

Eden District Council

Cabinet

20 September 2022

Doomgate Flood Prevention – Appleby Update

Portfolio:	Resources
Report from:	Assistant Director Delivery
Wards:	Appleby
OPEN PUBLIC ITEM	

1 Purpose

- 1.1 To make Members aware of changes to the Environment Agency (EA) proposals to reduce flood risk from the Doomgate Culvert to the Holme Street and Chapel Street areas of Appleby and the additional implications on Broad Close car park.

2 Recommendation

It is recommended that Cabinet:

- 2.1 Note the revised timeline for project delivery;
- 2.2 Approve that any additional claim for loss of earning is waived as a result of changes to closure of Broad Close car park as set out at 6.1.4.

3 Report Details

- 3.1 Following the severe flooding in 2015 as a result of Storm Desmond the Environment Agency (EA) have considered a range of options to reduce flood risk in Appleby. There is much community and political support to reduce flood risk in the town and the EA has now identified an option it can afford (marginal project economically) and deliver technically (subject to the usual project requirements including stakeholder and partner support). This scheme focusses around frequent flooding west of Appleby Town Centre caused by surcharging of the Doomgate Culvert. Our preferred option is to install a pumping station in Chapel Street in the “Broad Close” car park.
- 3.2 In November 2021 Cabinet approved the recommendations to:
- Waive compensation for loss of earning on Broad Street car park to the value of £20,000.
 - Make a contribution to the project of £113,000 for the installation of an electricity substation to support EV charging points on site.
- 3.3 Eden District Council is being asked to further consider opportunities for partnership funding and contributions in kind around temporary and permanent loss of car parking spaces.
- 3.4 The key milestones in the Environment Agency’s development and construction programme are:

Description	Revised Date (end)
Strategic Outline Business Case Approval	April 2020
Outline Business Case submission	Sept 2021
Detailed Design Contract Award	June 2020
Full Business Case Approval	December 2021
Construction Starts	October 2022
Construction Completion	May 2023

4 Policy Framework

4.1 The Council has four corporate priorities which are:

- Sustainable;
- Healthy, safe and secure;
- Connected; and
- Creative

4.2 This report meets Sustainable, and Healthy, safe and secure corporate priorities.

5 Consultation

5.1 The EA has engaged with Appleby Town Council on a fairly regular basis during the development of these plans. Appleby Emergency Resilience Group have helped with the development of communications and engagement including a newsletter to residents around the ground investigation work that was carried out in December 2020. An update for residents in the form of a newsletter was sent in August 2021. Further consultation was held with key partners and the community on 13 September 2021. The EA is currently in the process of producing a construction phase stakeholder management plan which will identify the stakeholders affected by the works and ensure sufficient liaison is carried and that suitable information is passed to the wider community.

6 Implications

6.1 Financial and Resources

6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2019-2023 as agreed at Council on 7 November 2019.

6.1.2 In order to make the project financially viable, the EA have asked the Council to waive any compensation for an additional amount over and above the pre-agreed values. This amount is related to the extended timetable of works, including occupying the whole car park for a further 8 months, which will impact on the season-ticket holders and parking tariffs.

6.1.3 The annual revenue for Broad Close car park is estimated at:

- Season Tickets £3,000
- Parking ticket income £17,000

6.1.4 A further 8 months loss of earning is estimated at £13,500. This loss of earning would need to be factored into the 2023/24 budget.

6.2 Legal

6.2.1 There are legal implications, in relation to creating leases and licensing of works which will be facilitated internally through property services and our legal department.

6.3 Human Resources

6.3.1 No proposal in this report that would have an impact on Human Resources.

6.4 Environmental

6.4.1 The installation of the proposed flood prevention measures are expected to play a significant role in the protection of the local area in events of severe weather.

6.5 Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	No impact
Health, Social Environmental and Economic Impact	Prevention of flooding is vital in Appleby to ensure opportunity for safe and secure environment for residents and businesses in the area.
Crime and Disorder	No impact
Children and Safeguarding	No impact

6.6 Risk Management

Risk	Consequence	Controls Required
Reputational Risk	It could be seen as EDC blocking a scheme that would significantly help Appleby.	Supporting the scheme

7 Other Options Considered

7.1 EDC do have the option of not supporting the scheme further than previously agreed. The EA would still have the right to proceed with a compulsory order and EDC could make a compensation claim under this for loss of earnings for car parking.

7.2 The EA are making significant contributions to the scheme in the main cost, uplift in costs of the substation installation and project management of the EV

charging point installation. They have advised that a compensation claim would likely make the scheme unviable financially for them to deliver.

- 7.3 This option has been disregarded as failure to implement the scheme may have significant reputational damage if EDC were to be unresponsive to the delivery of flood prevention measures in Appleby.

8 Reasons for the Decision/Recommendation

- 8.1 It is recommended that Eden District Council support EA proposals and waive claim for loss of earning, temporarily and permanently as a result of changes to the Broad Close car park for a further 8 months and value of £13,500. This option minimises potential reputational damage from preventing the scheme taking place.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	7 September 2022
Monitoring Officer (or Deputy)	7 September 2022
Relevant Assistant Director	23 July 2022

Background Papers: None

Appendices: None

Contact Officer: Laura Cadman, Assistant Director Delivery