

# KENDAL TOWN COUNCIL

## Management Committee

**Monday 23<sup>rd</sup> January 2017 at 7.30 pm  
in The Mayor's Parlour, Town Hall, Kendal**

- PRESENT** Councillors Tom Clare (Chair), Austen Robinson (Vice Chair), Andy Blackman, Stephen Coleman (Mayor), Clare Feeney-Johnson, Lynne Oldham, Jon Robinson, Jonathan Brook, Geoff Cook and Sylvia Emmott
- APOLOGIES** Councillor Veevers
- OFFICERS** Liz Richardson (Town Clerk), Nicky King (Council Secretary) and Hazel Belshaw (Temporary Council Secretary)
- 806/16/17 PUBLIC PARTICIPATION**
- None.
- 807/16/17 DECLARATIONS OF INTEREST**
- Councillor Brook declared an other registrable interest in item 9 on the agenda (Flooding December 2015) as the relevant SLDC portfolio holder.
- Councillor Cook declared an other registrable interest in items 8 (Kendal Tourist Information Centre) and 9 (Flooding December 2015).
- 808/16/17 MINUTES OF THE MEETING HELD ON 19<sup>TH</sup> DECEMBER 2016**
- The Chairman presented the minutes of the meeting held on 19<sup>th</sup> December 2016, which had been approved by full Council on 9<sup>th</sup> January 2017.
- Councillor J Robinson proposed that the minutes be accepted as a correct record. This was seconded by Councillor Clare and carried with two abstentions.
- RESOLVED** That the minutes of the meeting of the Committee held on 19<sup>th</sup> December 2016 be accepted as a correct record.
- MATTERS ARISING (Not on Agenda)**
- 809/16/17 Repairs to front façade of KTC rented garage on Dowker Lane (Minute 708/16/17)**
- Councillor Coleman asked the Town Clerk whether the urgent repairs to the wood panelling frontage of the rented garage had been done. She confirmed that the work was complete.

**810/16/17 Action Plan for Kendal Progress Update (Minute 710/16/17)**

Councillor Emmott advised that she had provided a briefing note as per the resolution. The Town Clerk had issued this direct to Members.

**811/16/17 URGENT ITEMS OF BUSINESS**

None.

**812/16/17 REPORT ON WORK PROGRAMME**

The Town Clerk presented her report on project progress for January 2017. The following matters were highlighted:

**CIL Governance** – the first working group meeting had been held with the Town Clerk, Project Manager and various councillors. A number of questions had been raised during the meeting which the Town Clerk had emailed Dan Hudson about. Another meeting was planned for March.

**Market Place Enhancement** – Councillor Emmott confirmed that a contractor had been appointed. A consultation process was scheduled to begin in February. Councillor Feeney-Johnson advised that she had been approached by a couple of traders in the Market Place. They wished to be more included and had requested a briefing note from the Board. Councillor Emmott advised that a team of people would be talking to business traders/market stall holders prior to the start of the consultation. Councillor Clare requested that Councillor Emmott provided all Members with further details of the consultation once known.

**Infrastructure Projects** – Councillor Cook advised that best endeavours were being used to move forward the taking over of the maintenance of CCC benches.

**Council Meeting Venue** – revised draft lease received from SLDC and initial comments given. No further response received so the Town Clerk had chased and was advised that the solicitor at SLDC that had been dealing with the matter had left. It is possible that the desks and chairs will be moved from the corridor area to vacant office space at SLDC.

**Kendal in Bloom** - Committee working with the Environment & Highways Committee. Joint projects to be undertaken to enhance prospects in Britain in Bloom competition.

**Kendal Promotion Leaflet Series & Kendal Destination Website** – launch date 16<sup>th</sup> February 2017.

**813/16/17 ANNUAL REPORT 2016 AND ANNUAL TOWN ASSEMBLY**

The Town Clerk confirmed that the Annual Town Assembly would be held on Monday 3<sup>rd</sup> April 2017 at 7.30pm in the Bindloss Room. The

Full Council meeting would start at the later time of 8pm. Usual format proposed.

A reminder was issued for all outstanding annual report contributions for Committees to be submitted to the Town Clerk as soon as possible.

Councillor Coleman referred to the Wainwright Award and queried which room would be used for presentation of the Award. The Town Clerk advised that this was likely to be the Mayor's Parlour but would confirm.

**RESOLVED**

Town Clerk to confirm which room would be used for presentation of the Wainwright Award.

**814/16/17**

**KENDAL TOURIST INFORMATION CENTRE**

It had become apparent that the Kendal Tourist Information Centre would cease to be hosted in the Made in Cumbria shop on Branthwaite Brow. KTC had not been informed of this directly in advance. The Town Clerk advised that she had written to Mr Rob Johnston, Chief Executive of Cumbria Chamber of Commerce, but had received no response to date. KTC fund the provision of the Kendal TIC with an annual grant. The Town Clerk remarked that, as a provider of funding, it was extremely disappointing to have received no recognition of the correspondence or the Council's role in the matter.

Councillor Vincent was unable to attend the meeting but had provided a written update on the situation. The closure was attributed to competition from web-based service providers and the cost of staff needed to man the office within the Made in Cumbria shop. Discussions were ongoing regarding alternative arrangements, but it would be some time before the outcome of those discussions would be known.

Councillor A Robinson proposed that the matter be discussed in more detail in Part II (Excluded Items) of the meeting. This was seconded by Councillor Coleman and carried with one abstention.

**815/16/17**

**FLOODING DECEMBER 2015 – ISSUES RELATING TO RESPONSE TO THE FLOODING**

Councillor A Robinson presented papers relating to the response to the December 2015 flooding. The first was the response from the Environment Agency, SLDC and Cumbria County Council Lead Local Flood Authority to questions submitted by KTC on 2<sup>nd</sup> August 2016. Further to this the second was a draft letter of further thoughts and comments. Councillor A Robinson informed members that our responses had been compiled with the help of a retired local Planner and suggested that it would be a nice gesture to forward a letter of thanks and some flowers for her input and assistance.

Councillor A Robinson said that he would like to ensure KTC had the opportunity to meet with the consultants employed for the next phase to look at ways forward.

Councillor J Robinson thanked Councillor A Robinson for his time in preparing the papers and acknowledged that a considerable amount of work was involved.

Councillor Brook echoed Councillor J Robinson's comment. He made the following observations on the draft letter:

Page 3 – Section 19 Document:

- Paragraph beginning *“It would be very unwise to permit any development above the current development line.....”*

Councillor Brook felt that this was too restrictive in terms of future development and suggested insertion of the word “further” before development.

- Paragraph beginning *“Basically, no further developments on the left bank of the River Kent....”*

Councillor Brook suggested “left bank” be clarified by adding “eastern bank”.

Councillor Feeney-Johnson drew Members' attention to the second paragraph on the last page which referred to the Sainsbury's development at the old Rugby Club site and the floodplain. She considered that the paragraph needed re-wording as the Rugby Club did not flood and were anxious not to be used as an example. After a general discussion it was agreed to amend the wording to “Most of low-lying central Kendal is on a floodplain, so **large developments should be reviewed**”.

Councillor Emmott referred to the fifth paragraph on page 3 of the draft letter which made reference to Lumley Road having serious flooding potential. She commented that she had never known the area flood. Councillor A Robinson replied that the paragraph was referring to surface run off from that area causing properties below the site to be flooded. It was agreed to remove reference to Lumley Road.

A general discussion ensued and Members debated the various reasons for flooding including fluvial flooding from rivers, run-off flooding etc. The potential consequences of new developments and the need to ensure gullies and culverts were adequate was also discussed in detail.

Councillor Clare recommended that the draft letter be adopted subject to the amendments discussed and agreed. All Members were in agreement. It was further agreed to send a letter of thanks and flowers to the person who assisted Councillor A Robinson in drafting our various responses.

Councillor A Robinson asked who should be on the circulation list when the draft letter was issued. It was agreed that this should include:

Doug Coyle, CCC  
 Councillor Janet Willis  
 Catherine Evans, EA  
 Councillor J Brook (relevant CCC Portfolio Holder)  
 David Sykes, Dan Hudson and Mark Shipman at SLDC

It was suggested that March would be an appropriate time to revisit the matter and review.

**RESOLVED**

1. That the draft letter be adopted subject to the amendments discussed and agreed.
2. That a letter of thanks and flowers be sent to the person who assisted Councillor A Robinson in drafting our various responses.
3. That the matter be revisited and reviewed in March.

**816/16/17****COMMUNITY EMERGENCY PLAN – ARRANGEMENTS FOR MANAGEMENT**

The Town Clerk advised that the meeting scheduled for last week had been postponed to Thursday of this week. As she was not in a position to report further on this issue it was agreed to add the item to the agenda of the next meeting.

**RESOLVED**

That the matter of the Community Emergency Plan – Arrangements for Management be added to the agenda of the next meeting.

**817/16/17****CUMBRIA TOURISM COMMUNITY MEMBERSHIP 2016/17**

The Town Clerk presented a paper which had been circulated prior to the meeting regarding a proposal to become a Cumbria Tourism Community Member. Benefits would include access to the Cumbria Tourism photo library which may then be used on new promotional leaflets and the website for Kendal, support with marketing advice and the opportunity to promote the town on the destination website and in other Cumbria Tourism campaigns and relevant publications. She explained that membership would be especially useful to the Project Manager. The cost of membership was £17.50 per month and the Treasurer had advised that sufficient monies were available.

Councillor Feeney-Johnson proposed that KTC took out the membership, but that it be reviewed towards the end of the term of membership (September 2018). This was seconded by Councillor J Robinson and carried with one abstention.

**RESOLVED**

That KTC joined Cumbria Tourism Community Membership at a cost of £17.50 per month. To be reviewed towards the end of the term of membership (September 2018).

**818/16/17****ITEMS FOR THE NEWSLETTER**

Councillor Clare advised that there was a lot of material for the next issue of the KTC newsletter and ran through the items to be included. The next edition would be issued during the first week of March.

Members were asked whether they wished to carry an article on the towpath or the improvement works at Kendal Castle. Members agreed to include the towpath article in this edition, with the Castle article to follow in the subsequent issue. Members were also asked whether they wished a call for volunteers for Kendal Torchlight to be included. It was agreed this should be featured.

The matter of flooding and KTC's stance on this subject was raised. It was agreed that Councillors Clare and A Robinson would liaise further in this respect.

Councillor Blackman mentioned that Kendal Mint Clean would be joining in with the Great British Litter Picking Event to take place during the first weekend of March. Members considered that as distribution of the newsletter was the next week there was no point including it. The Town Clerk advised that there was a Kendal Mint Clean tab on the KTC website where details of the event could be advertised. Councillor Blackman to forward relevant text to the Town Clerk.

**RESOLVED**

Councillor Blackman to forward details of the Great British Litter Picking Event to the Town Clerk for inclusion on the website.

**819/16/17**

**REVIEW OF SPEND AGAINST BUDGET 2016/17**

The Town Clerk presented the budgetary control statement for nine months ended 31<sup>st</sup> December 2016. The following matters were highlighted:

- There was an overspend on Staff Salaries. The Treasurer had provided an explanation for this at the bottom of the statement.
- An underspend on Supplies & Services was likely.
- IT & Website – consideration to be given to the purchase of a laptop for the Assistant to the Town Clerk with the remaining funds.

Councillor Clare thanked the Treasurer for his time in preparing the Statement.

**820/16/17**

**EXCLUSION OF PRESS AND PUBLIC**

It was proposed by Councillor Brook and seconded by Councillor Clare to move to Part II, this was carried unanimously.

**RESOLVED**

That the press and public be excluded for the following items of business.

**Part II**

In accordance with Section 100(B)(2) of the Local Government Act 1972, the following reports were excluded from inspection by members of the public as they contain exempt information as

described in Schedule 12A of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006, as follows:-

Information relating to any individual [*Paragraph 1*]

**STAFFING MATTERS** [Paragraph 1]

**821/16/17**

**Council manpower and associated risks** (Ref Nov meeting Minute 657/16/17)

The Town Clerk advised that this item was tied in with the anticipated need for additional manpower to work on the Community Emergency Plan. She was concerned about the amount of time that the project would require and said there might be a need to request extra hours. A meeting was scheduled to be held on Thursday to discuss further.

Councillor Clare commented that the Committee was currently in the dark as to the size of the project, which had been based on the Keswick model. He asked whether it would be possible to seek further clarification on the volume of workload as far as Keswick was concerned and go from there. Councillor J Robinson to make enquiries and report back to Committee. It was noted that there was a time pressure if somebody was to be appointed to commence in April has had been previously envisaged.

**RESOLVED**

Councillor J Robinson to seek further clarification on the volume of workload relating to the Community Emergency Plan and report back to Committee.

**822/16/17**

**Kendal Tourist Information Centre**

Members discussed in detail the matter of the Kendal TIC ceasing to be hosted in the Made in Cumbria shop on Branthwaite Brow. Ideas for an alternative facility were put forward including an information point/touch screen and it was suggested that one possible location for this might be Kendal library.

Committee agreed that KTC strongly supported the provision of a TIC service in Kendal and that the matter should be looked into as a matter of urgency. It was further agreed that no funding would be given at this stage until further clarity was received from Rob Johnston, Chief Executive of Cumbria Chamber of Commerce. KTC had a 3 year agreement with Made in Cumbria to provide funding, subject to receipt of a business plan and annual report. This documentation had not materialised.

It was agreed that the Town Clerk would speak to Derek Armstrong in the first instance. Councillor Cook was due to attend a Kendal BID meeting and would report back to the Town Clerk in a couple of weeks. Committee agreed they were happy for Councillor Cook to feedback the Committee's thinking on the closure to Kendal BID.

**RESOLVED**

That the Town Clerk speak to Derek Armstrong in the first instance regarding the closure of Kendal TIC.

**823/16/17****READMISSION OF PRESS AND PUBLIC**

It was proposed by Councillor Brook to re-admit the press and public. This was seconded by Councillor Coleman and carried unanimously.

**RESOLVED**

that the press and public be re-admitted for the remainder of the meeting (none were present).

**824/16/17****ANY OTHER BUSINESS**

The Town Clerk advised that the SLDC Overview Scrutiny Committee had requested suggestions of matters for their consideration. It was agreed that the issue of the Lakes Line be put forward, including electrification and type of trains in use.

Councillor Feeney-Johnson highlighted new signs at Oxenholme Station which read "Home to the University of Cumbria". She also noted a change of name to "Oxenholme – Gateway to the Lakes". She felt that the appropriateness of these signs should be considered further and the Project Manager was asked to look into this further.

**RESOLVED**

That the SLDC Overview Scrutiny Committee be requested to consider the issue of the Lakes Line, including electrification and type of trains in use.

The meeting closed at 9.19pm.

## Summary of Information, Resolutions and Recommendations to Council

Min	Subject	Information/Resolution/Recommendation to Council	
808/16/17	<b>MINUTES OF THE MEETING HELD ON 19<sup>TH</sup> DECEMBER 2016</b>	<b>RES</b>	That the minutes of the meeting of the Committee held on 19 <sup>th</sup> December 2016 be accepted as a correct record.
813/16/17	<b>ANNUAL REPORT 2016 AND ANNUAL TOWN ASSEMBLY</b>	<b>RES</b>	Town Clerk to confirm which room would be used for presentation of the Wainwright Award.
815/16/17	<b>FLOODING DECEMBER 2015 – ISSUES RELATING TO RESPONSE TO THE FLOODING</b>	<b>RES</b>	<p>4. That the draft letter be adopted subject to the amendments discussed and agreed.</p> <p>5. That a letter of thanks and flowers be sent to the person who assisted Councillor A Robinson in drafting our various responses.</p> <p>6. That the matter be revisited and reviewed in March.</p>
816/16/17	<b>COMMUNITY EMERGENCY PLAN – ARRANGEMENTS FOR MANAGEMENT</b>	<b>RES</b>	That the matter of the Community Emergency Plan – Arrangements for Management be added to the agenda of the next meeting.
817/16/17	<b>CUMBRIA TOURISM COMMUNITY MEMBERSHIP 2016/17</b>	<b>RES</b>	That KTC joined Cumbria Tourism Community Membership at a cost of £17.50 per month. To be reviewed towards the end of the term of membership (September 2018).
818/16/17	<b>ITEMS FOR THE NEWSLETTER</b>	<b>RES</b>	Councillor Blackman to forward details of the Great British Litter Picking Event to the Town Clerk for inclusion on the website.
821/16/17	<b>STAFFING MATTERS</b> [Paragraph 1] <b>Council manpower and associated risks</b>	<b>RES</b>	Councillor J Robinson to seek further clarification on the volume of workload relating to the Community Emergency Plan and report back to Committee.
822/16/17	<b>Kendal Tourist Information Centre</b>	<b>RES</b>	That the Town Clerk speak to Derek Armstrong in the first instance regarding the closure of Kendal TIC.
824/16/17	<b>AOB</b>	<b>RES</b>	That the SLDC Overview Scrutiny Committee be requested to consider the issue of the Lakes Line, including electrification and type of trains in use.

# KENDAL TOWN COUNCIL

## Town Clerk

Elizabeth Richardson BSc (Hons)

## Town Treasurer

Jack Jones CPFA

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24 January 2017

Dear Angela, Doug, Catherine and David

I am writing on behalf of the Management Committee of Kendal Town Council.

We very much welcomed the responses and comments in Angela's email dated 04/10/2016 from the Environment Agency (EA), Cumbria County Council (CCC) and South Lakeland District Council (SLDC), and appreciate the volume of work undertaken, especially in the preparation for and as a result of the Section 19 Report. Many Councillors attended the Section 19 Report presentations held in Kendal in mid-December.

In response to the above we have added some further thoughts and comments, and would, however, ask for some further clarifications.

### **Question 1 (The scope of the work undertaken)**

There is a greater need to take into full account all of the water sources, not just those directly affecting the fluvial situation, which is primarily what you are directly concerned with. The picture of flood risk is, as this council has said and you agree, rather more complex and derived from a range of sources, including surface water, drainage systems, minor watercourses, sewers, groundwater etc.

The EA response to us iterated and re-iterated 'within river catchments', but without all waters included, any re-modelling is inevitably inaccurate.

In the Council's original question to you it stated that "new maps should also show areas flooded in the last ten years (including Highgate, [for example, which we believe was not fluvial rather the result of 'overland flow and kettle holes']) and distinguish between waters derived from the river, from groundwater coming off nearby hills, rainfall within urban developments, or from sewers". We should also now indicate the same for previous Hallgarth flooding(s), reminding us in both instances that we are living in a valley.

So will the final re-modelling and maps be an accurate reflection and assessment of the flooding situation/risks **for the whole of Kendal?**

## **Question 2 (Implications for current and future Development Sites)**

This is answered in rather general, procedural and careful, but not fully re-assuring terms, because it fails to respond directly to all of the specific questions posed.

We are, however, delighted that you have started a new Strategic Flood Risk Assessment (SFRA) in order to better inform the revised Development Plan in 2021, and that it will be available for use with the assessment of existing sites in the interim.

Under what circumstances would/will SLDC be prepared to request and finance an independently-reviewed viability assessment for particular sites? And at what stage may de-allocations be possible?

## **Question 3 (Flood Warnings)**

We appreciate the problems, and this Council would like to try to help the situation. Flood warnings need to cover the whole area, not just those areas for which the EA has legal responsibility. (And as a reminder this Council would support the re-instatement of a siren.)

## **Question 4 (Monitoring of Maintenance Issues)**

So what can we do about it beyond the legal requirements?

## **Question 5 (Attenuation Measures)**

The County Council needs to be strong in its advice and requirements, should take a bolder lead and, where necessary, be prepared to employ independent drainage engineers to support their case.

Some sites have considerable drainage problems before possible development, so for the Lead Planning Authority (LPA)/CCC to be obliged to use the statement '*to regulate the flow (of water) from any development to no more than would run off if the site was grassed over*' is totally unacceptable, when it is acknowledged that many sites are already unloading sometimes inordinate volumes of water into a system that is not currently coping.

## **Question 6 (The effects of climate change)**

The data quoted needs to be updated by Government, and it needs stressing that climate change is speeding up. The last update still only applied to rivers, and surface water was not included. We need an assurance that this situation will be rectified and then the necessary adjustments applied. We also need specific data and requirements for Cumbria and, in particular, for the Kent Valley, as figures indicated hitherto are merely of a general nature and not specific enough for this area.

When new data is available, what effect will that have on existing, but not yet developed allocated sites?

### **Question 7 (Procedural)**

Will all flood mitigation measures and drainage systems be in place *before* sites are developed? For clarity on our part this 'before' refers especially to sites where existing problems need to be resolved in addition to those envisaged because of actual development? Development work on site should not commence until this pre-development need has been fully assessed and the resultant work carried out.

### **Question 8 (Drainage consultancy)**

Because we understand that SLDC no longer employs specialist drainage engineers with access to and experience of new and up-to-date technologies, resources and techniques, it is necessary either to appoint one or to be obliged to seek that independent expertise further afield and obviously budget for it.

### **Question 9 (Network Rail)**

We welcome the closer links.

### **Section 19 Document**

**Flooding History** - It would seem that the Lowther Park flood has been omitted.  
**Recommended Actions** - Fine for the time-being.

Every site should contribute to solving the existing and predicted flooding problems of Kendal. Otherwise it should not be developed.

Because the need to slow the flow of water has now been officially acknowledged, we need every site to be assessed accordingly and all underground watercourses and minor streams to be included in that assessment.

This council, as a planning consultee, always prefaces its recommendations on new developments with the statement "*We are anxious that major developments should not take place until cognisance has been made of the Section 19 Report and its possible recommendations*", and we believe that SLDC should be very wary about allowing new developments until they are satisfied, post the Section 19 Report and the ensuing Consultant's Report, that it is wise to progress.

It is apparent from the Section 19 maps that current developments - off Oxenholme Road for example, and many (possible) developments have at times serious flooding potential and issues – for example, off Hallgarth and off Burneside Road and top Oak Tree Road.

It is not just a question of looking at the site itself, but also the potential it may have for affecting elsewhere, for example the extension to Kendal Parks and the possible implications for Strawberry Fields and The Oaks.

It would be very unwise to permit any further development above the current development line because of the potential flooding threat to any settlement lower down the slopes.

[Incidentally, there is seemingly no indication of mapping for the run-off from the Brigsteer Road/Underbarrow Road developments, and although Blind Beck itself

did not flood on this occasion some cellars in the vicinity and lower down towards the River Kent were rising-ground-water flooded.]

No further areas of 'swampy' land should be developed, because of the loss of natural flood storage/water retention, as was the case with much of Sandylands and Lowther Park etc. Land is saturated often in such areas, though Desmond did catch us at its worst 'when groundwater levels were already at or near ground level.' Much greater attention needs to be placed on soil permeability, and certainly no further development should further compromise the Stock Beck situation. The implications of the new development at the top of Sandylands must act as a severe warning.

Basically, no further developments on the left (eastern) bank of the River Kent should be seriously considered.

**Outline planning consent in all cases should not be granted unless drainage matters have been thoroughly addressed and proven to be viable.**

**Kendal should be made a special case.**

**We would urge SLDC and CCC to stand up for the needs of the people of Kendal and fight for Kendal to be such in planning terms because of its sensitivity to flooding.**

The Section 19 Report highlights the fact that we are at the confluence of the River Kent and its two major tributaries. We have three Stock Beck tributaries, Natland Mill Beck and a tributary, Gilthwaiterigg Beck and Blind Beck, and we are topographically caught in a relatively steep-sided valley with a large and higher hinterland. The rainfall figures are extremely (especially) high and the River Kent is the fastest-flowing major river in the country. There needs to be clear recognition that the River Kent does not behave like the River Eden even, for example, does not reflect the problems on the Somerset Levels and that generic modelling will not be an appropriate basis on which to work. And we have two railway embankments to compound the problems.

Most of low-lying central Kendal is on a floodplain, so large developments should be reviewed.

No further developments should take place on the floodplain. [See the cover story of the *i* (06.01.2017) below. The accompanying photo (not shown) was of Carlisle.]

Planners need to be better armed and should press the Government to consider the implications for people who buy knowingly or unknowingly a property that is not flood resilient because of where it is.

Kendal needs to be defined as a **critical drainage area** in order to enable the Local Planning Authority and the Lead Local Flood Authority (LLFA) to apply more stringent standards on drainage, and both organisations need the tools to object to developments.

Kendal is also a critical component in the national highway network, and there is a need to consider whether major growth should really be located nearer to the M6 corridor in any case.

As regards financing any resilience work, perhaps the Stock Beck Flood Alleviation Scheme in 2005 can be a useful model and warning. If a job is worth doing, it is worth doing properly, and both capital and revenue monies will be needed.

We look forward to your further written thoughts, but in any case would welcome an opportunity to discuss the situation with you - in a similar manner to the very successful meeting we had last year.

We should also like to ensure that we contribute in this next phase to discussions with the consultants who are currently being employed to look at the ways forward.

Yours sincerely,



Liz Richardson  
Town Clerk.

Also sent to Doug Coyle, CCC and David Sykes, SLDC.

Cc Cllr Tom Clare, Chair of Management Committee  
Cllr Austen Robinson, Vice-Chair of Management Committee  
Cllr Janet Willis, CCC Portfolio Holder  
Cllr Jonathan Brook, SLDC Portfolio Holder  
Dan Hudson, SLDC  
Mark Shipman, SLDC  
Jonathan Coates, EA  
Andy Brown, EA

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Ms Angela Jones  
Assistant Director Economy and Environment  
Cumbria County Council.

Mr Doug Coyle  
Cumbria County Council.

Ms Catherine Evans  
Environment Agency.

Mr David Sykes  
South Lakeland District Council.

COVER STORY

# Hundreds of new homes approved despite risk of flooding

By Dean Kirby

Hundreds of homes are being approved by planning chiefs in England each year in spite of official objections from the Environment Agency about the risk of flooding, it can be revealed. Figures obtained by <sup>1</sup> under the Freedom of Information Act show more than 1,200 residential properties have been given a green light after flood risk advice from the agency was overruled or partially overruled in the five years since 2011-12.

The 1,228 "residential units" approved by planners are only a tiny percentage of nearly 316,000 properties contained in decision notices where the Environment Agency raised objections. Councils followed the agency's advice in planning more than 99 per cent of new homes. But the figures are likely to raise concerns that families buying new homes are being put at risk of future flooding.

The news comes after this newspa-

per revealed how thousands of people have been forced to spend a second Christmas away from their homes because of damage inflicted a year ago, when around 16,000 properties in England were swamped in the wettest December in a century.

Mark Shepherd, head of property at the Association of British Insurers, said: "Flooding doesn't just ruin homes and belongings, it's a heart-breaking and traumatic experience for people to go through."

"The UK needs more housing, but to build new properties where there is a significant risk of flooding simply stores up problems for the future."

The Environment Agency's figures show it has raised objections on flood risk grounds in more than 14,000 planning applications since 2011-12.

Of those where a decision is known, the agency's objections have been overruled or partially overruled on 330 occasions. One application included nearly 1,000 residential

units; another had more than 500. Many of the properties were in the highest level of flood risk, including several where there was a concern over risk to life or property.

A spokesman for the Local Government Association said: "Local authorities throw out planning applications which are reckless and irresponsible. Councils are generally opposed to building property on flood plains and 99.7 per cent of the 66,132 new homes in 2015-16, where the Environment Agency were consulted, had planning outcomes in line with Environment Agency advice."

"Where building does take place on a flood plain, the local authority would need to be reassured that adequate defences were in place so the risk of flooding would be minimised."

A spokesman for the Department for Communities and Local Government said: "We've put in place strong safeguards to stop inappropriate development in areas at risk of flooding. In the small minority of cases where developments have gone ahead, planning authorities have to make sure new buildings are resilient to protect people and property."

## (i) The National Planning Policy Framework

requires councils to avoid flood risk areas if possible. Where considering building in these areas, councils must ensure houses will be flood resistant.