

EXECUTIVE DECISION NOTICE

DELEGATED EXECUTIVE DECISIONS

A record of delegated decisions made by individual Portfolio holders or officers on Thursday, 10 February 2022.

The reports (unless exempt under Section 100(B)(2) of the Local Government Act 1972, on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12 A of the Act as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the Paragraphs indicated and, in all the circumstances of the case, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing it) are available for inspection from the Solicitor to the Council, South Lakeland House, Kendal.

DEX/12 CAPITAL PROGRAMME KDE09 - WINDERMERE ROAD, GRANGE FLOOD ALLEVIATION

Summary

Consideration was given for the approval of the expenditure to be made by way of a financial contribution to the Lead Local Flood Authority (LLFA) to enable them to deliver a flood risk reduction scheme.

Windermere Road had a long history of flooding, though in more recent years the frequency of flooding, to an extent, which impacted residential and business properties, had increased. The Environment Agency and the Lead Local Flood Authority have investigated the causes of flooding and designed a flood risk reduction scheme.

This work had renewed impetus since flooding events in 2018. The Windermere Road flood action group had been active in urging the LLFA, Environment Agency, District Council and the MP to design, fund and deliver a solution. Earlier designs faced issues of the scale of cost in relation to a relatively low number of properties to protect. However, the LLFA had come forward with a scheme, which provides a good level of protection now and into the future for a more modest capital investment. This means the funding of a scheme utilising external funding from the Department of Transport and the Department of Environment, Food and Rural Affairs appears attainable. The total cost of the scheme was estimated to be £1.9million.

The Council had adopted a positive position in ensuring its properties and resources would assist in enabling the resolution of a long-standing concern. During 2020/21, the Council contributed £93,013.00 to an initial phase of works undertaken by the LLFA, which assisted the redirection of drainage away from properties and into and through the car park. In anticipation of a full scheme, in February 2021, the Council approved in a further financial provision of £150,000 in its Capital Programme (KDE09) towards the delivery of a flood scheme.

The LLFA are to be responsible for the design of the scheme, securing the external funding, scheme construction and meeting the future lifetime operation costs of the pumps. The Council are to secure an agreement with the LLFA, which sets out the respective obligations of the LLFA and the Council. The Council's obligations are to provide the financial contribution of £150,000 and they will allow the necessary permissions for the installation of works on the Council's property. From April 2023, the responsibilities of the LLFA and the Council will become the responsibility of the Westmorland and Furness Council.

Decision***Resolved – that***

(1) the expenditure of the approved Capital Programme item KDE09 be by way of a financial contribution of £150,000 to the Lead Local Flood Authority, towards the delivery of their flood risk reduction scheme at Windermere Road, Grange over Sands be approved;

(2) the Legal Governance and Democracy Lead Specialist enter into an agreement with the LLFA for the Council's provision of the financial contribution; and

(3) the Operational Lead, Delivery and Commercial put in place the necessary property permissions for the LLFA to install and operate those parts of the scheme which relate to the Council's properties.

Reason for Decision

The proposal contributes to the Council Plan Priorities of working across boundaries, delivering a balanced community and addressing the climate energy. Approval of this scheme for the LLFA to deliver a flood risk reduction scheme, mitigating the increased frequency of flood events affecting residential and business properties at Windermere Road, Grange-over-Sands. Council has approved the budget in the capital programme.

Alternative Options considered and rejected

An alternative option is not to provide a funding contribution to the LLFA. This option would put at risk the overall funding package and delivery of the scheme and was rejected.