

South Ayrshire Council

**Report by Depute Chief Executive and Director
of Housing, Operations and Development
to Cabinet
of 25 April 2023**

Subject: Ayrshire Flood Risk Management Plan Cycle 2

1. Purpose

- 1.1 The purpose of this report is to advise the Cabinet of the Publication of the Ayrshire Local Flood Risk Management Plans (LFRMP) (Cycle 2) and the section 38 Final Reports (Cycle 1).

2. Recommendations

2.1 It is recommended that the Cabinet:

- 2.1.1 notes the publication of the published format of the Plans and that the actions contained within are as approved in Cabinet report dated 27 April 2021;**
- 2.1.2 considers the potential financial and HR implications of preparing and delivering on the Local Flood Risk Management Plans; and**
- 2.1.3 otherwise, notes the contents of the report.**

3. Background

- 3.1 The Scottish Environment Protection Agency (SEPA) published the Second Ayrshire Flood Risk Management Plan on 22 December 2021 (the '2021 SEPA Plan'). This plan identifies responsible authorities' committed actions to reduce flood risk within Ayrshire over the 6 year Cycle 2 local plan period (2022-2228).
- 3.2 Following publication of the 2021 SEPA Plan, South Ayrshire Council is required to publish the second Ayrshire Local Flood Risk Management Plan LPD 12 by the 31st of December 2022. This date was extended by 6 months from the original publication date by a ministerial direction issued by the Scottish Government.
- 3.3 The second Ayrshire Local Flood Risk Management Plan provides further detail about the actions of the 2021 SEPA Plan and is required to consist of a 'supplementary part' and an 'implementation part'. The 'supplementary part' is a summary of the objectives, measures and other information already contained in the published 2021 SEPA Plan.

- 3.4 The 'implementation part' is required to include a description of how the measures identified for the second local plan period (between 2022-2028) or the third local plan period (between 2028-2034) would be delivered.
- 3.5 The second Ayrshire Local Flood Risk Management Plan must not be inconsistent with anything in the published the 2021 SEPA Plan.
- 3.6 Future Local Flood Risk Management Plans may be subject to ongoing format development, an online interactive digital format of the plan may be available at a later date, but would not change any content.

4. Proposals

Cycle 2 Planned Actions Ayrshire LFRMP

Studies : South Ayrshire Council Area

These studies are actions detailed in the Scottish Environment Protection Agency (SEPA) Second Ayrshire Flood Risk Management Plan published on the 22 December 2021 and included in the Second Local Ayrshire Flood Risk Management Plan which both cover the 2nd Cycle time period between 2022-2028. The plan is intended to reduce flood risk in Ayrshire. The actions are generally prioritised on the basis of the number of properties identified to be at risk of flooding as detailed in the plans.

- 4.1 Flood Study of the Slaphouse Burn Catchment in Ayr.
- 4.2 Flood Study of the Pow Burn Catchment in Prestwick.
- 4.3 Completion of Troon Coastal Flood Study.
- 4.4 Coastal Flood Study Prestwick.
- 4.5 Coastal Flood Study for Girvan.
- 4.6 Data Collection and Monitoring in Barrhill, Kirkmichael and Straiton to inform future flood studies.
- 4.7 River Doon Flood Study Options Appraisal.

Surface Water Management Plans (SWMP)

The surface water management plans are a follow up to work carried out in the 1st Cycle Local Ayrshire Flood Risk Management Plan.

- 4.8 Ayr, Prestwick and Dundonald (SWMP's). Develop actions and identify works as appropriate in partnership with Scottish Water.

Cycle 2 / Cycle 3 Works : South Ayrshire Council Area (Subject to Funding and Scottish Government Prioritisation)

- 4.9 Girvan Flood Protection Scheme £3M.

Funding is currently not in place for this Flood Scheme. The current Scottish Government funding arrangements for a successful Flood Protection Scheme is on

the basis of 80% Government Funding, with a 20% Local Authority Contribution. The SEPA led national prioritisation process for funding of Flood Schemes is currently ongoing. Indications are that the Girvan Flood Scheme will not be prioritised for funding in Cycle 2.

5. Legal and Procurement Implications

5.1 South Ayrshire Council is required to address the responsibilities to undertake its statutory obligation as identified in the Flood Risk Management (Scotland) Act 2009.

5.2 Any procurement will be carried out in accordance with East Ayrshire Council Standing Orders as this work will be progressed by the Ayrshire Roads Alliance.

6 Financial Implications

6.1 Capital funding has been approved of £64,000 per year from 2021 – 2027 to fund the completion of the objectives and actions detailed in the Cycle 1 Ayrshire Flood Risk Management Plan and to undertake the objectives and actions detailed in the Cycle 2 Ayrshire Flood Risk Management Plan. This funding does not include the Girvan Flood Scheme which would require additional Council approval for both concept and funding. The current Scottish Government funding arrangements for a successful Flood Protection Scheme is on the basis of 80% Government Funding, with a 20% Local Authority Contribution. The SEPA led national prioritisation process for funding of Flood Schemes is currently ongoing. Indications are that the Girvan Flood Scheme will not be prioritised for funding in Cycle 2.

7. Human Resources Implications

7.1 There are no immediate human resource implications arising from this report.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

8.1.1 There are no risks associated with adopting the recommendations.

8.2 *Risk Implications of Rejecting the Recommendations*

8.2.1 Rejecting the recommendations of this report will impact on the ability of South Ayrshire Council to fulfil their statutory obligations in accordance with the Flood Risk Management (Scotland) Act 2009 and more importantly the reduction of flood risk to South Ayrshire Council communities.

9. Equalities

9.1 There are no equality implications related to the recommendations in this report. SEPA have undertaken an Equality and Human Rights Impact Assessment in respect of the consultation process.

9.2 Should any proposals be taken forward following the consultation process, impact assessments shall be undertaken at that time.

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10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - SEPA have contacted the Scottish Government Gateway regarding Strategic Environmental Assessment for Flood Risk Management Strategies and it has been determined that the implications for the environment will continue to be monitored because the ongoing implications of the plan are unknown at this stage and will be developed over the coming years. Additionally mitigation has been applied where required to ensure that the plan will not adversely affect the integrity of Special Areas of Conservation and Special Protection Areas.

11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Priority 1 of the Council Plan: Spaces and Places/ Moving around and the environment (Outcome 1).

13. Results of Consultation

- 13.1 An initial consultation on National Plans, objectives and proposed measures was published by SEPA in December 2020. Full consultation on draft flood risk management plans for Cycle 2 (2022 – 2028) was carried out between 31 July and 31 October 2021.
- 13.2 Consultation has taken place with Councillor Bob Pollock, Portfolio Holder for Economic Development, and the contents of this report reflect any feedback provided.

14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Depute Chief Executive and Director of Housing, Operations and Development will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

Implementation	Due date	Managed by
Carry out the various actions detailed in the LFRMP between 2022 -2028	2028	Head of Roads

Background Papers [Report to Leadership Panel of 27 April 2021 – Flood Risk Management \(Scotland\) Act 2009 – Draft Ayrshire Flood Risk Management Plan Cycle 2](#)

**Ayrshire LFRMP Cycle 2; and Section 38 Ayrshire LFRMP
Cycle 1 Final Report: available at Planned Actions section of
[Flooding - Ayrshire Roads Alliance](#)**

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