

ITEM No ...4.....

REPORT TO: CITY DEVELOPMENT COMMITTEE – 10 MAY 2021

REPORT ON: FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009 – CYCLE 1 UPDATE AND CYCLE 2 CONSULTATION

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 138-2021

1 PURPOSE OF REPORT

- 1.1 To update Committee on the status of ongoing actions contained in the 2016 Tay Estuary and Montrose Basin (TEAMB) Local Flood Risk Management Plan (Cycle 1, 2016-2022) and to advise Committee of the progress towards the flood risk management Cycle 2 production of SEPA's 2021 TEAMB Flood Risk Management Strategy (2021-2027) and the 2022 TEAMB Local Flood Risk Management Plan (2022-2028) to be delivered in fulfilment of the requirements of the Flood Risk Management (Scotland) Act 2009.

2 RECOMMENDATION

- 2.1 It is recommended that Committee:
- a notes the progress being made towards the Cycle 1 actions for the Tay Estuary and Montrose Basin Local Plan District covering the Dundee City Council area;
 - b notes the progress being made towards production of the Cycle 2 Flood Risk Management Strategy and Local Flood Risk Management Plan for the Tay Estuary and Montrose Basin Local Plan District; and
 - c approves the draft actions proposed for the Cycle 2 Tay Estuary and Montrose Basin Flood Risk Management Strategy and Local Flood Risk Management Plan which relate to the two Objective Target Areas (OTA's) within the Dundee City Council area and which are programmed to be published for consultation in the summer of 2021.

3 FINANCIAL IMPLICATIONS

- 3.1 At this time financial implications are limited to staff costs which are contained within the finance made available by Scottish Government for Local Authorities to meet their statutory responsibilities under the Flood Risk Management (Scotland) Act 2009.
- 3.2 The delivery of Flood Schemes or Works related actions in Cycle 2 are dependent on the allocation of Scottish Government funding which is still to be confirmed through an ongoing national prioritisation process. Concerns associated with the inclusion of potential actions in draft Flood Risk Management Strategies and Local Flood Risk Management Plans without certainty of future funding allocations have been recognised by the Scottish Government and it has been confirmed that including potential actions in the Strategies and Plans does not commit a Local Authority to implementation.

4 BACKGROUND

- 4.1 The Flood Risk Management (Scotland) Act 2009 places duties on SEPA, and other responsible authorities to manage flooding in a sustainable manner. The responsible authorities are Scottish Water, Local Authorities and any other public bodies and office holders designated as such under the Flood Risk Management (Scotland) Act 2009.

- 4.2 SEPA are required to prepare Flood Risk Management strategies for each Local Plan District. There are 14 Local Plan Districts in Scotland and Dundee is contained within the Tay Estuary and Montrose Basin Local Plan District.
- 4.3 Lead Local Authorities working in Partnership with Scottish Ministers, SEPA, Scottish Water and other Local Authorities, are required to produce a Local Flood Risk Management Plan which develops the strategies prepared by SEPA into a list of actions to reduce flood risk within the relevant Local Plan District. Angus Council as Lead Local Authority for the Tayside and Montrose Basin (TEAMB) Local Plan District is responsible for publishing the Local Flood Risk Management Plan which covers the Dundee City Council area.

5 CYCLE 1 LOCAL FLOOD RISK MANAGEMENT PLAN (2016-2022) UPDATES

- 5.1 Since June 2016, Dundee City Council have been implementing the Actions identified in the 2016 Tay Estuary and Montrose Basin Local Flood Risk Management Plan (2016-2022) which was reported to the 23 February 2015 City Development Committee (Article XIV of the minute of meeting of this Committee of 23 February 2015 refers) and 28 March 2016 City Development Committee (Article VI of the minute of meeting of this Committee of 28 March 2016 refers). The Plan can be viewed at:

https://www.angus.gov.uk/media/tay_estuary_and_montrose_basin_local_flood_risk_management_plan.

An interim report on the progress made in delivering the actions contained in the Plan was published by Angus Council as lead Local Authority on 24 May 2019 and can be viewed at:

https://www.angus.gov.uk/media/interim_report_on_the_tay_estuary_and_montrose_basin_local_flood_risk_management_plan.

- 5.2 Appendix A provides an update on the current status of the Cycle 1 Actions for the “Downfield and Dundee/Monifieth and Sidlaws” and “Dundee and Broughty Ferry” Potentially Vulnerable Areas (PVA's) 07/11 and 07/13 respectively.

6 CURRENT SITUATION

- 6.1 SEPA published their six yearly National Flood Risk Assessment for the flood risk management Cycle 2 in 2018. This is a high level analysis of potential economic, social and environmental impacts which could result from flooding in Scotland. The National Flood Risk Assessment identified locations with the greatest flood risk which have been designated as Potentially Vulnerable Areas (PVAs). The 2018 National Flood Risk Assessment has refined the Potentially Vulnerable Area boundary in the Dundee area to create a single PVA (02/07/09) covering Dundee, Broughty Ferry and Invergowrie instead of three separate PVAs (07/11, 07/12, and 07/13) used to cover these areas in the Cycle 1 National Flood Risk Assessment.
- 6.2 To assist with the preparation of the Cycle 2 Flood Risk Management Strategies, SEPA have split Potentially Vulnerable Areas into Objective Target Areas (OTA's) to provide a greater focus on specific objectives and actions for each of these areas. For the Dundee City Council area, “Dundee” and “Broughty Ferry” Objective Target Areas have been created.
- 6.3 In consultation with the City Engineers, SEPA have developed draft objectives and actions for the “Dundee” and “Broughty Ferry” Objective Target Areas for inclusion in the Cycle 2 Tay Estuary and Montrose Basin Flood Risk Management Strategy and which may feature in the Local Flood Risk Management Plan. The objectives and actions are attached as an appendix B to this report and are to be published as part of a joint SEPA and Lead Local Authority consultation exercise in the summer of 2021.

- 6.4 The final objectives and actions will be informed by the consultation exercise. SEPA will publish the Flood Risk Management Strategy in December 2021 and the proposed actions to be included in the Cycle 2 Tay Estuary and Montrose Basin Local Flood Risk Management Plan will be submitted for committee approval prior to publication in June 2022.

7 CONSULTATION

- 7.1 The joint SEPA and Lead Local Authority Flood Risk Management Strategies and Local Flood Risk Management Plans consultation exercise is being completed in two phases. Phase 1 of the consultation opened on 21 December 2020 with draft information for the Flood Risk Management Strategies available for review. This consists of background information for Local Plan Districts and Potentially Vulnerable Areas (PVAs) and identifies localised target areas.

- 7.2 In phase two of the consultation, draft information for the Flood Risk Management Strategies and Local Flood Risk Management Plans will be available with consultation questions. The phase 2 consultation was originally due to open on 31 March 2021. However as a result of a significant cyber-attack on SEPA this was not possible with the phase 2 consultation opening date still to be confirmed and the phase 1 consultation also being extended.

- 7.3 As a result of the delay caused by the SEPA cyber-attack, the Scottish Government issued a Direction which extends the deadline by which Lead Local Authorities must publish a draft of the supplementary part of a local flood risk management plan by 31 July 2021.

- 7.4 Consultation information will be presented in a way which is easy to understand. This includes the following draft information:

Phase 1:

- Flood Risk Management Strategies for each Local Plan District. These outline summaries at Local Plan District and PVA level. Target areas are listed under each PVA.

Phase 2:

- In addition to Phase 1 content, each of the 14 Flood Risk Management Strategies present greater detail for target areas within PVAs. This includes flood risk management objectives and actions.
- The supplementary part of the Local Flood Risk Management Plans for each Local Plan District.
- The Strategic Environmental Assessment.

- 7.5 The consultation will be for anyone who has an interest in how flooding is to be tackled in Scotland and how flooding impacts on Scotland's communities. In particular, the consultation will be of interest to:

- Members of the public;
- Local authorities and other responsible authorities under the FRM Act;
- Scottish Government;
- Emergency Responders;
- Flood and resilience community groups;
- Environmental organisations, such as NatureScot and Historic Environment Scotland;

- Transport organisations;
- Business and industry; and
- Health bodies, such as the NHS.

8 POLICY IMPLICATIONS

8.1 This report has been subject to an assessment of any impacts on Equality and Diversity, Fairness and Poverty, Environment and Corporate Risk. There are no major issues.

9 CONSULTATIONS

9.1 The Council Management Team were consulted in the preparation of this report.

10 BACKGROUND PAPERS

10.1 None.

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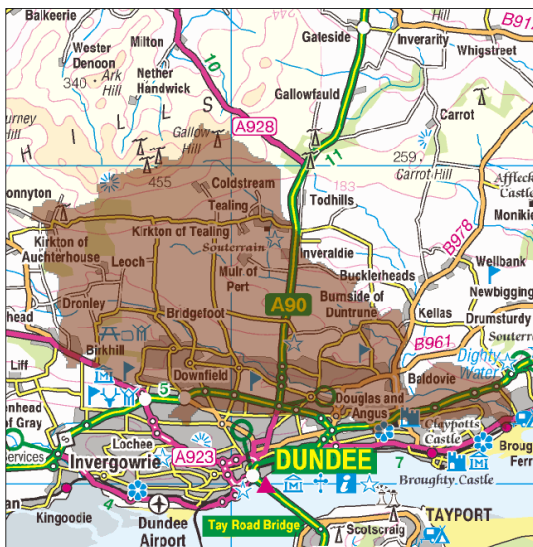
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8 April 2021

APPENDIX A

DOWNFIELD AND DUNDEE/MONIFIETH AND SIDLAWS (POTENTIALLY VULNERABLE AREA 07/11)

Summary of Cycle 1 Action Progress Within PVA



Further information on the actions for this PVA can be found in the [Tay Estuary and Montrose Basin \(TEAMB\) Local Flood Risk Management Plan](#).

Key progress has been made with the completion of the flood protection study for the area. Scottish Water have completed detailed integrated catchment modelling which provides an in-depth picture of flooding within the catchment.

Mapping and modelling has also been undertaken to progress the development of a surface water management plan for this PVA.

SEPA have also made progress on strategic mapping and modelling in order to improve the existing flood maps for the area.

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A summary of the assessment of progress is shown using a traffic light system, where each item is marked as Red, Amber or Green (RAG) and where:

- **GREEN** – action has been/is being delivered and is on programme and within budget;
- **AMBER** – action is behind programme, but the action is still anticipated to be achieved in Cycle 1.
- **RED** – action is behind programme and/or over budget, with key dates unlikely to be met in Cycle 1 and/or the outputs unlikely to achieve what was anticipated by the LFRMP.

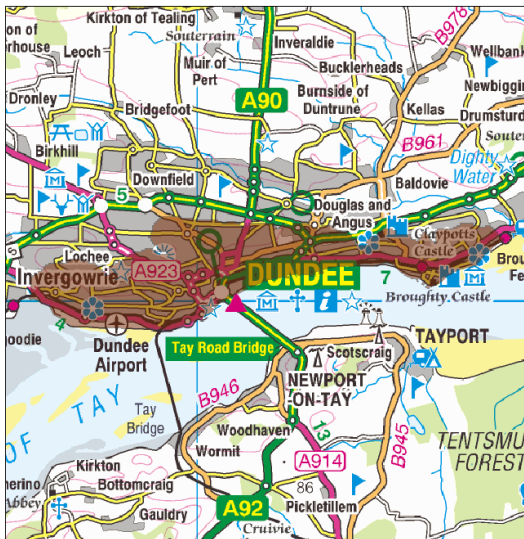
Overview of actions to manage flooding in the Downfield and Dundee/Monifieth and Sidlaws Potentially Vulnerable Area (PVA)

PVA	Flood protections scheme/works	Natural flood management works	New flood warning	Flood protection study	Natural flood management study	Surface water plan/study				Strategic mapping and modelling	Maintain flood protection scheme*	Maintain flood warning	Flood forecasting	Property level protection scheme	Community flood action groups	Self help	Awareness raising	Maintenance	Site protection plans	Emergency plans/response	Planning policies
07/11	N/A	N/A	N/A		N/A	LA	SW	SW	SEPA	N/A	N/A		N/A						N/A		

LA = Local Authority Action, SW = Scottish Water Action, SEPA = Scottish Environment Protection Agency Action.

DUNDEE AND BROUGHTY FERRY (POTENTIALLY VULNERABLE AREA 07/13)

Summary of Cycle 1 Action Progress Within PVA



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Further information on the actions for this PVA can be found in the [Tay Estuary and Montrose Basin \(TEAMB\) Local Flood Risk Management Plan](#).

Key progress has been made with completion of the Dundee Flood Protection Scheme (City Quay to Dundee Airport) in August 2018 and the Broughty Ferry Flood Protection Scheme is programmed for completion by May 2022. Scottish Water have completed detailed integrated catchment modelling which provides an in-depth picture of flooding within the catchment.

Mapping and modelling has also been undertaken to progress the development of a surface water management plan for this PVA.

SEPA have also made progress on strategic mapping and modelling in order to improve the existing flood maps for the area.

A summary of the assessment of progress is shown using a traffic light system, where each item is marked as Red, Amber or Green (RAG) and where:

- **GREEN** – action has been/is being delivered and is on programme and within budget;
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Overview of actions to manage flooding in the Dundee and Broughty Ferry Potentially Vulnerable Area (PVA)

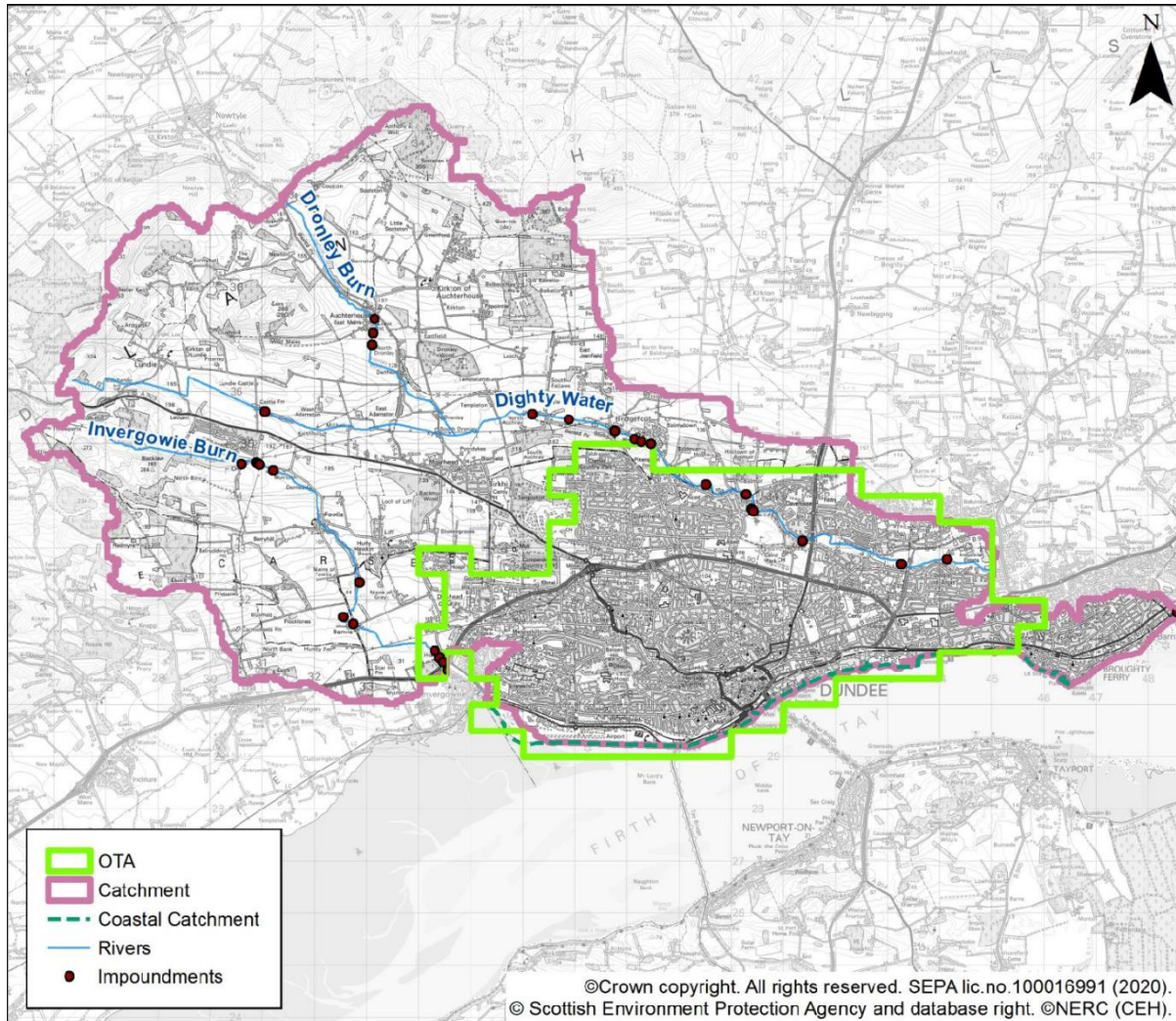
PVA	Flood protections scheme/works		Natural flood management works	New flood warning	Flood protection study	Natural flood management study	Surface water plan/study		Strategic mapping and modelling	Maintain flood protection scheme*	Maintain flood warning	Flood forecasting	Property level protection	Community flood action groups	Self help	Awareness	Maintenance	Site protection plans	Emergency plans/ response	Planning policies
	D	BF					LA	SW												
07/13	D	BF	N/A	N/A	N/A	N/A	LA	SW	SW	SEPA			N/A	N/A				N/A		

LA = Local Authority Action, SW = Scottish Water Action, SEPA = Scottish Environment Protection Agency Action, D = Dundee, BF = Broughty Ferry.

APPENDIX B

DUNDEE OBJECTIVE TARGET AREA (OTA) 270

Details of the Dundee Objective Target Area and associated proposed actions summary table are provided below:



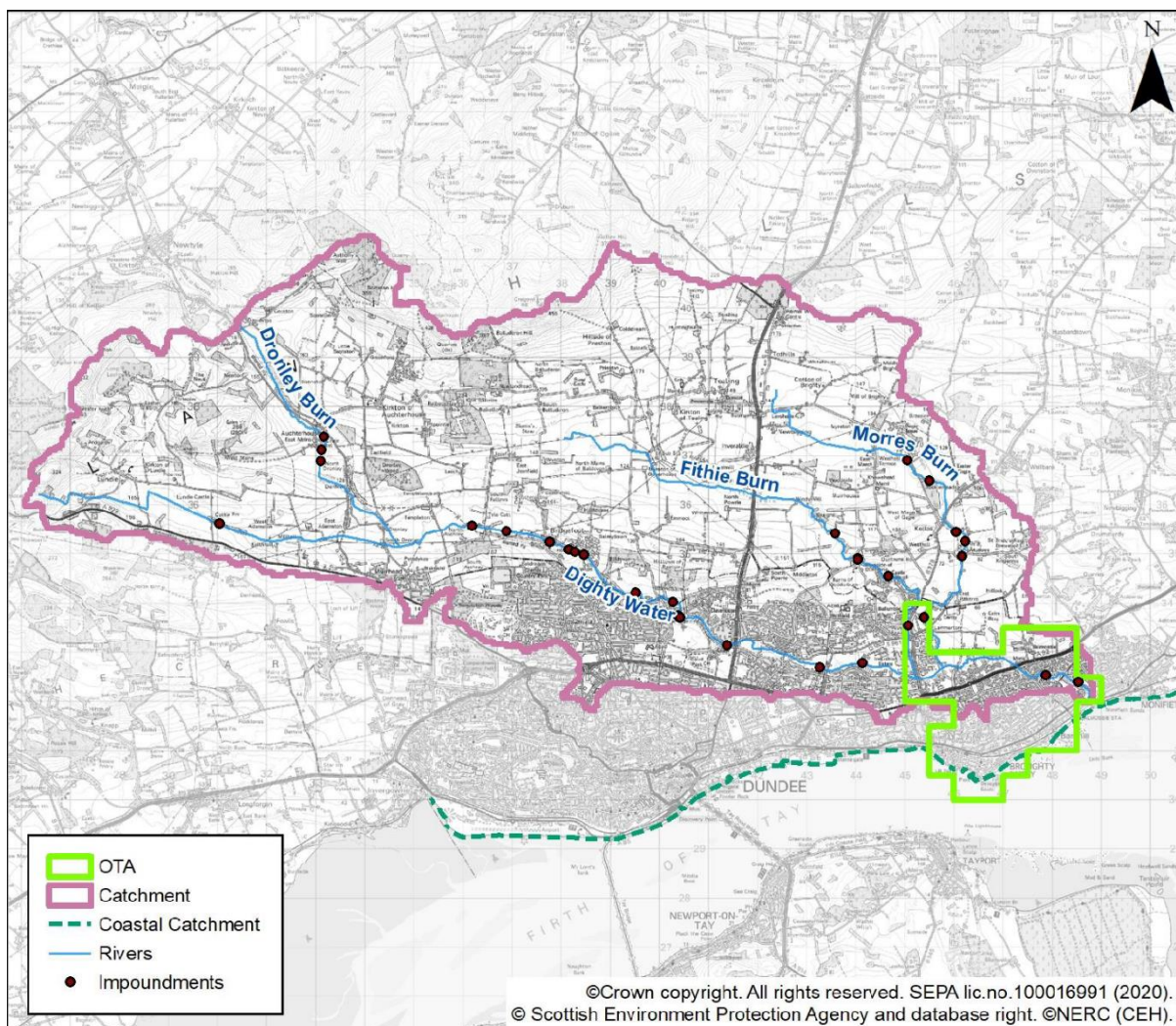
PVA Ref Number	OTA Ref	Location	Proposed Action	Description
02/07/09	270	Dundee	Coastal Flood scheme or works design.	The selected preferred approach for managing flood risk is to be designed following the completion of the flood study, including consideration of the long-term impacts of climate change. 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.

PVA Ref Number	OTA Ref	Location	Proposed Action	Description
02/07/09	270	Dundee	Coastal Flood scheme or works implementation.	The flood scheme/works is to be built following agreement of the design, costs and timescales.
02/07/09	270	Dundee	Fluvial 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.
02/07/09	270	Dundee	Fluvial Flood scheme or works implementation.	The flood scheme/works is to be built following agreement of the design, costs and timescales.
02/07/09	270	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.
02/07/09	270	Dundee	Integrated catchment study.	Interactions between flood water in rivers, surface water drainage and sewer systems are to be considered, and ways to reduce the risk of this causing flooding in the future are to be identified.
02/07/09	270	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.

PVA Ref Number	OTA Ref	Location	Proposed Action	Description
02/07/09	270	Dundee	Flood defence maintenance.	The existing flood defences are to be maintained by the asset owner to ensure they are in good condition.

BROUGHTY FERRY OBJECTIVE TARGET AREA (OTA) 269

Details of the Broughty Ferry Objective Target Area and associated proposed actions summary table are provided below:



PVA Ref Number	OTA Ref	Location	Proposed Action	Description
02/07/09	269	Broughty Ferry	Flood scheme or works implementation.	The flood scheme/works is to be built following agreement of the design, costs and timescales.
02/07/09	269	Broughty Ferry	Fluvial Flood scheme or works design.	The selected preferred approach for managing flood

PVA Ref Number	OTA Ref	Location	Proposed Action	Description
				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.
02/07/09	269	Broughty Ferry	Fluvial Flood scheme or works implementation.	The flood scheme/works is to be built following agreement of the design, costs and timescales.
02/07/09	269	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.
02/07/09	269	Broughty Ferry	Integrated catchment study.	Interactions between flood water in rivers, surface water drainage and sewer systems are to be considered, and ways to reduce the risk of this causing flooding in the future are to be identified.
02/07/09	269	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.
02/07/09	269	Broughty Ferry	Flood defence maintenance.	The existing flood defences are to be maintained by the asset owner to ensure they are in good condition.
02/07/09	269	Broughty Ferry	Land use planning.	Planning authority should ensure that their development plan and planning decision-

PVA Ref Number	OTA Ref	Location	Proposed Action	Description
				making supports delivery of sustainable flood management, with particular emphasis on the Broughty Ferry Sand Dunes.

DUNDEE CITY COUNCIL WIDE ACTIONS

Details of the Dundee City Council area-wide actions are provided in the summary table below:

PVA Ref Number	OTA Ref	Location	Proposed Action	Description
02/07/09	270	Dundee and Broughty Ferry	Inspection and maintenance.	Local authorities are to continue to inspect, clear and maintain watercourses in line with their legal obligations.
02/07/09	270	Dundee and Broughty Ferry	Self help.	Everyone is responsible for protecting themselves and their property from flooding. Self help measures are to continue to be promoted by the responsible authorities, including purchase of property flood resilience measures, signing up for Floodline, the Flood Re insurance scheme and preparing a flood kit.
02/07/09	270	Dundee and Broughty Ferry	Emergency plan.	The plan to coordinate responses to emergency incidents between organisations, including local authorities, the emergency services and SEPA, is to be maintained and executed as required.
02/07/09	270	Dundee and Broughty Ferry	Land use planning.	Planning authority should ensure that their development plan and planning decision-making supports delivery of sustainable flood management.
02/07/09	270	Dundee and Broughty Ferry	Flood forecasting.	The Scottish Flood Forecasting Service is to be kept operational by SEPA and the Met Office to provide flood alerts nationally.
02/07/09	270	Dundee and Broughty Ferry	Awareness raising.	SEPA, local authorities and others to help communities understand their flood risk and

PVA Ref Number	OTA Ref	Location	Proposed Action	Description
				the actions they can take to reduce their risk of flooding.