

<b>Meeting:</b>	<b>Cabinet member infrastructure</b>
<b>Meeting date:</b>	<b>Friday, 30 November 2018</b>
<b>Title of report:</b>	<b>Natural Flood Management construction grants scheme (CGS)</b>
<b>Report by:</b>	<b>Directorate services team leader</b>

## **Classification**

Open

## **Decision type**

Non-key

## **Wards affected**

Countywide impact with particular relevance to: Backbury; Birch; Bircher; Bromyard Bringsty; Dinedor Hill; Golden Valley South; Hampton; Leominster East; Leominster North & Rural; Mortimer; Old Gore; Redhill; Saxon Gate; Sutton Walls; Three Crosses; Wormside;

## **Purpose and summary**

To seek approval for the launch of the Natural Flood Management Construction Grants Scheme.

The grant scheme will help Herefordshire Council deliver the Defra funded River Wye and Lugg Natural Flood Management Project, which aims to reduce flood risk to downstream communities by working with natural process to slow the flow of water. The grant scheme will provide the necessary funding to implement Natural Flood Management (NFM) measures within the project's priority sub-catchments. Funding will be available to anyone within the sub-catchments to undertake agreed land and water management techniques which help reduce flood risk by using natural processes.

## **Recommendation(s)**

- (a) **The Natural Flood Management (NFM) Construction Grant Scheme as detailed in Appendix A be approved with a budget up to £100,000; and**
- (b) **The Directorate Services Team Leader be authorised to determine grants in accordance with the scheme criteria**

## Alternative options

1. Not to approve the grant scheme has the potential to prevent the successful delivery of the River Wye and Lugg Natural Flood Management Project (which has a delivery deadline of 31 March 2021). Whilst transferring the funding to another body to distribute on our behalf may be an option, this was not deemed appropriate as this is public funding which the council is best placed to allocate, given its role as lead local flood authority.

## Key considerations

2. The council is keen to support local communities who wish to get involved with the project. In providing a grant scheme to help pay for the implementation of NFM measures, the council hopes to encourage landowners and communities to engage with the project.
3. The grant scheme is entirely funded through the River Wye and Lugg Natural Flood Management Project (one of 24 catchment scale projects funded by a £15m Defra allocation for NFM projects in England with funding secured until 31 March 2021). The project has a value of £626,000 (with the Business Case signed off up to £750,000) and this grant scheme would have a total value of up to £100,000.
4. The grant scheme criteria has been created through collaboration with the project's partners and through guidance from the project's Steering Group. It aims to provide sufficient funds for applicants to implement NFM measures whilst also taking into account the potential benefits of the measure to the applicant. For example, some measures would only be part funded as the applicant would benefit from the measure (as well as downstream communities). Whilst the grant scheme criteria can be found in full in Appendix A, grants will be awarded to applications which meet the objectives of the River Wye and Lugg NFM Project and meet the objectives of the relevant Catchment Delivery Plan
5. The grant scheme items and associated costs listed in Appendix A are currently in draft form. Values for each grant item will be finalised through further liaison with other national NFM projects.
6. The Wye and Usk Foundation and Severn Rivers Trust are working in partnership with Herefordshire Council and the Environment Agency on this project. Both organisations will be deploying Catchment Advisors into the priority sub-catchments. The Catchment Advisors will be engaging with landowners and communities to help advise them on how they can implement NFM measures on their land. The grant scheme will assist the Catchment Advisors in convincing landowners to engage with the project by helping fund their recommended measures.
7. Information on the grant scheme and how to apply will be shared with communities through the NFM Catchment Community Groups which will be set up through the project. The project partners will also help inform people within the sub-catchments about this scheme.
8. Successful applicants will be monitored against agreed outcomes and the overall scheme performance will be reported as part of the project reporting process. These reports will also be shared with the Environment Agency who report directly to Defra. Reporting will focus on the main project objectives:
  - Reduce flood risk to local communities;

- Gather evidence and develop our knowledge around NFM where there are currently gaps;
- Engage communities around NFM and develop partnerships; and
- Deliver wider benefits, e.g. water quality, enhanced biodiversity, socio economic benefits.

## Community impact

9. The council's strategic objectives are described in our Corporate Plan (2016-20). This sets out how we will ensure we make the best use of resources and deliver services that make a difference to people in Herefordshire. Specifically, this work contributes towards the 'Support the growth of our economy' priority which includes: ensuring that infrastructure is in place to prevent and improve community resilience to flooding. This project will also assist with the achievement of the objectives that we have set out in our Local Flood Risk Management Strategy.
10. Defra requires the NFM projects to be community focused. Launching this grant scheme will help communities to engage with the project, enable them to take ownership of flooding and adopt a catchment wide approach to reducing flood risk.

## Equality duty

11. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:  
  
A public authority must, in the exercise of its functions, have due regard to the need to -
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
12. The grant scheme meets the requirements of the Equality Act 2010 as the grant will be available for anyone within the priority sub-catchments to apply for.
13. The Council is committed to supporting people to live full and independent lives within their local communities and will monitor the impact of these schemes to ensure that they support the Council's commitment to our Equality Duty. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. We do not believe that this scheme will have any detrimental or negative impact on the individuals that share a protected characteristic.

## Resource implications

14. A budget of up to £100,000 for the grants scheme has been identified through the Defra funded River Wye and Lugg Natural Flood Management Project. Funding previously received from the Ministry of Housing, Communities & Local Government may also be utilised.

15. There is no additional funding available for this project.
16. As part of the Defra grant, Herefordshire Council have committed to delivering this project by 31 March 2021. The grants scheme will facilitate project delivery within this timescale.
17. Some items listed on the grant scheme could potentially be funded in other ways. For example, the Countryside Stewardship scheme. Applicants will be encouraged to explore alternative sources of funding before they apply for the NFM Construction Grant.

## Legal implications

18. The council has a power under sections 1-4 of the Localism Act 2011 to apply this grant funding for the purposes identified in this report. In doing so, the council must comply with any grant conditions attached to the funding as well as the council's general duty to secure best value under section 3 of the Local Government Act 1999.

## Risk management

19. In establishing the grant scheme it is important to ensure funds are administered correctly. This grants scheme will be administered by the delegated grants team who have significant experience in managing and administering grant schemes of this nature.

### Risk / opportunity

That items funded through the grant scheme are not implemented correctly, in accordance with the stipulated guidance.

That there is more call for funding than there is currently available.

### Mitigation

Applicants will be required to submit evidence that they have implemented the items funded through the grant scheme. There will also be clawback as per the terms and conditions of the grant offer.

Each sub-catchment will be allocated a proportion of the total grant scheme value based on the number of properties at risk and the scope for implementing NFM. Each application will then be individually reviewed to ensure it meets the grant criteria and achieves best value for money.

## Consultees

20. None.

## Appendices

**Appendix A** – Draft 'River Wye and Lugg Natural Flood Management Project, Natural Flood Management Construction Grants Scheme guide'.

## Background papers

None identified.