

The Vale of Glamorgan Council

Cabinet Meeting: 31 July, 2017

Report of the Cabinet Member for Neighbourhood Services and Transport

Coldbrook Catchment Flood Risk Management Scheme

Purpose of the Report

1. To inform Cabinet of the progress in delivering the Coldbrook Catchment Flood Risk Management Scheme prior to requesting authority to increase the funding arrangements to conclude this scheme via a Part II report later on this agenda.

Recommendation

1. That Cabinet notes the progress in delivering the Coldbrook Catchment Flood Risk Management Scheme the details of which are the subject of a Part II report which follows later on this agenda.

Reason for the Recommendation

1. To ensure that Cabinet is aware of progress of the scheme and the flood risk management work being undertaken to enable funding decisions to be taken via a report II later on this agenda.

Background

2. During the summer period of 2007 there was extensive flooding across England and Wales, which included localised flood events in Wales, demonstrating the consequences of communities living with flood risk.
3. There was a localised flooding incident within the Coldbrook Catchment on 20 July, 2007 following a prolonged period of localised heavy rain. The source of the flooding being a combination of overland flow and the watercourse.
4. A report was taken to Cabinet on 20 July 2011 (Minute No C1390) to provide members with an update on the progress of the scheme.
5. A further report was taken to Cabinet on 23 July 2012 (Minute No C1771) to update members on scheme progress, obtain approval to allocate match funding and authorisation to enter into contract for the delivery of the Coldbrook Catchment Flood Risk Management Scheme.

6. The final scheme detailed design was completed in May 2014, and the various scheme elements remain as reported to Cabinet on 14 July 2014 (Minute No C2399). The report also updated members on scheme progress, obtain approval to revise the allocated match funding and authorisation to enter into a contract for the delivery of the Coldbrook Catchment Flood Risk Management Scheme.
7. An update on scheme progress was reported to the Environment and Regeneration Scrutiny Committee on 19 July 2016 (Minute No 192).
8. The latest report was taken to Cabinet on 23 January 2017 (Minute No C1771) to update members on scheme progress, obtain approval to allocate match funding and authorisation to enter into contract for the delivery of the Coldbrook Catchment Flood Risk Management Scheme.
9. This previous Cabinet report permitted expenditure up to £4,733,000. However certified works mean that this value has been exceeded; also additional authority will be required to agree the final contract value which will be higher again.
10. As the Council is legally bound to fund all certified costs associated with this scheme it was necessary to seek use of the Managing Director's emergency powers to allow the payment of claims submitted for June 2017.
11. The Managing Director's emergency powers were used to authorise the following actions on 18 July 2017:
 - Payment of Certificate 19, totalling £814,809.28, for works certified in June 2017
 - Variation orders be submitted to Welsh Government covering scheme cost increases prior to amending the Capital Programme.
12. Payments for this contract will be due from July to its conclusion later in this calendar year, hence a further report on this agenda seeks the necessary authority to agree such payments, all of which will be certified by the Council's Management Contractor PBA, and recommends use of the Council's Urgent Decision Procedure to ensure all payments can be made to time to avoid legal challenges under the contract and any further delays with the scheme.
13. Due to sensitivities of the financial values discussed within the report, there is a need to maintain confidentiality hence this detail being tabled under Part II later on this agenda.

Relevant Issues and Options

14. The final scheme detailed design was completed in May 2014 but an objection to elements of the proposed scheme was received on 27 July 2014 following publication of an EIA notice, pursuant to the Environmental Impact Assessment (Land Drainage Improvement Works) Regulations 1999 and subsequent amendments, delaying development of the scheme. A ministerial determination, allowing the scheme to proceed to construction, was received on 14 May 2015 deeming that there would be no significant environmental detriment resulting from the proposals.
15. Grant funding approval for the construction phase of the scheme was subsequently obtained from Welsh Government on 20 July 2015.
16. A public meeting to update residents on progress in delivering the scheme was held at Oakfield Primary School in October 2014.

17. Construction procurement commenced in July 2014 and the scheme construction contract was awarded to Dyer & Butler in October 2015 following a two stage tender process in accordance with European Procurement rules.
18. Construction commenced on site in January 2016 with a 40 week programme for scheme delivery. The main site compound is located in the Court Road depot.
19. Contract management and site supervision of the scheme is being undertaken by Peter Brett Associates LLP on behalf of the Council. There are currently 3 full-time site staff and a part-time project manager managing the construction contract, although these numbers have altered in line with the contractual project management requirements.
20. The Contractor is issuing regular newsletters updating the general public ([Appendix A](#) and [Appendix B](#)), and all residents directly affected are contacted in person by the Contractor and Site Supervision team, with support from Council project team as required. The Contractor has appointed a Community Liaison Officer for scheme, and is registered with the Considerate Contractors scheme. The scheme was inspected in March and November 2016 and scored good to excellent in all areas. The scheme website (www.coldbrookflood.co.uk) will continue to be updated as work progresses. Usage of the scheme specific social media accounts established during the design and development phase was very low. Both the Twitter and Facebook accounts have now been closed and future updates will be issued via the corporate social media accounts.
21. The initial 40 week programme has now been extended, with a planned completion date of 5th October 2017. The delay in delivery has resulted from a combination of factors, including unforeseen ground conditions, uncharted services and difficulties gaining access to key work areas. Elements of the scheme required additional hydraulic modelling to inform a re-design to accommodate uncharted services before further works could commence. The longest delays have been incurred in construction of the Solent Road overflow and adjacent work elements lower in the catchment. The storm event that struck the Vale from 19 to 21 November 2016 also resulted in damage to the works under construction, with a section of new culvert requiring subsequent reconstruction due to a floatation event. A significant traffic diversion is currently in place affecting Brookfield Avenue and Meadow Vale which is due to remain in place until early in September 2017. The regular vehicle access to Meadow Vale is due to be reinstated on 31st July 2017. Regular progress and risk reduction meetings are being held with both the Contractor and design consultant to manage these issues appropriately.
22. The completed scheme will provide flood risk protection up to a 1 in 100 year storm plus 20% allowance for climate change in accordance with the Welsh Government flood risk management strategy. On a cost basis the scheme is 83% completed against the original activities, although the ongoing assessment of compensation events makes the assessment of 81% progress by duration a better measure of progress on site. A more detailed summary of the works undertaken to date is given in [Appendix C](#).

Resource Implications (Financial and Employment)

23. The Council secured European Regional Development Funding (ERDF) and a Welsh Government Flood Risk Management Grant to address the management of the flood risk that exists within the Coldbrook Catchment in Barry.

24. Following re-modelling of the catchment flows, a partial scheme re-design and delays obtaining a Ministerial determination under the EIA (LDIW) Regulations, the overall scale of the scheme and associated design and development costs have increased. During construction a number of issues have been encountered as discussed above, which have resulted in programme delays and associated potential cost increases. The estimated overall scheme cost, including a contingency will be detailed in the Part II report later on this agenda. The Vale's contribution to scheme costs is 15% for works not on main-river, reducing to 0% for works undertaken on main river and funded via Natural Resources Wales. The additional level of flood protection afforded to residents by the scheme redesign is as previously noted.
25. Variation Orders totalling £1,272,864.59 were submitted to Welsh Government on 13th February 2017 relating to compensation events to the end of November 2016. As the outstanding compensation events continue to be implemented variation orders will be submitted to Welsh Government to obtain 85% grant funding for the increased costs.

Sustainability and Climate Change Implications

26. The proposed scheme is designed to accommodate the predicted impacts of Climate Change relating to flood risk.

Legal Implications (to Include Human Rights Implications)

27. There are no legal implications to this report.

Crime and Disorder Implications

28. There are no crime and disorder implications in respect of this report.

Equal Opportunities Implications (to include Welsh Language issues)

29. There are no equal opportunity implications to this report.

Corporate/Service Objectives

30. Corporate Objective 3: Promoting regeneration, economic growth and employment.
31. Service Objective ER18: Complete the delivery of the Coldbrook Flood Alleviation Scheme.

Policy Framework and Budget

32. This matter is within the policy framework and budget.

Consultation (including Ward Member Consultation)

33. The local Members have been consulted on this project and will continue to be engaged throughout the process.

Relevant Scrutiny Committee

34. Environment and Regeneration.

Background Papers

None

Contact Officer

Clive Moon, Principal Engineer (Flood and Coastal Risk Management)

Officers Consulted

Head of Service, Finance

Head of Service, Legal

Accountant, Building and Visible Services

Group Auditor, Resource Management

Responsible Officer:

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