Item 6

9th September 2022

Clyde and Loch Lomond Joint Committee

Report by Glasgow City Council Lead Local Authority

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Clyde and Loch Lomond Local Plan District
Cycle 2 Local Flood Risk Management Plan

Purpose of Report:

This report will present and seek approval for the Cycle 2 Local Flood Risk Management Plan.

Recommendations:

That the Committee shall:

1. Note the challenging funding situation for Cycle 2 (2022 – 2028).
2. Approve the Cycle 2 Local Flood Risk Management Report.
3. Note the requirement for SEPA and other Responsible Authorities to agree to the LFRMP prior to publication.
4. Delegate authority to the Convenor to agree any minor changes to format or content from the version considered by the Joint Committee.
5. Instruct the Lead Local Authority to submit to the Joint Committee a prioritised list of Cycle 2 Actions once the funding arrangements are confirmed.

1 INTRODUCTION

1.1 The Flood Risk Management (Scotland) Act 2009 established a series of 6 year implementation cycles.

1.2 The Clyde and Loch Lomond (CaLL) Local Plan District (LPD) is currently at the transition point between Cycle 1 (2016 – 2022) and Cycle 2 (2022 – 2028).

1.3 This report will present and seek approval for Cycle 2 CaLL LPD Local Flood Risk Management Plan (LFRMP).

1.4 The LFRMP is to be published by the Lead Local Authority by 31 December 2022.

2 FUNDING CHALLENGES

2.1 During the preparation of the 14 Cycle 1 LFRMPs covering the whole of Scotland, the forecast combined capital cost of the Flood Protection Schemes and Works to be progressed during Cycle 1 broadly aligned with the capital funding allocation agreed by the Scottish Government and COSLA for the six year period.

2.2 Collectively the costs to deliver the Cycle 1 capital projects has increased significantly. Despite the Scottish Government committing an additional £150m in funding for flood risk management, it is possible that if all the Cycle 1 capital project are progressed to completion, the funding earmarked for the first four years of Cycle 2 (2022 – 2026) will need to be allocated to Cycle 1 projects.

2.3 During Cycle 1 there has been an increased focus on flood risk management due to the plan led approach introduced by the Flood Risk Management (Scotland) Act 2009. A number of significant flood events during the Cycle 1 period, together with climate change predictions, has also raised the profile of flood risk management. We understand that this has led to the combined value of projects submitted for Cycle 2 capital funding to be higher than submitted at the same point in the preparation stages for Cycle 1.

2.4 Despite the Cycle 2 LFRMPs originally being scheduled for publication during June 2022, the Scottish Government and COSLA are yet to provide guidance on the capital funding that is proposed to be made available during Cycle 2.

2.5 If the Cycle 1 capital projects are all progressed to completion, it is possible that capital projects submitted for Cycle 2 funding could take up the balance of funding available in Cycle 2 and a similar level of funding for the full Cycle 3 period.

2.6 The above funding scenario could mean that a capital project developed through the detailed engineering design stages during Cycle 2 to the point

where construction tenders could be advertised, may not be allocated any capital funding until Cycle 4 (2034 – 2040). Such a delay between design development and construction could require the public consultation to be repeated and / or the design reviewed to take account of updated rainfall statistics and climate change allowances.

2.7 As the merit of progressing projects through feasibility and design stages during Cycle 2 is dependent on the future funding model for flood risk management capital projects, the draft CaLL LPD LFRMP does not prioritise the local authority actions that may require capital funding. To allow the LFRMP to be published, the following statements are included for actions that may lead to the implementation of a capital project:

- Section 1.5.1 – *Given the uncertainty of future capital funding, none of the local authority actions in the Local Plan that potentially relate to a capital project have been prioritised. On confirmation of the funding position by the Scottish Government and COSLA, the prioritisation of local authority actions shall be agreed with the Clyde and Loch Lomond LPD Joint Committee and a revised Local Plan published*.
- Funding – Confirmation of funding awaited from Scottish Government and COSLA.

2.8 The proposal is that a prioritised list of actions for Cycle 2 will be submitted to the Joint Committee once the funding position for Cycle 2 and beyond is better understood.

3 DEVELOPMENT OF THE CaLL LPD LFRMP

3.1 The actions for Cycle 2 set out in the CaLL LPD Flood Risk Management Plan developed by SEPA in consultation with local authorities and other responsible authorities have been translated into the CaLL LPD LFRMP.

3.2 The structure of the CaLL LPD follows the national template developed for the Cycle 2 LRFMPs.

3.3 The CaLL LFRMP is presented as a standalone document to this report.

4 APPROVAL AND PUBLICATION OF THE CaLL LPD LFRMP

4.1 To facilitate the approval of the CaLL LPD LFRMP, a Compliance Statement has been prepared setting out where the LFRMP meets the statutory requirements of Section 34 of the Flood Risk Management (Scotland) Act 2009. The Compliance Statement notes that the LFRMP does not fully meet the requirements of the 2009 Act with respect to providing a detailed timetable and funding arrangements. The Compliance Statement is presented as Appendix 1 to this report.

4.2 The Joint Committee is invited to approve the CaLL LFRMP on behalf of the ten local authority members.

4.3 The content of the CaLL LFRMP has also to be agreed by SEPA and the other Responsible Authorities within the CaLL LPD (Scottish Water, Forestry Commission Scotland, Loch Lomond and The Trossachs National Park Authority). It is our expectation that if the Joint Committee approves the LFRMP in the current form, the agreement from the other parties will be forthcoming.

4.4 The Lead Local Authority is required to publicise the completion of the LFRMP. This will be in the form of a public notice in The Herald and Evening Times. For Cycle 1, a joint public notice covering the three South West Scotland LFRMPs (CaLL LPD, Solway LPD and Ayrshire LPD) was published and a similar approach is proposed for Cycle 2.

4.5 The published LFRMP will be available in hard copy format at selected local authority offices for inspection by appointment. Additional copies will also be made available at other locations (libraries, etc) at the discretion of the local authority.

4.6 An electronic version of the LFRMP will be available via the local authority websites.

5 RECOMMENDATIONS

That the Committee shall:

5.1 Note the challenging funding situation for Cycle 2 (2022 – 2028).

5.2 Approve the Cycle 2 Local Flood Risk Management Report.

5.3 Note the requirement for SEPA and other Responsible Authorities to agree to the LFRMP prior to publication.

5.4 Delegate authority to the Convenor to agree any minor changes to format or content from the version considered by the Joint Committee.

5.5 Instruct the Lead Local Authority to submit to the Joint Committee a prioritised list of Cycle 2 Actions once the funding arrangements are confirmed.

Glasgow City Council
DH - December 2022