

Record of officer decision

Decision title:	Commission to construct the Lea Flood Alleviation Scheme (FAS)
Date of decision:	26 October 2020
Decision maker:	Acting Assistant Director Highways and Transport
Authority for delegated decision:	<p>On 29 April 2020 the Cabinet member for Infrastructure and transport took a decision to approve the annual plan for public realm services for delivery 2020/21:</p> <p>the acting assistant director highways and transport be authorised to agree, through the BBLP contract governance arrangements, final adjustments to the programme (including any recommendations from the strategic partnering board) and budget allocation to each of the annex and any in year adjustments to the plan, within the overall budget.</p> <p>http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IID=50033120</p>
Ward:	Penyard
Consultation:	<p>Throughout the development of the Lea FAS, consultation on the scheme has taken place with Lea Parish Council, residents and the Environment Agency.</p> <p>In September 2019, a detailed consultation in the local area took place which informed stakeholders of the methods used to identify the issues and the design development that followed which lead to the proposed mitigation and interventions.</p> <p>Further consultation formed part of the part of the planning application, with permission being granted 30 June 2020.</p> <p>Consultation regarding this decision took place with the Section 151 officer and with legal services.</p>
Decision made:	<p>To approve the commencement of construction of the Lea FAS within a budget of £940,888.</p> <p>To add the S106 contribution and Grant in Aid and Local Levy funding to the council's capital programmes.</p> <p>Construction works will be commissioned through the public realm contract as set out in the annual plan decision report dated 29 April 2020 which can be seen by following the link below:</p> <p>http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6800</p> <p>The report confirms the scheme cost based on subcontract tender costs and that it is being funded through a combination of S106 contribution, funding received from the Environment Agency in the form of Grant in Aid</p>

	<p>and Local Levy funding and through the council's capital programme as part of investment in the highway asset infrastructure.</p> <p>The investment in highways asset infrastructure report can be seen by following the link below:</p> <p>http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?Ild=50033621</p>
<p>Reasons for decision:</p>	<p>The flood alleviation scheme was included in the 2020/21 Public Realm Annual Plan which was approved by the cabinet member for Infrastructure and Transport on 29 April 2020.</p> <p>This record of office decision report confirms the commencement of the scheme based on subcontract tender costs, and the allocation of the existing S106 and EA grant funding to the capital programme.</p> <p>The scheme design and development are complete and the works are ready to mobilise. All legal easements have been negotiated with affected landowners where access to their property is required for construction purposes and future maintenance.</p> <p>S106 developer contribution of £510,530 was paid towards the scheme. Spend to date of this funding is £248,506 which has enabled the development and detailed design of the scheme to reach the point of construction. This figure also includes the budget value associated with completing the legal easements. In addition further funding of £298,864 has been received in the form of grant from the Environment Agency. The S106 contribution and Grant in Aid and Local Levy funding are to be added to the council's capital programmes.</p> <p>£380,000 was paid towards the scheme from the council's capital programmes following the decision taken on 6 August 2020 to approve £2m of capital investment in infrastructure 2020/21 to be delivered through the public realm annual plan. This confirms an overall scheme budget for construction of £940,888.</p> <p>The costs associated with this decision to commission the construction works through the public realm contract are £854,083. This leaves an allocation for risk and contingency of £86,805.</p> <p>A planning application for the scheme alongside a Listed Building Consent application was submitted to the Local Planning Authority in January 2020, with permission granted for both applications 30 June 2020.</p> <p>A separate decision is to be taken by the Acting Assistant Director Highways and Transport to enter into Deeds of Easement and a licence for temporary occupation with the landowners to enable the construction, use and future maintenance of the works comprising the Lea Flood Alleviation Scheme (FAS). It also approves the payment of reasonable compensation, licence fee and professional fees incurred by the landowners and the council in the preparation of the agreements.</p>
<p>Highlight any associated risks/finance/legal/</p>	<p>Financial – The works outlined in this decision will be implemented within a budget of £940,888 and will be commissioned through the public realm</p>

<p>equality considerations:</p>	<p>contract as this scheme has been included within the 2020/21 annual plan. Costs associated with this decision to commission the construction works through the public realm contract are £854,083, with a residual risk allocation of £86,805.</p> <p>The scheme is being funded as follows through a combination of S106 contribution, funding from the Environment Agency in the form of Grant in Aid and Local Levy funding and through the councils capital programme as part of investment in the highway asset infrastructure.</p> <ul style="list-style-type: none"> • S106 contribution – £510,530 • FCRM GiA / Local Levy funding – £298,864 • Council’s capital programmes – £380,000 <p>Legal - All legal easements have been negotiated and signed by affected landowners where access to their property is required for construction purposes and future maintenance.</p> <p>Risk – Risks associated with the construction of the scheme are collated in the project risk register which is reviewed regularly by the project team. Principal risks have been identified as unforeseen ground conditions, unforeseen utilities found during the works and programme delay resulting from adverse weather conditions.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Not to proceed with construction of the scheme. This is not recommended as the village will remain at high risk of experiencing severe flooding events.</p> <p>During design development of the proposed mitigation and interventions of this scheme, various options were considered and assessed.</p>
<p>Details of any declarations of interest made:</p>	

Signed

Date: 26 October 2020

Mairead Lane
Acting Assistant Director Highways & Transport