

7 NOV 2014



Mr Graham Blew
Town Clerk
Swanscombe & Greenhithe Town Council
Council Offices
The Grove, SWANSCOMBE
Kent
DA10 0GA

Public Protection
PROW & Access Service
Invicta House
County Hall
Maidstone
Kent, ME14 1XX

Phone: 03000 413420
Ask for: Mrs Maria McLauchlan
Email: maria.mclauchlan@kent.gov.uk

Date: 5th November 2014

AGENDA ITEM 10

Your ref: PROW/DA/C340
Our ref:

Dear Mr Blew

PTE 12/11/14 AA

Re: Claimed amendment of the alignment of public footpath DS10 at Greenhithe in the Borough of Dartford

NOTICE OF DECISION

RECOMMENDATION TO MAKE AN ORDER

I refer to your application under Section 53(5) of The Wildlife and Countryside Act 1981 ("the 1981 Act") for an Order modifying the Definitive Map and Statement by amending the alignment of public footpath DS10 at Greenhithe on the basis that it has been incorrectly recorded.

In considering your application the County Council must be satisfied that any claim submitted complies with the procedural requirements laid down in The Wildlife and Countryside Act 1981 and, in this respect I am satisfied.

The 1981 Act provides that the Surveying Authority may make an Order to add a right of way to the Definitive Map and Statement if it is shown that the right of the public to use it is reasonably alleged to subsist, and where evidence substantiates, there should be no public right of way shown on the Map, then it should be deleted.

Your application has been considered very carefully by the County Council. In addition, to the evidence that you submitted with your application, further investigation and historical research has been carried out. Please see the attached report which gives the reasons for the decision.

The County Council will therefore make an Order to amend the alignment of public footpath DS10 on the Definitive Map of Public Rights of Way to reflect where it has been walked on the ground. A copy of the Order and Notice will be sent to you when it is due to be advertised.

Copies of this Notice have been served as required on all interested parties.

Yours sincerely



Mrs Maria McLauchlan
Public Rights of Way Officer

Enc.

From: Maria McLauchlan (Public Rights of Way Officer – Definition Team)
To: Corporate Director of Growth, Environment & Transport
Subject: Claimed deletion of part of public footpath DS10 and claimed addition of a footpath running from the steps on DS10 in a southerly and easterly direction to Valley View at Swanscombe & Greenhithe
File Ref.: PROW/DA/C340 District: Dartford

Summary: To seek delegated authority to make an Order to modify the Definitive Map and Statement by amending the alignment of part of public footpath DS10 at Swanscombe & Greenhithe

FOR DECISION

Introduction

1. The County Council is the Surveying Authority for Kent and is responsible for producing Definitive Maps and Statements of Public Rights of Way and for keeping them up to date. Under The Wildlife and Countryside Act 1981, the County Council is under an obligation to keep the Maps and Statements under continuous review.

Procedure

2. The Countryside Access Objectives and Policy document (dated July 2005) sets out the County Council's priorities for keeping the Definitive Map and Statement up to date. The main priorities are:

- A. Investigation and determination of outstanding applications to modify the Definitive Map
- B. Resolution of anomalies and mapping errors where essential for the effective management of the PROW network
- C. Publication of Definitive Maps and Statements for those areas excluded from the original Definitive Map

Definitive Map modification cases will normally be investigated in order of receipt, except in any of the following circumstances, where a case may be investigated sooner:

- Where it satisfies one of the key principles set out in paragraph 11.1 of the Countryside Access Policy,
- Where the physical existence of the route on the ground is threatened by development, or
- Where investigation of a case would involve substantially the same evidence as a route currently under investigation or about to be investigated.

The investigation of this particular issue has been carried out in accordance with the report to the Sub-Committee in February 1990, which outlined the procedures to be used for sources of evidence and the legal tests to be applied.

Legal Tests

4 a) Section 53(3)(c)(i) of the 1981 Act states that where the County Council discovers evidence which, when considered with all other relevant evidence available to it, shows that a right of way which is not shown on the Definitive Map and Statement subsists or is reasonably alleged to subsist over the land in the area to which the map relates, it shall, by Order, make such modifications to the Map and Statement as appear requisite.

b) Section 53(3)(c)(iii) of the 1981 Act states that where the County Council discovers evidence which, when considered with all other relevant evidence available to it, shows that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification, it shall, by Order, make such modification to the Map and Statement as appear requisite.

c) Paragraphs 4.30-4.35 Defra Circular 1/09, Version 2, October 2009 set out guidance relating to deletions of PROW. Paragraph 4.33 sets out the need to fulfil certain stringent requirements.

- o The evidence must be new – an order to remove a right of way cannot be founded simply on the re-examination of evidence known at the time the definitive map was surveyed and made.
- o The evidence must be of sufficient substance to displace the presumption that the definitive Map is correct.
- o The evidence must be cogent.

d) The case of *Trevelyan v. Secretary of State for the Environment, Transport and the Regions (2001)* reinforced earlier Defra Circulars with regard to cogency of evidence. In this case Lord Phillips stated:

"Where the Secretary of State or an Inspector appointed by him has to consider whether or not a right of way that is marked on a definitive map exists, he must start with an assumption that it does. If there were no evidence which made it reasonably arguable that such a right existed, it should not have been marked upon the map. In the absence of evidence to the contrary, it should be assumed that the proper procedures were followed and thus such evidence existed. At the end of the day, when all the evidence has been considered, the standard of proof required to justify a finding that a right of way exists is no more than a balance of probabilities. But evidence of some substance must be put into balance, if it is to outweigh the initial presumption that the right of way exists".

The Case

5. An extract from the definitive map and statement of public rights of way (map sheet 028, TQ57SE) is included at **Appendix A** to this report; a plan showing the definitive line and the claimed route) is included at **Appendix B** to this report; a detailed description of the case is included at **Appendix C** to this report.

Investigation

6. Investigations have included the inspection of County Council records and documents available from other sources.
7. All the evidence available has been considered. The documentary evidence and the results of the legal tests applied are set out and examined in **Appendix C**.

Conclusion

8. Investigations have been carried out in accordance with procedures and proper legal tests have been applied to the evidence gathered during the investigation. The result of the investigation is that the public footpath DS10 has been mapped incorrectly.

Recommendations

9. I recommend the County Council makes an Order under the Wildlife and Countryside Act 1981, Section 53(2), to amend the route of part of Public Footpath DS10 on the Definitive Map and Statement of Public Rights of Way.

Signature.....

On behalf of the Corporate Director of Growth, Environment & Transport

Date.....9/10/14.....

Background Documents

Appendix A - Extract from the definitive map and statement (sheet 028, TQ57SE)
Appendix B - Plan showing definitive line and claimed route
Appendix C - Main report

Contact Officer

Mrs Maria McLauchlan
Tel: 01622 696871

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Swanscombe & Greenhithe

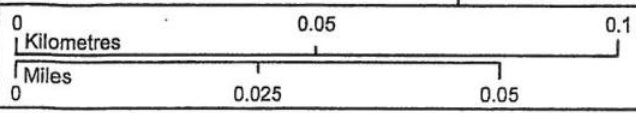
- Key**
- Route to be deleted
 - - - - Route to be Added
 - Unaffected Routes

**Wildlife & Countryside Act 1981
 Claimed amendment to the line of
 public footpath DS10 at Swanscombe & Greenhithe**

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Created by:	MMcL	Checked by:	MMcL
Reference:	PROW/DAC340		

Public Rights of Way and Access Service



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Case Title: Claimed deletion of part of public footpath DS10 and claimed addition of a footpath running from the steps on DS10 in a southerly and easterly direction to Valley View at Swanscombe & Greenhithe.

Ref: PROW/DA/C340

Application

10. An application was received from Swanscombe & Greenhithe Town Council ("the applicant") in July 2011 for an Order to be made under Section 53(5) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement for the area by amending part of the line of public footpath DS10 at Swanscombe & Greenhithe. The basis for the application is that an error was made when recording the footpath onto the 1987 Definitive Map.

11. In support of the application, the applicant submitted 17 letters of support from people who state they have used only the claimed route.

Description of Route

12. Public footpath DS10 is recorded in the Definitive Statement as running from Bean Road (B255) to Valley View with the note that the route was added at the 1970 Review. The 1987 Definitive Map shows the path running in straight line generally east-north-east for approximately 80 metres including through the private gardens of 67, 69, 71 and 73 Valley View and stopping short of any connection to Valley View (see extracts at **Appendix A**).

13. It is claimed that the correct line of public footpath DS10 should commence as recorded on Bean Road and run generally east-north-east for approximately 70 metres, turn at a set of steps to run generally south for approximately 22 metres and then turn again to run generally east for approximately 30 metres to its connection with Valley View between property numbers 53 and 55. It is alleged that the footpath has never run through the private gardens as depicted on the definitive map and that it has never been possible to walk that alignment.

Evidence

Documentary Evidence

The Wildlife and Countryside Act 1981 says the County Council must in reaching its conclusion take account of all available evidence. I have therefore interrogated the following historic documents: -

Mudges Map

14. Mudges Map of 1801 was a military survey to find out all roads suitable for passage if required by the army and its equipment in defending the country against possible invasion by Napoleon. It does not confer status but is a record of all routes maintained and non-maintained that existed at the time throughout the Country. The map does not differentiate between public and private ways.

15. The claimed route is not shown on this map.

Tithe Map

16. Tithe Maps were produced by the Tithe Commissioners, under the 1836 Tithe Commutation Act, to record all parcels of land, which generated titheable produce. These maps can sometimes prove useful in identifying public or private rights of way.

17. The claimed route is not shown on this map.

First Edition Ordnance Survey ("OS") 1:2500 Map and Book of Reference

18. The First Edition OS Map (surveyed 1870) 1:2500 does not show the claimed route. The 2nd, 3rd and 4th Editions show what appears to be an access to a private dwelling, which correlates to the westerly half of the route which is not disputed. This route, however, terminates at the dwelling, approximately where the claimed route turns at the set of steps to run south.

The Finance Act 1910 and Valuer's Field Book

19. The Finance Act 1910 Map and Valuers Field Book were documents which recorded the value of land holdings and gave tax relief to landowners for rights of way, which were deemed to be an encumbrance.

20. The Finance Act 1910 Map (Ordnance Survey base map edition of 1908) has a 3rd Edition OS base. It therefore shows only the part of the definitive line and claimed route that is not disputed.

Parish Maps (Circa 1950) and Statements

21. The National Parks and Access to the Countryside Act 1949 required County Councils to prepare a Definitive Map of Public Rights of Way. Parish Councils submitted maps and statements showing the rights of way in their particular Parish.

22. The Swanscombe Parish Map does not show the path marked up as one for inclusion in the Definitive Map process.

Draft Maps and Statements

23. The County Council then prepared a Draft Map from the information contained in the Parish Map and this was advertised with opportunity for objection.

24. The Swanscombe Draft Map does not show the route.

Provisional Map

25. The Provisional Map for the Swanscombe Urban area, with a relevant date of 1 December 1952 does not show the route. There was opportunity for landowners; lessees and tenants to object to this map and no objections were received regarding the claimed route.

Definitive Map 1952

26. The County Council's original Definitive Map, with a relevant date of 1 December 1952, therefore does not show claimed route at all.

Draft Revised Map

27. Following publication of the original Definitive Map, the County Council had a duty to produce a Draft Revised Map with a relevant date of 1 October 1970. Although the base mapping does not show Valley View, this map shows the path marked up as FP10 and as per the claimed alignment. The statement confirms the alignment "Cobham Terrace Road N.E., S., and E., to Valley View."

1987 Definitive Map

28. The Definitive Map was subsequently consolidated and a new map published with a relevant date of 1st April 1987. This map has the path drawn on as a straight line. The statement lists the start and end connections and therefore does not assist in its alignment.

Section 31(6) Deposits

29. There have been no Deposits lodged with the County Council under Section 31(6) of the Highways Act 1980 for the land over which the claimed route runs.

CONSULTATION:

Dartford Borough Council

30. Dartford Borough Council was consulted and states that it had no comment to make on the case except that it seemed a sensible amendment.

Swanscombe & Greenhithe Town Council

31. Swanscombe & Greenhithe Town Council is the applicant and has provided evidence in support of the claim.

County Councillor

32. County Member for the area Peter Harmer was consulted but no response was received.

User Groups

33. The Ramblers, Open Spaces Society ("OSS") and British Horse Society ("BHS") were consulted. The OSS and BHS did not respond. The local Ramblers representative stated that he had undertaken a survey of the paths in the Swanscombe / Greenhithe area about 3-4 years ago and had flagged up this path as what was being used on the ground did not correspond to the Definitive Map. He did not consider the Definitive Map to be wrong, however he did not have any historical information and asked the previous Ramblers' representative to comment. He had conducted a path survey in 1979 for Dartford Borough Council and had noted at that time that it was a steep hill, had a tarmac surface and was in a poor state of repair. He also commented that the 6 inch to the mile map provided by the Council for the survey showed both what is the Definitive line and the dog-leg, and that a copy of sheet TQ 4757 map dated 1971 show the path in green and on its dog-leg alignment.

PROW Area Manager

34. The West Kent Area PROW Manager is aware of the maintenance issues of the path and that it has been walked on its existing alignment for many years but has no historical evidence.

Statutory Undertakers

35. No objections were received from the statutory undertakers who responded to the consultation.

Evidence of use

36. 17 letters of support were submitted with the application. These letters varied greatly in detail, with many just confirming that they have used the path for a long time and that it is in need of repair. One letter, however, was from a local resident who states he was an original occupier of the Valley View estate which was built in the 1960s. He confirmed that the path was connected to Valley View a few years after the estate was complete.

Landowners / Occupiers

37. The section of the path that runs north-south behind properties in Valley View (numbers 55-61) also serves as a rear access to garages of those properties and so is used by vehicles. Owners and occupiers of the properties adjacent to the route and those whose gardens have the route recorded through were consulted. Several responded; none of them objected and many stated that there had never been a path running through the private gardens as marked on the Definitive Map. Some of the residents were concerned with maintenance and boundary issues. One resident confirmed that before the house in Valley View were built, there was a cottage and stable with no path through.

Statute and Legal Tests

45a) Section 53(3)(c)(i) of the 1981 Act states that where the County Council discovers evidence which, when considered with all other relevant evidence available to it, shows that a right of way which is not shown on the Definitive Map and Statement subsists or is reasonably alleged to subsist over the land in the area to which the map relates, it shall, by Order, make such modifications to the Map and Statement as appear requisite.

b) Section 53(3)(c)(iii) of the 1981 Act states that where the County Council discovers evidence which, when considered with all other relevant evidence available to it, shows that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification, it shall, by Order, make such modification to the Map and Statement as appear requisite.

c) Paragraphs 4.30-4.35 Defra Circular 1/09, Version 2, October 2009 set out guidance relating to deletions of PROW. Paragraph 4.33 sets out the need to fulfil certain stringent requirements.

- o The evidence must be new – an order to remove a right of way cannot be founded simply on the re-examination of evidence known at the time the definitive map was surveyed and made.
- o The evidence must be of sufficient substance to displace the presumption that the definitive Map is correct.
- o The evidence must be cogent.

d) The case of *Trevelyan v. Secretary of State for the Environment, Transport and the Regions (2001)* reinforced earlier Defra Circulars with regard to cogency of evidence. In this case Lord Phillips stated:

"Where the Secretary of State or an Inspector appointed by him has to consider whether or not a right of way that is marked on a definitive map exists, he must start with an assumption that it does. If there were no evidence which made it reasonably arguable that such a right existed, it should not have been marked upon the map. In the absence of evidence to the contrary, it should be assumed that the proper procedures were followed and thus such evidence existed. At the end of the day, when all the evidence has been considered, the standard of proof required to justify a finding that a right of way exists is no more than a balance of probabilities. But evidence of some substance must be put into balance, if it is to outweigh the initial presumption that the right of way exists".

Conclusion

38. As stated above, The Wildlife and Countryside Act 1981, section 53, provides that the Surveying Authority may make an Order to add a right of way to the Definitive Map and Statement if it is shown that the right of the public to use it is reasonably alleged to subsist and where evidence substantiates there should be no Public Right of Way shown on the Map, then it should be deleted.

39. Reference to historical mapping does not assist, nor reference to earlier mapping stages for the Definitive Map, as neither the Parish survey, Draft Map nor the 1952 Definitive Map showed the claimed route at all.

40. The path appears to have been constructed as part of the Valley View estate in 1960 and marked up for inclusion on the Definitive Map at the 1970 Draft Review. This map and statement are consistent with each other as to where the path ran, that being where it runs on the ground, and where it is stated to always have been. There is no apparent reason why the alignment was changed to running in a straight line on the 1987 Definitive Map except due to a drafting error.

41. Evidence of use correlates with the claimed route in that, since just after the estate was built, the path was connected to Valley View. It has never run in a straight line on the ground, through the private gardens, even before those properties were built.

42. For these reasons, I recommend the County Council makes an Order under Section 53 of the Wildlife & Countryside Act 1981, to modify the Definitive Map and Statement to correct this error.



3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: environmentalservices@infrastructure.gsi.gov.uk

Sent by Email

Your Ref:

Our Ref: BC080001

Date: 11 November 2014

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Application by for an Order Granting Development Consent for the London Paramount Entertainment Resort

Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested

The applicant has asked the Secretary of State for its opinion (a scoping opinion) as to the information to be provided in an environmental statement relating to the project. You can access the request and the report from the National Infrastructure pages of the Planning Portal: www.planningportal.gov.uk/infrastructure. Alternatively, you can use the following direct link:

<http://infrastructure.planningportal.gov.uk/Document/2814308> - 232 page document

The Secretary of State has identified you as a consultation body which must be consulted by the Secretary of State before adopting its scoping opinion. The Secretary of State would be grateful therefore if you would:

- inform the Secretary of State of the information you consider should be provided in the environmental statement, or
- confirm that you do not have any comments.

If you consider that you are not a consultation body as defined in the EIA Regulations please let us know.

The Secretary of State is entitled to assume under Regulation 8(11) that you do not have any comments to make on the information to be provided in the environmental statement, if you have not responded to this letter by 9 December 2014. The deadline for consultation responses is a statutory requirement and cannot be extended.

Responses received after this deadline will not be included within the scoping opinion but will be forwarded to the applicant for information.

Responses to the Secretary of State regarding the scoping report should be sent preferably electronically to environmentalservices@infrastructure.gsi.gov.uk or by post marked for the attention of Will Spencer.

Once complete, you will be able to access the Secretary of State's Scoping Opinion via the Documents tab on the project page of the Planning Portal, available at the following link <http://infrastructure.planningportal.gov.uk/>.

As the Secretary of State has been notified by the applicant that it intends to prepare an environmental statement, the Secretary of State is also informing you of the applicant's name and address:

Kevin Doyle
London Resort Company Holdings
17 Albemarle Street
London
W1S 4HP

You should also be aware of your duty under Regulation 9(3), if so requested by the applicant, to make available information in your possession which is considered relevant to the preparation of the environmental statement.

If you have any queries, please do not hesitate to contact us.

Yours faithfully

Will Spencer

Will Spencer
EIA and Land Rights Advisor
on behalf of the Secretary of State

Graham Blew

From: Peter.Harman@kent.gov.uk
Sent: 03 November 2014 22:24
To: [redacted]@btopenworld.com
Cc: Kevin.Gore@kent.gov.uk; Simon.Allsopp@kent.gov.uk; Paul.Carter-LEADER@kent.gov.uk; Ann.Allen@kent.gov.uk; jeremy.kite@dartford.gov.uk; Graham Blew; bryan.read@dartford.gov.uk; joanne.harber@kent.gov.uk; [redacted]@aol.com; [redacted]@hotmail.com; [redacted]@hotmail.com; [redacted]@gmail.com; David.Brazier@kent.gov.uk
Subject: Fwd: FLOODING IN STANHOPE ROAD & SOUTHFLEET ROAD, SWANSCOMBE
Attachments: Photo 1 - from front door.JPG; Photo 2 - from front door.JPG; Photo 3 - from front door.JPG

Dear [redacted]

Thank you for your email and the photographs; which will be very useful. I am sorry that you have had to endure this again today. Please keep me informed of any future flooding events so that the drainage team can be updated.

Kind regards

Peter

Peter Harman Tel. No. (07956) 347419
KCC Member for Swanscombe & Greenhithe

Begin forwarded message:

From: "[redacted]" <[redacted]@btopenworld.com>
To: [redacted]@aol.com" <[redacted]@aol.com>, "Allen, Ann Dorothy - Dartford District Councillor" <ann.allen@dartford.gov.uk>, "Harman, Peter - MEM" <Peter.Harman@kent.gov.uk>, "Read, Bryan - Dartford District Councillor" <bryan.read@dartford.gov.uk>, "Carter, Paul - LEADER" <Paul.Carter-LEADER@kent.gov.uk>, "Kite, Jeremy - Leader Dartford BC" <jeremy.kite@dartford.gov.uk>, "Hayes, John - Dartford District Councillor" <john.hayes@dartford.gov.uk>, "[redacted]@hotmail.com" <[redacted]@hotmail.com>, "[redacted]@hotmail.com" <[redacted]@hotmail.com>, "[redacted]@hotmail.com" <[redacted]@hotmail.com>, "[redacted]@gmail.com" <[redacted]@gmail.com>
Subject: Re: Fwd: FLOODING IN STANHOPE ROAD, SWANSCOMBE DA10 0AZ & Southfleet Road

Dear Peter and all

Please could you record that Stanhope Road has flooded once again today, (3rd November 2014).

The flooding today caused a Mum with two very young children to be trapped inside of her house. Please find photos attached which were taken from the front door. This is not acceptable.

Thank you for the history of the problems Bryan, I do remember Steve Johnson being involved quite a few years ago too.

Thank you Peter for your assistance and hope that the photos are useful for providing evidence of the chaos caused to the residents of Stanhope Road.

Kind Regards

[REDACTED]
From: "[REDACTED]@aol.com" <[REDACTED]@aol.com>
To: ann.allen@dartford.gov.uk; peter.harman@kent.gov.uk; bryan.read@dartford.gov.uk; paul.carter@kent.gov.uk; maria.austen@btopenworld.com; jeremy.kite@dartford.gov.uk; john.hayes@dartford.gov.uk; Alibish@hotmail.com; Ke211@hotmail.com; Stevebaker188@gmail.com
Cc: ann.allen@dartford.gov.uk; peter.harman@kent.gov.uk; bryan.read@dartford.gov.uk; paul.carter@kent.gov.uk; [REDACTED]@btopenworld.com; jeremy.kite@dartford.gov.uk; john.hayes@dartford.gov.uk; [REDACTED]@hotmail.com; [REDACTED]@hotmail.com; [REDACTED]@gmail.com
Sent: Monday, 3 November 2014, 15:45
Subject: Fwd: FLOODING IN STANHOPE ROAD, SWANSCOMBE DA10 0AZ & Southfleet Road
I am resending this email and copying in other residents who i hope give their views here regarding the Flooding problem in Stanhope Road.
Hopefully we are starting to get somewhere.

Regards [REDACTED].

-----Original Message----- From: Ann.Allen <Ann.Allen@kent.gov.uk> To: [REDACTED]@aol.com>; Peter.Harman <Peter.Harman@kent.gov.uk>; bryan.read <bryan.read@dartford.gov.uk> CC: Paul.Carter-LEADER <Paul.Carter-LEADER@kent.gov.uk>; ann.allen <ann.allen@dartford.gov.uk>; [REDACTED]@btopenworld.com>; jeremy.kite <jeremy.kite@dartford.gov.uk>; john.hayes <john.hayes@dartford.gov.uk> Sent: Mon, 3 Nov 2014 14:06 Subject: RE: FLOODING IN STANHOPE ROAD, SWANSCOMBE DA10 0AZ & Southfleet Road
Would you want this to go on JTB agenda Ann

From: [REDACTED]@aol.com <[mailto:\[REDACTED\]@aol.com](mailto:[REDACTED]@aol.com)> [[mailto:\[REDACTED\]@aol.com?](mailto:[REDACTED]@aol.com?)]
Sent: 03 November 2014 09:43
To: Harman, Peter - MEM; Read, Bryan - Dartford District Councillor
Cc: Carter, Paul - LEADER; Allen, Ann Dorothy - Dartford District Councillor; maria.austen@btopenworld.com <<mailto:maria.austen@btopenworld.com>>; Kite, Jeremy - Leader Dartford BC; Hayes, John - Dartford District Councillor
Subject: Re: FLOODING IN STANHOPE ROAD, SWANSCOMBE DA10 0AZ & Southfleet Road

I am glad we all have an understanding here regarding the Flooding problem, Thank you Peter for getting back to me with an update and to Brian for feedback given which is helpful.
By us all working together/Speaking/Communicating is the way forward here and will help in getting this resolved for us residents.

Regards [REDACTED]

-----Original Message-----

From: Peter.Harman <Peter.Harman@kent.gov.uk <<mailto:Peter.Harman@kent.gov.uk>>>
To: bryan.read <bryan.read@dartford.gov.uk <<mailto:bryan.read@dartford.gov.uk>>>
CC: [REDACTED]@aol.com <[mailto:\[REDACTED\]@aol.com](mailto:[REDACTED]@aol.com)>>; Paul.Carter-LEADER <Paul.Carter-LEADER@kent.gov.uk <<mailto:Paul.Carter-LEADER@kent.gov.uk>>>; ann.allen <ann.allen@dartford.gov.uk <<mailto:ann.allen@dartford.gov.uk>>>; [REDACTED] <[\[REDACTED\]@btopenworld.com](mailto:[REDACTED]@btopenworld.com) <[mailto:\[REDACTED\]@btopenworld.com](mailto:[REDACTED]@btopenworld.com)>>; jeremy.kite <jeremy.kite@dartford.gov.uk <<mailto:jeremy.kite@dartford.gov.uk>>>; john.hayes <john.hayes@dartford.gov.uk <<mailto:john.hayes@dartford.gov.uk>>>
Sent: Mon, 3 Nov 2014 9:01
Subject: Re: FLOODING IN STANHOPE ROAD, SWANSCOMBE DA10 0AZ & Southfleet Road
Hello Bryan,

Thank you for this background information which is very helpful.

Kind regards

Peter

Peter Harman Tel. No. (07956) 347419
KCC Member for Swanscombe & Greenhithe

On 2 Nov 2014, at 22:46, "Bryan Read"

<Bryan.Read@dartford.gov.uk<<mailto:Bryan.Read@dartford.gov.uk>>> wrote:

Peter,

Thanks for copying me in to your recent correspondence on this issue. There is a need to go back into the history of this problem which has happened since soon after 1983. Opposite to both flooding area's was Bakers Hole, a deep ballast quarry which used to take all rainwater in the area and local drains were minimal. In 1983 Blue Circle (Larfarge Tarmac) applied to fill in the area with refuse collection waste on behalf of KCC. This was granted and the site was managed by Mr. Peter Convenny for Blue Circle. The planning approval allowed the site to go well above local levels and in fact further applications allowed it to go even higher. There were objections made by residents at the time as well as the Town Council, and in fact the District Auditor did give a rate valuation reduction to many living opposite the tip. The expectation was that the height of the landfill would reduce over time. This has not occurred as expected, and now has resulted in rainwater coming from this area onto the adjacent roads. In the past many of the road drains actually were piped into the pits. In regard to the worst flooding occurring in Southfleet Road you will note that the entrance into the Eastern Quarry site comes in at the same place as the deepest part of the flooding, thus trapping in the new residents moving in. Because this entrance is running above the Southfleet Road level it is now adding even more water. Much of this water is also adding to the Stanhope Roads problems.

KCC did do some deep drainage work in approx. 1990 which from its depth I assume was bore hole but has proved not to be sufficient for the water volumes.

Due to the number of cars being written off and people getting stranded I do believe that a major solution has to be considered quickly. It also has to take into account the future changes expected in the area.

I hope this helps.

Regards,

Cllr. Bryan Read

From: Peter.Harman@kent.gov.uk<<mailto:Peter.Harman@kent.gov.uk>>

,Peter.Harman@kent.gov.uk<<mailto:Peter.Harman@kent.gov.uk>>]

Sent: 02 November 2014 13:30

To: [REDACTED][@aol.com](mailto:[REDACTED]@aol.com)<[mailto:\[REDACTED\]@aol.com](mailto:[REDACTED]@aol.com)>

Cc: Paul.Carter-LEADER@kent.gov.uk<<mailto:Paul.Carter-LEADER@kent.gov.uk>>; Ann Allen;

[REDACTED][@btopenworld.com](mailto:[REDACTED]@btopenworld.com)<[\[REDACTED\]@btopenworld.com](mailto:[REDACTED]@btopenworld.com)>; Jeremy Kite; John Hayes; Steve

Doran

Subject: Re: FLOODING IN STANHOPE ROAD, SWANSCOMBE DA10 0AZ

Dear Mr [REDACTED],

Thank you for your email regarding the ongoing flooding problems in Stanhope Road, Swanscombe. I have recently been contacted by some other residents in Stanhope Road and Southfleet Road; and much of my response to you is necessarily the same as sent to them.

I have been aware of the general flooding problems in the Swanscombe area, and the extreme difficulties that this can cause residents and other members of the public. Both Stanhope Road and Southfleet Road are particularly difficult because the route has needed to be closed on a number of occasions due to the severe flooding problems experienced, and the depth of flooding is often significantly worse here than elsewhere.

I have recently received an email response in reply to my own from the Leader of the KCC Drainage Team, which included the following update:

"Dear Cllr Harman,

We undertook a CCTV survey on 21st October 2014 so I could map out the system and find the root cause of the flooding issue. I have got a crew coming in next week to clear out the 3 stage interceptor and all of the deep bored soakaways in this area. Once the cleansing has taken place I will be in a better position to comment on whether any improvements to the area are required or whether this will be a case of increasing the cleansing frequency.

I am awaiting further information on Milton Street and Southfleet Road, I have been promised this by early next week so as soon as I have got this information I will update you and all parties involved."

I subsequently telephoned the team leader and following a very positive discussion have arranged on the 10th November a number of joint site visits in Swanscombe including Stanhope Road and Southfleet Road, where we plan to discuss the findings of the CCTV surveys. I am very keen to get these problems resolved in Stanhope Road and Southfleet Road which I am aware have existed at various levels for a number of years. It would seem likely that this may include some immediate improvements (such as intensive cleaning of drainage areas), together with possible structural improvements in the longer term.

With regards your question as to how long this has been an ongoing reported problem to KCC, I will ask the officers at KCC to provide this information to me. Until we know exactly what needs to be done; it will be hard to quantify how much money would be required to rectify this problem. However, please be assured that I intend to get this problem solved as soon as possible as it is unacceptable for residents to be living under these conditions.

I will keep you informed of developments. Meanwhile it would be good to hear of any further occasions when flooding occurs, as this is information that I would forward to the drainage team for them to monitor how frequently it occurs. I would therefore be grateful if you could keep me informed of further flooding problems whilst we actively seek a solution to this matter. I also hope that you are able to update fellow residents of what is occurring; if I receive their email addresses I will include them within replies.

Please feel free to either email me or telephone on the number below regarding this or any other issue so that I can help.

Kind regards

Peter

Peter Harman (07956) 347419
KCC Member for Swanscombe and Greenhithe

On 2 Nov 2014, at 11:56, "[REDACTED]@aol.com<mailto:[REDACTED]@aol.com>"

<[REDACTED]@aol.com<mailto:[REDACTED]@aol.com>> wrote:

To Peter:

I am writing to you as you are my Local Councillor for Swanscombe and Greenhithe and as an Elected person i thought it would be the right thing to do to come to you if i have a problem as i have exhausted all other avenues/options and had my time wasted, Hopefully you will do more than what has currently

happened regarding the Flooding problem in Stanhope Road, Swanscombe which has been ongoing for more than 30 years.

I am a local resident and have lived in Stanhope Road, Swanscombe for over 25 years, During this period i have seen the road Flood countless times, I have complained on too many occasions to mention to Dartford Borough Council as well as Kent County Council but still this problem exists, Why has nothing happened ? To say i am fed up/stressed/annoyed at this is an understatement.

I have helped out many people that have broken down in the floods outside my house and most recently i saw a Pregnant lady break down and get out of her car and push it herself in order to get out of the flood on her own, I was on the phone to KCC at the time and mentioned it to the KCC representative, Also an old lady broke down in the Flood and as she got out she fell into the water and was helped out by a member of public.

There are many more incidents that i have helped out in and many i have watched other members of public doing the same as me, Our Health is surely at risk by entering this water as it is Filthy, We are putting ourselves at risk here are we not.

There are 2 Schools literally 150 yards from this area and i have seen many School kids walk through the water in order to get to school, Surely these kids should not be walking through this dirty unhygienic water to get to school and put other staff/children at risk of catching something, This is an Enviromental and Health and safety risk, Do you feel this is ok in your book Mr Harman ?

Sometimes school kids use a neighbouring wall to climb into another residents front garden in order to escape flood which is a Health and Safety risk, Is this ok ?

There is a Drs Surgery again less than 100 yards away from this area of Stanhope Road, Ive seen Old people/Women with young children in push chairs/Disabled people/ struggle to get around the flood and upon speaking to these people they are upset at being late for their appointments at the Surgery so they just cancel their appointments rather than get soaked, These people say that they have complained about the Floods for years but still nothing has been done by KCC.

There are Rubbish bins overturned in the Flood with all kinds of debris/waste Floating as well as Raw sewage, Surely this cant be right Mr Harman ?

Upon my most recent call to KCC i was given a Reference number being 125633- Below is what i have copied and pasted from your website:

Enquiry number:

125633

Fault category:

Emergency Response

Fault type:

Drainage Emergency

Street name:

STANHOPE ROAD

Town name:

SWANSCOMBE AND GREENHITHE

Status:

Enquiry under investigation

Logged date/time:

13/10/2014 09:09:29

Enter the reference number of an existing fault or enquiry to track its status:

125633

Track a fault or enquiry

Prior to this whenever i was given a Reference number in order to Track progress of complaint(s), By the end of the day the status would read enquiry resolved with customer, Surely this is wrong and misleading.

I find it Unacceptable that KCC have palmed off this issue for so long and not looked to resolve, Why ? Stanhope Road is a B Road and 1 of the main entry points in and out of Swanscombe, Surely the work(s) required here is a matter of urgency ?

The people i have spoken to most recently at KCC is Martin Power who said Cameras are going to be used to check Drainage in Stanhope Road and then after a week he should have the results and for me to then contact him as he is very busy and cannot commit to contacting me back regarding this, I find this a complete joke.

I have also spoken to Simon Allsopp who is a Drainage Engineer at KCC who said about Cameras being used to see why Stanhope Road continues to Flood.

I would appreciate it that you Mr Harman can look into this for me and the local residents who have had to suffer here and kindly tell us what is the outcome of the cameras being used and the subsequent report.

Mr Harman can you confirm how long the Flooding in Stanhope Road has been an issue for, By that i mean how many times have you been contacted about it as well as how many complaints there have been regarding it to KCC ?

Why has nothing been done up till now to resolve the problem Mr Harman ?

The lack of response by KCC here is beyond a joke and the fact that we pay our Council taxes and a huge chunk of that goes to KCC is disturbing.

Is there money in the pot to action works desperateley required here Mr Harman ?

Me and my neighbours as well as local residents are getting the Press involved here now as a result of the lack of action by KCC.

We will look to start protesting and get our local MP involved here if we continue to be ignored.

I could go on as i am sure you realise now my feelings regarding this problem but want to finish here.

I anticipate and look forward to your response which i hope will help the situation.

Regards [REDACTED]

[REDACTED] Stanhope Road
Swanscombe
Kent
DA10 0AZ
[REDACTED]





PTE 12/11/14

Redrow Homes
2 Sylvan Way
Basildon
Essex
SS15 6TU

Oct 20, 2014

Update on progress at Northfleet West Substation development site

Dear resident

You may remember that Redrow Homes and National Grid received planning permission earlier this year to move forward with the regeneration of the redundant National Grid West substation (which is located to the south of Swanscombe, north of the A2 and to the west of the B259).

I am writing to update you on how the project is progressing and provide news of the next stage of the 10-year project.

Since permission was granted in March, work to prepare the site for the new development has been carried out including the removal of old transmission equipment and associated buildings, and an archaeological survey.

The development team - who you may have met at last year's public consultation events - has also been carefully putting together detailed plans for the first phase of the development in consultation with Dartford Borough Council (DBC) and Kent County Council.

The detailed plan for the first 230 homes at Ebbsfleet Green - as it will be known - is due to be submitted to DBC very soon. The planning submission includes a detailed masterplan and strategies relating to nature conservation, the phasing of development, public art and the location of affordable housing.

If you need to find out any further information about this detailed application - known as a Reserved Matters application - then please get in touch with community relations consultants, HardHat, using one of the following methods:

e: info@ebbsfleetgreen.info
t: 0845 460 6011
w: www.ebbsfleetgreen.info

Work to prepare the site will continue for the rest of this year and into 2015 with Redrow Homes planning to start building new homes in Summer 2015 with the first residents moving in during Summer 2016.



When fully complete, the new community will include 950 homes and primary school, open space, community hall, local shop and pub and hotel and related leisure uses. You can find details of the full plan by searching for planning application *DA/05/00308/OUT* on Dartford Borough Council's website.

Redrow Homes will provide news of further progress in the project at regular intervals but should you have any immediate questions please get in touch with HardHat directly.

Yours sincerely

A handwritten signature in black ink, appearing to be "L. Johnson", with a long, sweeping flourish extending to the right.

Leigh Johnson, Senior Development Manager
Redrow Homes