

Notice of Meeting

Cabinet

Date: Thursday, 09 August 2018

Time: 17:30

Venue: The Annexe, Crosfield Hall, Broadwater Road, Romsey, Hampshire,
SO51 8GL

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This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of this meeting may be held in private because the agenda and reports for the meeting may contain exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Membership of Cabinet

MEMBER

Councillor P North

Councillor N Adams-King

Councillor P Bundy

Councillor D Drew

Councillor M Flood

Councillor P Giddings

Councillor G Stallard

Councillor T Ward

Chairman

Vice-Chairman

WARD

Alamein

Blackwater

Chilworth, Nursling and
Rownhams

Harewood

Anna

Bourne Valley

Anna

King's Somborne, Michelmersh
and Timsbury

Cabinet

Thursday, 09 August 2018

AGENDA

**The order of these items may change as a result of members
of the public wishing to speak**

- 1 Apologies**
- 2 Public Participation**
- 3 Declarations of Interest**
- 4 Urgent Items**
- 5 Minutes of the meeting held on 18 July 2018**
- 6 Recommendations of the Overview and Scrutiny
Committee: None**
- 7 Romsey Flood Alleviation Scheme Mitigation Works
Memorial Park 4 - 10**

Planning
To approve the allocation of £40k from the Romsey Flood Alleviation Scheme capital funding to riverbank restoration works at Memorial Park.
- 8 Exclusion of the Public 11 - 11**

The following report is confidential.
- 9 Estates Property Matters**
 - Information relating to the financial or business affairs of any particular person (including the authority holding that information);

ITEM 7 **Romsey Flood Alleviation Scheme Mitigation Works Memorial Park**

Report of the Planning Portfolio Holder

Recommended:

That £40,000 of the £250,000 in the Council's Capital Programme for the Romsey Flood Alleviation Scheme be allocated to riverbank restoration work at Memorial Park, this work being mitigation work for the construction of a flow control structure in the River Test Site of Special Scientific Interest.

SUMMARY:

- During the winter of 2013/14 Romsey experienced extensive floods which affected residential and business properties and closed a number of roads.
- The Environment Agency (EA) is developing a flood alleviation scheme for Romsey. At the Council meeting of 25 January 2017 the Council agreed to provide a £250k partnership funding contribution towards the scheme.
- This report seeks to allocate £40k of the Council's £250k Romsey Flood alleviation partnership funding contribution, to the Memorial Park riverbank restoration works to enable a sufficient length of riverbank to be restored to mitigate the environmental impact of the Fishlake Stream flow control structure.

1 Introduction

1.1 During the winter of 2013/14, Romsey experienced extensive floods which affected residential and business properties and closed a number of roads.

1.2 In response to this and previous flood events affecting Romsey, the Environment Agency (EA) is developing a flood alleviation scheme (FAS) for Romsey to reduce the risk of fluvial flooding from the River Test and surface water flooding at Mainstone. At the Council meeting of 25 January 2017 the Council agreed to provide a £250k partnership funding contribution towards the scheme.

1.3 The FAS involves works within the River Test Site of Special Scientific Interest (SSSI), these works being the construction of a flow control structure on the Fishlake Stream. In order to obtain Natural England's consent to undertake works affecting the SSSI, mitigation works are required within the SSSI to offset any adverse impact. It has been agreed between the EA, TVBC and Natural England that riverbank restoration works at Memorial Park, which is also in the River Test SSSI, would be an appropriate mitigation for the flow control structure.

- 1.4 The Council has already completed sections of riverbank restoration at Memorial Park, replacing failing sections of timber riverbank revetment with a sloped geobag vegetation wall system. As a result of the deterioration of other sections of riverbank revetment, £40k has already been allocated in the 2018/19 Asset Management Plan (AMP). This £40k is in addition to the £250k in the capital programme for Romsey FAS.

2 Background

- 2.1 The EA has allocated £40k of the Romsey FAS funding to match fund the £40k in the Council's 2018/19 AMP to enable sufficient length of riverbank restoration works to be undertaken to mitigate the construction of the Fishlake Stream flow control structure. The flow control structure is a fundamental component of the Romsey FAS. Without acceptable mitigation works, consent for works that would affect the SSSI will not be granted by Natural England.
- 2.2 The optimum time to undertake riverbank restoration works is when the river levels are at their lowest, usually September, particularly if this follows a dry summer.
- 2.3 The EA's sign off of Romsey FAS Full Business Case (FBC), which releases the central government funding towards the project, is not expected until late 2018 or early 2019. The construction of the flow control structure and other elements of the FAS are scheduled to start spring 2019.
- 2.4 The £40k in the AMP, match funded by the £40k allocated by the EA from Romsey FAS, would enable the remaining section of riverbank on the Eastern side of Memorial Park, between sections of riverbank already restored and the road bridge, to be restored. This section of restoration works, approximately 110 metres, Natural England consider appropriate mitigation to offset the impact on the River Test SSSI of the construction of the flow control structure. At the Annex to the report is a plan showing the completed riverbank restoration works and the planned SSSI mitigation riverbank restoration works.

3 Corporate Objectives and Priorities

- 3.1 The Romsey FAS, which the mitigation works form part of, supports the corporate objectives of;
- 3.1.1 Live where the supply of homes reflects local needs.
- 3.1.2 Work and do business.
- 3.1.3 Enjoy the natural and built environment.

4 Consultations/Communications

- 4.1 A flood alleviation scheme for Romsey was an outcome of the Romsey Future public engagement. Consultation on the proposed flood alleviation scheme has been undertaken by the EA.

- 4.2 The Council has undertaken extensive consultations with both the EA and Natural England on the riverbank restoration works and obtained all the necessary consents.

5 Options

- 5.1 The central government element of the funding for Romsey FAS will not be released until the FBC has been submitted and signed off. This means that the EA cannot release any FAS funding for the mitigation works until the FBC is signed off. If the Council wishes to complete the riverbank restoration work funded by the AMP and FAS in one phase this year, the contract needs letting now. The options available are;
- 5.1.1 Option 1. Undertake the riverbank restoration works in September 2018 by allocating £40k of the Council's contribution towards Romsey FAS to the mitigation works, the full cost of the mitigation works being a "works in kind" contribution to the FAS, and the Council's partnership funding contribution towards the scheme of £250k be reduced by £40k to £210k. This option has the support of the EA.
- 5.1.2 Option 2. Delay the riverbank restoration works to September 2019 once the Romsey FAS FBC has been signed off and FAS funds can be released by the EA. The EA would be in a position to provide the £40k contribution towards the riverbank restoration SSSI mitigation works from the funding secured for Romsey FAS, and the Borough Council's contribution towards the FAS would remain at £250k.
- 5.1.3 Option 3. Implement the restoration works over two years with the AMP funded riverbank restoration works taking place in 2018/19 and the Romsey FAS funded riverbank restoration works taking place in 2019/20 once the FBC has been signed off.

6 Option Appraisal

- 6.1 Option 1. Allocate £40k from the Council's contribution towards Romsey FAS to the Memorial Park riverbank restoration.
- 6.1.1 For;
- The EA had previously stated they expected to have the FBC signed off in July 2018. In the expectation of this, the Community and Leisure Service already has a contractor on standby to undertake the full section of riverbank restoration works in September.
 - Enables the remaining section of the eastern riverbank to the Memorial Park to be restored in one phase, minimising the disruption to the public using the park.
 - Undertaking works in one phase gives economy of scale and therefore reduced costs.
 - Prevents a delay to an element of the 2018 AMP.
 - Shows the Council's commitment to Romsey FAS.

6.1.2 Against;

- The Council will be committing funds to Romsey FAS before the FBC has been signed off. If, in the unlikely case, the FBC is not signed off the FAS will not proceed, (and the Council's remaining £210k contribution will not be required). However, as the primary reason the Council is undertaking riverbank restoration works at Memorial Park is due to the deterioration of the timber riverbank revetment, the Council would be undertaking this work anyway. There is therefore no loss to the Council.

6.2 Option 2. Delay the riverbank restoration works to September 2019.

6.2.1 For;

- Enables the remaining section of the eastern riverbank to the Memorial Park to be restored in one phase, minimising the disruption to the public using the park.
- Undertaking works in one phase gives economy of scale.
- No commitment of the Council's partnership contribution towards the Romsey FAS until the FBC is signed off and the Central Government funding secured.

6.2.2 Against;

- Would result in delaying the riverbank restoration works, planned as part of this years AMP.
- Delaying the works will result in additional staff time in re-letting the contract and potential increased construction costs.
- Delaying the works is likely to have a significant impact on the level of reinstatement required and, therefore, the aesthetic nature and local infrastructure within the park.

6.3 Option 3. Implement the restoration works over two years.

6.3.1 For;

- No commitment of the Council's partnership contribution towards the Romsey FAS until the FBC is signed off and the Central Government funding secured.
- Would ensure no delay to the element of the works that are in the 2018 AMP.

6.3.2 Against;

- Splitting the works over two years would result in increased disruption to the public using the park.
- Splitting and delaying part of the works is likely to have a significant impact on the level of reinstatement required and, therefore, the aesthetic nature and local infrastructure within the park.
- Would result in a considerable increase in construction and staff costs. This option would need additional funding in order to complete the length of riverbank proposed.

7 Risk Management

- 7.1 An evaluation of the risks indicates that the existing controls in place mean that no significant risks have been identified at this time.

8 Resource Implications

- 8.1 Option 1 seeks to reallocate £40k of existing funds that have been allocated to Romsey FAS, to the Romsey FAS mitigation works, works being undertaken by the Council on behalf of the EA. No additional funding is being requested. If for any reason the EA is unable to get the Romsey FAS FBC signed off the scheme cannot go ahead. The financial implication of option 1 is that the Council could potentially fund mitigation works for a scheme that the EA are unable to progress. The implications are minimal as the riverbank restoration works are works the Council would have to do within the next three to five years as a result of the deterioration of the timber revetment.
- 8.2 No other resource liabilities for option 1 have been identified.

9 Legal Implications

- 9.1 The Council has powers to manage and maintain land in its ownership (including banks of rivers such as this). Moreover, it is a risk management authority for the purposes of the Flood and Water Management Act 2010, and can therefore contribute to the costs of reducing risks of flooding.
- 9.2 The legal agreement between the EA and the Council to formalise the Council's partnership contribution towards Romsey FAS is currently being drafted. Subject to Cabinet's decision, the legal agreement will confirm the Council's contribution as £210k plus "works in kind", this being the mitigation works at Memorial Park.

10 Equality Issues

- 10.1 The EQIA has not identified any potential for discrimination or adverse impact as a result of the proposed recommended option.

11 Other Issues

- 11.1 Community Safety - Nil
- 11.2 Environmental Health - Issues
- 11.3 Sustainability and Addressing a Changing Climate - Nil
- 11.4 Property Issues - Nil
- 11.5 Wards/Communities Affected – Abbey Ward.

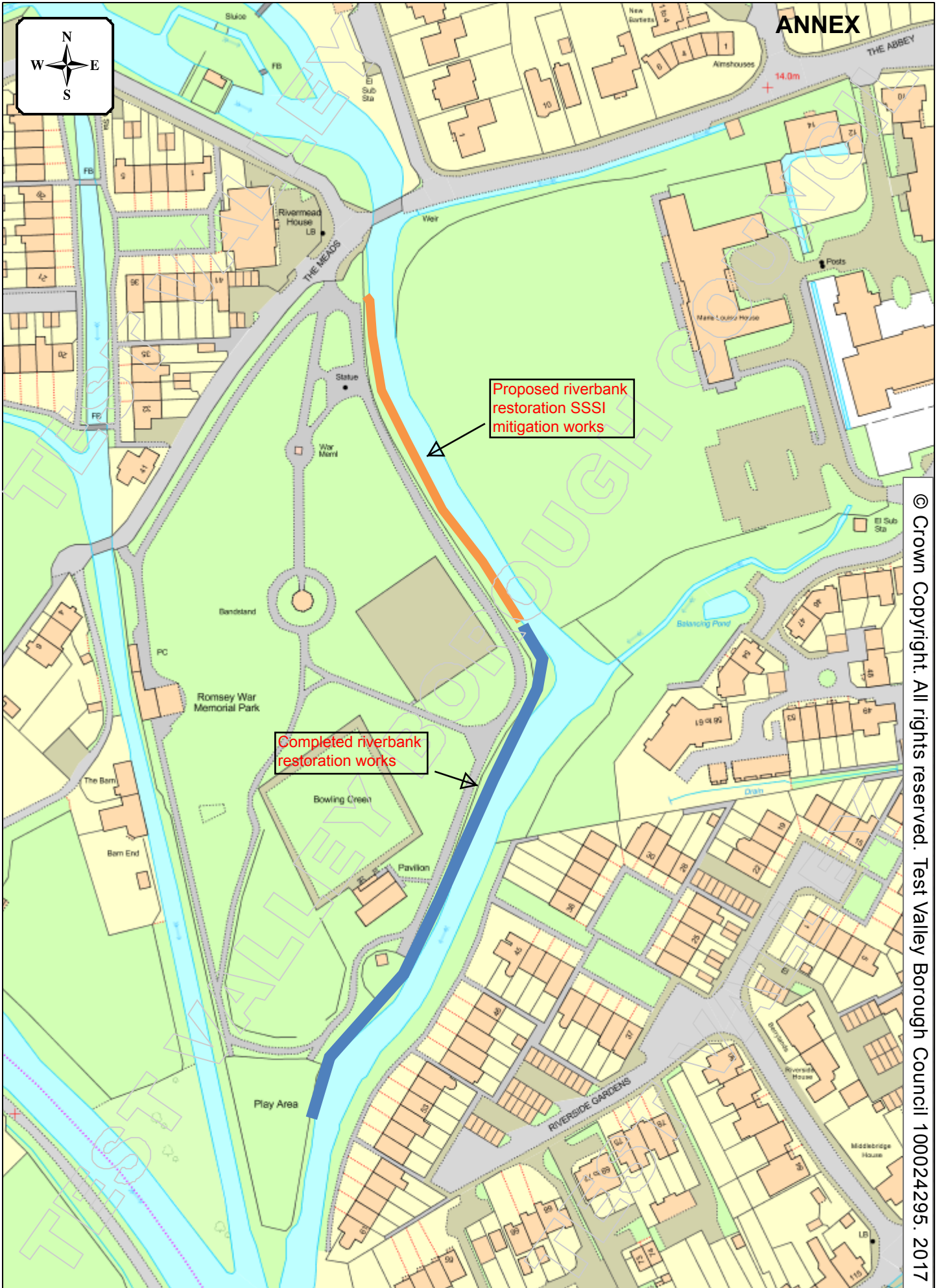
12 Conclusion and Reasons for Recommendation

- 12.1 The recommendations set out in this report identify the proposed way forward for implementing the Romsey FAS flow control structure SSSI mitigation works.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Planning) Councillor Adams-King			
Officer:	Steve Raw	Ext:	8721
Report to:	Cabinet	Date:	9 August 2018



ANNEX



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Scale: N.T.S
Date: 30/07/2018
Drawn:
Dept:
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**Test Valley Borough
Council Mapping**



ITEM 8

Exclusion of the Public

Recommended:

That, pursuant Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following report on the grounds that it involves the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A of the Act, as amended, indicated below. The public interest in maintaining the exemption outweighs the Public interest in disclosing the information for the reason given below:

Estates Property Matters

Paragraph 3

It is considered that this report contains exempt information within the meaning of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. It is further considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information relates to the financial or business affairs of the Council and a third party.