

<b>Meeting:</b>	<b>Cabinet member infrastructure</b>
<b>Decision date:</b>	<b>Thursday, 15 March 2018</b>
<b>Title of report:</b>	<b>River Wye and Lugg Natural Flood Management Project</b>
<b>Report by:</b>	<b>Directorate services team leader</b>

## **Classification**

Open

## **Decision type**

Key

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

## **Wards affected**

(All Wards);

## **Purpose and summary**

To approve the establishment of a county-wide Natural Flood Management project which will run until 2020/21.

Following the 2016 Autumn Statement, Defra announced £15m of government funding for natural flood management schemes across England. The Environment Agency, together with Risk Management Authorities, Natural England and Forestry Commission, identified a number of projects and following consultation with the Flood Minister, have allocated funding to 24 catchments (one of which covers Herefordshire – the ‘River Wye and Lugg Natural Flood Management Project’).

Natural Flood Management (NFM) utilises land management measures to store water and slow

the flow in upland areas to reduce flood risk downstream. This approach manages risk in an integrated and holistic way, to proactively tackle the causes of flooding. NFM measures typically include wetland and bog creation or restoration, improvement and maintenance of buffer strips, contour ploughing and afforestation, and the installation of leaky woody structures in water courses.

The River Wye and Lugg Natural Flood Management Project, which will run until 2020/21, will utilise experience gained on nationally recognised projects such as the Stroud Rural Sustainable Drainage (RSuDS) Project and the Shropshire Slow the Flow Project and will involve partners such as the Environment Agency, Regional Flood and Coastal Committee (RFCC), Natural England and the Forestry Commission.

The Environment Agency proposes to allocate £750k of funding to implement NFM measures, working on both new and existing community flood alleviation projects within the River Wye and Lugg catchments, and part to furthering works on land and soil management practices within Herefordshire. The funding will also contribute to additional monitoring and research and redevelopment, to better inform where there are currently knowledge gaps and provide evidence of the effectiveness of the NFM measures being implemented.

## **Recommendation(s)**

**That:**

- (a) Herefordshire Council undertakes the Natural Flood Management project, subject to securing Environment Agency funding; and**
- (b) the assistant director environment and place be authorised to take all operational decisions necessary to implement the Natural Flood Management project in accordance with the submitted business case and within the scheme budget of £750k in consultation with the Cabinet Member.**

## **Alternative options**

1. Do nothing; no alternative organisations have been identified to deliver this project. The Herefordshire local flood risk management strategy has outlined priorities that need addressing and the Natural Flood Management project will help address some of these. By not accepting this funding offer, the opportunity will be lost. Furthermore, this is likely to result in adverse PR. Not least as Herefordshire Council is a 'Lead Local Flood Authority' and the management of this project would be consistent with its series of responsibilities to coordinate the management of local flood risk.

## **Key considerations**

2. Following the 2016 Autumn Statement, Defra announced £15m of government funding for natural flood management (NFM) schemes across England. The Environment Agency (EA), together with Risk Management Authorities, Natural England and Forestry Commission, identified a number of projects and following consultation with the Flood Minister, have allocated funding to 24 catchments (one of which covers Herefordshire – the 'River Wye and Lugg Natural Flood Management Project').
3. NFM involves techniques that aim to utilise land management measures to store water and slow the flow in upland areas to reduce flood risk downstream. This helps manage risk in an integrated and holistic way, to proactively tackle the causes of flooding. NFM

measures may include wetland and bog creation or restoration, improvement and maintenance of buffer strips, contour ploughing and afforestation, and the installation of leaky woody structures in watercourses.

4. These catchment based projects will provide an opportunity to evaluate the effectiveness of NFM, add to the evidence base and help to develop innovative solutions for the future by:
  - reducing flood risk, or coastal erosion risk, to homes; improving habitats and increasing biodiversity;
  - contributing to research and developing NFM techniques and interventions; and
  - supporting and developing partnership working with and between communities.
5. The EA West Midlands Area has been working to secure funding for four NFM schemes. The funding for these schemes is allocated directly from Flood and Coastal Risk Management (FCRM) grant in aid capital and sits within the FCRM Programme, benefitting from the same robust governance as other projects within this funding stream.
6. The EA was keen to develop NFM projects across the area with a mixture of landscape and catchment types for a range of NFM opportunities. For example the Cotswold Avon tributaries which are quite steep sided and flashy catchments and will require different NFM interventions when compared to our other catchments. There are also a mixture of forested (e.g. Wyre Forest, Dowles catchment) and Urban (Barbourne) catchments and rural / agricultural type catchments e.g. Herefordshire to work with.
7. The River Wye and Lugg Natural Flood Management Project has been allocated £750k of funding as part of the Defra Natural Flood Management Research Programme. The project which will run until 2020/21 will be led by Herefordshire Council, through a partnership including the EA (FCRM and Environment Programme Teams).
8. One of the main considerations when selecting the catchments to work in was the link to communities at risk from flooding (both fluvial and pluvial flooding taken into account) and therefore for the money that is being invested, where is the greatest benefit in terms of reduced flood risk. The EA also looked at where NFM could complement existing flood schemes e.g. Leominster, Hampton Bishop etc thereby adding value to the scheme. We also know that in many cases, a traditional engineered scheme for reducing flood risk would either be impractical or simply non cost effective, with NFM being the preferred option e.g. Shipston and many other locations where the population densities are low and relatively dispersed eg much of Herefordshire. Other factors also taken into account is where we have existing community groups that we can engage with relatively easily but also looking for new opportunities for this. We also looked at opportunities for creating additional wetland habitat and improving water quality which provide additional benefits for NFM. A final consideration was where there were other projects happening and opportunities to link up, pull in additional funding and become more integrated, for example opportunities in the Ridgemoor catchment with National Trust.
9. The River Wye and Lugg Natural Flood Management Project will focus on reducing flood risk to up to 902 properties in seven distinct catchments in Herefordshire, where communities have been badly affected by both fluvial and pluvial flooding. All the catchments have common flood risk characteristics with dispersed, small, rural communities with steep upper catchments and extensive land use change. The project aims to demonstrate how NFM can be tailored to a range of unique landscapes in Herefordshire and test several very different and innovative approaches and delivery mechanisms.

10. Its initial focus will be around bringing NFM into key FCRM schemes as well as working in seven priority sub-catchments (for which we hold strong data sets) which experience both local flooding and water quality issues. These sub-catchments are:
  - Cheaton / Cogwell / Ridgemoor Brook system (above Leominster and Frome);
  - Tedstone Brook (above Bromyard);
  - Dulas Brook (above Ewyas Harold);
  - Pentaloe Brook (above Mordiford);
  - The Red, Norton and Twyford Brook system (above Rotherwas, Hereford);
  - The Bodenham and Millcroft Brooks (above Bodenham); and
  - Brimfield Brook (above Brimfield and Orleton).
11. These seven catchments were chosen based on :
  - Those that provided the greatest opportunity for reducing flood risk based on the numbers of properties identified within relatively small catchments where NFM is likely to work;
  - Where there are existing communities that can be engaged with;
  - Where we can deliver integrated projects that will provide multiple benefits eg increased habitat, improved water quality; and
  - Where other projects have been identified and there are opportunities for drawing in additional funding.
12. We understand there could be other catchments we may have not identified, however if other opportunities arise then these should also be considered for future funding and community led projects.
13. It is proposed that the River Wye and Lugg Natural Flood Management Project is led by Herefordshire Council through including the EA FCRM and Environment Programme Teams, through a Collaborative Agreement. The Project Lead Partner, Herefordshire Council, will hold responsibility for ensuring project delivery and monitoring progress, budget and strategic management. This approach is based on the highly successful Stroud Rural Sustainable Drainage (RSuDS) project, and enables the project to maximise community engagement, delivery cost efficiencies and flexibility. The contribution would be claimed by Herefordshire Council through the FCRM3 LAIDB Grant claim process.
14. The Project Officer, employed by Herefordshire Council, with direct support from EA staff, will oversee on the ground delivery and evidence gathering for each of the projects in Herefordshire. This shared management approach will reduce project costs and project risks allowing more money to be spent on NFM features while facilitating networking and sharing of experience and resources across the West Midlands. The projects will also work together to identify any cross linking opportunities to improve ecology, geomorphology, heritage, landscape and amenity in the West Midlands Area. The Project Officer will seek to embed NFM techniques into 'day-to-day' working practises so it is incorporated into all flood resilience projects (wherever suitable). Funding is to be used to implement NFM measures, working on both new and existing community flood alleviation projects, and part to furthering works on land and soil management practices. Funding will also contribute to additional monitoring to inform current gaps and provide evidence of the effectiveness of the measures being implemented. They will work with local communities to ensure that these measures are community led wherever possible and that delivery partners are involved to ensure that these practices are carried forward after the NFM project has been completed.

15. Herefordshire Council lead the project and will manage it across the county. Local project management will be led by the Herefordshire Project Officer, reporting up to the Herefordshire Steering Group (membership to be determined but with close links to the Nutrient Management Plan board). Delivery on the ground will be through existing delivery partners e.g. Wye & Usk Foundation and local landowners / contractors as per the Stroud model and supervised via the Herefordshire Project Officer. All purchasing activities are undertaken in accordance with the council's Contract Procedure Rules.
16. The River Wye and Lugg Natural Flood Management Project will utilise experience gained on nationally recognised projects such as the Stroud RSuDS Project and the Shropshire Slow the Flow Project, and involve partners that we are already working with. e.g. The EA, the Severn and Wye Regional Flood and Coastal Committee, Natural England and the Forestry Commission. The work will complement Herefordshire's local flood risk management strategy.
17. The objectives of the River Wye and Lugg Natural Flood Management Project are as follows:

	<b>Objective</b>	<b>Measurable outcome</b>	<b>Evidence</b>	<b>Timeframe</b>
1	Contribute towards alleviating flood risk in seven distinct catchments in Herefordshire	Reduced flood risk to up to 902 properties	Gauged river data and evidence of homes and business not being so impacted as before interventions are installed	2021
2	Contribute towards improvements to Water Frameworks Directive (WFD) Status in all the catchments.	WFD Status improved	WFD Monitoring	2021
3	Establish and sustain effective community partnerships and engagement, which enable communities to lead and manage on going NFM management and monitoring beyond the lifespan of project funding.	Self-managing and active community partnerships	On-going partnership engagement	2021
4	Enhance the evidence base of natural flood management schemes through effective monitoring and evaluation.	Flood Risk and WFD change of status	Effective, long term, community based, monitoring and assessment of the NFM measures implemented and the hydrological and geomorphological changes that occur.	2021
5	The project will build on investments from within the Defra group and draw in investment from external partners in each	Additional funding contributions from local sources and partnership initiatives including	Periodic feedback to the project partners of additional funding, and contributions in kind, received or bid for.	2021

	area to deliver value for money for the spend across Defra's objectives;	HLF and ESIF.		
6	The authority or partners promoting the scheme can secure the measures for which they are requesting funding. (This is likely to involve gaining the agreement and cooperation of landowners and the consent of any relevant authorities).	Number of agreements reached and projects undertaken on private land.	Annual Project and Data Reports	2021
7	To collect and openly publish data, monitor and report on the impact of the work undertaken on reducing flood risk and any other benefits.	Annual Project and Data Reports. Website data access provision for all projects	Annual Project and Data Reports. Website data access provision for all projects	2021

18. This NFM project will need significant engagement with a variety of stakeholders. An engagement plan is to be drafted with how and when each stakeholder will be engaged with and this will remain a living document to be added to as the project progresses. The 'engage, deliberate, decide' engagement method will be implemented as a guideline and this will be amended to suit each individual area.
19. The use of such measures will help us to integrate our flood risk objectives across our functions and with those of other organisations. For example, many natural flood management measures will require us to better align our programmes with those of Natural England and the Forestry Commission. Better integration will help flood risk management contribute to the Water Framework Directive, Habitats Directive, and England's Biodiversity Strategy Biodiversity 2020.
20. Herefordshire Council will work with landowners, communities, Town and Parish Councils, and other similar organisations to promote changes in agricultural land management practices, which can reduce the impact of flooding and provide opportunities to incorporate wider benefits. Stakeholders include (but are not limited to) the following:
  - EA;
  - Natural Resources Wales (NRW);
  - Internal Drainage Boards (River Lugg IDB, Lower Severn IDB);
  - The National Farmers Union;
  - National Flood Forum;
  - Severn and Wye RFCC;
  - The Wye and Usk Foundation;
  - Natural England;
  - Welsh Water and Severn Trent Water;
  - The Herefordshire Nutrient Management Group;
  - The Brightspace Foundation;
  - FarmHerefordshire;
  - Wye Sanctions and Actions Safeguarding Soil;

- Wye Catchment Partnership;
- Cranfield University;
- Highways England and Network Rail;
- Herefordshire and Gloucestershire Canal Trust; and
- Herefordshire Wildlife Trust

## Community impact

21. Herefordshire 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.

## Equality duty

22. 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.
23. 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 it will have an impact on our equality duty.

## Resource implications

24. The project budget will fully fund the costs of a dedicated NFM Project Officer (1 April 2018 – 31 March 2021). The funding for this will be secured from the project budget and will cover the on-costs and (if required) the redundancy costs for the project officer. It is proposed that this post becomes a part of the Directorate Services team with the Directorate Services Team Leader having supervisory responsibility for day to day activity.
25. An annual budget for the NFM Project Officer will be agreed between EA and Herefordshire Council prior to the commencement of the project. Herefordshire Council will be grant funded as part of the Defra Natural Flood Management Research Programme.

## Legal implications

26. The council has a power to invest in flood mitigation and alleviation works within its local area. This investment will contribute to a number of the council's other duties and powers for example in relation to economic prosperity and environmental wellbeing.
27. Herefordshire Council will enter into a contractual agreement with the EA and so must ensure that the project satisfies the EA's criteria as failure to do so could result in monies being clawed back.
28. Works funded by the project will be subject to the council's duty to obtain best value. The proposed delivery model is that works will be competitively procured where EU rules require it, and otherwise the proposal is to grant fund the end user directly to undertake the works themselves or commission a third party. One advantage of this approach is that the risk of cost overruns on works undertaken by end users will not be borne by the council. Grant funding agreements will be put in place to ensure that funds are spent by recipients in accordance with the required project outcomes.
29. There are no other significant legal implications identified in this report.

## Risk management

30.

<b>Risk / opportunity</b>	<b>Mitigation</b>
Projects not compliant with business case	The Chief Finance Officer will be provided with the business case
Establishment/acceptance of local maintenance of NFM measures once work is completed on site	NFM Project Officer to manage stakeholder engagement
Unknown requirements from farmers and landowner	NFM Project Officer to manage stakeholder engagement

31. The risks will be managed at a service level, within the Highways & Community Services risk register.

## Consultees

32. Political groups have been consulted and no objections or comments were received. The EA has worked closely with local communities, landowners and partners, in some instances since 2007, to develop the awareness and support for NFM, as part of a holistic approach to flood risk management in the catchment.

## Appendices

NFM Wye and Lugg Business Case

Memorandum of agreement

## Background papers

None identified.