

**ANGUS COUNCIL**

**COMMUNITIES COMMITTEE – 12 NOVEMBER 2019**

**FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009 - UPDATE**

**REPORT BY DIRECTOR OF INFRASTRUCTURE**

**ABSTRACT**

This report updates the Committee on the identification of potential capital flood protection schemes and works to be submitted for national appraisal and prioritisation by SEPA for the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans.

**1. RECOMMENDATION**

It is recommended that the Committee:

- (i) approves the identification of potential capital flood protection schemes and works to be submitted for national appraisal and prioritisation for the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans;
- (ii) notes that submitting schemes for national appraisal and prioritisation does not commit the Council to delivering and funding the projects, which will be subject to financial consideration as part of the Council's capital fund financial planning;
- (iii) authorises the Director of Infrastructure to submit the identified potential capital flood protection schemes and works, along with supporting documentation, to SEPA for appraisal and prioritisation in December 2019 for the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans; and
- (iv) agrees that update reports are brought to this Committee as the potential capital flood protection schemes and works are progressed through the SEPA appraisal and prioritisation process, and the 2022-28 EPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans are developed.

**2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

**ECONOMY**

- An inclusive and sustainable economy

**PLACE**

- Safe, secure, vibrant and sustainable communities
- An enhanced, protected and enjoyed natural and built environment

**3. BACKGROUND**

- 3.1 As per Article 10 of the minute of the meeting of this Committee of 1 March 2016 (reference Report No. 87/16) approval was granted for the delivery of the actions in the period 2016-2022, detailed in the published Local Flood Risk Management Plans (LFRMP) for the Tay Estuary and Montrose Basin and Tay Local Plan Districts. This was subject to funding from Scottish Government capital funding allocations and Council revenue and capital budget setting over the period 2016-2022, which has been forthcoming to date.

- 3.2 Progress on the delivery of the above actions was reported to this Committee on 15 January (Report No. 10/19) and published in the Interim Reports for the Tay Estuary and Montrose Basin and Tay LRMPs. All six flood protection studies: Kirriemuir, Forfar, Carnoustie and Barry, Monifieth, Downfield and Dundee/Monifieth and Sidlaws, and Montrose, were reported as being delivered on programme and within budget. The aim of these studies was to identify actions to reduce flood risk including potential capital flood protection schemes and works.

#### **4. CURRENT POSITION**

- 4.1 The flood protection studies assessed current flood risks in the study areas by:

- undertaking a review of past flood events;
- constructing hydraulic models;
- generating updated and detailed flood maps; and
- determining the likely flood risk to different properties.

- 4.2 The flood protection studies have then identified and assessed options to reduce flood risk. For each study, this has reduced a long list of actions down to a short list of actions, which have then be formed into preferred options to reduce flood risk. These actions are assessed against a number of criteria, including:

- how technically appropriate and feasible they are;
- how they deliver sustainable flood risk management (e.g. help contribute to amenity and urban regeneration, improve the environment and biodiversity and improve or reduce existing maintenance regimes);
- are there insurmountable or legal constraints (e.g. land ownership, health and safety or environmental protection constraints); and
- how they represent best value for money and minimise the maintenance burden and costs.

- 4.3 Based on the studies, officers have assessed the preferred options and actions to extract potential capital flood protection schemes and works, which have been summarised below. The assessment was reviewed by the Flood Risk Management Member Officer Working Group at a meeting on 4 October 2019. Further detailed reports on the potential capital flood protection schemes and works will be presented to this Committee.

- 4.4 To allow appraisal and prioritisation for the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans, details of the potential capital flood protection schemes and works must be submitted to SEPA by December 2019.

#### **5. POTENTIAL CAPITAL FLOOD PROTECTION SCHEMES AND WORKS**

- 5.1 Montrose

- (i) Montrose Coastal Flood Protection Scheme (£20M+) – This will include dune replacement/replenishment and beach raising/nourishment. The outcome is to provide protection to the infrastructure along the shoreline, to the golf links and common good land, and to the low lying properties located behind the existing natural dune system, which are shown to be at increasing coastal flood risk exacerbated by the coastal erosion. The detailed proposals for the scheme are subject to ongoing development with consultants working on the Montrose Flood Study. The proposals are also being assisted by the project team delivering the national Dynamic Coast project on behalf of Scottish Government, for which Montrose Beach is one of seven special sites across Scotland.

- 5.2 Carnoustie and Barry

- (i) Barry Burn Flood Protection Scheme (£7.5M) – This will include set back defences for Barry Burn to provide an enhanced standard of protection to properties and the golf links from the existing scheme to account for results of updated flood risk assessment and modelling results, as well as predicted climate change; or
- (ii) Carnoustie (Lochty Burn) Flood Protection Scheme (£6.4M) - This will include storage with culvert upgrades for Lochty Burn to provide an enhanced standard of protection to properties and the golf links from the existing drainage infrastructure to account for results of updated flood risk assessment and modelling results, as well as predicted climate change; or
- (iii) Carnoustie (Barry Burn and Lochty Burn) Flood Protection Scheme (£13.9M) – This would be a combined scheme including the above, which may benefit from economies of scale.

- 5.3 Monifieth
- (i) Monifieth Burn diversion (£3.2M) - This will include diversion and upgrades for Monifieth Burn to provide an enhanced standard of protection to properties and the golf links from the existing drainage infrastructure to account for results of updated flood risk assessment and modelling results, as well as predicted climate change.
- 5.4 Kirriemuir
- (i) Property Level Protection (£0.5M) – This would include a subsidised scheme for property owners to purchase Property Level Protection and possible provision of Property Level Protection for deployment by community groups.
- 5.5 Forfar
- (i) Property Level Protection (£5.5M) - This would include a subsidised scheme for property owners to purchase Property Level Protection and possible provision of Property Level Protection for deployment by community groups.

5.6 Downfield and Dundee/Monifieth and Sidlaws

No potential capital flood protection schemes and works identified for 2022-28. These may be identified for future cycles from 2028.

- 5.7 At this stage of the national appraisal and prioritisation for the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans, there is not a requirement for the Council to itself prioritise the potential capital flood protection schemes and works. This can be done as the national appraisal and prioritisation progresses through 2020 ahead of any proposed commitment by the end of 2021. As noted in this report, at this stage the submission of these potential capital flood protection schemes and works does not commit the Council to providing funding itself. This is particularly the case as detail in section 6 below that there remains uncertainty on the amount of funding available from 2022-28 and the method of allocation of this funding from 2022 onwards.

- 5.8 Given the current knowledge base on the potential capital flood protection schemes and works listed above, it is considered that the Montrose Coastal Flood Protection Scheme is the highest priority for the Council given the potential impacts and timing of changes to the protection afforded to Montrose by the natural dune system, which is under threat from coastal erosion and predicted sea level rise. The immediacy of the increasing risk at Montrose may require more urgent action and capital investment in advance of the 2022-28 period. This would require additional consideration of funding availability from the Council and Scottish Government. It is proposed that further detail on the proposal for a Montrose Coastal Flood Protection Scheme as well as details of the other potential capital flood protection schemes and works listed above will be reported to this Committee in due course.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The total capital cost of the above potential capital flood protection schemes and works would be £43.1M if each of the five proposals were prioritised for possible inclusion in the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans. The inclusion of prioritised capital flood protection schemes and works in the Strategies and Plans would be subject of agreement, for which formal approval of this committee would be sought in advance.
- 6.2 Based on current funding methodology of 80% from Scottish Government Capital Flood Funding, which is yet to be confirmed for the next six-year flood risk management plan cycle 2022-28, this would leave Angus Council needing to secure £8.62M of the £44.1M total. As noted, submission of these potential capital flood protection schemes and works in December 2019 does not commit the Council to their delivery or to the funding required. Such a commitment would be required in developing and approving the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans before the end of 2021.
- 6.3 However, to provide some context to the likelihood that all five capital flood protection schemes and works would be successful in receiving funding for delivery from 2022-28, the current annual commitment of Capital Flood Funding from Scottish Government is £42M for the whole of Scotland. This equates to £252M in total over the six-year cycle 2022-28.

- 6.4 It is understood that the Scottish Government has already made full commitments of £42M for each of the first four years of the six-year flood risk management plan cycle 2022-28, which would leave £84M for all capital flood protection schemes and works across Scotland without additional funding. It is therefore considered unlikely that all of Angus' potential capital flood protection schemes and works will be funded, which may then lead to a decision on the amount of funding from the Council being based on a total figure less than £8.82M over the six years 2022-29.

## **7. PROPOSALS**

- 7.1 Noting that making such a submission does not commit the Council to their delivery or to the funding required at this time, it is proposed that each of the potential capital flood protection schemes and works identified by the flood protection studies and listed in section 5 of this report are submitted to SEPA in December 2019 for appraisal and prioritisation for the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans. The submissions will include detailed supporting documentation from the flood protection studies.
- 7.2 The outcome of the potential schemes assessment and allocation of funding will need to be considered in future capital funding planning.
- 7.3 Update reports will be brought to this Committee. as the potential capital flood protection schemes and works are progressed through the SEPA appraisal and prioritisation process, and the 2022-28 SEPA Flood Risk Management Strategies and 2022-28 Local Flood Risk Management Plans are developed. The Flood Risk Management Member Officer Working Group will be consulted on the development of the reports and plans. These reports will include further detail on each of the potential capital flood protection schemes and works.

## **8. CONSULTATION**

- 8.1 In addition to internal circulation within Angus Council, the Flood Risk Management Member Officer Working Group were consulted on the content of this report.

**NOTE:** The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Report No. 10/19 - Flood Risk Management (Scotland) Act 2009 – Section 37 Interim Report, Communities Committee 15 January 2019
- Report No. 87/16 - Flood Risk Management (Scotland) Act 2009 – Update, Communities Committee 1 March 2016

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