

Agenda Item No: 9.4 **Report No:** 126/17

Report Title: Report to Manage Upper Ouse Flood Protection and Water Retention Works

Report To: Cabinet **Date:** 27th September 2017

Cabinet Member: Cllr Isabelle Linington

Ward(s) Affected: Chailey and Wivelsfield, Newick, Barcombe and Hamsey, Ditchling and Westmeston, Plumpton, Streat, East Chiltington and St John's (Without), Lewes Castle, Lewes Priory, Lewes Bridge and Ouse Valley and Ringmer.

Report By: Ian Fitzpatrick, Director of Service Delivery

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Purpose of Report:

To update Cabinet on the progress made on the programme to improve flood protection and water retention work in the Upper Ouse and to continue the contract between Lewes District Council and the Ouse and Adur River Trust and Sussex Wildlife Trust.

Officers Recommendation(s):

- 1** Note the progress made by Ouse and Adur River Trust (OART) and Sussex Flow Initiative (SFI), a partnership working under the auspices of Sussex Wildlife Trust.
- 2** Agree to reinstate the Working Group with representatives from Lewes District Council and Ouse and Adur River Trust and Sussex Flow Initiative more particularly as set out in paragraph 7
- 3** Approve a waiver to the Contract Procedure Rules, sought under CPR 2.4.1 (a) to enable the Council to sign a contract with OART and SFI for the 2017-18 programme of works described in paragraph 5.1.
- 4** Set aside returned Environment Agency Levy in a Reserve to finance future flood protection and drainage projects.
- 5** The Working Group brings a further report to Cabinet recommending the programme of works for beyond 2018 for the remainder of the 3 year programme period.

Reasons for Recommendations

- 1** At the Council meeting of the 25th February 2016 it was agreed to undertake a programme of flood protection and water retention works in the Upper Ouse valley. The programme being over 3 years at a value of £296,750.
- 2** Lewes District Council entered into the Programme with Ouse and Adur River Trust and Sussex Flow Initiative as a matter of urgency following the extreme weather events that were experienced in the Southern England during the winters of 2012/13 and 2013/14 and in North West England during the winter of 2015/16.

3 Background Information

- 3.1** Much of the Lewes district is prone to flooding from a combination of tidal, ground water surface and river flooding. The River Ouse last flooded in October 2001 with many hundreds of properties being affected along the length of the Ouse.
- 3.2** Since 2001 many schemes have been designed and delivered to reduce the risk of Flooding in Lewes and more recently in Newhaven.
- 3.3** During the winters of 2012/13 and 2013/14 and the summer of 2015 more than 100 properties were flooded at various locations across the district from many different sources.
- 3.4** Following the extreme winter of 2015/16 at the February 25th Council meeting it was agreed that the budget to fund the Environment Agency Special Levy in respect of the River Ouse Internal Drainage District (IDD) be transferred to the General Fund Capital Programme given that the IDD was to be abolished. The money could then be used to fund measures to reduce the flow of water down the Ouse catchment, spread the peak flow of water in the Ouse and its tributaries and so reduce the risk of flooding.
- 3.5** The proposal set out a programme of projects to be delivered over 3 years. To ensure earlier delivery and the protection of people's homes and businesses, £112,750 was paid to OART and SWT in 2016/17 as grants.

4 Progress to date

- 4.1** Since December 2016 officers from Lewes District Council have met with OART and SFI on several occasions to progress this programme, and have delivered the following:
 - 11 small woodland sites have been delivered in the Ouse catchment(1.5 acres of new woodland or 4000 trees) and 610m of new hedgerow,
 - Progress towards a new storage pond at Green Lane Ringmer,

- Assessment of catchment for potential woody dams,
- Detailed sub catchment mapping of the Bevern and Plumpton Mill streams to identify opportunities to reduce impact of flooding,
- Progress with reconnecting the Ouse to its flood plain at Anchor Gate above Barcombe, development of floodplain reconnection in the Isfield area, and work with the National Trust on a large project to reconnect the Ouse to its floodplain at Sheffield Park, all providing water storage.

5 Proposed programme of works for this year

5.1 The Ouse and Adur River Trust and Sussex Flow Initiative have outlined that their programme of works for this year is as follows:

- Flood storage pond either at Wivelsfield or Broyleside Ringmer,
- Series of small woods and hedgerow projects, and further development of woody dams
- A Natural Flood Management Model (NFM) development to enable evaluation of NFM,
- Sub-catchment mapping of Glynde and Longford Stream, Development of washland and meadow on the Bevern Stream,
- Delivery with partners, including landowners and the National Trust, of projects reconnecting the Ouse to its floodplain.

The budgeted cost of the 2017/18 programme up to £75,500.

6 Procurement Rules

6.1 As agreed at the Council meeting of the 25th February 2016, £296,750 was allocated in the General Fund Capital Programme to be used for flood alleviation programme works.

6.2 Due to the need to carry out the works quickly the Council entered into an agreement with Ouse and Adur Rivers Trust (OART) to carry out the flood alleviation works, providing a grant for the first year, 2016/17. It is now necessary to formalise this agreement for the remaining programme of works which will be carried out in 2017/18 and 2018/19. Therefore, a waiver to the Contract Procedure Rules is sought under CPR 2.4.1 (a) which enables Cabinet to waive Contract Procedure Rules for a specific project.

7 Working Party

7.1 The Minutes of Council meeting of the 25th February 2016 proposed that a working group be formed. A Working Group was established and met in March 2016, but has not met since. It is proposed that the Working Group be reinstated, and that comprises of Cllrs Linington and Gardiner (as previously, Cllr Linington having taken portfolio responsibility for this

area from Cllr Nicholson), together with relevant officers and representatives of OART and SFI.

8 Financial Appraisal

- 8.1** As noted above, £296,750 funding for a programme of flood alleviation works has been made available from the budget formerly used to pay for the Environment Agency Levy in respect of the River Ouse IDD.
- 8.2** Following the dissolution of the IDD in March 2017, the Environment Agency is returning £53,400 in unused Levy funding to the Council. It is recommended that this returned Levy is held in a Reserve to finance future one-off flood protection and drainage projects.

9 Legal Implications

- 9.1** Under the Localism Act 2011 section 1, general power of competence the Council has the power to do anything that an individual can do that is not specifically prohibited. The action proposed in this Report falls within this power.
- 9.2** In addition the Council in partnership with other organisations has discretionary powers to manage coast protection and to take measures against erosion and flooding.
- 9.3** The Council will need to enter into a works contract with OART and SFI in respect of the flood and water retention works proposed, subject to Cabinet First granting a waiver of the Council's contract and Procedure Rules to permit this.

10 Risk Management Implications

Not applicable

11 Equality Screening

Not applicable at this stage

12 Background Papers

- 12.1** Minutes of the Meeting of the Council 25th February 2016 can be found at <https://lewes.cmis.uk.com/CMIS5/Document>.