

REPORT TITLE: CIL FUNDING – TWYFORD FLOOD MITIGATION SCHEME

10 MARCH 2021

REPORT OF CABINET MEMBER: Cabinet Member for Built Environment and Well Being – Councillor Jackie Porter

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WARD(S): COLDEN COMMON & TWYFORD

PURPOSE

The purpose of this report is to request that Cabinet agree to the allocation of CIL funds to go towards a flood mitigation scheme in Twyford requested by the parish council. CIL funds for the same value (£65,000) were previously allocated for the extension of a car park in Twyford, and therefore formed part of the previously agreed annual CIL spending programme, which can only progress if the flood mitigation scheme is undertaken.

RECOMMENDATIONS:

That Cabinet

1. Approve the allocation and expenditure of £65,000 towards a flood alleviation scheme in Twyford, subject to match funding being secured from the South Downs National Park Authority and adoption of Twyford neighbourhood Plan prior to project delivery.
2. Agree to remove from the agreed CIL spending programme (CAB3257) funding of £65,000 for the car park extension in Twyford.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 Tackling the Climate Emergency and Creating a Greener District
- 1.2 The Council Plan has a very clear commitment to tackling the climate emergency and making carbon neutrality central to everything it does. The CIL funding for the flood mitigation scheme in Twyford will help reduce the impact that can occur as a result of the changing weather patterns and protect property and homes in the Twyford area.
- 1.3 Homes for all
- 1.4 The funding for the flood mitigation scheme will help to accommodate a much needed residential development in the village which is currently being considered by the South Downs National Park as part of the emerging Twyford Neighbourhood plan, which will include an element of affordable housing.
- 1.5 Vibrant Local Economy
- 1.6 Accommodating more housing in the local area will help to support the local shops and businesses and boost the local economy.

2 FINANCIAL IMPLICATIONS

- 2.1 Funding of £65,000 had already been allocated to the extension of the car park in Twyford, which had yet to be progressed. The proposal to remove the car park extension from the programme, and to allocate £65,000 to the flood alleviation scheme, will mean that it is not necessary to identify any additional funding for the community scheme in order to allow for the delivery of all the projects which have been previously included in the annual spending programme.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The bids for CIL funding are considered in line with statutory procedures by the informal panel and recommendations then made to Cabinet for approval.
- 3.2 This recommendation is in keeping with the procedures set out by statute and is in line with the spending protocol previously agreed by cabinet (CAB3071).
- 3.3 Panel members agreed the allocation of funding towards the flood alleviation scheme, following normal statutory allocation criteria and the council procedures.

4 WORKFORCE IMPLICATIONS

- 4.1 None

5 PROPERTY AND ASSET IMPLICATIONS

5.1 None

6 CONSULTATION AND COMMUNICATION

6.1 A member of Twyford Parish Council made representations at Cabinet in October 2020 regarding the allocation of funding for the flood alleviation scheme. The Cabinet Member for Built Environment and Well Being acknowledge the points made, and agreed to further investigations by officers to see if the scheme could be considered again for CIL funding.

6.2 Following communications with other authorities, including Hampshire County Council and the South Downs National Park Authority, a way forward was agreed and consultation was undertaken with members of the informal panel. This included the Cabinet Member for Built Environment and Well Being and the Cabinet Member for Sport Leisure and Communities. The members of the panel agreed to recommend funding for the flood mitigation scheme with the condition that match funding is secured from the South Downs National Park.

7 ENVIRONMENTAL CONSIDERATIONS

7.1 The predicted consequences of climate change could lead to increased extreme weather events resulting in more flooding. In built up areas the consequences are damage to property, disruption to businesses and a detrimental effect on the health and wellbeing of affected residents. The proposed flood mitigation scheme seeks to reduce the severity of the flooding, which periodically occurs in Twyford and so reduce the detrimental effect on the property, businesses and residents.

8 EQUALITY IMPACT ASSESSEMENT

8.1 Officers have had regard to the Council's duties under the Human Rights Act 1998 and the Equalities Act 2010. There are no identified adverse effects through the allocation of funding as requested to anyone with a protected characteristic under the Equalities Act 2010 or as regards to human rights.

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None required

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property Damage to property from flooding</i>	A scheme to reduce the severity of potential flooding will be part funded from WCC CIL	There is the opportunity to reduce the risk of damage to property from flooding in collaboration with other authorities.
<i>Community Support Failure to deliver schemes from CIL income could harm the council's reputation with local communities particularly in areas where development is taking pace</i>	CIL funding will be allocated to projects using the spending protocol and the programme reviewed annually to ensure it is up to date with schemes that are deliverable.	
<i>Timescales Projects will not be delivered within a reasonable timescale</i>	The projects on the spending programme are reviewed and updated annually. Any project not showing progression will be removed from the programme.	
<i>Project capacity Lack of resources could hinder the use of CIL funds to deliver much needed infrastructure</i>	Up to 5% of CIL income is used to provide support for the collection and implementation of CIL	
<i>Financial / VfM Schemes coming forward for funding exceed CIL income</i>	Community schemes are allocated an agreed amount of CIL funds so have an agreed budget.	
<i>Legal Funds are not used in accordance with the allocations made for the project.</i>	Schemes are monitored and funds released on completion of the project or at suitable points as schemes are delivered.	
<i>Innovation N/A</i>		
<i>Reputation Failure to deliver schemes using CIL funds could harm the Council's reputation.</i>	Funds are allocated using the agreed spending protocol and the programme is regularly reviewed to ensure it is up to date with deliverable schemes.	
<i>Other N/A</i>		

11 SUPPORTING INFORMATION:

Background

- 11.1 In October 2019, one of the community projects allocated funding as part of the Community CIL funding programme, was a car park extension for Twyford Village. It was one of a number of bids submitted by Twyford Parish Council that year, including a cycle way on the B3035 and a flood alleviation scheme. The car park in Twyford is the only off-street parking in the village and accommodates parking for a doctor's surgery, pharmacy and the village hall. These facilities are of a wider benefit to residents beyond the village of Twyford and at present the car park is not large enough to cope with demand. The extension of the car park is however dependent upon the progression of a residential development on a site adjacent to the car park which would consist of 20 houses (including 10 affordable units) that are included with the Parish Council's emerging Neighbourhood Plan. Both the housing development and car park extension could unfortunately be compromised by the potential for flooding which has previously occurred in Twyford (most recently in 2014).
- 11.2 Twyford Parish Council initially applied for City Council CIL funding for a flood mitigation scheme in 2019, but the initial CIL funding applied for was £400,000, which far exceeded the limit permitted for individual bids (bids are permitted for schemes for CIL funding of between £10,000 and £200,000) The initial bid was not therefore successful. Although a second bid for funding in 2020 for the flood mitigation scheme was a lower figure of £65,000, the bid as presented at that time, seemed to focus mainly on the maintenance of the existing drainage system, and did not fully explain the wider significance of the flood mitigation project on both the housing development being proposed on the adjoining land in their emerging neighbourhood plan, and the car park extension proposals that the council had already agreed to fund to the value of £65,000. The car park extension had been subject to a separate request from the parish, which was agreed by the council. The second bid for the flood mitigation scheme was therefore not successful in securing funding. Twyford Parish Council had also applied to the South Downs National Park for funding for the flood mitigation scheme, which was also unsuccessful. Since then a further bid for match funding for the flood mitigation scheme from the SDNP has been made, supported by further information which is currently being considered.
- 11.3 Although Twyford lies within the South Downs National Park (which administers its own CIL within the park area) both the cycleway and car park extensions were considered to have benefits for a wider area, and were therefore awarded CIL funding by the City Council. However, with both bids for funding, it was not clear that the flood alleviation scheme, housing development and car park extension were interlinked, and that the housing development would be unlikely to occur without the implementation of the flood scheme.

- 11.4 Following meetings between council officers, Twyford Parish Council, Hampshire County Council and the South Downs National Park Authority, it was considered that the flood scheme would help facilitate the residential development in Twyford included in the emerging Neighbourhood Plan and car park extension which the council had previously included in the CIL spending programme. Twyford Parish Council considered that funding for the flood mitigation scheme was more urgent than funding for the car park extension and Hampshire County Council confirmed that the plans for the flood mitigation scheme included new improved drainage and not just maintenance work, which was not initially clear based on the information provided previously when funding had been sought.
- 11.5 Hampshire County Council has already been working with Twyford Parish Council to agree a scheme which would reduce the likelihood of severe flooding occurring as it had in the past. A discussion has also taken place with the informal panel chair, who is the Cabinet Member for Built Environment and Well Being to decide the way forward. In the light of the discussions, it was recommended that the process would be explored which could allow the existing £65,000 allocation for the car park extension to be removed from the agreed programme and the request for the flood mitigation scheme as revised, be allocated £65,000 funding from the community scheme budget. Members of the panel have also been asked to support this funding change.
- 11.6 There is a degree of urgency regarding this decision as the neighbourhood plan with the housing allocation for 20 homes proposed, including 10 affordable units, is being considered by the South Downs National Park, and therefore a decision on funding for the flood scheme is being requested now, rather than later in the year, as would usually be the case for this type of project. Providing funding for the scheme would help provide a higher degree of certainty that the works can be delivered and, in so doing, would support the emerging neighbourhood plan including the proposed housing allocation. However the flood mitigation scheme cannot go ahead without match funding from the South Downs National Park (or another source of funding), and the recommended allocation from the council's CIL funds will be conditional upon the remaining funding being identified to enable delivery of the scheme and the adoption of the neighbourhood plan.
- 11.7 Conclusion
- 11.8 The success of the of the community led programme in the first two years has provided an effective way for communities to benefit from CIL collected, and can help facilitate development, to provide much needed homes and improved facilities. As helping to fund the flood mitigation scheme from WCC CIL would assist with the progression of the housing development in Twyford, it is recommended that the £65,000 be allocated to the flood mitigation scheme in Twyford parish (subject to match funding and adoption of the neighbourhood plan) and the current allocation of £65,000 for a car park extension in Twyford village be removed from the annual CIL programme.

12 OTHER OPTIONS CONSIDERED AND REJECTED

- 12.1 The request for funding for the flood mitigation scheme could have been rejected, without further exploration of the issues involved. However, as the housing development is interdependent upon the delivery of a flood mitigation scheme, and could be compromised by the lack of progress in reducing the likelihood of flooding occurring in the future, it was felt appropriate to try and pursue a solution. The desired outcome will however be dependent upon match funding from the South Downs National Park.

BACKGROUND DOCUMENTS:-

None

Previous Committee Reports:-

CAB3257 – Community Infrastructure Levy Spending Programme Update – 21st October 2020

Other Background Documents:-

None

APPENDICES:

None