

The Vale of Glamorgan Council

Cabinet Meeting: 19 February, 2018

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 further increase the funding arrangements to conclude this scheme via a Part II report later on this agenda.

Recommendation

1. That Cabinet notes the further progress in delivering the Coldbrook Catchment Flood Risk Management Scheme, 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 later report 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 at that time.
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 a 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, obtained 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. A 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 a contract for the delivery of the Coldbrook Catchment Flood Risk Management Scheme.
9. The latest report was taken to Cabinet on 31 July 2017 (Minute No C53 & C57) to update members on scheme progress and obtain the necessary approvals to increase the funding arrangements.
10. Cabinet minute 57 (31st July 2017) permitted additional construction expenditure. However, certified works mean that the contract value has been exceeded. Cabinet minute 57 also permitted supervision costs, which will be exceeded before the final account can be assessed and all work associated with the scheme completed.
11. Payments for this contract are due for certified works and contract management undertaken from December 2018 to February 2018. Works are now substantially complete and a final account is in preparation by the scheme contractor. The use of the Council's Urgent Decision Procedure is recommended to ensure all payments can be made within the contractual timescales to avoid legal challenges and additional costs under the contract.
12. Due to the contractual sensitivities of the financial values there is a need to maintain confidentiality hence this detail being presented under Part II later on this agenda.

Relevant Issues and Options

13. 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.
14. Grant funding approval for the construction phase of the scheme was subsequently obtained from Welsh Government on 20 July 2015, and subsequently increased on 31 March 2017.
15. A public meeting to update residents on progress in delivering the scheme was held at Oakfield Primary School in October 2014.
16. 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.
17. Construction commenced on site in January 2016 with a 40 week programme for scheme delivery.
18. Contract management and site supervision of the scheme is being undertaken by Peter Brett Associates LLP on behalf of the Council. As the physical works are now

substantially complete the role of project manager and site supervisor is being undertaken on a part-time basis, with support from a quantity surveyor. Staffing levels will vary in line with the contractual project management requirements until completion.

19. The completed scheme now provides 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 100% completed against the original activities, although assessment of compensation events is yet to be completed. A more detailed summary of the works undertaken to date is given in [Appendix A](#).

Resource Implications (Financial and Employment)

20. 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.
21. 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, is detailed in the Part II report later on this agenda. The Vale of Glamorgan Council's contribution to scheme costs is 15% for works not on main-river, reducing to zero contributions for works undertaken on main river and funded via Natural Resources Wales. Due to the element of the increased contract cost associated with the main river works the Council's part funding contribution does not increase and remains within the capital budget of £1.569m. The additional level of flood protection afforded to residents by the scheme redesign is as previously noted.

Sustainability and Climate Change Implications

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

Legal Implications (to Include Human Rights Implications)

23. There are no legal implications to this report.

Crime and Disorder Implications

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

Equal Opportunities Implications (to include Welsh Language issues)

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

Corporate/Service Objectives

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

Policy Framework and Budget

28. This matter is within the policy framework and budget and is a matter for executive decision by Cabinet.

Consultation (including Ward Member Consultation)

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

Relevant Scrutiny Committee

30. 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:

Miles Punter - Director of Environment and Housing Services