

# WEST DUNBARTONSHIRE COUNCIL

## Report by the Executive Director of Housing, Environmental and Economic Development

Housing, Environmental and Economic Development Committee:  
7 March 2012

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**Subject: Flood Risk Management**

### **1. Purpose**

**1.1** The purpose of this report is to update the Committee on the implementation of the Flood Risk Management (Scotland) Act 2009 and to report on the progress to date with respect to the development and implementation of flood prevention measures within West Dunbartonshire.

### **2. Background**

**2.1** The Flood Risk Management (Scotland) Act 2009 came into force on 26 November 2009. Part 4 of the Act - Local Authority Functions awaited the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010. The Act significantly altered the roles and powers of Local Authorities, SEPA and Scottish Water. The Act aims to reduce the impact of flooding from all sources; fluvial, groundwater, surface water, sewage, and the coast and it sets out provisions that equip local authorities with broad powers to take forward a range of flood risk measures. A new framework for partnership working to support the development of Flood Risk Management Plans has been developed for consultation by SEPA and actions to manage Flood Risk have been summarised in their 2010 consultation document "Planning for floods - Planning for the future."

**2.2** While the Act introduces a change in cultural approach to flood risk and how it might be managed sustainably, it sets out new duties for SEPA, Councils and Scottish Water. In summary the key requirements which these bodies must take into consideration when carrying out their functions are to:

- Act with a view to reducing overall flood risk
- Act to ensure compliance with the Directive
- Act with a view to achieving the objectives set out in the flood risk management plans
- Have regards to social, environmental and economic impact of carrying out those functions
- So far as is consistent with flood risk functions, they must also

- Act in the way best calculated to manage flood risk in a sustainable way
- Promote sustainable flood risk management
- Act with a view to raising public awareness of flood risk
- Act in the way best calculated to contribute to the achievement of sustainable development.

**2.3** An important new element of flood risk management is a requirement to prepare plans to manage flood risk. These plans will provide a framework for coordinating actions across catchments to deal with all forms of flooding and its impacts. They will also help ensure flood management decisions balance local and national priorities and provide a basis for long term planning.

**2.4** The Scottish Government has allocated £268,000 in respect of the new duties imposed on the Council in its General Revenue Grant to the Council, albeit the overall grant was subject to an overall 4% cut.

**2.5** Glasgow City Council has been appointed lead authority for the Clyde and Lomond area which will be the single authority area affecting West Dunbartonshire. Glasgow City Council will be responsible for the preparation of the Local District Plan which supplements the District and National Plans and ensuring objectives and actions are effectively delivered. This will involve co-ordinating and reaching agreements with other authorities.

### **3. Main Issues**

**3.1** Implementing this Act still carries considerable uncertainty and at present there is no case at this time in fully allocating the £268,000 funding allocated to the Council overall settlement by the Scottish Government in respect of the additional duties imposed on the Council following the introduction of this Act. There will however be a requirement to financially support Glasgow City Council in its capacity as lead authority and future reports will be presented to the Committee when it becomes clearer how management arrangements might work. The level of funding required to support Glasgow City Council in its role as lead Authority is £12,901.

**3.2** The implementation of the Flood Risk Management Act will be led by the Head of Neighbourhood Services supported by the Manager of Roads and Transportation and the Lead Flood Risk Management Officer. The future workload has been identified in three separate yet inter-related work streams which will assist in achieving the desired outcomes stated in draft Ministerial Guidance below.

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| <ul style="list-style-type: none"> <li>• <i>Public funds invested in actions that protect the most vulnerable and those areas at greatest risk from flooding</i></li> </ul> |
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- *Rural and urban landscapes with space to store water and slow down the progress of floods*
- *Integrated urban drainage that decreases burdens on our sewer systems while also delivering reduced flood risk and an improved water environment*
- *A well informed public who understand flood risk and the actions they can take to protect themselves, their property or their business*
- *Flood Management Actions that will stand the test of time and be adaptable to future changes in climate*

Source: **Scottish Government** Draft Guidance for delivering Sustainable Flood Risk Management January 2011

#### Flood Risk Management Planning

- Management Arrangements
- National and Local District FRM Plans
- Interactions with other areas of FRM Planning/strategy for shared services
- Influencing policy
- Development planning
- Understanding working with catchments
- Surface Water Management Plans

#### Asset Management

- Developing asset management systems
- Mapping water bodies
- Register of Flood Prevention/Protection Schemes
- Clearance and repair schedules

#### Raising Awareness and Stakeholder Engagement

- Community engagement and raising awareness
- Flood warning, resilience, raising awareness etc.
- Business continuity and emergency planning

**3.3** There is a long history of flooding in West Dunbartonshire, in part due to extreme rainfall events leading to a number of our watercourses over topping and flooding adjacent land and properties.

**3.4** The Flood Prevention and Land Drainage (Scotland) Act 1997 required local authorities to prepare and publish reports on a two yearly basis. The Flood Prevention and Mitigation Report November 2009 have been appended for information.

- 3.5** A recent severe flooding event occurred with West Dunbartonshire on the 29 November 2011. Approximately 30 streets and adjoining residential properties were affected, the most severe areas being within the Knowle Burn and Gruggies Burn catchment areas within central and east Dumbarton. These areas were also subjected to severe flooding in August 2004 and in July 2002.
- 3.6** Both Gruggies Burn and Knowle Burn are known to be susceptible to flash flooding where extreme intensities of rainfall occur over short time periods. Little prior warning of such events are available however a flood warning device has been installed in the Knowle Burn to advise our emergency response teams of rising water levels. A programme of monthly inspections of watercourse screens has also been implemented since 2004 to keep these water courses flowing efficiently.
- 3.7** The Knowle Burn Flood Prevention Order scheme is progressing and an anticipated site start is programmed for this summer. This scheme costing approximately £3.3m will introduce a large flood storage pond at the bottom of Garshake Road and in association with the widening and deepening of the existing burn; these measures will significantly reduce the likelihood of further flooding in this area of Dumbarton.
- 3.8** A feasibility study for the promotion of a flood prevention scheme for the Gruggies Burn has been undertaken. The development of the finalised scheme valued at over £8m for submission to the Scottish Government is ongoing with consideration being given to the provision of a large storage pond upstream of the residential areas within the Crosslet Estate. The Scottish Government has recently confirmed that approximately £73m will be available for large flood projects over the period 2012 - 2015. A minimum project threshold of £2m will apply and the project if approved will require to commence within this period. The grant from the Scottish Government will be 80% of the project cost; the Council would require to fund the remaining 20%. A proportion of this funding has now been allocated to schemes within Scotland and West Dunbartonshire Council will require to undertake a competitive bidding process in respect to competing requests for flood prevention schemes throughout Scotland.
- 3.9** The development of the Gruggies Burn Flood prevention order can now proceed following the commitment given in the Council's budget for 2012/13 to commit a financial allocation of £100,000 to facilitate prudential borrowing of £1m. A flood warning system will also be installed on the lower reaches of the Gruggies Burn within the Dumbarton East area to forewarn of a developing flood event.
- 3.10** This allocation of funding will allow the Council to explore the development of a scheme of assistance for householders which could include the procurement of flood alleviation products which can be targeted to residential properties in areas prone to flooding. This will assist householders to install these products to protect their properties and minimise the risk of flooding until a major flood alleviation scheme can be delivered.

Detailed work requires to be undertaken to develop proposals for such a scheme and this will be the subject of a future report to the Committee

- 3.11** The additional funding will also be utilised to investigate the ongoing erosion of the flood defence banks on the River Leven adjacent to the Broadmeadow Industrial estate. A failure of these banks which were recently reinforced would have a major impact on the land and properties within the central area of Dumbarton.
- 3.12** Investigations and improvement works will also be undertaken at other known flood problem areas such as Whiteford Avenue, Bellsmyre and Hillbank Street, Lady's Gate, Braehead within the Vale of Leven area and the Whitecrook area in Clydebank. General improvement works will be undertaken on all our watercourses and inspections and clearances undertaken on water courses in general to further alleviate the risk of flooding throughout West Dunbartonshire.

#### **4. People Implications**

- 4.1** Due to the uncertainties of implementing what at present is a developing framework with regards to the implementation of this Act staff resources cannot be fully prepared at this stage however it is anticipated that one FTE post of an Engineering Assistant will be required to assist our Lead Flood Officer and frame work agreements implemented to facilitate hydrology, flood modelling and detailed consultancy expertise as and when required.

#### **5. Financial Implications**

- 5.1** The implementation of the additional responsibilities in terms of the Flood Risk management (Scotland) Act 2009 will be funded through the allocation of revenue funds as supported by the increased grant allocation from Scottish Government. The £1m prudential borrowing fund specifically allocated by the Administration for 2012/13 will be utilised to take forward the development of new flood prevention schemes and to generally improve the capacity of our existing water courses to minimise the risk of future flooding.
- 5.2** Initial discussions with the Scottish Government have confirmed that, on the basis of a positive cost/benefit analysis flood prevention schemes will be eligible for financial support, currently 80% of scheme costs.
- 5.3** The costs associated with the employment of an Engineering Assistant are likely to be approximately £35,000 per annum which can be met from the funding allocation from Scottish Government.
- 5.4** The Council's level of funding to Glasgow City Council's role as lead authority is £12,901.

## **6. Risk Analysis**

- 6.1** A bid for financial support will require to compete with other flood prevention schemes throughout Scotland and will be subject to the availability of adequate funding within the Scottish Government. Delay in the promotion of such schemes could put at risk the availability of funding and also require future schemes to be considered in line with the new procedural processes detailed in the developing Flood Risk Management framework.
- 6.2** The provision of additional funding to facilitate the further improvements to watercourses, provide flood alleviation products to at risk residents and to improve maintenance of our water courses will all assist in reducing the overall risk of flooding within West Dunbartonshire.

## **7. Equalities Impact Assessment (EIA)**

- 7.1** No significant issues were identified in a screening for potential equality impact of this report.

## **8. Strategic Assessment**

- 8.1** The promotion of flood alleviation schemes and compliance with the requirements of the Flood Risk Management (Scotland) Act 2009 will aid social and economic regeneration through maintaining our infrastructure and improving the health and well being of our communities.

## **9. Conclusions and Recommendations**

- 9.1** The Council is statutorily required to implement the Flood Risk Management (Scotland) Act 2009 and in conjunction with the £268,000 additional funding contribution from Scottish Government for the implementation of the additional responsibilities placed on the Council as a result of this Act and the increased allocation of £1m for flood alleviation schemes the risk of flooding within West Dunbartonshire will be significantly reduced over time.
- 9.2** The Committee is invited to:
- (i) note the impact of the implementation over time of the Flood Risk Management (Scotland) Act 2009;
  - (ii) approve the proposals to develop the Gruggies Burn Flood prevention scheme, investigate erosion on the River Leven, the development of a scheme of assistance to at risk residents;
  - (iii) agree that a detailed report outlining proposals for the scheme of assistance be brought to a future meeting of the Committee; and
  - (iv) further improve maintenance of our water courses for the purpose of reducing the overall risk of flooding within West Dunbartonshire.

**Elaine Melrose**  
**Executive Director of Housing, Environmental and Economic Development**  
**Date: 7 February 2012**

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**Person to Contact:** Jack McAulay - Manager of Roads & Transportation,  
Garshake Road, Dumbarton, telephone: 01389 737612,  
e-mail: [jack.mcaulay@west-dunbarton.gov.uk](mailto:jack.mcaulay@west-dunbarton.gov.uk)

**Appendix:** Flood prevention and Mitigation Report 2009

**Background Papers:** Report titled Implementation of the Flood Risk  
Management (Scotland) Act 2009 to the Housing,  
Environmental and Economic Development Committee 3  
March 2010

**Wards Affected:** All