

**Open Report on behalf of Andy Gutherson, Executive Director - Place**

Report to:	<b>Executive</b>
Date:	<b>02 February 2021</b>
Subject:	<b>Development Fund - Drainage Investigations and Flood Repairs</b>
Decision Reference:	<b>I021581</b>
Key decision?	<b>Yes</b>

**Summary:**

Funding to the value of £2.2 million (capital £2m, revenue £200k) has been made available to address drainage and flooding issues in Lincolnshire. A programme of work has been developed between the Floods Team and Highways with overall spend and delivery to be completed by March 2022.

A governance structure has been established to facilitate the delivery of the works programme with update and progress reports to be made throughout the duration of the programme.

The Executive is requested to approve the Governance Structure and Programme of Works.

**Recommendation(s):**

That the Executive:-

- (1) approves the Development Fund - Drainage Investigations and Flood Repairs Governance Structure attached in Appendix A and the Programme of Works attached in Appendix B; and
- (2) delegates to the Executive Director – Place, in consultation with the Executive Councillor for Highways, Transport and IT, and the Executive Councillor for Economy and Place, the authority to take decisions to proceed with individual schemes and the terms of entering into any contractual documents to give effect to the schemes.

**Alternatives Considered:**

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| 1. | Not to approve the Governance Structure and Programme of Works for the Development Fund - Drainage Investigations and Flood Repairs. |
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**Reasons for Recommendation:**

Approval of the Governance Document and Programme of Works for the Development Fund - Drainage Investigations and Flood Repairs will allow the Floods Team and Highways Teams to work together to deliver a robust programme of works through an established reporting framework to improve drainage and reduce the risk of flooding in the county.

**1. Background**

Funding to the value of £2.2 million (capital £2m, revenue £200k) has been made available to address drainage and flooding issues in Lincolnshire. A programme of works is being developed in collaboration between the Floods Team and Highways. Implementation of this additional investment has been identified as £1.1 million per annum for both financial years 2020/21 and 2021/22 with overall spend to be completed by March 2022.

This report is to seek approval of the Governance Document, Programme of work and to support the approach for regular progress reporting for the Development Funds for drainage investigation and flood repairs.

**Governance and Works Programme**

The following provides the latest position on delivery of drainage investigations and flood repairs through the development fund programme. These works are being delivered alongside the wider highways drainage programme, and other key flood related activities, which provide a more extensive picture of the range of works in progress.

**Programme Governance**

A governance structure has been established to facilitate the delivery of the works programme and the latest version can be found in Appendix A. In summary, day to day programme management will be undertaken by the highways asset and maintenance teams with support from technical services partnership for certain projects. Members of the Floods team (located within the environment team) will oversee the overall programme delivery and provide effective reporting on key developments and milestones. Currently monthly meetings are taking place with the Programme Delivery Board and Programme Manager with the option to increase these to fortnightly as work intensity increases. Regular updates will be provided to the Project Sponsor as well as formal reporting channels to both senior managers and members.

## Programme Delivery

A programme incorporating all drainage works, including those allocated against the Development Fund budget is being monitored in parallel with each other, but specifically the projects identified within the development fund allocation can be found in Appendix B. This spreadsheet details all works within the drainage programme and where these are currently allocated for delivery. There is a full and active programme of drainage works taking place in the county being delivered through the Highways Teams, some of which have been completed, with the remainder to be programmed for 2021/22 and those discussions will be commencing with the term contractor Balfour Beatty shortly. These combined with all other highway works will enable the contractor to develop and deliver a workable programme for the financial year 2021/22. This programme is subject to change depending on the outcome of investigations for example, but updates will be reported regularly as per the governance document.

The below table shows that there is a variety of funding over the next two years that highways have been working on (including the Development Fund) as follows;

<b>Drainage Funding 2020 to 2022</b>	<b>Budget</b>	<b>Year</b>
Capital Maintenance Drainage - Works	£300,000	2020/21
Capital Maintenance Drainage - Works	£300,000	2021/22
DF Drainage Funding - Works	£1,000,000	2020/21
DF Drainage Funding - Works	£1,000,000	2021/22
Community Maintenance Gangs - Drainage	£1,000,000	2020/21
	<b>£3,600,000</b>	
DF Drainage Funding - Design	£100,000	2020/21
DF Drainage Funding - Design	£100,000	2021/22
	<b>£200,000</b>	
<b>Total Budget</b>	<b>£3,800,000</b>	

The information is summarised in the programme attached with current expenditure figures as below for 2020/21:

<b>2020/21 Drainage Works</b>	<b>Allocation</b>
Capital maintenance drainage schemes completed works	£155,000
Development Fund drainage Bid schemes completed works	£225,000
Capital maintenance drainage schemes on-going schemes planned	£130,000
Capital Maintenance Emergency Works expected	£150,000
Community maintenance drainage gangs planned expenditure	£1,000,000
<b>Total Expenditure 2020/21</b>	<b>£1,660,000</b>

## **Next Steps**

As of mid-December 2020, in addition to works already completed by highways asset and maintenance teams, six further schemes have been completed or are ongoing against the development fund budget totalling around £341,000. In addition to this is the contribution of £150,000 to the River Steeping catchment work which is supporting the very successful maintenance and delivery programme against key parts of the Catchment Action Plan for that area following severe flooding in June 2019. The first phase of those works will be completed by the end of December 2020.

A further 34 schemes and projects are planned to be delivered as part of the development fund drainage repairs and flood investigation programme with initial scoping work having commenced in some cases. This includes 8 schemes which technical services partnership drainage engineers have commenced data gathering and investigations which is anticipated to be completed by the end of December 2020. This will be followed by a detailed design which is anticipated to take place from December 2020 to April 2021. Schemes identified in the current programme are subject to change as investigation and design work may influence the size and scale of the project delivered and/or which schemes may progress to delivery. The governance document sets out the clear lines of reporting and regular updates on project delivery and spend will ensure budget pressures are maintained within the scope of the Development Fund allocation.

## **Summary**

The Executive may choose not to approve the approach and programme outlined in this report, however approval is recommended as the first stage of more regular updating on the Development Fund - Drainage Investigation and Flood Repairs wider programme.

It is recommended that the Executive approves the proposed governance structure and programme of works (see Appendix A and B). The governance document outlines the reporting mechanisms for the duration of the programme and regular updates will be made to keep senior officers and members informed on all aspects of the programme delivery phase.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

Consideration has been given to the Equality Act duties but there are not considered to be any implications arising directly from the matters discussed in this report.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

Consideration has been given to the JSNA and the JHWS, but there are not considered to be any implications arising directly from the matters discussed in this report.

## Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

Consideration has been given to the section 17 matters but there are not considered to be any implications arising directly from the matters discussed in this report.

### **3. Conclusion**

Approval of the Governance Document will allow for a structured and effective reporting mechanism for the spend and delivery of the drainage investigation and flood repairs programme.

Approval of the Programme of Work will allow officers to continue to carry out the necessary investigations and design work (where appropriate) for the schemes identified within the attached programme spreadsheet extract (see Appendix B).

Approval to continue with this area of work will be the start of more regular reporting on the development of the Development Fund Programme for Drainage Investigation and Flood Repair works between now and conclusion of the programme in March 2022. It is therefore requested that the Executive finds these proposals appropriate to allow the programme to continue in its current form.

### **4. Legal Comments:**

The Council has the power to adopt the governance arrangements set out in Appendix A and implement the programme of work set out in Appendix B.

The decision is consistent with the Policy Framework and within the remit of the Executive.

### **5. Resource Comments:**

The delivery of this programme will work within the approved budgets including the allocation from the Development Fund.

Budget monitoring reports are considered and updated on a monthly basis.

## 6. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

At a meeting on 12 January 2021, the Environment and Economy Scrutiny Committee considered the report and unanimously agreed to support the recommendation to the Executive.

Members of the Committee asked a number of questions, when the following points were confirmed:

- There would be one project team drawing in staff from Highways and the Floods Team to co-ordinate the programme of work. A Programme Delivery Board would be coordinating delivery of the projects and reporting into senior managers and project sponsors.
- The programme of work was welcomed, particularly as there were a number of schemes listed that would address long standing issues in communities. The Committee was pleased to see that these schemes would finally happen and that there was a good spread across the county. It was now important to get these schemes completed as soon as possible.
- Additional schemes to replace the current schemes once completed would be dependent on funding in the future. The Council would continue to bid for funding for work in the future and it was recognised that obtaining funding would be more challenging in the future, particularly as a result of the economic circumstances arising from the pandemic.

### d) Risks and Impact Analysis

The programme for the Development Fund - Drainage Investigations and Flood Repairs will be monitored throughout its duration as per the governance document attached.

## 7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Development Fund - Drainage Investigations and Flood Repairs Governance Structure
Appendix B	Development Fund - Drainage Investigations and Flood Repairs Programme of Works

## **8. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Matthew Harrison, who can be contacted on 07771 837565 or [matthew.harrison@lincolnshire.gov.uk](mailto:matthew.harrison@lincolnshire.gov.uk) .