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Proposed Extension of the River Stour (Kent) Internal Drainage Board's Internal Drainage District

Summary

The River Stour (Kent) Internal Drainage Board (RSIDB) proposes to extend its Internal Drainage District from the existing narrow ribbon district, established in 1938 to reflect areas of greatest flood risk at that time, to align it with the full catchment boundary of the River Stour. This would incorporate upstream areas which drain into the existing district, allowing the RSIDB to play a more effective role in supporting flood risk management and environmental enhancement across the wider catchment.

Key Points:

Will this cost more?

It is proposed that the extended area will be zero-rated. This means that landowners in the newly included area will not pay Drainage Rates, and existing Ratepayers and District Councils will see no change to their current Drainage Rates or Special Levies. Any future proposal to bring any part of the extended area into rating would require a separate consultation and separate Ministerial approval.

How will works be funded?

Developer Contributions will be used to fund any works the RSIDB undertakes in the extended area. These are payments collected from developers through the RSIDB's existing consenting process. No additional costs will fall on existing Ratepayers or District Councils as a result of the extension.

What are the benefits?

- Greater influence over drainage from new development across the whole catchment.
- A simpler and more consistent consenting framework for ordinary watercourses.

- Improved adaptation to Climate Change through catchment-wide flood risk and drought management.
- Reduced duplication between the RSIDB and Kent County Council.
- Potential to better align with the new Unitary Authority, following the forthcoming Local Government Reorganisation, and improve cooperation.

Consultation Outcome

No objections were made and overall responses were positive and supportive. The RSIDB is therefore seeking for the Environment Agency to submit the proposal to the Secretary of State for the Department of the Environment, Food and Rural Affairs for consideration.

Timeline

Subject to Ministerial approval following formal submission by the Environment Agency, the process is expected to take approximately 9–12 months.

Introduction

The River Stour (Kent) Internal Drainage Board (RSIDB) is responsible for managing water levels and mitigating local flood risks within its existing legally designated Internal Drainage District, which was defined in 1938 based on historic flood levels and the Medway Letter (set at 8 foot above the highest known flood level at that time). Since that time, significant urbanisation has taken place both within and beyond the current district, and weather patterns have become more variable and intense. Together, these factors have increased pressure on drainage systems and flood risk management across the wider catchment.

The existing district, shown in blue on the accompanying map, is relatively narrow and largely follows the river corridor. Many of the areas that now generate surface water runoff into this network lie outside the current district boundary. It is therefore proposed that the RSIDB's Internal Drainage District be extended, as shown in yellow on the plan, to provide a more coherent district for managing drainage and flood risk across the wider Stour catchment.



This document summarises the potential benefits of the proposed extension and addresses potential challenges.

Potential Benefits:

- **Enhanced influence over runoff from new development**

The current IDB district reflects flood risks as they existed in 1938 and excludes many upstream areas that drain into it. These areas are increasingly subject to development, which can significantly affect downstream flood risk. This creates a disconnect between the source of runoff and the organisations responsible for managing its impacts.

By incorporating these upstream areas into the IDB district, the RSIDB would be better placed to influence the design and implementation of drainage systems from an early stage. This is intended to help reduce flood risk to land, property and infrastructure across the Stour catchment as a whole.

- **Closer collaboration and reduced duplication**

Extending the IDB district would provide an opportunity for closer working between the RSIDB, Environment Agency, Water Companies, District Councils and Kent County Council (KCC) as Lead Local Flood Authority (or any new LLFA following the Local Government Reorganisation).

At present, Land Drainage Consents for ordinary watercourses are administered by the RSIDB within its district and by KCC outside it, while the Environment Agency regulates works affecting Main Rivers. Aligning the IDB district with the wider surface water network would allow Land Drainage Consents and enforcement for ordinary watercourses across the Stour catchment to be administered by the RSIDB. This would simplify the system, remove duplication, reduce uncertainty over responsibilities and enable a more consistent approach.

KCC would remain the Lead Local Flood Authority, retaining its statutory duties for strategy preparation, asset registers, flood investigations and planning consultation. The proposed change is intended to complement this role by allowing the RSIDB to focus more fully on drainage and watercourse management across the catchment.

- **Climate Change adaptation**

More frequent and intense rainfall events are projected under most Climate Change scenarios, placing increasing pressure on drainage systems and watercourses. Expanding the IDB district would provide a stronger basis for catchment-wide planning and intervention. By

including upstream areas as well as existing flood-prone locations, the IDB would be better placed to influence and, where appropriate, implement long-term measures such as natural flood management, wetland creation and climate-resilient land use, helping to protect communities and infrastructure from the worst effects of flooding and also allow more water to be retained in the river network during times of drought to benefit the natural environment.

Potential Challenges

- **Financial implications**

Ordinarily, an extension of an IDB district would bring the additional land into rating. However, it is proposed that the extension area be zero-rated, so existing Drainage Rates and Special Levies would remain unchanged. Any works undertaken by the Board in the extended area are to be funded through Developer Contributions rather than through Drainage Rates or Special Levies.

- **Resourcing**

Administering Land Drainage Consents and enforcement across a wider area will require additional staff time. However, discussions with the LLFA team indicate that the numbers of consents and enforcement cases are relatively modest and are not expected to represent a significant increase in workload. Any additional works undertaken by the Board would be managed through existing operational arrangements.

- **Governance and representation**

It is proposed that the existing Board structure will cover the extended area. Appointed Members would continue to represent their respective Council areas, and Elected Members would consider upstream areas draining to their existing sub-districts. Future Local Government Reorganisation and the potential co-option of Parish representatives would provide opportunities to further enhance representation and engagement.

- **Public perception**

Experience from adopting additional watercourses within the existing district shows that expectations will need to be managed. While the intention is to improve engagement and reduce flood risk, flooding cannot be entirely eliminated. Close communication with Local

Authorities, the LLFA and the Environment Agency, supported by clear public information, will continue.

- **Unintended consequences**

The proposed extension is not intended to affect RSIDB or other organisations' finances. The extension area would be zero-rated, and there would be no change to Drainage Rates, Special Levies, the Environment Agency Precept or the EA's Upland Water Contribution. Clarification has been sought on these matters and initial assurances have been provided.

The RSIDB district is currently subject to a Differential Rating Order (DRO), which adjusts the amount of Drainage Rates paid by taking local drainage/flood risks and benefits of RSIDB activities into account. As it is proposed that the extension area is to be zero-rated, it is not considered necessary to alter the existing DRO.

Conclusion

The proposed extension of the RSIDB district provides an opportunity for closer partnership working and more integrated catchment management to help address the impacts of increasingly extreme weather, including both flooding and drought. The RSIDB considers that it can appropriately resource and fund the additional responsibilities, while recognising the need to manage expectations through ongoing engagement and clear communication.

Any future decision to bring land or property in the extended area into rating or levies would be subject to a separate statutory process and consultation. There are currently no plans to do so.

Consultation Process

The following steps were agreed and undertaken:

1. Kent County Council (LLFA).
Engagement took place with KCC's Flood & Water Manager, and support has been confirmed via the Flood Risk & Water Management Committee.
2. Environment Agency.
The EA's Area Operations Manager has been engaged throughout and has indicated general support for the proposal,

including confirmation that Precept and Upland Water Contributions will not be affected.

3. Defra.
Initial discussions confirmed that Defra has no objection, subject to local support, including from District Councils.
4. District Councils.
All relevant District Councils were consulted, all were satisfied and no formal objections were made.
5. Ratepayers.
Ratepayers were consulted. Responses received were supportive and no objections were made.
6. Water Companies.
South East Water, Southern Water and Affinity Water were consulted and indicated general support.
7. Members of Parliament.
Local MPs were consulted. Some interest, no objections received.
8. Southern Regional Flood & Coastal Committee.
No objection received.
9. Association of Drainage Authorities.
Overall supportive, no objection received.
10. Neighbouring IDBs.
All overall supportive, no objections received. It should be noted that all neighbouring IDBs are in different river catchments, so will not be affected by the proposed change in the Stour catchment.

Outcome

The consultation process was constructive and generated positive responses, with no formal objections raised. The RSIDB therefore requests that the Environment Agency submits a formal proposal to the Secretary of State for the Department of the Environment, Food and Rural Affairs for the River Stour (Kent) Internal Drainage Board's Internal Drainage District to be extended to the full catchment boundary of the River Stour, in accordance with the accompanying map.