

REPORT TITLE: WINCHESTER FLOOD RELIEF SCHEME (DURNGATE) PHASE II  
– ALLOCATION OF ADDITIONAL FUNDS/APPLICATION FOR PLANNING  
PERMISSION

12 DECEMBER 2018

REPORT OF PORTFOLIO HOLDER: Councillor Brook – Portfolio Holder for Built  
Environment

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WARD(S): ST BARTHOLOMEW

PURPOSE

The Durngate flood relief scheme is proposing new sluices across three of the four uncontrolled River Itchen tributaries that flow through and under Winchester; this will link together and complete the existing flood defences across the top of the city which were finished last year. Detailed planning is underway with construction due to start in the third quarter of 2019.

These works were subject to a previous Cabinet report (CAB2940 July 2017) where it was agreed to use a £300k of Community Infrastructure Levy receipts as contribution to the overall cost of the project which was £720k at that point. The rest of the funding was provided by the Environment Agency and City Council funds which were not used when the first phase of flood alleviation works were completed.

However, further investigative and technical work which needed to be carried out before the project could commence on site have resulted in significant changes to the design of the scheme which are required to address prevailing ground conditions and other matters with the result that costs have increased to £1.25 million. It has also been established that planning permission for the works will be required.

A decision on additional funding is being brought forward now as a matter of urgency as there is some risk in dealing with this request next year in line with the CIL spending protocol agreed by Cabinet in September (CAB3071) as this could result in existing external funding being withdrawn, and delaying the implementation of the project could expose the city to further flooding.

Potential partnership funding routes are being explored and discussions are taking place with the Environment Agency (EA), M3 Local Enterprise Partnership (LEP), Hampshire County Council (HCC) and Highways England. However, additional funding from other bodies cannot be guaranteed at this stage.

Given the importance of the scheme in reducing the threat of future flooding in the central area of Winchester, and the serious negative impact this would have on the city, it is recommended that the Council allocates a further sum of £500k of its CIL receipts to ensure the project is fully funded can be implemented without undue delay whilst continuing to pursue other sources of funding which, if successful, would reduce the Council's overall contribution to the project.

The increased cost of the project as a result of the increased complexity, including contingency, is £500,000 bringing the total budget to £1.25m.

#### RECOMMENDATIONS:

##### To Cabinet

1. That approval is given to progress the Environmental Impact Assessment and for Head of Drainage and Special Maintenance to apply for planning permission for the flood alleviation works.
2. That an additional £500,000 of the City Council's General Fund Share of Community Infrastructure Levy (CIL) funding is allocated to phase II.
3. That additional expenditure of £500,000 is approved to complete the Phase II works subject to Council approval of the budget.
4. Authority be given under 3.1 of the Council's Contract Procedure Rules to depart from the Council's Contract Procedure Rules 9 10 11 and 12 and to delegate the procurement of the works and the appointment of a contractor to Hampshire County Council in accordance with the County Council's own procedure rules.

##### To Council

5. That a supplementary capital estimate of £500,000 bringing the total budget to £1.25m is approved.

IMPLICATIONS:**1 COUNCIL STRATEGY OUTCOME**

- 1.1 Improving Winchester's flood defences accords with Improving the Quality of the District's Environment outcome and in particular; work with strategic partners to continue to develop flood resilience measures to protect our communities.
- 1.2 Putting controls in these channels helps support the Central Winchester Regeneration scheme because it could help to lower development costs. It is understood that post implementation of the phase 2 works the EA will be able to review the flood zone category, which is based on risk, for this part of the city and it may be possible for it to be lowered.
- 1.3 Putting controls in these channels will better enable control of water levels on Winnall Moors again in accordance with the Environment outcome.

**2 FINANCIAL IMPLICATIONS**

- 2.1 The flood alleviation phase II works at Durngate were originally estimated to cost up to £720,000 for which a budget is already approved. The revised estimate is up to £1,250,000 including contingency.
- 2.2 With £30,000 remaining from phase I of the flood alleviation scheme, approval is therefore sought for a supplementary estimate and expenditure of £1,250,000 to be funded as follows:

<b>Source:</b>	<b>Environment Agency Grant in Aid (GIA)</b>	<b>Community Infrastructure Levy (CIL)</b>	<b>General Fund capital receipts</b>	<b>Total</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Original budget</b>	300	300	120	<b>720</b>
<b>Phase I unspent</b>			30	<b>30</b>
<b>Supplementary estimate</b>		500		<b>500</b>
<b>Total</b>	<b>300</b>	<b>800</b>	<b>150</b>	<b>1,250</b>

- 2.3 £100k has been spent to date on design work, modelling, investigations, and ecological surveys which will be claimed back from the EA GIA funding. The profile of the expenditure is estimated to be:

<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>Total</b>
<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
46	254	950	<b>1250</b>

- 2.4 The scheme has a lifetime of 100 years and will require very little maintenance in that time other than the operational inspections that the Special Maintenance team already carry out.

### 3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 No legal implications specifically. Procurement of the scheme will be undertaken by Hampshire County Council.
- 3.2 Due to the impact on the Site of Special Scientific Interest (SSSI), an Environmental Impact Assessment (EIA) and therefore full planning permission is also required.
- 3.3 Operations that are carried out on land partly in and partly out of a National Park are “county matters” (Schedule 1 , Part 1(i) of the Town and Country Planning Act 1990). When read together with section 4 A (2) of the 1990 Act, this means that separate planning applications must be made to Hampshire County Council for the works outside of the National Park and to the South Downs National Park Authority for the works within the National Park (where the SSSI lies). Winchester City Council (WCC) will not be the relevant planning authority.

### 4 WORKFORCE IMPLICATIONS

- 4.1 None.

### 5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 There will be some maintenance requirements depending upon the nature of the proposed scheme which has yet to be fully designed. It is anticipated that these will be met from the Drainage & Special Maintenance team budgets.
- 5.2 The scheme will have a 100 year design life, is robust in design, but may require some replacement work to be undertaken in the future.

### 6 CONSULTATION AND COMMUNICATION

- 6.1 Public consultation will take place as part of the EIA. January/February is now the programmed consultation period using HCC Engineering Consultancy, HCC / WCC ecologists and WCC Communications team. Once detailed flood modelling using the latest EA surveys is available , the EIA is underway, and the planning applications are submitted ,this can start to be planned in detail.

### 7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 Extremely high levels of soil pollution and poor ground stability have been found on site during the initial site investigations which has led to a fundamental change of sluice gate design from penstock culverts to deeply piled sluice gates to overcome these significant issues. This in turn will

necessitate the use of a specialised piling machine which adds considerably to the costs.

- 7.2 The provision of the second phase of the North Winchester Flood Alleviation scheme will help to further reduce the risk of flooding in this part of the city which will be of benefit to people who live in or visit the area, businesses based in the locality, and the wider economy of the Winchester.
- 7.3 The additional sluice gates will hold more water back above the Durngate Sluice in extreme spate conditions; this will have a small impact on the Winnall Moors SSSI and target species such as otters, water voles, and salmon. The construction phase will also affect bats due to the removal of some trees. For these reasons, an EIA is required.
- 7.4 Mitigation measures will be provided as part of the scheme to offset any environmental impacts such as new transport holts for otters to facilitate passage up and down stream, fish passes, or the provision of new bat boxes.
- 7.5 As well as controlling the flow of water downstream, the new sluices will enable a more balanced control over the water channels upstream in Winnall Moors keeping them at optimum levels for wildlife, and, in extreme conditions, helping to stop channels from drying out during periods of drought.
- 7.6 Stakeholders being consulted on the design include HCC (ecology), WCC (Landscape and Open Spaces team) ecology, Natural England, Environment Agency (Fisheries, Biodiversity and Asset Management teams), Hampshire and Isle of Wight Wildlife Trust, adjacent landowners, the Trinity Centre and Highways England (A34/M3 junction improvements).
- 7.7 Since the project has begun, the National Trust have been repairing City Mill from the flood damage suffered in 2014, and have been carrying out modelling work on the stability of the structure. This has shown that the building is extremely vulnerable to damage from flooding, at water heights which are within the anticipated flood levels in the future according to the latest flood modelling. In addition, the analysis has shown that the damage would likely manifest as a total collapse of this Grade II\* listed building, severely restricting river conveyance and immediately threatening the City Centre/Water Lane areas with substantial flooding; there is also a risk to the downstream City Bridge, a grade 1 listed structure. Providing the second phase of the Durngate scheme would help protect the building and would thereby reduce the flood risk.

## 8 EQUALITY IMPACT ASSESSEMENT

8.1 None

## 9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None

10 RISK MANAGEMENT

## 10.1

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<i>Property</i>		
<i>Community Support There is risk that the public, businesses and other interested parties may not understand the works being planned and will be affected by disruption caused at the constriction phase</i>	Consultation will be undertaken in connection with the scheme (see above) and all affected stakeholders will be fully consulted.	Public consultation will enable WCC to explain how the system works, and better publicise the work WCC put in to manage it.
<i>Timescales Delay in securing funding for the scheme could result in further flood events in this part of the city. It will also risk the current ecological monitoring being invalid and may have to be repeated wasting funding.</i>	Authorise sufficient additional CIL funding to support the scheme progression to completion.	
<i>Project capacity</i>		
<i>Financial / VfM The project may stall leading to the current ecological monitoring being cancelled, so any future project will have to start from scratch.</i>	The Council helps to fund the project shortfall.	Potential partnership funding routes are being explored which, if successful, will reduce the overall contribution the City Council will need to make.
<i>EA GIA funding is time limited, so if the project weren't to progress and spend the allocated GIA funding by the end of 2018/19, then the unspent funding will be withdrawn.</i>	The Council helps to fund the project shortfall.	
<i>Costings are not detailed at this stage, a willingness</i>	Once the project is fully funded detailed design	

<i>to proceed needs to be established to save allocating any more funds to a non fluid scheme.</i>	and modelling can begin to finalise the project's costs, these will be established early on in the project so the risk of carrying out significant works on a scheme that doesn't progress to completion are minimal, and well within the expected risk range for a project of this type.	
<i>Legal</i>		
<i>Innovation</i>		
<i>Reputation</i> <i>There may be reputational damage to the Council if the second phase of the flood alleviation scheme is not completed in a timely manner and flood events occur in future.</i>	The Council helps to fund the project shortfall.	
<i>Other</i>		

## 11 SUPPORTING INFORMATION:

11.1 Winchester Flood Alleviation Scheme Phase 1 has been fully completed and signed off in 2017.

11.2 Phase II was fully funded at £720k based on initial cost estimates last year.

11.3 £100k (of EA funding) has already been committed to Phase II.

Both HCC and the EA are currently working on detailed flood models that show the benefits of the scheme.

11.4 The secondary advantage of the scheme is putting controls on the currently unrestricted channels, this means that if anything were to interfere with the flow of water such as a blockage the channel can be worked on safely and full flow restored to further reduce flood risks.

11.5 The scheme has upstream ecological benefits as well as downstream flood benefits.

11.6 The Central Winchester Regeneration scheme is proposing to open up some of the buried river channels as features; these channels are currently unrestricted so if exposed could pose a serious flood risk and this scheme is putting controls on those channels.

- 11.7 If the scheme does not progress in a timely manner, a proportion of the £300k GIA funding will be lost, and the money spent on ecological monitoring will be of no benefit.
- 11.8 A new CIL spending protocol was agreed by Cabinet in September. The Durngate flood alleviation scheme is considered to be a very strong candidate for additional funding as it aligns well with the criteria defined in the protocol to prioritise the use of CIL as it would help to support the strategic objectives of the Local Plan, is referred to in the up-dated Infrastructure Delivery Plan, which cites the need to provide a Flood Alleviation Scheme for North Walls Park/ Park Avenue, and Winchester Town. The scheme has also secured external funding from the EA and, as explained above, there is potential for further funding from other outside sources which are being explored. It is also understood that post implementation of the phase 2 works the EA will be able to review the flood zone category, which is based on risk, for this part of the city and it may be possible for it to be lowered. If this did occur it would support the Centre of Winchester Regeneration process (LPP2 Policy Win4) by potentially reducing building costs on site as flood mitigation measure could be revised which would be likely to have a positive effect on the viability any redevelopment schemes.

## 12 OTHER OPTIONS CONSIDERED AND REJECTED

- 12.1 The EA have been approached with regards to additional funding via the GIA scheme. The original grant was based on a formula according to how many properties, and the type of properties, that will benefit. However, the threat now posed by City Mill means that this scheme will potentially protect far more properties than were initially considered, so may well qualify for additional funding. If successful this funding will depend on the number of successful submissions from the rest of the country, so it is not possible to say at the current time whether the scheme qualifies for additional funding and, if it does, for how much. What is known is, if the project is not fully funded prior to the application being made (latest February 2019), then it will not qualify for further funding.
- 12.2 The EA have also been approached with regards to the Southern Regions Local levy fund, but officers understand that this is likely to be unsuccessful as it is a very small fund, and has already been drawn on to fund Phase 1 of the works.
- 12.3 HCC Programme Board have been approached for partnership funding of £100k; they have considered this at a board meeting, but not in detail as they would prefer to see the result of the CIL funding request before they decide what action to take.
- 12.4 The latest flood modelling has also shown that the previous modelling from 2014 made incorrect assumptions on channel conveyance, so now sluice gates across all four channels are required (although this has been value engineered back to three with two channels sharing one sluice gate).

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

CAB2940 - 5 July 2017 - Community Infrastructure Levy – Allocation Of Funds To Durrngate Flood Defence Scheme Winchester

CAB3071 19 September 2018 - Community Infrastructure Levy – Operational Review

Other Background Documents:-

None

APPENDICES:

Appendix A - Hampshire County Council Durrngate Flood Defence Modelling

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