EAST AYRSHIRE COUNCIL

CABINET - 25 NOVEMBER 2015

EAST AYRSHIRE FLOOD RISK MANAGEMENT STRATEGY – UPDATE NOVEMBER 2015

Report by the Depute Chief Executive (Safer Communities)

PURPOSE

1. To update Cabinet on progress relating to the development of the Ayrshire Flood Risk Management (FRM) Strategy and agree with the Prioritisation of Action and timescale for delivery of the final outcome of the FRM Strategy.

2. To inform Cabinet on the additional funding needs for delivering the Prioritisation of Actions in the first Cycle (2016-2022).

BACKGROUND

3. The Flood Risk Management (Scotland) Act 2009 requires the lead authority for each local plan district (which in this case is North Ayrshire Council for the Ayrshire Local Plan District (LPD 12)) to ensure that a draft local flood risk management strategy is prepared by December 2015 and the Local Flood Risk Management Plan by June 2016.

4. The Ayrshire Flood Steering Group was established on the 11 September 2013 to oversee and support the development of the draft Flood Risk Management Strategy for Ayrshire and the Local Flood Risk Management Plans. East Ayrshire Council is represented by Councillor Robert McDill.

5. On 12 November 2014 Cabinet noted the development of the catchment characterisation, the objectives, and the long and short-list of measures.

6. In January 2015, the draft Delivery Plan for East Ayrshire and South Ayrshire Councils was submitted to SEPA and this formed part of the consultation material for the second phase of the FRM Strategy Consultation (between 2 March 2015 and 2 June 2015).

CURRENT POSITION

7. The draft Flood Risk Management Strategy for Ayrshire was produced by SEPA, and in November 2015 they submitted the Flood Risk Management Strategies for each of the fourteen National Local Plan Districts to Scottish Ministers. These will formally be published on 22 December 2015. The strategy for the majority of watercourses in East Ayrshire is contained in LPD 12 - Ayrshire, while that for New Cumnock (River Nith) is contained in LPD 14 - Solway.
8. The Flood Risk Management Strategies for each District set out the “short to long term” ambitions for flood risk management in Scotland. They state the objectives for tackling floods in the areas identified as being at high risk of flooding, the Potentially Vulnerable Areas (PVAs). Each PVA is considered in the document with appropriate actions identified to deliver the objectives along with indicative timescales prioritised in six year planning cycles.

9. These objectives and action plans shall be developed into the Local Flood Risk Management Plans to be prepared by each Local Authority by June 2016.

**ACTIONS TO MANAGE FLOODING**

10. Within each PVA the strategy identifies a number of actions, which may include undertaking flood studies, river modelling, awareness raising, self-help and property level protection. There is also information on the numbers of properties at risk from flooding and the costs of damages resulting from flooding. Where applicable there is also information on historical flooding.

11. New Cumnock is included as a Candidate PVA (PVA 14/26c) and reflects the work that East Ayrshire Council has undertaken with regards to the proposed flood protection scheme.

12. The draft Flood Risk Management Strategy for Ayrshire identified lists of Works and Studies within East Ayrshire, with associated cost requirements as detailed in the table below.

**Works: East Ayrshire Council Area**

<table>
<thead>
<tr>
<th>New Cumnock FPS</th>
<th>£3.3 m</th>
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<tbody>
<tr>
<td><strong>Sum</strong></td>
<td><strong>£3.3 m</strong></td>
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13. It is anticipated that the Scottish Government will continue the current funding arrangements for successful Flood Protection Schemes providing 80% Government Funding, with a 20% Local Authority contribution. However, this has not been confirmed for the next spending cycle.

**Studies: East Ayrshire Council Area**

| Irvine Valley Flood Study | £30,000 - 50,000 |
| Catrine Flood Study       | £30,000 - 50,000 |
| Dalmellington Flood Study | £30,000 - 50,000 |
| Dalrymple Flood Study     | £30,000 - 50,000 |
| **Sum**                   | **£120,000 – 200,000** |

14. Studies identified through the FRM Strategies are expected to be funded by Local Authorities; however it is expected that the Scottish Government may contribute to
some studies in the future. Work has already commenced on the River Irvine study following the flooding event of December 2014.

Surface Water Management Plans

| Ayrshire ICS/Option Report East (Cumulative costs) | £180,000 -200,000 |

15. The Ayrshire Integrated Catchment Study (ICS) commenced in 2012 and completed the Characterisation Stage, which include the model build and verification. Similar to the draft Flood Risk Management Strategy for Ayrshire, the next step is objective setting, agreement on mitigation measures and option appraisal. This stage of the project is currently ongoing and is programmed to be completed by 2017. The project is progressing in partnership with Scottish Water and SEPA. Funds have been identified from the additional revenue budget of around £200,000 per annum the Council receives from Scottish Government to deliver the 2009 FRM (Scotland) Act.

CONSULTATION

16. Consultation on the draft Flood Risk Management Strategy for Ayrshire commenced on 22 December 2014 and closed on 2 June 2015. The consultation was led nationally by SEPA through the Citizen Space web platform.

17. At the request of Elected Members, it was agreed to provide opportunities for local residents to comment on the draft Flood Risk Management Strategy for Ayrshire. In East Ayrshire four public events were organised.

<table>
<thead>
<tr>
<th>Date</th>
<th>Venue</th>
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<tbody>
<tr>
<td>Thursday 14 May (6pm – 8pm)</td>
<td>Stewarton Library</td>
</tr>
<tr>
<td>Monday 18 May (6pm – 8pm)</td>
<td>Cumnock Library</td>
</tr>
<tr>
<td>Friday 22 May (6pm – 8pm)</td>
<td>Dick Library, Kilmarnock</td>
</tr>
<tr>
<td>Thursday 28 May (6pm – 8pm)</td>
<td>Drongan Library</td>
</tr>
</tbody>
</table>

18. The feedback from these consultations will be considered in the development of the Local Flood Risk Management Plans.

COMMUNITY PLANNING/POLICY IMPLICATIONS

19. The project will provide economic and physical benefits to the community, improving business continuity within the communities currently at risk from flooding and will contribute to the current Economy & Skills; and Safer Communities Objectives.

LEGAL IMPLICATIONS

20. The Council is required to address the responsibilities to undertake its statutory obligation as identified in the FRM (Scotland) Act 2009.
HUMAN RESOURCE ALLOCATIONS

21. In order to successfully deliver the Local Authority’s statutory requirements in relation to the FRM (Scotland) Act 2009, additional resource will be required to develop the Flood Risk Management Strategy for Ayrshire to prepare the Flood Risk Management Plans. At present it is not possible to be specific on the resource required until the Strategy is reviewed. However, it is expected that additional funding will be provided to the Council from the funding settlement from the Scottish Government.

EQUALITY IMPACT ASSESSMENT

22. There are no equality implications related to the recommendations in this report. SEPA has undertaken an Equality and Human Rights Impact Assessment in respect of the consultation process.

FINANCIAL/RISK IMPLICATIONS

23. The Scottish Government and COSLA, advised by SCOTS, will consider how the flood risk management component of general grant will be distributed to Councils to meet their commitments included in the strategy and plans. It is anticipated that the Scottish Government will continue the current funding arrangements for successful Flood Protection Schemes providing 80% Government Funding, with a 20% Local Authority contribution. However, the method of apportionment of these funds has not yet been confirmed.

24. Studies identified through the Flood Risk Management Strategy for Ayrshire are expected to be funded by Local Authorities, although increased funding should become available from the Scottish Government to fund these works. Agreeing to the preferred actions implies a financial commitment for the identified studies for EAC of between £120,000 and £200,000 for the period 2016-2022.

RECOMMENDATIONS

25. Cabinet is requested to:

   i) Note the work carried out to date on the development of the draft Flood Risk Management Strategy for Ayrshire LPD 12;
   ii) Remits the Head of Roads, Ayrshire Roads Alliance to ensure the Local Flood Risk Management Plans are prepared for the relevant locations in East Ayrshire by June 2016 and report back to a future meeting;
   iii) Notes the potential financial and HR implications of preparing and delivering on the Local Flood Risk Management Plans; and
   iv) Otherwise, notes the contents of the report.

Chris McAleavey
Depute Chief Executive (Safer Communities)

12 November 2015
BACKGROUND PAPERS

Report to Cabinet on 12 November 2014 ‘All Ayrshire Local Flood Risk Management Strategy’

For further information on this report, please contact Stewart Turner, Head of Roads – Ayrshire Roads Alliance, on 01563 503164, or at stewart.turner@ayrshireroadsalliance.org

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