

**FLOOD RISK MANAGEMENT (SCOTLAND) Act 2009  
APPROVAL OF SEPA FLOOD RISK MANAGEMENT  
STRATEGIES, PRIORITISATION OF ACTIONS VERSION 4\_  
DRAFT**

**Report by Service Director Commercial Services**

**SCOTTISH BORDERS COUNCIL**

**27 August 2015**

**1 PURPOSE AND SUMMARY**

1.1 **This report seeks approval of SEPA’s Flood Risk Management Strategies, Prioritisation of Actions Version 4.0 as prepared by SEPA for delivery by the Council as part of the Flood Risk Management Planning Cycle 2016-2022.**

1.2 Scottish Environment Protection Agency (SEPA) has a statutory function to prioritise actions in the Flood Risk Management (FRM) Strategies across Scotland. This function is set out in section 27 and Schedule 1, Part 1 of the Flood Risk Management (Scotland) Act. As part of this function, SEPA has indicated the priority given to each action and identified the appropriate planning cycle for implementation.

1.3 SEPA has identified the following actions to be taken forward by Scottish Borders Council in the Flood Risk Management Planning Cycle 1 2016 - 2022. These are listed below.

1.4

<b>Flood Protection Schemes</b>	<b>Estimated Cost</b>
Hawick FPS	£30m
<b>Flood Studies</b>	
Eyemouth ( <i>Coastal Protection Scheme</i> ) Flood Study	£120k
Peebles, Innerleithen & Broughton ( <i>Flood Protection Scheme</i> ) Flood Study	£200k
Earlston ( <i>Flood Protection Scheme</i> ) Flood Study	£90k
Newcastleton ( <i>Flood Protection Scheme</i> ) Flood Study	£25k
Jedburgh ( <i>Jed Water</i> ) ( <i>Flood Protection Scheme</i> ) Flood Study	£110k ( <i>Proposed for Delivery Cycle 2022 – 2028</i> )
Bonchester Bridge ( <i>Flood Protection Scheme Flood</i> ) Study	£60k ( <i>Proposed for Delivery Cycle 2022 – 2028</i> )

<b>Natural Flood Management Studies</b>	
Gala Water – NFM Study	£30k
River Teviot – NFM Study	£30K
<b>Surface Water Management Plans</b>	
Galashiels, Melrose, Tweedbank	60k
Hawick	20k
Peebles	30k
Newcastleton	15k
Jedburgh	15k ( <i>Proposed for Delivery Cycle 2022 – 2028</i> )
Kelso	15k ( <i>Proposed for Delivery Cycle 2022 – 2028</i> )
<b>Improved Understanding</b>	
Eyemouth Coastal	<i>This action will be taken forward by SEPA</i>

- 1.5 All of the above Scheme and Studies are subject to Scottish government funding, the mechanism for the allocation of funding is still currently under development with this to be finalised in September.
- 1.6 There is a high degree of confidence that the funding allocation for Flood Schemes will cover all 41 proposed schemes with Hawick Flood Protection Scheme ranked number 15 nationally.
- 1.7 There is now a need to obtain the Council’s approval of SEPA’s Prioritisation of Actions Version 4.0\_DRAFT prior to SEPA gaining internal approval and taking the final Flood Risk Management Strategies which will include v4.0\_FINAL of the Prioritisation of Actions to the Scottish Minister. (*Note: It is envisaged that there will be no changes to Scottish Borders Councils list of priorities in v4.0\_FINAL Prioritisation of Actions*)

## 2 RECOMMENDATIONS

- 2.1 **I recommend that the Council approves SEPA's Flood Risk Management Strategies, Prioritisation of Actions Version 4.0\_DRAFT as prepared by SEPA for delivery by the Council as part of the Flood Risk Management Planning Cycle 2016 -2022.**

## BACKGROUND INFORMATION

- 3.1 The Flood Risk Management (Scotland) Act 2009 (FRM Act) requires the production of Flood Risk Management Plans covering each Local Plan District in Scotland.
- 3.2 There will be two sets of complementary plans: Flood Risk Management Strategies produced by the Scottish Environment Protection Agency (SEPA), and Local Flood Risk Management Plans produced by Lead Local Authorities.
- 3.3 The Lead Local Authority of each local plan district is responsible for leading the production, consultation, publication and review of the Local Flood Risk Management Plan.
- 3.4 There are 14 local plan districts in Scotland. Scottish Borders Council's area falls within 3 of these local plan districts which are Forth Estuary, Tweed, and Solway. Edinburgh City Council is Lead for the Forth Estuary, Scottish Borders Council is Lead for Tweed, and Dumfries and Galloway Council is Lead for Solway.
- 3.5 The Flood Risk Management Strategies will identify the main flood hazards and impacts, set out objectives for reducing flood risk and the best combination of actions to achieve the objectives. This will include a Prioritised List of Actions developed by SEPA in relation to Flood Protection Schemes and Works, Flood Studies (Flood Protection & Natural Flood Management), Improved Understanding and Surface Water Management Planning. Each action in these categories will be ranked at a National Level, Local Plan District (LPD) Level and Local Authority (LA) Level.  
  
*(See Appendix 1 - Prioritisation of Actions Version 4.0\_DRAFT Flood Schemes and Works, Appendix 2 – Prioritisation of Actions Version 4.0\_DRAFT & Appendix 3 Scottish Borders Council Prioritisation of Actions Delivery Plan)*
- 3.6 The initial prioritisation was developed by SEPA using risk based assessment and the latest evidence base. This information was then discussed with each local authority to agree the initial ranking and where appropriate incorporate local priorities. The ranking for Flood Protection Schemes and Works was based on cost-benefit ratios supplemented with non-monetised information (i.e. non-economic impacts). Ranking for Flood Studies was based on Present Value Damages (PVD) supplemented with non-monetised information.
- 3.7 An independent group called the National Prioritisation Working Group (NPWG) advises SEPA on the priority of flood risk management actions and related strategic issues. The group is chaired by the Scottish Government and includes representation from COSLA, SEPA, local authorities and Scottish Water.
- 3.8 The prioritisation process results in 4 versions of the rankings being produced with each version subject to discussion by the NPWG with amendments and information requested as required. The final version, Version 4.0\_FINAL will be produced by SEPA.

- 3.9 Following the finalisation of Version 4.0\_FINAL, SEPA will complete the Flood Risk Management Strategies and submit them for internal approval within SEPA before issuing them to the Scottish Minister for approval in November 2015.
- 3.10 The Flood Risk Management Strategies for each of the 14 Local Plan Districts, taken together, will comprise the National Flood Risk Management Plan for Scotland. The Flood Risk Management Strategies will cover 3 six-year cycles.
- 3.11 The Local Flood Risk Management Plans will take the objectives and actions identified in the Flood Risk Management Strategies and set out what actions will be taken forward, by whom and when, to deliver the plan within a six-year cycle. The plan will also set the funding of agreed actions.
- 3.12 The Flood Risk Management Strategies and Local Flood Risk Management Plans will provide a framework for co-ordinating actions across catchments to deal with all sources of flooding. These plans will be used to ensure long term planning around flooding and future funding should take these into account. This will help to target investment in areas where there is the greatest risk of flooding and where communities can receive the greatest benefit. This will help maximise the benefit of public investment.
- 3.13 The first planning cycle will run from 2011 to 2016.
- 3.14 The first implementation cycle will run from 2016 to 2022.
- 3.15 The Flood Risk Management Strategies and Local Flood Risk Management Plans are being developed to be complementary through collaborative partnerships between Local Authorities, SEPA and Scottish Water.
- 3.16 In addition, the engagement and support of local and national advisory groups has been sought during the development of the Flood Risk Management Strategies and Local Flood Risk Management Plans.

## **4 IMPLICATIONS**

### **4.1 Financial**

- (a) This report does not have any immediate financial implications with respect to developing the strategies and plans as funding is included in the Asset Management revenue budget.
- (b) The prioritised lists of actions are all caveated with regards to the level and mechanism of funding given by the Scottish Government which is still to be agreed.

### **4.2 Risk and Mitigations**

- (a) There is a risk that the funding or funding mechanism from the Scottish Government impacts upon the delivery of the prioritised list of actions. There are no mitigation measures in place but a general acceptance by all parties involved that this will require to be addressed should funding be an issue.

- (b) There is a risk that the list of prioritised actions in Cycle 1, 2016 - 2022 cannot be delivered by Local Authorities due to lack of resources both internally and externally. This is being mitigated by an exercise through the prioritisation process where Local Authorities are reviewing what can be delivered in Cycle 1.

#### **4.3 Equalities**

- (a) Research has shown that the more vulnerable groups in society are more negatively impacted by flooding.
- (b) Therefore the proposed strategies and plans which are aimed at reducing the risk of flooding and making people more prepared will have a beneficial effect on these vulnerable groups.

#### **4.4 Acting Sustainably**

The development of the strategies and plans which includes the list of prioritised actions is being undertaken as part of implementing the Flood Risk Management (Scotland) Act 2009 which has, as its core principle, the need to act sustainably.

#### **4.5 Carbon Management**

- (a) Natural Flood Management actions provide opportunities for carbon management and are being considered under the Low Carbon Strategy initiative.
- (b) There will be a carbon cost in the implementation of some actions but this should be offset by the benefits in reducing the impact of flooding.

#### **4.6 Rural Proofing**

It is anticipated there will be no adverse impact on the rural area from the proposals contained in this report.

#### **4.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

### **5 CONSULTATION**

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

5.2 Others to be consulted if required are –

- Corporate Equalities and Diversity Officer
- Communications

## Approved by

Andrew Drummond Hunt

**Service Director Commercial Services**    **Signature** .....

### Author(s)

Name	Designation and Contact Number
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### Background Papers:

1. Flood Study Scheme Prioritisation Programme (Executive – 2 September 2007)
2. Strategic Approach to Flood Prevention (Council – 21 February 2008)
3. Strategy for the Implementation of Flood Protection Schemes (Council – 24 June 2010)
4. Flood Risk Management (Scotland) Act 2009 – Approval of Draft Flood Risk Management Strategies to be published on 22 December 2014 for Public Consultation – 30 October 2014.

### Previous Minute Reference:

1. Flood Risk Management (Scotland) Act - Draft FRM Strategies - Minute – 30 November 2014
2. Flood Risk Management (Scotland) Act - Draft FRM Plans - Minute – 19 February 2015

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, Scottish Borders, TD6 0SA tel. 01835 826665 fax. 01835 825431 e-mail [PLACEtransrequest@scotborders.gov.uk](mailto:PLACEtransrequest@scotborders.gov.uk)