ITEM No …4……..

REPORT TO: **CITY DEVELOPMENT COMMITTEE – 5 DECEMBER 2022**

REPORT ON: **FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009 – CYCLE 2 LOCAL FLOOD RISK MANAGEMENT PLAN**

REPORT BY: **EXECUTIVE DIRECTOR OF CITY DEVELOPMENT**

REPORT NO: **320-2022**

1 PURPOSE OF REPORT

1.1 To advise Committee of progress towards production of the Cycle 2 (2022-2028) Local Flood Risk Management Plan for the Tay Estuary and Montrose Basin Local Plan District to be delivered in fulfilment of the requirements of the Flood Risk Management (Scotland) Act 2009.

2 RECOMMENDATION

2.1 It is recommended that the Committee:

a notes the progress being made towards the production of the Cycle 2 Statutory Local Flood Risk Management Plan; and

b note the actions to reduce flood risk contained in the SEPA Cycle 2 Flood Risk Management Plan and to be contained within the Cycle 2 Local Flood Risk Management Plan.

3 FINANCIAL IMPLICATIONS

3.1 Financial implications, at this time, are limited to staff costs which are contained within the finance made available by Scottish Government for local authorities to meet their Regulatory responsibilities under the Flood Risk Management (Scotland) Act 2009.

3.2 Flood Protection Schemes within Dundee City Council under Cycle 1 have been delivered. However, the costs of the Scotland-wide Cycle 1 Flood Protection Scheme projects have risen significantly. This has created a high risk that Cycle 1 Flood Protection Schemes not yet progressed and all proposed Cycle 2 Flood Protection Schemes under development will not be awarded funding within the Cycle 2 timeframes. A funding review group established by COSLA and the Scottish Government is currently considering ways to progress with those Cycle 1 Flood Protection Schemes furthest away from delivery and the proposed Cycle 2 Flood protection Schemes. The Review Group is also to consider changes to the current Flood Risk Management funding structure in Scotland. It should be noted that this creates a risk that the proposed Dundee City Council actions contained in the Cycle 2 Local Flood Risk Management Plan, in particular the major works which will rely on the Scottish Government Capital Grant funding, will not be delivered within Cycle 2.

4 BACKGROUND

4.1 The Cycle 2 Flood Risk Management Plan (formerly named "Flood Risk Management Strategies" in Cycle 1) for the Tay Estuary and Montrose Basin was published by SEPA on 22 December 2021 and identified actions selected as the most appropriate to manage flood risk in the local plan district. These actions were agreed by the relevant Responsible Authorities listed below:

- Angus Council;
- Dundee City Council;
- Aberdeenshire Council;

- Fife Council;
- Perth and Kinross Council;
- Scottish Water; and
- SEPA.

4.2 Dundee City Council is included as a Responsible Authority in the newly created Cycle 2 "Dundee, Broughty Ferry and Invergowrie" Potentially Vulnerable Area (PVA). Within this PVA there are 3 Objective Target Areas, of which 2 are within the Dundee City Council boundary. The actions contained in the SEPA Cycle 2 Flood Risk Management Plan to be contained in the Cycle 2 Local Flood Risk Management Plan for the Broughty Ferry and Dundee Objective Target Areas are included in Appendix 1, along with the agreed National Actions.

5 CURRENT SITUATION

5.1 Officers from each of the Responsible Authorities identified at 4.1 above have collaborated to produce the recommended actions for each Objective Target Area. Every Responsible Authority must now agree the recommended actions so that Angus Council, the Lead Local Authority for the Tay Estuary and Montrose Basin Local Plan District can prepare the Cycle 2 Local Flood Risk Management Plan containing these agreed actions, for publication in December 2022.

5.2 The major works actions to be contained in the Cycle 2 Local flood Risk Management Plan are listed below:

a <u>Broughty Ferry</u>

- Outline and detailed design, and construction of a River Flood Protection Scheme primarily concerned with reducing flood risk along the Dighty and Fithie Burns, subject to the availability of funding.
- Develop surface water drainage strategies across the city in partnership with Scottish Water for delivery in the longer term and subject to the availability of funding.

b <u>Dundee</u>

- Outline and detailed design, and construction of a Dundee Coastal Flood Protection Scheme Phase 2 (Dundee City Quay and Airport), subject to the availability of funding.
- Outline and detailed design, and construction of a River Flood Protection Scheme primarily concerned with reducing flood risk along the Dighty, subject to the availability of funding.
- Develop surface water drainage strategies across the city in partnership with Scottish Water and progress to outline/detailed design, for delivery in the longer term and subject to the availability of funding.

6 POLICY IMPLICATIONS

6.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

7 CONSULTATIONS

7.1 The Council Leadership Team have been consulted in the preparation of this report and are in agreement with its content.

8 BACKGROUND PAPERS

8.1 None.

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22 November 2022

APPENDIX 1 - BROUGHTY FERRY, DUNDEE AND NATIONAL ACTIONS

Broughty Ferry Specific Actions

Location	Action	General Description	Description
Broughty Ferry	Flood scheme or works implementation	The (coastal) flood scheme/works is to be built following agreement of the design, costs and timescales.	The Broughty Ferry (coastal) Flood Protection Scheme was completed in June 2022. The impact of climate change should be further considered and information developed should form the basis of an adaption plan.
Broughty Ferry	Flood defence maintenance	The existing (coastal) flood defences are to be maintained by the asset owner to ensure they are in good condition.	Following completion of the Broughty Ferry (coastal) Flood Protection scheme, Dundee City Council should start the scheme inspection and maintenance programme. The maintenance programme for the five year period after completion should include monitoring and repair/repositioning/raising of the Broughty Ferry sand dune fencing as required, an annual assessment of the sand dunes, as well as specific site monitoring visits after any storm which is likely to have damaged the dunes. Any remedial work to the sand dunes identified from the annual assessments should be delivered during the early winter, and any damage identified after storms should be repaired as quickly as possible. After a five year period from construction, as well as site monitoring visits following storms, twice yearly monitoring and topographical survey of the dunes should be undertaken and kept under review to ensure the provision of effective flood protection.
Broughty Ferry	Flood scheme or works design	The selected preferred approach for managing river flood risk (primarily from the Dighty and Fithie Burn) is to be designed following the completion of the river flood study, including consideration of the long-term impacts of climate change. These can include small scale works or works to improve catchment management. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	A river flood protection study, focussing on the Dighty and Fithie Burns, was carried out and recommended a river flood scheme to manage flood risk from these river sources. The scheme would provide a 1 in 200 year flood (0.5% annual exceedance probability) standard of protection and would include flood storage, flood walls, embankments and flood resilience measures. The delivery of this action is subject to funding being made available. It is recommended that Angus Council and Dundee City Council jointly progress the preferred option to outline design and detailed design. Additional consideration should be given to natural flood management. The impact of climate change should also be further considered which should form the basis for development of an adaptation plan. In accordance with the flood risk management plan, as part of the scheme or works, the responsible authority should aim to ensure the action will not have an adverse effect on the integrity of the Firth of Tay and Eden Estuary Special Protection Area, Special Area of Conservation and Ramsar Site and the Outer Firth of Forth and St Andrews Bay Complex Special Protection Area.

Location	Action	General Description	Description
Broughty Ferry	Flood scheme or works implementation	The (river) flood scheme/works, primarily associated with the Dighty and Fithie Burn is to be built following agreement of the design, costs and timescales.	The responsible authority proposes this action as the best option for managing river flood risk (primarily from the Dighty and Fithie Burn) in this community. The delivery of this action is subject to funding being made available. Dundee City Council and Angus Council should jointly progress the proposed river flood scheme to construction based on the detailed design. The impact of climate change should be further considered. As built drawings should be made available to SEPA, for consideration in the Scottish Flood Defence Asset Database, flood map updates and flood warning scheme updates.
Broughty Ferry	Sewer flood risk assessment	The volume of water that would overwhelm the sewer system and cause flooding from man-holes or inside our homes is to be assessed, to support understanding of the performance of the urban drainage network	Scottish Water will carry out an assessment of sewer flood risk within the highest priority sewer catchments, which includes Hatton sewer catchment in this target area. This will help to improve knowledge and understanding of potential surface water flood risk. Funding for this action is secured through Scottish Water's strategic planning commitments.
Broughty Ferry	Surface water management plan	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system are to be identified. These priority areas will provide a baseline for the identification of next steps in managing water ponding or over-whelmed drainage systems. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	The surface water management plan should be completed as planned, based on the findings of the integrated catchment study, and updated as required. Dundee City Council and Scottish Water should jointly develop surface water drainage strategies in appropriate areas as part of surface water management planning. Current and long term flood risk should be considered and how the area will adapt to changes in flood risk in the future.
Broughty Ferry	Community engagement	Community engagement is to continue to be carried out in the area by the responsible authorities to raise awareness of flood risk.	Community engagement and awareness raising should be carried out based on the development of the river and coastal flood protection schemes, surface water management plan, and any surface water drainage strategies being developed jointly by Dundee City Council and Scottish Water.
Broughty Ferry	Land use planning	Planning authority should ensure that their development plan and planning decision-making supports delivery of sustainable flood management.	Dundee City Council should ensure that their development plan supports the management and protection of existing natural features that have the potential to contribute to managing flood risk. Dundee City Council should agree how the protection, management and maintenance of sand dunes and the beach in coastal area of Broughty Ferry can be protected through the local development planning process.

Location	Action	General Description	Description
Broughty Ferry	Flood warning maintenance	The Floodline flood warning service is to be kept operational through maintenance to the existing system and updates being undertaken as required.	SEPA should maintain the Firth of Forth and Tay coastal flood warning scheme. The scheme should be investigated for improvement and/or recalibration.

Dundee Specific Actions

Location	Action	General Description	Description
Dundee	Flood scheme or works design	The selected preferred approach for managing (coastal) flood risk is to be designed following the completion of the flood study, including consideration of the long-term impacts of climate change. These can include small scale works or works to improve catchment management. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	Phase 2 of the Dundee (coastal) Flood Protection Scheme includes Dundee City Quay, Docks and Airport. The scheme includes set-back flood walls, a replacement lock gate at the Docks and a revetment at the Airport, and will provide protection against a 1 in 200 year flood (0.5% annual exceedance probability). The delivery of this action is subject to funding being made available. The scheme should progress to detailed design. The impact of climate change should be further considered and information developed should form the basis for development of an adaptation plan. In accordance with the flood risk management plan, as part of the scheme or works, the responsible authority should aim to ensure the action will not have an adverse effect on the integrity of the Firth of Tay and Eden Estuary Special Protection Area, Special Area of Conservation and Ramsar Site and the Outer Firth of Forth and St Andrews Bay Complex Special Protection Area.
Dundee	Flood scheme or works implementation	The (coastal) flood scheme/works is to be built following agreement of the design, costs and timescales.	The responsible authority proposes this action as the best option for managing coastal flood risk in this community. The delivery of this action is subject to funding being made available. Dundee City Council should progress the phase 2 of the Dundee (coastal) Flood Protection Scheme which includes Dundee City Quay, Docks and Airport. As built drawings should be made available to SEPA, for consideration in the Scottish Flood Defence Asset Database, flood map updates and flood warning scheme updates. The impact of climate change should be further considered and information developed should form the basis for development of an adaptation plan.
Dundee	Flood defence maintenance	The existing flood defences are to be maintained by the asset owner to ensure they are in good condition.	Dundee City Council should continue to maintain the Dundee (coastal) Flood Protection Scheme by undertaking programmed and reactive maintenance.
Dundee	Flood scheme or works design	The selected preferred approach for managing river flood risk (primarily from the Dighty) is to be designed following the completion of the	A river flood protection study, focussing on the Dighty, was carried out at this location that recommended a river flood scheme. The scheme would provide a 1 in 200 year flood (0.5% annual exceedance probability)

Location	Action	General Description	Description
		river flood study, including consideration of the long-term impacts of climate change. These can include small scale works or works to improve catchment management. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	standard of protection and would include flood storage, flood walls and embankments and flood resilience measures. The delivery of this action is subject to funding being made available. It is recommended that Angus Council and Dundee City Council jointly progress the preferred option to outline design and detailed design. Additional consideration should be given to natural flood management. The impact of climate change should also be further considered which should form the basis for development of an adaptation plan. In accordance with the flood risk management plan, as part of the scheme or works, the responsible authority should aim to ensure the action will not have an adverse effect on the integrity of the Firth of Tay and Eden Estuary Special Protection Area, Special Area of Conservation and Ramsar Site and the Outer Firth of Forth and St Andrews Bay Complex Special Protection Area.
Dundee	Flood scheme or works implementation	The (river) flood scheme/works, primarily associated with the Dighty, is to be built following agreement of the design, costs and timescales.	The responsible authority proposes this action as the best option for managing river flood risk (primarily from the Dighty and Fithie Burn) in this community. The delivery of this action is subject to funding being made available. Dundee City Council and Angus Council should jointly progress the proposed river flood scheme to construction based on the detailed design. The impact of climate change should be further considered and information developed should form the basis for development of an adaptation plan. As built drawings should be made available to SEPA, for consideration in the Scottish Flood Defence Asset Database, flood map updates and flood warning scheme updates.
Dundee	Flood scheme or works design	The selected preferred approach for managing flood risk is to be designed following the completion of the flood study, including consideration of the long-term impacts of climate change. These can include small scale works or works to improve catchment management. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	The joint integrated catchment study between Scottish Water and Dundee City Council to consider potential options to reduce surface water and sewer flooding has identified high level preferred options. Supplementary investigation or survey work is required to verify some assumptions made during the optioneering stage of the study and design of the preferred options is to be developed. Design of the preferred options is to be developed through a partnership working arrangement. In accordance with the flood risk management plan, as part of the scheme or works, the responsible authority should aim to ensure the action will not have an adverse effect on the integrity of the Firth of Tay and Eden Estuary Special Protection Area, Special Area of Conservation and Ramsar Site and the Outer Firth of Forth and St Andrews Bay Complex Special Protection Area.

Location	Action	General Description	Description
Dundee	Sewer flood risk assessment	The volume of water that would overwhelm the sewer system and cause flooding from man-holes or inside our homes is to be assessed, to support understanding of the performance of the urban drainage network	Scottish Water will carry out an assessment of sewer flood risk within the highest priority sewer catchments, which includes Hatton sewer catchment in this target area. This will help to improve knowledge and understanding of potential surface water flood risk. Funding for this action is secured through Scottish Water's strategic planning commitments.
Dundee	Surface water management plan	Areas at risk of heavy or prolonged rainfall causing flooding due to water ponding on man-made surfaces or overwhelming the drainage system are to be identified. These priority areas will provide a baseline for the identification of next steps in managing water ponding or over-whelmed drainage systems. This should guide adaptive planning to allow for the impacts of climate change to be monitored, understood and managed.	The surface water management plan should be completed as planned, based on the findings of the integrated catchment study, and updated in future as required. Dundee City Council and Scottish Water should jointly develop surface water drainage strategies in appropriate areas as part of surface water management planning. Current and long term flood risk should be considered and how the area will adapt to changes in flood risk due to climate change.
Dundee	Community engagement	Community engagement is to continue to be carried out in the area by the responsible authorities to raise awareness of flood risk.	Community engagement and awareness raising should be carried out based on the outcomes of the river and coastal flood scheme development, surface water management plan and surface water drainage strategies being developed jointly by Dundee City Council and Scottish Water.
Dundee	Flood warning maintenance	The Floodline flood warning service is to be kept operational through maintenance to the existing system and updates being undertaken as required.	SEPA should maintain the Firth of Forth and Tay coastal flood warning scheme. The scheme should be investigated for improvement and/or recalibration.
Dundee	Strategic mapping improvements	SEPA will continue to update flood maps based on new information.	SEPA will be undertaking a review of coastal flood modelling in this target area to identify where it may be appropriate to include the impact of waves on coastal flooding. We will progress with improved flood modelling and mapping in the highest priority areas taking account of availability of data to support the modelling work.

National Actions

National Action	Description published in SEPA's Cycle 2 Flood Risk Management Plan
Awareness raising	SEPA, the responsible authorities and other organisations such as the Scottish Flood Forum work together through national and local initiatives to help communities understand the risk of flooding and what actions individuals can take. Improved awareness of flood risk and actions that prepare individuals, homes and businesses for flooding can reduce the overall impact of flooding. Local authorities undertake additional awareness raising activities when developing any specific project proposals and will engage with community resilience groups and local communities. Scottish Flood Forum support flood risk communities by raising community awareness, promoting self-help, developing community groups and establish a recovery support programme after a flood.

National Action	Description published in SEPA's Cycle 2 Flood Risk Management Plan
Data to support climate resilience	As Scotland's hydrometric authority, SEPA operates a network of stations to measure river level, flow, rainfall, sea level, loch and groundwater level. The data goes into a long term data archive and is critical to underpin all flood risk management activities including flood warning, flood mapping, design of flood protection and sustainable development as well as supporting a range of regulatory and recreational uses. SEPA will continue to maintain and develop its hydrometric network, contribute to UK and international data archives, and improve and update the datasets used for flood frequency analysis. SEPA will support research and development of data, methods and guidance to improve the evidence on which decisions can be made, and to enable the impact of climate change to be included in all flood risk management activities.
Emergency plans	Many organisations, including local authorities, the emergency services and SEPA provide an emergency response to flooding. Emergency plans are prepared and maintained under the Civil Contingencies Act 2004 by Category 1 and 2 Responders and are coordinated through regional and local resilience partnerships, often supported by voluntary organisations. They set out the steps to be taken to maximise safety and minimise impacts during flooding. Emergency plans may also be prepared by individuals, businesses, organisations or communities. Scottish Water is a Category 2 responder under the Civil Contingencies Act 2004 and will support regional and local resilience partnerships as required.
Flood forecasting	The Scottish Flood Forecasting Service is a partnership between SEPA and the Met Office. The service continues to produce a daily, national flood guidance statement, issued to emergency responders, local authorities, and other organisations with flood risk management duties. As the flood warning authority for Scotland SEPA continues to provide its flood warning service issuing flood alerts and warnings when required, giving people a better chance of reducing the impact of flooding on their home or business.
Flood warning development framework	SEPA will publish a new flood warning development framework by March 2022, which will detail its ambitions and strategic actions to maintain and improve our flood warning service across Scotland. SEPA will continue to develop the Scottish Flood Forecast, a 3 day forecast of flood risk across Scotland and bring together all live information such as flood warnings, river levels and rainfall data into a central hub easily accessible for the public. Working in close partnership with the Met Office through the Scottish Flood Forecasting Service, SEPA will develop its capability in surface water flooding forecasting, focusing initially on the transport sector to support climate-ready infrastructure. SEPA will also undertake a prioritised improvement programme of existing river and coastal flood warning schemes to provide more accurate forecast with improved lead time.
Guidance development	The Scottish Government and SEPA will develop and update guidance to inform flood risk management projects. This guidance will be produced in 2022 and will look at how best to adapt to the long-term impacts of climate change and the most appropriate methods of assessing the benefits of flood risk management actions. Technical guidance to support flood risk management partners will be reviewed and updated by SEPA where required. Scottish Forestry, in collaboration with its UK counterparts, will produce guidance on designing and managing forests to reduce flood risk. Guidance will be developed to help local authorities understand the requirements for mapping relevant bodies of water and sustainable urban drainage systems in their areas.
Hazard mapping updates	An understanding of flooding is essential to develop a plan led risk-based approach to flood risk management. SEPA will continue to update their national hazard mapping, which shows the likelihood of flooding in Scotland from different flooding sources: https://www.sepa.org.uk/environment/water/flooding/flood-maps/. SEPA will continue to develop the hazard mapping viewer to make it easier for the public, partners and stakeholders to access data on the likelihood of flooding.

National Action	Description published in SEPA's Cycle 2 Flood Risk Management Plan
Land use planning	Local authorities, SEPA and Scottish Water all have a responsibility under the Flood Risk Management (Scotland) Act 2009 to support sustainable flood risk management through the land use planning process. National planning policies set out the Scottish Ministers' priorities for the development and use of land. Under this approach, new development in areas with medium to high likelihood of flooding should generally be avoided. Current national planning policies aim to restrict development within the floodplain and limit exposure of new receptors to flood risk, promote flood reduction via natural and structural flood management measures and restoration of natural features, and avoid increased surface water flooding through sustainable drainage and the minimisation of impermeable surfaces. Locally determined planning policies may place further requirements within their area of operation to restrict inappropriate development and prevent unacceptable risk.
Maintenance	Local authorities have a duty to assess bodies of water and to carry out clearance and repair works where such works would substantially reduce flood risk. Local authorities are also responsible for the drainage of roads. In addition, local authorities may also be responsible for maintenance of any existing flood protection schemes or works. Scottish Water will continue to undertake risk-based inspection, maintenance and repair on the public sewer network. Asset owners and riparian landowners are responsible for the maintenance and management of their own assets including those which help to reduce flood risk.
Natural flood management mapping	SEPA will continue to support activities that improve our understanding of how to effectively target and deliver natural flood management. As part of this, SEPA will review and update the opportunities mapping for natural flood management. This will include linking blue-green infrastructure with the surrounding natural catchment and coastline. Natural flood management seeks to store or slow down flood waters through measures such as the planting of woodlands, wetland creation, river restoration, or the creation of intertidal habitats. In addition to flooding benefits, natural flood management measures can also provide many additional benefits to biodiversity, water quality, recreation, and carbon storage.
National flood risk assessment	Understanding the future impacts of climate change remains a central theme of SEPA's flood risk management activity. SEPA will use the latest UK information on climate change to support an improved understanding of the changes in flood risk across the 21st century. SEPA will use the most suitable data to develop the national flood risk assessment (NFRA) 2024. This assessment will be used to identify future potentially vulnerable areas.
National surface water mapping	The national flood risk assessment 2018 identified that surface water flooding has the potential to impact more properties in Scotland than any other source of flooding. Over the next 6 year cycle SEPA will look to vastly improve its national understanding of surface flood risk by undertaking a wholescale update of the national surface water maps to reflect developments in data and understanding, including the impact of climate change.
Reservoirs	SEPA will continue to develop its assessment of flood risk from dam failure and use these assessments to direct a proportionate regulatory approach to ensure reservoir safety. Over the next management cycle we will implement further developments of our flood warning capabilities in the unlikely event of reservoir failure.
Scottish Flood Defence Asset Database	The Scottish Flood Defence Asset Database provides information on existing flood protection schemes. National data on flood protection infrastructure is needed to understand flood risk and to develop adaptation planning for Scotland. SEPA will continue to host SFDAD and look for opportunities to support the development of our understanding of how and when Scotland's flood defence assets should be adapted to continue to maintain protection from flooding in the future.

National Action	Description published in SEPA's Cycle 2 Flood Risk Management Plan
Self help	Everyone is responsible for protecting themselves and their property from flooding. People can take steps to reduce damage and disruption to their homes and businesses should flooding happen. This includes preparing a flood plan and flood kit, installing property flood resilience measures, signing up to Floodline, engaging with their local flood group, and ensuring that properties and businesses are insured against flood damage. The following places offer help with taking steps to protect yourself: https://www.floodre.co.uk/ https://www.biba.org.uk/current-issues/flood-insurance/ https://floodlinescotland.org.uk/ https://scottishfloodforum.org/ Responsible authorities and SEPA will continue to develop the understanding of flood risk to communities and promote measures to help individuals and businesses to reduce their risk.
Future flood risk management planning	The years covered by the lifetime of this plan are crucial. Radical progress is needed in how we reduce our impact on the climate and respond to the effects of climate change. How we plan to manage flooding to our communities is on the front line of the challenges of this decade. The 2027 flood risk management plans will be more ambitious than ever before. We will plan for a better future by publishing our flooding services strategy in 2022 with a clear and measurable delivery plan. We will put greener, fairer communities at the heart of our ambitions. SEPA has set its own target to be a regenerative organisation by 2030 and the next set of plans will further this ambition. During this plan cycle, SEPA will work to develop new partnerships with a wider range of stakeholders, including businesses and commercial sectors. We will investigate alternative sources of finance to tackle flooding and drive forward practical options for adaptation.