

Flood Risk Management Action Plan 2016/17

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: It is recommended that Cabinet:

- (a) approves the implementation of the County Council's 2016/17 Flood Risk Management Action Plan;**
- (b) delegates to the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member with responsibility for flooding, any changes to the programme and related expenditure of less than £50k.**

1. Summary and Purpose of Report

The Flood & Coastal Risk Management Team has continued to develop a number of high priority flood improvement schemes, as well as the delivery of minor works and local resilience measures. These have been progressed in accordance with the Local Flood Risk Management Strategy and in line with the indicative funding allocations of the Defra 6 year programme. The aim of this report is to provide Cabinet with an update on delivery of the 2015/16 Flood Risk Management Action Plan and gain approval for the implementation of the proposed Action Plan for 2016/17. A process, by which actions can be amended or reprioritised, subject to delivery opportunities, is also proposed.

2. Update on Achievements for 2015/16

Devon County Council's Flood & Coastal Risk Management Team has developed a significant programme of flood improvements and is working closely with all of the other Risk Management Authorities in Devon to deliver these in a timely manner. Where practical, a number of minor flood improvements and resilience measures have been delivered through local funding opportunities; however, the larger capital schemes have been included in Defra's 6 year programme to take advantage of national funding.

The draw-down of Defra funding is a lengthy process requiring a robust business case to justify the economics, environmental impacts/benefits and viability of the schemes. This involves significant studies, site investigations and impact assessments to support the detailed design and cost estimation. Some of Devon's highest priorities, including Axminster, Braunton and Modbury, are well advanced in this process and practical works are due to start in 2016/17; earlier commencement has been frustrated by a range of technical and legal issues. This emphasises the challenges of delivering within a financial year period and highlights the benefits of working within Defra's defined 6 year programme.

As a result of the works delivered by this Authority during this current financial year, over 50 properties have been provided with improved flood protection. In addition, works are nearing completion on the Defra-funded Flood Resilience Community Pathfinder Project which, over the last two and half years, has helped over 24 communities and benefitted over 4000 properties by providing local resilience and self-help measures. The continued development of the major schemes will reduce the risk of flooding to a further 250 properties during

2016/17. The ongoing programme of works in future years, including both minor local improvements and those within Defra's current 6 year programme, aims to reduce the risk of flooding to more than 500 additional properties. Other areas under investigation will continue to increase the number of properties being afforded flood improvements or resilience measures.

Detail on the work undertaken by the Flood & Coastal Risk Management Team during 2015/16 is set out in Appendix I. The current projection is for approximately £1 million to have been spent on the provision of flood management measures by DCC in its role as Lead Local Flood Authority.

3. Proposed Action Plan for 2016/17

As detailed above, a number of major schemes are well advanced and looking to move into the construction phase during 2016/17. The proposed Action Plan for 2016/17 will, therefore, take into account the progression of these works and will also highlight new localities for investigation that have been prioritised through the criteria set out in the Devon Local Flood Risk Management Strategy.

A number of other practical initiatives will be progressed in support of the Strategy. This will include an ongoing focus on community resilience, as a legacy of the Defra Pathfinder Project, with Devon Communities Together and the new Devon Resilience Forum being important partners in the delivery of this approach. There will also be an increased emphasis on natural flood management; pilot studies and experience from elsewhere will be used to develop best practice in land management and to convey this to landowners across the County.

The proposed Action Plan for 2016/17 is attached as Appendix II. This currently profiles an over spend of 10% against 2016/17 budgetary allocations in order to provide flexibility in the programme for any efficiencies made or delays encountered. This will be closely monitored throughout the year to ensure delivery is kept within the available budget. Additional funding from Defra's "Flood Defence Grant in Aid" and Local Levy will be accessed as required, subject to scheme justification.

4. Consultations/Representations/Technical Data

The delivery of local flood improvements will require regular consultations with residents, community groups, Parish/Town Councils, local Members and other relevant Risk Management Authorities to ensure good engagement and to appropriately manage expectations. It will, also, assist in joined-up planning and prioritisation and the identification of opportunities for partnership working and shared funding arrangements.

5. Financial Considerations

The funding allocations for the works identified in the 2016/17 Action Plan will be from dedicated flood risk management revenue budgets. Where projects can be undertaken collaboratively, this will be linked to additional contributions through other Risk Management Authorities. For larger schemes requiring capital funding, this will be achieved through Defra's Flood Defence Grant in Aid and supported by Local Levy and/or additional partnership funds from local sources such as developers, businesses and other scheme beneficiaries (including local residents). Where appropriate, DCC revenue allocations are capitalised.

Whilst the Action Plan currently shows expenditure against 2016/17 budgetary allocations, a further sum of approximately £400k is expected to be carried forward from past

underspends. If confirmed, this will provide flexibility for expansion of the programme, and to provide a contingency for any increase in costs or emergencies.

In order to limit future or ongoing financial liabilities to DCC flood risk management budgets, every effort is made to avoid any enduring maintenance responsibilities when supporting the implementation of new flood protection works.

6. Sustainability, Equality and Public Health Considerations

All flood improvement schemes will be developed in accordance with the Equality and Environmental Assessments produced in support of the Local Flood Risk Management Strategy. Each individual scheme will be assessed at the appropriate stage using the corporate, integrated assessment tool, with relevant equality and environmental impacts identified and acted on as necessary.

The works outlined by the Local Strategy and the 2016/17 Action Plan are all designed to improve the protection afforded to communities and individual properties currently at particular risk of flooding and, thereby, support health and wellbeing. More than just protecting the properties alone, it should be noted that flood water has the potential for transporting contaminants, such as sewage; so, reducing flood risk has clear health benefits.

7. Legal Considerations

All works will be carried out in accordance with the powers and duties assigned to DCC under the Flood and Water Management Act 2010, the Land Drainage Act 1991 and any other relevant legislation. The lawful implications and consequences of the proposals and relevant actions will be taken into account through their development.

8. Risk Management Considerations

It should be noted that flooding is already identified as a high risk in the corporate risk register and that this programme is intended to address that. As each scheme is progressed, it will be assessed to ensure that all necessary actions are carried out to safeguard the Council's position.

It has been previously reported that there is a lack of resources available to many of the District Councils, with the resulting risk of their being unable to address local flood issues, with an increased reliance on DCC. There is a need for close ongoing engagement, both politically and at officer level, to maintain partnership working and deliver against key priorities, whilst managing public expectations.

9. Discussion

The delivery of an annual programme of flood improvements is essential to continually reduce the risk to many properties within Devon that have suffered, or are at a high risk of, flooding. The proposed Action Plan for 2016/17 includes a number of physical schemes that will benefit in excess of 250 properties, together with a number of proactive studies for future schemes to be developed in line with Defra's 6 year programme. All of the Risk Management Authorities have regular contact either through specific project meetings or forums, such as the Devon Operational Drainage Group, to share the priorities of their organisations and look for partnership working opportunities.

10. Options/Alternatives

In view of the large number of communities having suffered flooding in recent years and the growing expectation for assistance, the option to do nothing has been discounted.

The proposed projects identified in the 2016/17 Action Plan (Appendix II) have been prioritised based on the specific criteria set out in the Local Flood Risk Management Strategy for Devon. It is likely that the detail of this programme will change over the course of the year, due to funding opportunities or uncertainties over delivery etc. Any changes up to a £50k limit will be undertaken in consultation with the relevant Cabinet Member and the Head of Planning, Transportation and Environment. Each scheme will undergo an options appraisal process to identify the preferred option that will give maximum benefit for the community within the available budget.

11. Reason for Recommendation/Conclusion

The extent of flooding to properties over recent years has created a large list of communities requiring assistance to reduce this problem. There are many other communities who are at significant risk of future flooding, particularly from surface water sources, as identified through our programme of Surface Water Management Plans and Drainage Assessments. The effect of flooding on people's properties and businesses is devastating and there is an essential need to reduce this future risk in order to benefit Devon's economy and the health and wellbeing of affected communities and individuals. The adoption and implementation of this Action Plan by DCC will demonstrate the proactive approach being taken by DCC in its role as Lead Local Flood Authority.

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Electoral Divisions: All

Cabinet Member for Highway Management and Flood Prevention: Councillor Stuart Hughes

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Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Reference
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Nil

Update on Achievements for 2015/16

1. Devon wide

Highway related flood improvements – The Flood & Coastal Risk Management Team has continued to support Highways with the provision of funding for minor improvements to reduce the risk of flooding to properties caused by surface runoff from the highway or blocked/damaged highway assets. Successful improvements and investigations, to the value of over £50k, have been completed in Braunton, Ilfracombe, Stokeinteignhead, East Budleigh, Ottery St Mary and Uplyme.

Surface Water Management Plans / Drainage Assessments – The programme of Surface Water Management Plans and Drainage Assessments, as recommended in the initial strategic review of Devon, has continued, with new investigation progressed within Ottery St Mary, East Budleigh, Newton Abbot, Shaldon and Teignmouth.

Flood Resilience Community Pathfinder Project – The 2 year Defra funded Pathfinder Project is now complete and has achieved successful outcomes for the 24 communities included within the programme as well as additional communities that have requested similar assistance. Many of the communities now have well prepared emergency action plans and self-help resilience measures. One of the main legacies of the project was to develop the community led Devon Community Resilience Forum, which is now being hosted by Devon Communities Together.

It is estimated that over 4,000 properties will have benefited either directly or indirectly from the resilience measures implemented through this project and the continued focus on helping communities become more resilient will continue to increase this figure.

A grant based scheme has recently been set up by DCC to enable communities at risk to draw down funding and purchase essential resilient equipment from sandbags to signs to torches for wardens. This has been well received and it is expected that the initial £30k provided will be fully committed. Future initiatives will also be considered over the next 12 months, such as partnering with other Risk Management Authorities to coordinate an event with the Flood Advisory Service, along with continued support for the Community Resilience Forum.

North Devon Nature Improvement Area – Ongoing support for this project has enabled the delivery of a number of natural flood related improvements that not only reduce flood risk but also improve water quality and land management. Such improvements include the management of farmed, semi-natural habitats (particularly Culm grassland) to store water and reduce runoff. This project will also support the development of best practice for land management techniques and processes.

Property Level Protection – Up to 35 individual properties will have been provided with local resilience measures this current financial year, subject to final completion. This has been well received by residents who face the prospect of no viable scheme being available for their community in the near future and provides them with a line of defence to assist during flood conditions.

Statutory Consultee for Sustainable Drainage (SuDS) – As a result of the Government's decision not to implement Schedule 3 of the Flood and Water Management Act, which would have established a SuDS Approving Body, DCC (as Lead Local Flood Authority) has,

instead, become a statutory consultee to other Local Planning Authorities for all major developments with surface water implications. Since this came into force on 6th April 2015 over 520 applications have been reviewed and consultation responses provided. This is greater than the estimated number of applications that were expected, but the dedicated officers have developed an excellent working relationship with all of the planning authorities, providing training and continued support, to deal with these applications within the required timescale.

2. East Devon area

Axminster Millbrook – Phase 1, which consisted of a flood wall barrier, has been completed and provides limited protection until completion of Phase 2.

The Project Appraisal Report (PAR) for flood improvements on the Millbrook Stream has been submitted and is currently under review by the EA's National Project Assurance Service for Flood Defence Grant in Aid (FDGiA). Commencement of construction has been delayed until May 2016 due to an issue with legal title of the culvert, which was originally under ownership of British Rail and held under a residuary. The Government has recently abolished BRB (Residuary) Ltd and transferred some assets including this culvert to the Highways England Historical Railways Estate. Unfortunately Highways England has not yet finalised legal title and, therefore, is not in a position, nor willing, to allow early access. We have been pursuing this as a high priority to gain access and for the asset to be transferred to DCC.

The scheme will aim to reduce the risk of further flooding to over 40 properties that suffered internal flooding in 2012 and provide benefit to approximately 120 other properties in the area.

Feniton – This project continues to be led by East Devon District Council (EDDC), with funding support from DCC in previous years. Construction work has commenced on site.

Sidmouth Surface Water Management Plan – The recommendations of the completed surface water management plan are now under review.

Uplyme Flood Study – A number of improvements have been implemented including a silt trap and check weirs on the Cooksmead watercourse and further works are underway to increase the capacity of the watercourse with improved footbridge to the rear of the Village Hall and a reinforced overflow channel adjacent to the tennis courts. Major improvements are also being considered to improve the culverted watercourse sections through the village, which will be subject to available funding.

Whimple – This scheme is being led by the Environment Agency and has faced difficulties in achieving a cost viable solution. DCC's contribution has not been required this financial year, but will be reviewed if the EA is able to progress with the preferred culvert improvements. An alternative option for Property Level Protection may be progressed if the current efforts to progress the capital works are not achieved.

Lympstone – Possible improvements are under consideration, subject to funding, to protect 11 properties at risk of flooding from a tributary of the Wotton Brook.

Exmouth – DCC is working in partnership with South West Water to carry out hydraulic modelling and scheme options to be considered for any immediate minor improvements or future investment.

Old Feniton – DCC is also working in partnership with South West Water at Old Feniton to carry out a flow monitoring exercise to gain an understanding of the volume of surface water entering and overloading the combined foul drainage system. Results of the study will be available shortly and options will then be considered for improving any areas identified as having a significant issue.

3. Exeter area

Exeter Flood Defence Scheme – The Environment Agency led scheme is progressing well with Phase 1 complete. The tender process for Phase 2 is complete and the contract soon to be awarded. It is expected that this second phase will commence on site in June 2016 and will be completed by Spring 2018.

Exeter Surface Water Management Plan – The recommendations of the study are now being considered for implementation. An initial programme of ‘quick win’ works is to be developed and then a list of medium term improvements that will be considered in line with the Defra funding that is available, subject to justification, in 2017/18.

4. Mid Devon area

Cullompton Study – The recommendations of the study are being progressed and a preferred scheme developed. A partnership approach with the Environment Agency is being pursued for the practical delivery of a scheme. Consideration is currently being given to ways in which to avoid any potential displacement of the flood risk downstream.

5. North Devon area

Braunton Surface Water Management Plan – The detailed design of the preferred option is well underway and proving to be a challenge in achieving a cost viable scheme and one that can be handed over to the Parish Council for maintaining in the future. It is anticipated that a workable solution will be determined and scheme construction to commence this calendar year. The scheme will aim to reduce the risk of flooding to the majority of the 65 properties that flooded in 2012 and provide wider benefits to other properties at risk in the area.

Umberleigh Flood Investigations – As a result of the study carried out for Umberleigh, it was concluded that a cost viable scheme was not achievable to protect from the main river and that nuisance flooding from surface water could be reduced with the use of property level protection. A scheme to provide assistance to 12 properties is underway and due to be completed in early April 2016.

Barnstaple Flood Study – Further enhancements to this study were undertaken in partnership with North Devon Council to provide a strategic approach for managing flood risk for future regeneration of the study area.

6. South Hams area

Ivybridge Flood Improvements – The project has been allocated on the Defra 6 year programme for funding in 2016/17, subject to a robust business case, and a scheme design is underway. The previous scheme proposal, handed over from South Hams, was unachievable and a viable option is now being sought. This will benefit more than 20 properties with a high risk of flooding and four which have suffered regular, internal flooding.

Kingsbridge Study – The initial study identified the main sources of flood risk were from main river and the tide which falls under the responsibility of the Environment Agency to progress. They are now taking the lead through a partnered approach with DCC and South West

Water. Hydraulic modelling is now underway to investigate the improvement options that could be considered.

Modbury Flood Management Scheme – Site investigations and detailed design of the preferred scheme options are progressing well and the development of the project appraisal for funding justification is underway. It is anticipated that construction works will commence early in 2017.

Yealmpton – Flood improvement works at Boldventure, Forde Road and Creamery Close have been completed in partnership with South Hams District Council. Flood defence improvements on the main river are being led by the Environment Agency. Up to 6 properties will benefit from the minor works being delivered by DCC, with more than 20 likely to be helped by the Environment Agency led project. Major capital investment to improve the flood defences along the main river were proving to be not cost beneficial and therefore a programme of property level protection works is being promoted by the EA and supported by DCC through the procurement process.

Frogmore – Landowner agreements and scheme design have delayed a scheme being progressed by the Parish Council. DCC's Flood & Coastal Risk Management Team is continuing to liaise with the Parish Council to assist delivery.

Dartmouth – The proposed scheme, handed over from the Environment Agency for DCC to deliver, proved to be unviable due to downstream connections into the public sewerage system and the effect this would have on South West Water's (SWW) pumping station. Further discussions are being held with SWW to consider options to progress these improvement works.

7. Teignbridge area

Stokeinteignhead – Phase 1 of the improvement works to improve drainage of the lower part of the village have been completed. This included a new culvert and additional drainage connections in the identified low area and improved drainage in Forches Hill and Church Lane. This will provide benefit for up to 5 properties. The design of Phase 2 improvements, which involves upstream flood attenuation, is now being progressed and, subject to a robust business case for Defra funded being delivered, it is anticipated that works will commence in 2017.

Devon County Council Action Plan for 2016/17 to Support the Local Flood Risk Management Strategy

Projects/Works/Schemes	Lead Authority	Study, Design or Works	2016/17 DCC Contribution £	Other Funding Sources £	Details of Proposal
Devon					
Flood Risk Management Team	DCC	-	250,000		Resources required to deliver the Flood Risk Management functions as the Lead Local Flood Authority and Statutory Consultee for SuDS.
Strategic Catchment Flood Risk Database and Prioritisation	DCC	S	50,000		Further detailed assessment of those areas identified in the Strategic Surface Water Management Plan for Devon, including Dartmouth, Newton Abbot or Teignmouth.
Local Drainage Assessments/Minor Surface Water Management Plans	DCC	S	50,000		To continue with the proactive assessment of flood risk in identified locations through the Surface Water Management process.
Minor Works and Improvements	DCC/Others	W	50,000		Delivery of minor flood improvement works, subject to resources and in accordance with the DCC priority list and opportunities with other Risk Management Authorities.
Minor Flood Investigations/Studies	DCC/Others	S	30,000		Delivery of flood investigations, surveys and studies, subject to resources and in accordance with the DCC priority list and opportunities with other RMAs.
Property Level Protection	DCC/Others	W	25,000	25,000	Allocation of funds to support Individual Property Protection and supported with additional Flood Defence Grant in Aid funding through the Medium Team Plan.
DCC Highway related flood improvements	DCCH	W	30,000		Contributions from the FRM budget to support various minor highway improvement works where the risk of flooding to property can be reduced.
Community Resilience and support	DCC	W	30,000		To provide assistance to communities for the delivery and provision of Flood Resilience Measures.
North Devon Nature Improvement Area	NIA	W/S	20,000		DCC contribution to support the project and encourage the use of sustainable drainage methodology.
Natural Land Management	DCC/Others	W/S	50,000		To develop best practice and progress opportunities for delivering natural flood risk management techniques in partnership with other RMAs and key stakeholders.

East Devon					
Axminster Millbrook Phase 2	DCC	W	50,000	290,000	Contribution towards construction of phase 2 of the flood improvement works in conjunction with Flood Defence Grant in Aid.
Old Feniton	SWW	S	15,000	10,000	Flood investigations and drainage assessment in partnership with South West Water.
Sidmouth Surface Water Improvements - Design	DCC	D	30,000		Consideration of the preferred options leading to detailed design and preparation of Project Appraisal Report for FDGiA.
Uplyme Flood Study	DCC	S	20,000		Development of Project Appraisal Report to support FDGiA funding bid and delivery of viable option.
East Budleigh	EA	W	10,000		Review of drainage assessment and delivery of minor improvements.
Lympstone	DCC	W	25,000		Develop options and deliver minor flood improvements.
Exmouth	SWW/DCC	S	25,000		Continue to work in partnership with SWW and consider options for flood improvements and any funding requirements.
Ottery St Mary	DCC	W	20,000		To review drainage assessment and develop options for delivery, subject to funding.
Exeter					
Exeter Flood Defence Scheme (2013 - 2017)	EA	W		32,550,000	Upgrade existing defences from the River Exe to provide a higher level of protection. Although this is not a DCC led scheme in 2014/15 it should be noted that DCC are contributing £3million over the next 3 years to support the improvement works.
Exeter Surface Water Improvements - Design	DCC	D	40,000		Development of scheme options and production of PAR to support funding bid for surface water flood improvements and delivery of any minor works.
Topsham Flood Improvements	ECC	W	20,000		Contribution to Exeter City Council towards surface water element of proposed flood improvement works.
Mid Devon					
Cullompton Flood Improvements	DCC	D/W	25,000		Progression of recommendations from catchment study in partnership with the EA, subject to scale of works and funding requirements/opportunities.
North Devon					
Braunton Surface Water Improvements	DCC	D/W	150,000	400,000	Completion of Project Appraisal Report to support funding bid and contribution towards construction of phase 2 of the flood improvement works in conjunction with Defra funding.
Umberleigh Flood Investigations	DCC	W	10,000		Completion of resilience project commenced Feb/March 2016.

Bishops Tawton	EA	W	20,000		Contribution from DCC to EA to incorporate surface water improvement works into main scheme.
South Hams					
Modbury Flood Management Scheme	DCC	D/W	100,000	300,000	Delivery of detailed design and PAR to achieve FDGiA and progression of recommended flood improvements.
Ivybridge Flood Improvements	SHDC	D/W	50,000	80,000	Delivery of detailed design and PAR to achieve FDGiA and progression of recommended flood improvements.
Kingsbridge Study	SWW	S	20,000		To continue working in partnership with other RMAs to assess potential flood improvements and develop options.
Dartmouth	DCC	S/W	15,000		To consider options in partnership with SWW and the EA to reduce flood risk in Victoria Road area, subject to appropriate cost benefit and funding.
Teignbridge					
Stokeinteignhead	DCC	D/W	80,000	150,000	To develop the detailed design and PAR to support funding request for FDGiA and to progress scheme delivery of preferred option.
Broadhempston	DCC	S	10,000		To review surface water flood risk and consider improvement options.
Torridge					
					There are currently no ordinary watercourse, surface or ground water schemes identified, in the Torridge area, on the DCC priority list. Other schemes relating to Main River or tidal flooding may be considered by the EA or minor drainage issues by the District Council.
West Devon					
					There are currently no ordinary watercourse, surface or ground water schemes identified, in the West Devon area, on the DCC priority list. Other schemes relating to Main River or tidal flooding may be considered by the EA or minor drainage issues by the District Council.
Total Budget Allocation			1,320,000		

The above budget allocations are estimates that are subject to change or maybe deferred as other priorities and opportunities arise. The total expenditure currently shows a 10% over-budget spend on the projects element of the budget. This will be monitored throughout the year to ensure the budget is not exceeded and will automatically defer incomplete projects. This means that some projects will not be completed during this financial year and will be considered for the following programme.

Incoming Budgets					
Defra funding for LLFA			548,000		Grant to fulfil requirements as the Lead Local Flood Authority as defined under the Flood and Water Management Act.
DCC contribution towards Flood Risk Management			312,000		DCC budget allocation to support the implementation of Flood Risk Management.
Provision for Statutory Consultee role for SuDS			85,000		Statutory Consultee role to the LPA for major developments.
Corporate Flood Risk Budget			250,000		Corporate budget to support delivery of major schemes and drawdown of national funding.
Total Budget			1,195,000		