

The Royal Borough of Kensington and Chelsea
The Town Hall, Hornton Street, London, W8 7NX



Mr David Black
Interim Chief Executive, Ofwat

Mr Martin Hoff
Director of Major Projects, Thames Water

Mr Richard Aylard
External Affairs and Sustainability Director, Thames Water

21 July 2021

Dear Mr Black, Mr Hoff and Mr Aylard

I am writing to you following the severe flooding which occurred in this borough as a result of very heavy rainfall during the afternoon/evening of Monday 12 July, and which had a significant impact on our residents and businesses in the affected areas.

Impact on residents and businesses

The drainage system (for which Thames Water is responsible) failed not only to deal safely and promptly with the surface rainwater deposited but also failed to deal with the subsequent combination of excess rainwater and sewage entering into and flooding local properties. This has meant that:

- Around 220 residents have had to be accommodated in local hotels and provided with food and clothing while steps are taken to assess the extent of the damage, the nature, timescale and cost of repairs. Estimates range to up to 6 months for completion of repairs so that residents can move back into their properties - to date only around 10 residents have been able to return to their homes.
- Three schools had to close having been flooded, with at least one school not returning for the rest of this term.

- Vulnerable residents had to be evacuated from a Care Leavers Hostel and placed in temporary accommodation; they are not expected to return for at least two months.
- Several council buildings which run essential services for residents, including a Day Centre, a Youth Centre, and two Libraries have been severely damaged, and as a result have had to close while work is carried out to deal with the damage caused.
- Around 50 Council properties occupied by local businesses, charities and community organisations have suffered damage to premises and stock. It will take some time before they recover sufficiently to resume normal activities.
- We are aware of at least 25 businesses, not in Council premises, which have also been badly affected. It is likely that there are many more businesses similarly affected which have made their own arrangements to deal with the incident.

Surveys to assess the extent of the damage are ongoing, however, it is clear that the events of last week represent a major incident for the Council, with our Emergency Planning arrangements being invoked to deal with the impact on residents and businesses. Our Insurance team estimate that this incident will result in the second largest insurance claim ever to be made by the Council. This impact on our residents and businesses is likely to continue for a number of weeks (and in some cases months), while work to damaged properties is determined and carried out. We are also concerned about potential health risks which the flooding followed by very hot weather may cause to our residents and their properties (e.g. the potential for bacterial spread). We also recognise that the flooding followed by hot dry weather may well have implications for the structural integrity of some of the affected buildings.

The safety of our residents has been paramount in terms of our response and it is clear that the Council will bear a significant cost both in terms of its emergency response, estimated to be around £50,000 for the first week alone and, as yet unquantified, significant costs associated with property repairs and replacement of damaged items. As a result, the Council is reviewing its position in terms of recovery of its costs from relevant parties.

Our position is that sewer enlargement is urgently required

It is extremely frustrating, and distressing for our affected residents, to suffer flooding again. Since the 2007 flooding event, we have worked incredibly hard with Thames Water to address the severe lack of sewer capacity. We attended and supported Thames Water public consultations with residents, formally responding to them as a Council when they consulted on the proposed sewer enlargement route. After Thames Water wrote to us in [2018](#) explaining that the previously proposed strategic sewer was not required to provide the necessary level of protection, we contacted you to review this decision. We wanted you to take action to ensure that the borough had the sewer capacity needed. It was known that a substantial deposit of rain in a short period would place significant strain on the infrastructure, with the dire consequences this has had again for our residents and businesses. We are particularly concerned that there was a missed opportunity to deal with this issue when you consulted on your draft determination on their business plan for 2020-2025 when the sewer enlargement was no longer proposed.

The Council's relevant officers advised that we should formally and publicly scrutinise Thames Water's decision not to implement the sewer enlargement. We held a Public Realm Scrutiny Committee on the 23 July 2019, and we wrote to you afterwards. In our [letter](#) we explained that, whilst we welcomed the measures Thames Water had already implemented and the proposal for more natural drainage systems (SuDS), not enough weight had been given to the inherent lack of sewer capacity in the borough. We stated: *"The Council does not want to subject residents, business and visitors to the lengthy construction process and impacts of a storm relief sewer if it is unnecessary. Quite the contrary, we would welcome other softer measures such as SuDS to future proof the sewer's capacity. However, we are concerned that the number of SuDS required to solve the Counters Creek problem will in reality, not be implemented. Therefore, we would like Ofwat to include the active delivery of strategic SuDS in the Counters Creek catchment area as an outcome to be delivered and that this commitment is reflected in their business plan. Sufficient detail should be provided to demonstrate how the SuDS in question provide adequate mitigation works with the FLIPS to ensure that there is sufficient mitigation in the absence of a storm relief sewer. A timetable for their implementation should also be included."* Two years on it is clear the sewer system cannot cope, and that the sewer enlargement is needed.

I understand that on Monday Thames Water indicated that they will commission an independent review into what happened last week, which we welcome, although we would be very keen to understand the role which you, as the regulator, will play in scoping and overseeing this review. We would expect you to have an active role in the scoping of the review and ensuring that the review is conducted thoroughly and independently. The Council would also want to play a full part in this review, including how it is scoped and who carries out the review, to reflect the awful impact this has had on our residents and local businesses.

In light of the recent events, I request an urgent meeting with you so that we can discuss and agree appropriate actions, including but not limited to the commissioning of the independent review, so that our residents can be properly protected and not subject to similar incidents that they suffered last week and which will affect their lives for some time to come.

Kind regards

A handwritten signature in black ink, appearing to read 'Elizabeth Campbell'. The signature is fluid and cursive, with the first name 'Elizabeth' written in a larger, more prominent script than the surname 'Campbell'.

Cllr Elizabeth Campbell

Leader of the Council, Royal Borough of Kensington and Chelsea

Cc.

Barry Quirk, Chief Executive, Royal Borough of Kensington and Chelsea

Cllr Johnny Thalassites, Lead Member for Planning, Place, Environment; North Central London Representative on Thames Regional Flood and Coastal Committee