



Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Mark Billington Service Director People and Places	Councillor Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder	13 December 2018

Application for Grant in Aid Funding for Kirkland Flood Defence Embankment

1. Purpose of report

- 1.1 To seek retrospective approval to the Environment Agency Grant in Aid (GiA) funding for a flood embankment at Kirkland Bridge (the Scheme) and for this scheme to be added to the 2018/19 Capital Programme.

2. Outcomes

- 2.1 The village of Churchtown and sections of the A6 are better protected.
- 2.2 An embankment and flood defence structures has been constructed under the management of Churchtown Flood Action Group (FLAG) partly funded through GiA funding.

3. Recommendations

- 3.1 To retrospectively approve the application for GiA funding for the flood defence works.
- 3.2 Due to the innovative nature of EA working directly with community groups but there being no mechanism in place for EA to pay grant funds directly to non-flood risk authorities, the grant has had to be paid directly to the council who will be the accountable body for the grant and make payments directly to Kirkland Parish Council (as part of FLAG) on completion of works and production of appropriate invoices.
- 3.3 That the scheme will be added to the 2018/19 Capital Programme.

4. Background

- 4.1 Significant flooding occurred to 58 properties in and around Churchtown following heavy rainfall on the evening of Saturday 5 December 2015. This resulted in overtopping of the Main River embankments along the River Wyre particularly where the river was restricted at Kirkland Bridge.
- 4.2 Churchtown FLAG put forward a proposal to construct a secondary defence and flood wall of up to 1.5m in height. The total cost of this work is circa £100,000 of which the FLAG have obtained £30,000 from two charities. The council subsequently worked with the FLAG and Kirkland Parish Council to undertake the necessary approvals and application for GiA to allow the project to proceed.

5. Key issues and proposals

- 5.1 An application for £69,000 for GiA has been successfully submitted to the Environment Agency.
- 5.2 The council will make payments to Kirkland Parish Council on receipt of invoices to fund the works and retain auditable accounts of the transactions.

6. Delegated functions

- 6.1 The matters referred to in this report are considered under the following executive function delegated to the Neighbourhood Services and Community Safety Portfolio Holder (as set out in Part 3 of the council's constitution):

“To consider arrangements and proposals in relation to Coastal Defence and Flood Risk.”

Financial and legal implications	
Finance	GiA for the sum of £69,000 has been received from the Environment Agency and will be paid to Kirkland PC on receipt of invoices. A maintenance obligation vests with the council until such time as the variation to the permit referred to in the legal implications below is completed. The scheme will be added to the 2018/19 Capital Programme.
Legal	A Flood Risk Environmental Permit has been obtained as part of the scheme application, however this did not include provision for maintenance to be undertaken by individual property owners on whose land works were carried out. The EA are therefore in the process of initiating a variation to the permit to include ongoing maintenance. This will then be registered as a Local Land

	Charge against each property affected and thereby maintenance obligations shall run with the land.
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Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	✓
equality and diversity	x
sustainability	x
health and safety	✓

risks/implications	✓ / x
asset management	✓
climate change	✓
ICT	x

Processing Personal Data

If the decision(s) recommended in this report will result in personal data being processed, a primary impact assessment (PIA) will have been completed and signed off by the council's Data Protection Officer before the decision is taken (as required by the General Data Protection Regulations 2018).

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List of background papers:		
name of document	date	where available for inspection

List of appendices

None

dems/ph/ne/cr/18/0012cg1