

## **Priority Flood Repair Works Capital Programme: Realignment**

**Meeting: General Scrutiny Committee**

**Meeting date: 22 September 2021**

**Report by: Head of Highways and Community Services**

### **Classification**

Open

### **Decision type**

This is not an executive decision

### **Wards affected**

Backbury and Old Gore

### **Purpose**

The general scrutiny committee review proposals for in year adjustments to the capital programme to allow the re-alignment of capital spend to projects on priority flood works that require the allocation of budget.

### **Recommendation(s)**

**That:**

- a) **having regard to the proposals the committee determines any recommendations it wishes to make to Cabinet in relation to the realignment of the capital programme to cover priority flood repair works.**

### **Alternative options**

1. There are no alternatives to the recommendations. Cabinet is responsible for developing and proposing amendments to budget proposals for council

consideration and it is a function of this committee to make reports or recommendations to the executive with respect to budget and policy framework items. The council's budget and policy framework rules require Cabinet to consult with scrutiny committees on budget proposals in order that the scrutiny committee members may inform and support the process for making Cabinet proposals to Council.

## Key considerations

2. Storm Dennis hit Herefordshire during the weekend of 15 and 16 February 2020, resulting in significant damage and flooding, from both runoff and river overspill, with many of the rivers reaching their highest levels in 200 years. As part of a multi-agency response and recovery group the council successfully mobilised all resources to respond to the event.
3. The Bellwin scheme will not fund all repair needs following flooding in February 2020. With no further funding having been specifically made available by Government for recovery from Storm Dennis, the significant gap between what the Bellwin scheme provides and the cost of all necessary repairs must be met from within the capital programme.
4. The Fownhope flood damage related principally to a landslip at Lechmere Ley which caused more than a third of the carriageway to be lost. Approximately 3000 tonnes of material had to be excavated and equivalent imported to rebuild the road.
5. At Stone Cottage a five metre high retaining wall collapsed due to pore water pressure from run off. The retaining wall supported the B4224 carriageway immediately adjacent to Stone cottage. This was a complete failure of the wall which could not be repaired – and a new section of wall has been constructed.
6. The decision to progress flood repair works, including the repair to the damage to the B4224 at Fownhope was taken under emergency powers at section 3.7.9 of the constitution on 30 April 2020.
7. On 23 July 2020 cabinet considered funding options and made recommendations to Council for funding of the repair works. On 4 August 2020 at an extraordinary council meeting council confirmed that the priority flood repair works project be added to the capital programme.
8. The decision taken by the Council on 4 August 2020 was that £4.027m (Priority Flood Repair Works) be added to the capital programme as a new programme; and that they were funded by extended prudential borrowing.
9. The £4.027m was made up from the following estimates:

<b>Schemes</b>	
Fownhope Landslip	£ 1,565,000
Fownhope Retaining Wall Collapse	£ 1,000,000
Whitney on Wye Instability	£ 500,000
Various damage Sites	£ 962,000

TOTAL:	£4,027,000
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10. As work has progressed on these priority flood works the cost of the repairs have altered from their original estimates. Project budgets are requested to be realigned to account for project outturn to date and enable all payments due to be made. This all with a view to completing the programme within the budget set for the entire programme of Priority Flood Repair Works.
11. Approval is being sought to realign the capital programme to address the variances in the repair works, as follows:

Project	Original Capital Estimates	Realigned Capital Estimates	Rationale
Fownhope Landslip	£ 1,565,000	£510,000	To align to project outturn cost
Fownhope Retaining Wall Collapse	£ 1,000,000	£1,150,000	To align to project outturn cost
Whitney on Wye Instability	£500,000	£2,367,000	To account for uncertainty in the delivery of remaining schemes. This given that detailed scheme design has yet to conclude and approximately 18 months has passed since the original capital estimates were derived
Various damage Sites	£962,000		
Total	£4,027,000	£4,027,000	No change to programme budget

12. A delegation is being sought to enable the Chief Finance Officer (as S.151 officer) to approve the in-year amendments to the capital budget to allow for payments to be made in respect to the projects identified and those that form the remainder of the Priority Flood Repair Works Capital Programme.

## Community impact

13. These highway maintenance and flood repair works will contribute to the County Plan 2020 – 2024 ambitions by protecting the environment, safe communities and providing infrastructure that supports our economy. The investment will ensure the

network is resilient to the extremes of weather and ensure the safety and availability of the infrastructure for our public and users of Herefordshire's highway network.

## **Environmental Impact**

14. The allocation of funding for priority flood damage repairs and for works to enhance the resilience of the county's infrastructure to future storm events will contribute to the success of the County Plan by helping to increase flood resilience and improve residents' access to green space in Herefordshire via the highway network.
15. The council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
16. The development of these works has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance. This through minimisation of waste and enabling sustainable and active travel options across the county as a result of improvement in the condition of our highways and restoration of access throughout the highway network by the repair of flood damage.

## **Equality duty**

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

17. 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.

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. Our providers will be made aware of their contractual requirements in regards to equality legislation.

## **Resource implications**

18. The total of the sum certified plus other expenditure incurred for two completed schemes is £0.905m below the total of the estimates for the two completed Fownhope repair schemes.
19. The service does not anticipate any substantial further expense in respect to works over the sums certified to date for both the Fownhope Landslip and the Fownhope Retaining Wall Collapse.
20. A review of estimates for the necessary work that remain, which will be best completed following receipt of tenders and the detailed contemporary quantification of works on a site by site basis, may identify the need for an adjustment in the budgets required for the remaining elements of this programme.
21. Approval is sought to reallocate this £0.905m and provide a budget of £2.367m for the remaining schemes in this programme of Priority Flood Repair Works.

## **Legal implications**

22. It is within the remit of General Scrutiny to review and consider budget and policy framework items.
23. The functions of the general scrutiny committee include the powers to make reports or recommendations to the executive with respect to the discharge of any functions which are the responsibility of the executive and to make reports or recommendations to council or the cabinet on matters which affect the authority's area or the inhabitants of that area.

## **Risk management**

24. The recommendations agreed by the committee will be sent to the executive. In considering its response the executive will need to assess any risks arising from the recommendations.
25. Any recommendations made by the committee are focussed on actions that are already underway. Where further decisions are required upon completion of the recommendations, any resource requirements will be considered in future reports.

## **Consultees**

26. The general scrutiny committee met on 22 March 2021 to review the Fownhope Flood Repair Works.

## **Appendices**

Appendix A: Priority Flood Repair Works Capital Programme: Realignment

## **Background papers**

None

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

**Bellwin Scheme:** a United Kingdom government emergency financial assistance which "reimburses local authorities for costs incurred on, or in connection with, their immediate actions to safeguard life and property or to prevent suffering or severe inconvenience as a result of a disaster or emergency in their area"