

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Cllr Martin Veal, Cabinet Member for Community Services Cllr Liz Richardson, Cabinet Member for Planning and Housing	
MEETING/ DECISION DATE:	On or after 8th October 2016 (Single Member Decision)	EXECUTIVE FORWARD PLAN REFERENCE:
		E2892
TITLE:	River Corridor Fund Capital Budget 2016-17 – Funding Allocation	
WARD:	All	

AN OPEN PUBLIC ITEM/

List of attachments to this report:

Appendix 1: *Review of Mooring Standards on the River Avon between Pulteney Bridge and North Parade Bridge*; The Royal Society for the Prevention of Accidents, 2013.

Appendix 2: *Bath River Avon Options Appraisal Strategic Flood Risk Partnership Project: Phase 1b & 2*; Environment Agency & B&NES Council, September 2016.

Appendix 3: *Bath Flood Alleviations Scheme Options*; Environment Agency & B&NES Council September 2016.

1 THE ISSUE

- 1.1 Within the Council Budget approved on 16th February 2016, a capital fund of £150,000 was provisionally allocated for the River Corridor Fund 2016-17.
- 1.2 In order to bring forward the River Corridor Fund it is necessary to draw down against the allocated £150,000 capital funding.

2 RECOMMENDATION

- 2.1 The Cabinet Members are asked to approve the £80,000 of the provisional allocation of £150,000 within the 2016/17 capital programme. It is proposed this will be allocated to three specific river corridor projects:
 - a. Up to £10,000 for a feasibility/viability assessment for mooring investment on Council owned land, including Pulteney Moorings;
 - b. £50,000 on Strategic Flooding Project: to provide essential partner match funding towards Environment Agency Strategic Outline Business

Case for major repair of Twerton gates (maintain current standard) and explore and implement improvement options at Pulteney gate; and

- c. £20,000 on a Bat Habitat Strategy for River Corridor Development Sites (Bath Enterprise Area: Bath Quays).

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Within the Council Budget approved at Full Council on 16th February 2016, a capital fund of £150,000 was provisionally allocated for the River Corridor Fund, funded through corporate supported borrowing. No additional B&NES Council funding is required over this amount for the proposals outlined.
- 3.2 Officer resources in managing and delivering the work will be covered through existing revenue allocations made through the Council's annual service and resource planning process.
- 3.3 Funding will be provided for Capital purposes only and Officers will ensure that all funding accords with the Local Government Capital Regulations and the Council's constitution, including procurement rules.
- 3.4 No Revenue budget provisions exist for these projects and therefore the Council will not accept any revenue liabilities arising from any grant funded or supported project. This includes the Strategic Flooding Project which would be run by the Environment Agency not the Council.
- 3.5 There is a small risk of revenue reversion on these projects. The risk of revenue reversion of the £50,000 would apply should the Environment Agency not take forward a project for delivery. In relation to the £10,000 moorings investment, viability/feasibility work is required in advance of further capital investment and in relation to the bat habitat strategy revenue reversion risk relates to the river corridor sites not being advanced. Officers consider these to be low risk, particularly as the EA have confirmed commitment to the Strategic Flooding project; the bat habitat project supports development at Bath Quays and in the Enterprise Area which is currently being taken forward.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Council must have regard to:
 - a) Conserving bio-diversity under the National Environment and Rural Communities Act 2006.
 - b) Achieving good design under the Planning Act 2008
 - c) Leading Bath & North East Somerset Council to a climate resilient future (A commitment in the Sustainable Community Strategy and Core Strategy).

5 THE REPORT

- 5.1 Partnership working through the Strategic River Group has delivered a programme of capital improvement works to the value of £700k, including £222k external match funding over 3 years (2013-16). This River Corridor Fund allocation will be the next tranche of capital funding.

5.2 A Strategic River Group was established in 2013 to bring together the key agencies and stakeholders in relation to the River Avon, this group has agreed the capital work proposed as priority projects.

5.3 The £150,000 Capital allocation for 2016-17 is proposed to be allocated to the following projects:

River Corridor Fund: Capital Projects for 16-17	Project Summary
<p>Mooring Investment on Council owned land, including Pulteney Moorings - £10k with potential for a further £70k</p>	<p>The Council has a capital asset in its land ownership adjoining the river in central Bath, with moorings offering increased activity and interest and commercial opportunities. The Pulteney Moorings have been closed since Sept 2013 due to unresolved safety works being required (see Appendix 1).</p> <p>Basic capital works and new commercial lease arrangements are needed to re-open the moorings.</p> <p>Initial funding of £10k will be utilised to identify design and lease options that would be commercially viable, before capital works are undertaken and related consents sought.</p> <p>The Council is working with the Canal & River Trust's commercial boating and enterprise teams to scope this further work.</p>
<p>Strategic Flooding Project: Business Case for Environment Agency funded and delivered capital works - £50k</p>	<p>The Council as a Lead Local Flood Authority has worked with the Environment Agency to complete a Stage 1 Options Appraisal, considering five potential options for Twerton and Pulteney gates (see Appendix 2).</p> <p>Option 2 (major repair to the gates at Twerton and explore and implement improvement options at Pulteney) has been identified as the preferred option at this stage, although it does not preclude options 3-5 being pursued in future, subject to funding.</p> <p>The Option appraisal to date highlight that a failure to implement option 2 would result in 200 additional properties being at risk from the 1:100 year flood events, and failure of either gate could also result in water level drops which would have an impact on river amenity and ecology. A drop in river level would expose property foundations designed to be below the water line causing potential problems for existing city centre properties.</p> <p>A detailed Business Case is now needed to support the Capital funding bids by the Environment Agency, for up</p>

	<p>to £5 million capital funding from the national Flood Defence Grant in Aid funding stream. The Environment Agency requires local match funding to facilitate the preparation of a business case, and this funding is therefore a one-off of £50k funding from the Council. There are no further capital costs due from the Council for this stage of the Strategic Flooding project.</p> <p>The project will have benefits to Council property and landholdings within Central Bath.</p>
<p>Bat Habitat Strategy for the River Corridor Development sites (Bath Enterprise Area) - £20k</p>	<p>The Habitat Strategy will support the delivery of key development sites within the Bath Enterprise Area (including Bath Quays), identifying strategic design options to main a suitable wildlife corridor for EU protected bat species and supporting planning application for these sites.</p> <p>It supplements the 6 month River Avon bat survey being undertaken (April – October 2016) and is supported by Natural England.</p>

5.4 The Water Space Study is a partnership project supported by B&NES Council, the Environment Agency, the Canal & River Trust and Wessex Water will identify priority projects to enhance the River Avon and Kennet & Avon Canal within Bath & North East Somerset. This evidence base will be used to support future allocation of future capital funds from the Council's River Corridor Fund, and will also inform the funding allocations from the key agencies.

6 RATIONALE

6.1 The recommendation has been determined through consultation with key external stakeholders including the Environment Agency, Natural England, the Canal & River Trust and the members of the Council's Strategic River Group. These projects have been prioritised, as:

- a) The Mooring Investment on Council owned land will support the commercial lease of moorings, providing revenue income and support a more vibrant River Corridor;
- b) The Strategic Flooding Project Capital Allocation will facilitate £100,000 funding from the Environment Agency to complete a Business Case, this should in turn result in up to £6 million capital investment from central government and partner sources, likely to be delivered by the Environment Agency. If funding sources are approved, the capital works to be undertaken will include major repairs to the Twerton radial gate and the implementation of minor improvements at Pulteney radial gate; and
- c) The Bat Habitat Strategy will help to facilitate the delivery of key sites within the Enterprise Area including Bath Quays, to help to ensure that planning requirements are met in relation to EU protected species, in particular horseshoe bats.

7 OTHER OPTIONS CONSIDERED

7.1 The allocated £150,000 could have been taken as a saving or reallocated to other projects. However, these options were discounted due to two overriding factors:

- a) The River Corridor, Flood Risk and delivery of Bath Enterprise Area are corporate priorities set out in the Council's Core Strategy and Green Infrastructure Strategy;
- b) The Strategic River Group and B&NES Placemaking Plan have highlighted these projects as priority areas for a number of the key partners (including the Environment Agency, Natural England and the Canal & River Trust).

8 CONSULTATION

8.1 Addressing flood risk is a key action within the Infrastructure Delivery Plan (IDP) which is adopted by the Council as part of the Draft Placemaking Plan.

8.2 An introductory workshop with stakeholders was held on 15 October 2014 to seek initial views and merits of each option which then contributed to a report identifying preferred options. A follow up drop in surgery was held on 11 June 2015 to update local organisations and interest groups on progress so far and to invite comments on these more detailed preferred options. The project team also briefed the Planning, Housing & Development Scrutiny panel on 20 July 2015. The feedback from these events informed the final Options Appraisal, which is an appendix to this report.

8.3 During 2016, consultation was carried out through the Water Space Study events, including the *Bristol to Bath Festival of Nature 2016*, which had a River Avon theme; approx. 3000 members of the public took part in the Festival events in Bath, Keynsham and Saltford during June 2016. Flood risk and the closure of Pulteney Moorings were common themes raised.

8.4 This allocation reflects priorities identified through the Strategic River Group, which includes membership from key partners – the Environment Agency, Canal & River Trust, Wessex Water, Natural England and the River Regeneration Trust. These key partners support the allocation of funding proposed.

8.5 The monitoring officer and s151 Officer have had the opportunity to review and input into this report.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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Background papers	<i>Budget and Council Tax 2016/17 and Financial Outlook 2016/17 to 2019/20</i> https://democracy.bathnes.gov.uk/documents/s40373/Budget%20Council%20Tax%20Report.pdfm <i>Appendix 2: The Budget Proposal 16-17 (page 27)</i> https://democracy.bathnes.gov.uk/documents/s40360/Appendix%202%20-%20The%20Budget%20Proposal%2016-17.pdf
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