

## PARISH OF SALTWOOD

**Chair, Saltwood Parish Council:** Frank Boland

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Dear Mr Collins,

Saltwood Parish Council, in your constituency, reflecting the views of many Saltwood residents, is deeply concerned by and completely opposed to plans by the Environment Agency to carry out extensive tree felling in an Area of Outstanding Natural Beauty on the former railway embankment next to the public footpath from Saltwood Castle southeast to Blackhouse Hill in Hythe. The purported aim is to "protect" the embankment.

This embankment is one wall of the Mill Leese Flood Storage Area, created in the mid-1990s after flooding in Hythe was caused by a "1-in-500 year" storm that saw four inches of rain fall in just two hours. The Environment Agency took over its management from Folkestone and Hythe District Council in 2006. The woodland on this 180-year old embankment is a highly valued area of local amenity and is important for wildlife. Unsurprisingly, residents are greatly upset by these plans.

The Environment Agency has classified this Flood Storage Area as a "reservoir" because it can be said to fit the rather woolly definition set out in the 1975 Reservoirs Act. However, the common understanding of a reservoir is a permanently maintained body of water: Mill Leese is no such thing – most of the time it is completely dry and a public bridleway runs through the middle of it. It is only used for storing water for short periods on the very rare occasions when there is prolonged very heavy rainfall after which the water is released downstream or simply seeps away by itself.

Regarding it as a reservoir, the Environment Agency has calculated a "Probable Maximum Flood level" (actually, in common sense terms, a grotesquely "Improbable" level) that is some 10 metres above the designed capacity of the Flood Storage Area, which itself has not been reached during the last 20 years, if at all. (The design capacity of the Flood Storage Area is 64,731 cubic metres: the "Probable Maximum Flood level" is 392,000 cubic metres – six times greater than the design capacity.) On this tenuous basis they plan to remove almost all woodland vegetation and prevent it from regrowing. What was once a vibrant woodland area would become a, deliberately, bare hillside devoid of wildlife habitat.

Despite their claims, Environment Agency officials have refused any reasonable consultation with the landowner or local community and have not made available the "engineering report" on which their plans are supposedly based so that the assumptions therein can be independently verified. This is despite a July 2015 engineering report commissioned by Folkestone and Hythe District Council concluding that even at the "Probable Maximum Flood level" the embankment would remain stable. The Environment Agency is threatening to use statutory powers, from 1 September, to enter the land and carry out the work without the consent of the landowner.

Moreover, the Environment Agency has shamelessly abused its position in responding to a Freedom of Information request by, first, providing a very heavily redacted version of its planned works and claiming that the redacted text was justified on "security grounds". However, within days of an on-site meeting with Parish and District Council representatives (requested by them – not offered by the Environment Agency) and the owner of Saltwood Castle, it clearly realised that this justification was untenable and they then provided an un-redacted version.

This latter version clearly demonstrated that the so-called "security concerns" were actually related to management nervousness about pursuing the planned works against the wishes of the landowner and concealing an assessment by the Environment Agency's own ecologist that the site is an important habitat for bats (legally protected under the Wildlife and Countryside Act) and that, for this reason, "trees and vegetation cannot legally be removed and replaced by grassland" as planned by the Environment Agency. And, despite their own document recognising that the District Council might need to be consulted since the site is in an AONB, no consultation was offered – a District Councillor only found out about these plans by chance.

This saga, and especially the blatant attempt at deception perpetrated by the Environment Agency, has left a very sour taste in the mouth.

Saltwood Parish Council urges you to intervene urgently with the Department of the Environment and the Environment Agency to pause this project, which anyway cannot be described as urgent, so that an honest and thorough consultation can take place with the local Councils, the local community and the landowner.

I look forward to hearing from you on this issue.

Yours Sincerely

**Cllr Frank Boland**

Chair



Saltwood Parish Council  
[www.saltwoodpc.org.uk](http://www.saltwoodpc.org.uk)