South Northamptonshire Council
Cabinet
15 January 2018

Kings Sutton Wales Street Flood Alleviation Scheme

Report of Director of Operational Delivery

This report is public

Purpose of report

This report provides an update on the feasibility of a Kings Sutton Wales Street Flood Alleviation Scheme and to seek a decision on the next steps. The report was deferred from the Cabinet meeting due to be held on 11 December which did not take place due to bad weather.

1.0 Recommendations

The meeting is recommended:

1.1 To note the contents of the report.

1.2 To withdraw with regret from the project to support a barrier flood alleviation scheme for Kings Sutton.

1.3 To request that Northamptonshire County Council as the lead flood authority engage with the Environment Agency to progress a property level resistance scheme for the affected properties using the allocated funding available from the Environment Agency.

2.0 Introduction

2.1 Cabinet considered the future of the scheme and SNC's ongoing commitment in November 2016. At the same time Northamptonshire County Council (NCC) made a late offer to fund a review of the scheme and establish if there were other options that may be achievable. Members agreed to defer the decision on the future of the scheme until this work was completed.

2.2 NCC commissioned consultant engineers, WSP, to undertake a review of the work completed to date and to consider possible alternative solutions. The report by WSP's engineers concluded that the work carried out by the previous engineers was in accordance with good practice and provided a solution. They also concluded that there was an alternative barrier solution that would provide the protection required and would be technically deliverable. The proposal was however significantly different to the barrier design previously agreed and would require the submission of an Outline Business Case (OBC) for approval by the Environment
Agency (EA). This process provides the relevant information to assess the cost benefits to permit (and if required access) EA grant funding to be used. NCC agreed to fund this piece of work and the OBC was prepared.

2.3 WSP carried out an extensive assessment, consulted widely with the public and those directly affected by the scheme and prepared an OBC for submission and approval by the EA.

2.4 This report summarises the results of the work done by WSP, the consequences of it and the options available.

3.0 Report Details

3.1 To enable a scheme to be delivered, it is critical that adequate funding is in place. South Northamptonshire Council and Kings Sutton Parish Council have both committed substantial funds towards developing and delivering the scheme. However, it has always been acknowledged that the majority of the funding would need to be provided by the EA through their grant process. The EA grant is based upon a requirement that the financial benefits meet set criteria.

3.2 The initial 2016 barrier design met the EA cost benefit criteria and was awarded £513k funding, but for reasons set out in a previous Cabinet report, and specifically problems with landowner agreements, the scheme could not be delivered.

3.3 To overcome the issues preventing the originally designed scheme being delivered, WSP proposed an alternative barrier design. The proposal was however significantly different to the design previously agreed and would need to be approved by the EA through their OBC procedure to ensure adequate cost benefits to permit the previously approved grant funding to be used.

3.4 In the preparation of the OBC, WSP re-modelled the potential flooding based upon the latest data available from the EA incorporating climate change predictions. The consequences of the revised design in terms of the positioning of the earth bund were also assessed.

3.5 Taking into account the new data available and the revised design, it has become very clear that the alternative barrier scheme would not qualify for EA grant support as the cost benefits of the scheme have reduced significantly. The principle reasons for this are:

- the reduced level of risk of flooding affects only 16 properties rather than the original 48 and therefore there will be a lower cost of financial losses attributable to flooding events.
- the significant increased cost of the construction works of the alternative barrier scheme estimated to be close to £1m

3.6 Without significant further EA grant support and/or agreement to use the existing approved funds, there would be insufficient funds available to deliver the scheme. Given that there will not be an acceptable level of cost benefit, additional EA funding is not possible. Therefore, in light of the fact that the revised barrier scheme cannot be delivered, WSP has considered other options and has confirmed that the only alternative solution is a property level resistance scheme for individual properties (PLR).
3.7 A PLR scheme would involve carrying out work (such as installing air brick covers and flood gates) to the individual properties at risk from internal flooding. This would entail detailed technical surveys of the properties at risk from flooding and bespoke solutions proposed for each property.

3.8 The total cost of the works for delivering this for 16 houses is estimated to be in excess of £300k and cost benefits are therefore higher than the alternative barrier scheme. There will also be significant additional costs for setting up and administering the scheme. However, there are a number of PLR issues needing consideration;

- the EA have not agreed a standard methodology for surveying properties at risk and no specifically approved contractors to undertake this type of work.
- the Council does not have the expertise, experience or capacity to take on such a project and therefore is not in a position to endorse, advise or provide any technical advice on such a scheme.
- the technical and operational risks of installing PLR are unknown e.g. the impact of rising water levels; the effectiveness of the systems available on the market.
- there is likely to be the need for appropriate legal agreements with each of the landowners/homeowners.

3.9 The scheme could be based on supporting individual property owners by providing funding in the form of a grant to individual householders. Legal advice has been sought regarding the setting up from scratch and administering a scheme of this nature which will require conditions, eligibility criteria, financial and application procedures and legal agreements. It would be essential that the process was properly scrutinised and that an administering body would be satisfied that funding was appropriately used. As described in para 3.8 above, the Council’s limitations in expertise and knowledge for a function it is not responsible for similarly apply and therefore, it is concluded that the Council should not create and administer such a scheme.

3.10 Recent dialogue with the EA has confirmed that the approved funding for the original barrier scheme can be used for a PLR scheme. This means that an alternative option does exist for NCC as the lead flood authority to progress with the EA and the Parish Council of what will be a fully funded PLR scheme. NCC has also agreed to consider this as part of its capital programme for 2018/19. It is this approach which is recommended to Cabinet. In this way, the Council in all its activities over many years has fulfilled its promise to deliver a flood protection scheme for homes at risk in the village, albeit not a barrier scheme as originally sought.

**Kings Sutton Parish Council**

3.11 The Parish Council like this Council has expressed great disappointment in this position. Attached at appendices 1 and 2 are two letters received on the matter. From these it is clear that despite this Council’s efforts, the Parish Council is critical of it not delivering a barrier scheme. This is regretful given the Council’s efforts in attempting to deliver a solution for which it is not the primary body.
3.12 The second and most recent letter at Appendix 2 has been annotated with officer views and a response to a range of criticisms levelled at this Council.

4.0 Conclusion and Reasons for Recommendations

4.1 Even though NCC is the lead flood authority, this Council has honoured its commitment to support the delivery of a feasible flood alleviation scheme to protect the residents of Wales Street, Kings Sutton and has provided substantial funding and resource for this purpose. Due to recent EA modelling, the number of properties at risk has reduced from 48 previously to 16. This reduction in the number of properties requiring protection would also apply to the previous undeliverable barrier scheme and would similarly affect its cost benefit analysis.

4.2 In addition, the most recent revised barrier flood protection scheme differs notably in nature from that originally proposed and carries a significant increased cost. There is therefore no scheme using a single flood defence barrier protection which meets the EA cost benefit criteria which in turn affects the funding available.

4.3 Given the above, and as recommended by WSP, the only alternative is a PLR scheme. However, this Council has no expertise, capability or capacity to deliver an alternative scheme of this nature. Therefore, it is proposed that NCC as the lead flood authority be requested to engage with the Environment Agency to progress a PLR scheme for the affected properties using the funding available from the Environment Agency. In this way, the Council will have through its efforts in this matter delivered flood protection to the Kings Sutton properties at risk.

5.0 Consultation

Residents and Kings Sutton Parish Council have been updated.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To continue with the alternative scheme – rejected due to lack of significant additional funding and lack of cost effectiveness.

Option 2: To revert to the previous barrier scheme – rejected due to lack of significant additional funding and lack of cost effectiveness.

Option 3: For the lead flood authority (NCC) to deliver a PLR scheme for individual properties using the allocated EA funding.

7.0 Implications
**Financial and Resource Implications**

7.1 If the Council were to decide to withdraw its support for a barrier flood alleviation solution for Kings Sutton there would be no financial implications to it as a result. The Council has incurred expenditure of c£80k to support the feasibility of the two schemes considered so far and therefore the balance of its funding available is now estimated at c£40k. The EA has indicated that the Council could recover its costs from the initial grant allocation and that this will be followed up with the EA assuming the report recommendations are agreed. This would leave £433k available for a PLR scheme which would then be available to NCC as a fully funded scheme.

Comments to be checked by:
Kelly Wheeler Principal Accountant, 01327 332230, kelly.wheeler@cherwellandsouthnorthants.gov.uk

**Legal Implications**

7.2 There are no legal implications arising from this report

Comments checked by:
Nigel Bell, Interim Legal Services Manager, 01295 221687, nigel.bell@cherwellandsouthnorthants.gov.uk

**Risk Implications**

7.3 The Council has already accepted a risk in leading the effort to find a flood protection solution for properties at risk in Kings Sutton when it is not the lead flood authority despite having little capability and expertise in this matter. It is still possible to mitigate this risk through a PLR scheme but this will require the agreement of the County Council to deliver and the EA to fund which carries different risks which will not be this Council’s.

Comments checked by:
Louise Tustian, Strategic Intelligence & Insight Team Leader, 01295 22 1786, Louise.Tustian@cherwellandsouthnorthants.gov.uk

**8.0 Decision Information**

**Key Decision**

Financial Threshold Met: No

Community Impact Threshold Met: No

**Wards Affected**

Kings Sutton

**Links to Corporate Plan and Policy Framework**

Protect the District and Serve our residents and businesses
Lead Councillor

Councillor Dermot Bambridge, Portfolio Holder for Environmental Services

Document Information

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<td>Kings Sutton Parish Council Letter 3 December 2017</td>
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<td>2</td>
<td>Annotated Kings Sutton Parish Council Letter 8 December 2017</td>
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| Background Papers | None |

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