.
- Attend the Area Incident Room/Leigh FSA Control Room when required.
- Be prepared to respond to an incident at all times.
- Remain fully informed of any conditions or situations that may impact on their role
- Maintain an Incident Log throughout their duty period (see section 3.2).

In addition LFSAOs also have a number of specific responsibilities:

- Raise awareness of potential impacts/incidents with ABC & ADM (where appropriate).
- Act as the primary point of contact for the Area for the operation of the asset.
- Respond and plan to weather and river forecasts, telemetry alarms and NIRS in accordance with operational procedures.
- Maintain close liaison with other Area duty officers, Regional duty officers and external partners, advising of the developing situation.
- Provide any required data to the ABC to complete a HELP report within 1 hour of notification.
- Manage their assistants once in place.

3.2 **LOGGING**

One of our duties as a Category 1 responder is to record relevant data and information for the purposes of later analysis for learning lessons or for inquiry or investigation. Logging also helps us in another of our duties - providing a professional response to an incident.

It is therefore important that all duty officers or staff carrying out a decision-making role in KSL maintain a log at all times during an incident.

Information that is directly related to a potential or actual incident must be recorded – this will usually be started before an incident has ‘begun’.

Your log book should be used to record relevant information about the incident, as detailed below).

As a minimum the information that is logged must enable you, or others, to:

- Understand the context
- Manage the Incident
- Make decisions (and identify where decisions have been made)
- Implement Actions (or Identify where Actions are required / outstanding)

Logging Rules:

- The log entry **must** be pre-fixed with your name and your incident or duty role (this can be done once at the start of your shift/duty week or on the front of your book if you're using your own);
- The log entry **must** clearly identify a name for the incident concerned;
- Each entry **must** be chronologically numbered and pre-fixed with the time it was made using the 24hr clock;
- Each entry **is** dated using dd/mm/yy
- The log **must not** include short hand
- The log **must not** use abbreviation which are not in common use
- The log **must not** contain acronyms unless they have been written in full first.

When in the Leigh FSA control room use the LFSAO log book, which can be found on the desk or in the cupboard. When working from home LFSAOs should use their assigned official log books, provided by Flood Resilience.

3.3 DUTY HANDOVER

Whenever the duty LFSAO changes, whether a duty-week handover, or a incident-shift handover, there are a number of things that need to be done to formally pass duty from one LFSAO to another.

1. The **incoming LFSAO** should pull the BT One Number to **themselves** (see section 3.4.1). Once this has been done, the outgoing LFSAO should ring the BT One Number to ensure it has been pushed successfully, and give a verbal handover to the incoming LFSAO. The **incoming LFSAO** must record all of the information that is being passed to them in their duty officer log book.
2. The **incoming LFSAO** must then log **themselves** as 'on duty' on SETEL. This can be done remotely via text message or by logging in to SETEL (see section 3.4.2). This will ensure that any alarms generated by SETEL for the LFSAO are directed to the correct duty officer.
3. For a duty-week handover, the **incoming LFSAO** must dial-in to the duty-week handover telecom at 10:30am on the Wednesday of their duty week to share the current situation in their patch with the rest of the duty team.

3.4 EQUIPMENT AND RESOURCES

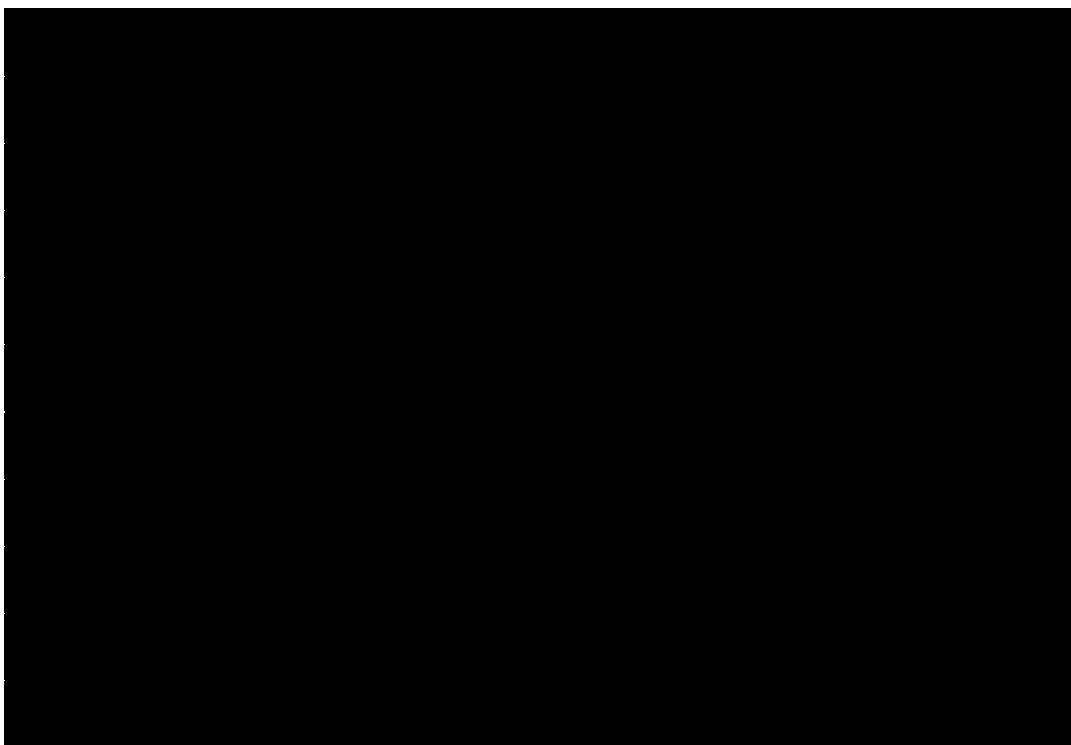
All LFSAOs must ensure that they have the following equipment / resources as a minimum whenever they are on duty:

- EA Laptop with access to:
 - SETEL (username/password required)
 - NFFS
 - IM Toolbox
 - HYRAD
 - Networked Drives
 - Log Book
- Copy of the LFSAO Operating Procedures
- Mobile Phone / Blackberry
- Access to the Internet from home (Broadband, Dial-up, 3g etc)

3.4.1 BT ONE NUMBER

All duty roles in KSL have a 0800 'single point of contact' number that can be transferred between the duty officers carrying out that role.

LFSAO KSL BT One Number : [REDACTED]

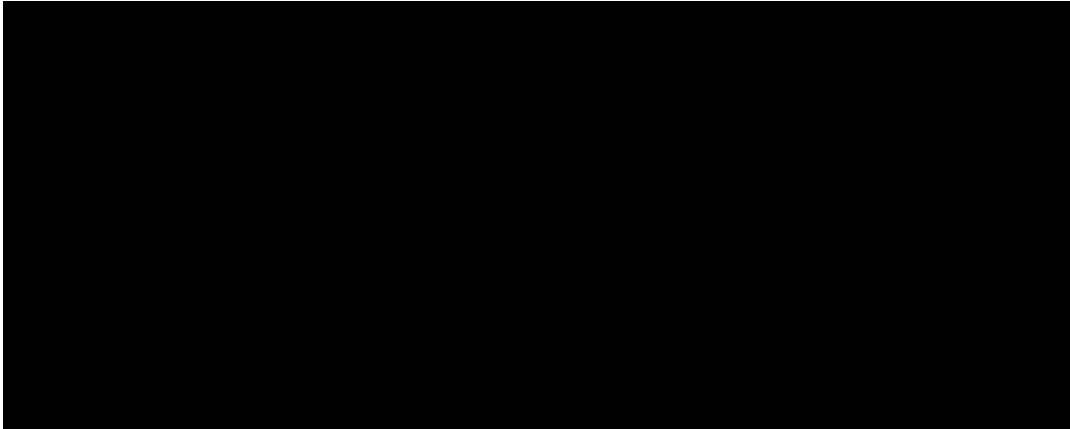


3.4.2 SETEL ROTA MANAGEMENT

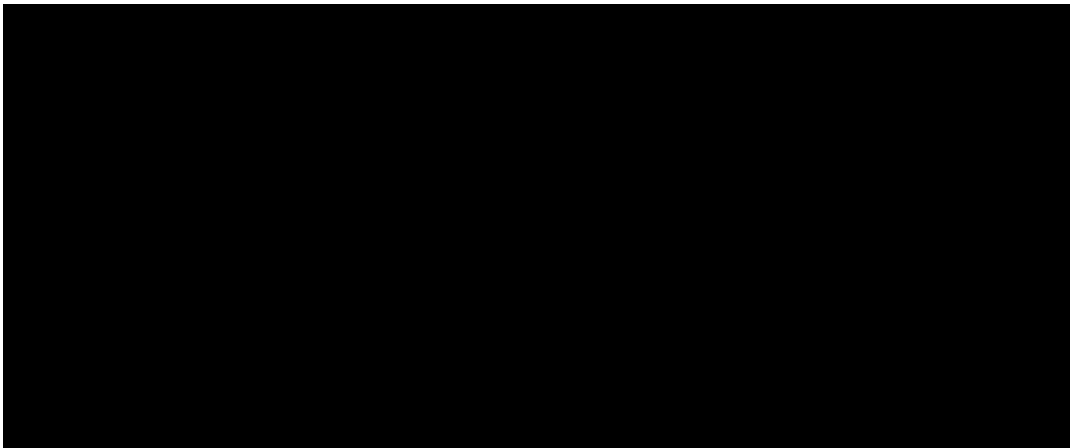
There are 2 methods for setting yourself 'on call' in SETEL – either by logging in to SETEL and setting yourself on call manually, or remotely by text message. It is important that this is done whenever duty is handed over, as it dictates who the alarms are passed to by the system.

Both methods must be carried out by the incoming LFSAO as the processes are user-specific.

Manual method



Remote method



The message must be in this exact format and sent from your work mobile phone number, otherwise it will not be recognised.

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Joanna

Mrs Robertson's acknowledgement below of receipt of the Operating Procedures.

Pete

Pete Carty
Senior Lawyer (Team Leader) FCRM, Planning and Professional Support
Legal Services, Kings Meadow House, Kings Meadow Road,
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phone External: [02030258833](tel:02030258833) Internal: 58833 Mobile 07833501130



From: Jane Robertson [REDACTED]
Sent: 09 April 2021 15:00
To: Carty, Peter <peter.carty@environment-agency.gov.uk>
Subject: Re: Leigh FSA Inquiry

Dear Peter, thank you very much for your 5 emails, I can confirm receipt.
Best wishes,
Jane Robertson

Sent from my iPhone

On 8 Apr 2021, at 15:38, Carty, Peter <peter.carty@environment-agency.gov.uk> wrote:

Ms Robertson

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Pete

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<1 INTRODUCTION.pdf>

<2 FLOOD WARNING SERVICE INTRODUCTION.pdf>

<3 KSL DUTY OFFICER ARRANGEMENTS.PDF>

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Kathy and Joanna

Please see Ms Robertson's response to my email of yesterday.

Thanks

Pete

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DX 121325 Reading 10

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From: Jane Robertson [REDACTED]
Sent: 14 April 2021 14:07
To: Carty, Peter <peter.carty@environment-agency.gov.uk>
Subject: Re: Leigh FSA Inquiry

Dear Pete, thank you for your email. I have found appendix A and B to which you refer.

Jane Robertson

On 13 Apr 2021, at 18:01, Carty, Peter <peter.carty@environment-agency.gov.uk> wrote:

Ms Robertson,

Thank you for your email of 12th April.

The Operating Procedures are not the Scheme. The Scheme can be found on the Inquiry website in Appendices A and B of the Environment Agency's Application. The Application itself can be found as Appendix 1 of the Environment Agency's Statement of Case on the page of the website headed, Library of Documents.

Appendix A of the Environment Agency's Application shows the Scheme which the Environment Agency has applied for and Appendix B shows the changes between the Scheme and the Revised Scheme.

In order to understand the relationship between the Scheme the Operating Procedures please refer to the Environment Agency Proofs of Evidence page of the website – see the proofs of evidence of Mr Connell and Mr Irvine.

The link for the Inquiry's website is: <https://gateleyhamer-pi.com/en-gb/river-medway/library-documents/>

I hope the above is clear but if not please contact me.

Pete

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From: Jane Robertson [REDACTED]
Sent: 10 April 2021 09:47
To: Carty, Peter <peter.carty@environment-agency.gov.uk>
Subject: Re: Leigh FSA Inquiry

Dear Pete Carter, please can you confirm that the procedures supplied are in fact the scheme as referred to below.

The River Medway (Flood Relief) Act 1976

A Scheme appended to the MFRA details (amongst other information) the maximum impoundment level within the Leigh Flood Storage area, currently 28.05m AODN. The Environment Agency manage and operate the Leigh Flood Storage Area within the parameters of the Scheme.

The operation of the existing FSA is governed by the River Medway (Flood Relief) Act 1976. Under this Act sits a short document known as the 'Scheme' which sets out the maximum level to which water can be stored. Under the Scheme, the Environment Agency can store water to 28.05m Above Ordnance Datum Newlyn (AODN) as measured at the structure. This means above mean sea level at Newlyn, Cornwall, which is used as the benchmark for Great Britain.

If the procedures are not the scheme please can you supply the scheme ? Please supply all versions of the scheme.

Thank you and best wishes,
Jane Robertson

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From: [REDACTED]
Date: 14 April 2021 at 14:22:10 BST
To: peter.carty@environment-agency.gov.uk
Subject: Request for mapping information

Dear Pete, Please could you tell me where to find the following mapping as mentioned in this TMBC document?

2.11 Officers have also requested the operating procedures/Management Plan for the FSA from the Environment Agency– this has not been provided at the time of writing this report but will be shared with members as relevant. **Additionally, the Environment Agency are producing mapping which demonstrates the extent of any downstream flooding as a result of the additional storage capacity – based on the 2013 flood scenario.**

From
<https://democracy.tunbridgewells.gov.uk/documents/g4381/Public%20reports%20pack%2005th-Dec-2019%2010.30%20Cabinet.pdf?T=10>

Best wishes,

Jane Robertson

21st April 2021

Jane

I apologise for the delay in responding but we have been trying to work out what this refers to.

There is no record of any specific mapping produced as a result of the meeting with the Councillor. During the discussion the Environment Agency explained that the increase in capacity in the Leigh FSA would not result in an increase in flows downstream. The Councillor was concerned that this may be the case and had asked the Environment Agency to produce mapping to show this. The Environment Agency explained that there would not be additional flooding and that there were no plans to change the operational procedures and outflow from the FSA. The increased capacity in the Leigh FSA reduces the risk of flooding to downstream communities.

As there is no specific mapping produced for this meeting, I have attached the Flood Risk Assessment which contains up and downstream mapping showing the impact of the increased flood storage volume.

Pete

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Legal Services National Team 1 FCRM, Planning and Professional Support

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**Creating a better place
for people and wildlife**



From: Jane Robertson [REDACTED]
Sent: 14 April 2021 14:26
To: Carty, Peter <peter.carty@environment-agency.gov.uk>
Subject: Request for mapping information

Dear Pete, Please could you tell me where to find the following mapping as mentioned in this TMBC document?

2.11 Officers have also requested the operating procedures/Management Plan for the FSA from the Environment Agency– this has not been provided at the time of writing this report but will be shared with members as relevant. **Additionally, the Environment Agency are producing mapping which demonstrates the extent of any downstream flooding as a result of the additional storage capacity – based on the 2013 flood scenario.**

From
<https://democracy.tunbridgewells.gov.uk/documents/g4381/Public%20reports%20pack%2005th-Dec-2019%2010.30%20Cabinet.pdf?T=10>

If you cannot locate this please consider this email to be a FOI request and please provide it electronically.

Best wishes,

Jane Robertson

Begin forwarded message:

From: Jane Robertson <[REDACTED]>
Date: 22 April 2021 at 13:00:32 BST
To: "peter.carty@environment-agency.gov.uk" <peter.carty@environment-agency.gov.uk>
Subject: Tonbridge SFRA stage 3

Dear Pete, thank you very much for the document you sent yesterday. I apologise for feelings running high. As you know protection for downstream is very important to our community here in Yalding. As David Cameron promised flooding like in Christmas 2013 cannot be allowed to happen here in Yalding again.

Please provide the following stage 3 modelling in full including the detailed hydrology and modelling as referenced in 1.3.3. Including the update of the operating rules.

[https://democracy.tmbc.gov.uk/Data/Planning%20and%20Transportation%20Advisory%20Board/201102221930/Agenda/\\$Report%20of%20Director%20of%20Planning%20Transport%20and%20Leisure%20-%20att10913.doc.pdf](https://democracy.tmbc.gov.uk/Data/Planning%20and%20Transportation%20Advisory%20Board/201102221930/Agenda/$Report%20of%20Director%20of%20Planning%20Transport%20and%20Leisure%20-%20att10913.doc.pdf)

'The Stage 3 work undertaken during 2009-2010 updated the Stage 2 work. This principally involved new improved modelling of Tonbridge Town Centre to provide more accurate flood risk maps and hazard mapping. It also included an update to the operating rules of the Leigh Barrier.'

https://www.tmbc.gov.uk/_data/assets/pdf_file/0005/57209/SFRA_Feb_2011_Text_Extracts.pdf

Begin forwarded message:

From: "Carty, Peter" <peter.carty@environment-agency.gov.uk>
Date: 23 April 2021 at 17:47:03 BST
To: Jane Robertson <[REDACTED]>
Cc: "Aucott, Kathy" <kathy.aucott@environment-agency.gov.uk>
Subject: RE: Tonbridge SFRA stage 3

Mrs Robertson

I apologise for not responding sooner, considering the imminence of the Inquiry, but I cannot help you with your request since you refer to another organisation's documents. You refer to paragraph 1.33 in TMBC's February 2011 report which does not refer to modelling and refers to the SFRA which is not an Environment Agency document.

The updated operating rules by which I think you mean the Operating Procedures for the Leigh FSA are Core Document 1.17 on the Inquiry Website – see <https://gateleyhamer-pi.com/en-gb/river-medway/library-documents/core-documents/>

Pete

Pete Carty
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Legal Services, Kings Meadow House, Kings Meadow Road,
Reading RG1 8 8DQ

DX 121325 Reading 10

email peter.carty@environment-agency.gov.uk
phone External: [02030258833](tel:02030258833) Internal: 58833 Mobile 07833501130



From: Jane Robertson [REDACTED]
Sent: 22 April 2021 13:01
To: Carty, Peter <peter.carty@environment-agency.gov.uk>
Subject: Tonbridge SFRA stage 3

Dear Pete, thank you very much for the document you sent yesterday. I apologise for feelings running high. As you know protection for downstream is very important to our community here in Yalding. As David Cameron promised flooding like in Christmas 2013 cannot be allowed to happen here in Yalding again.

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