

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Environmental Services Portfolio Holder 9 August 2011  
**AUTHOR/S:** Executive Director, Operational Services / Corporate Manager, Health and Environmental Services

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### SWAVESEY: COVELL'S DRAIN – STUDY RESULTS AND FUTURE WORKS

#### Purpose

1. To consider and agree improvements to flood protection for the villages of Swavesey and Fen Drayton following the publication of the WS Atkins report on the drain and the subsequent consultations with the public.
2. This is a key decision because it may require significant expenditure outside of current budgets for the years 2011/12 and 2012/13 and it was published in the May 2011 Forward Plan. Additionally, the decision will have a major impact on the communities of Fen Drayton and Swavesey in terms of levels of flood protection from the river Ouse.

#### Recommendations

3. That the Portfolio Holder agrees to:
  - (a) The construction of an earth bund (including a new award drain culvert) to protect the village of Fen Drayton and the raising of the lower section of the Covell's Drain right bank (Swavesey bank – approx 400 metres) up to 'Design' level. Additionally, to seek the agreement of the Environment Agency to progress a combined scheme involving Defra funding so that the river Ouse right bank (Covell's Drain to Webb's Hole Sluice – approx 1750 metres) is also raised up to 'Design' levels.
  - (b) Officers applying for Grant-in-Aid funding from Defra for the year 2012/13 to fund this work on the basis that the combined scheme cost to the Council to be approximately £90,000.

#### Background

4. Details of the historical background to the long-running Covell's drain issue were outlined in the report to the Portfolio Holder dated 10 March 2011. This meeting was informed on the progress of the joint South Cambs/ Environment Agency study undertaken by consultants WS Atkins to assess the impact on the parish of Fen Drayton of the raised eastern embankment of Covell's drain. Following the publication of this report and circulation to interested parties, a public open forum took place on 29 June 2011 at the Council offices so that the parishes, the IDB and any other members of the public would have a suitable opportunity to make a verbal presentation. A copy of the notes of the 29 June meeting is attached at **Appendix A**.
5. Both parish councils and the Swavesey IDB sent written comments on the report. Additionally, two local landowners and a local resident forwarded comment. The common theme running through all comments was the desire to construct a flood defence embankment for Fen Drayton parish. As outlined in the Atkins report,

isolating a small section of the Fen Drayton village from the flood plain will not impact on other areas or increase water levels to any noticeable degree. This view was reinforced at the public meeting on 29 June 2011. Swavesey representatives stressed the importance of undertaking bank raising works along the EA main riverbank between Webb's Hole sluice and Covell's drain as well as the lower section of the Covell's drain between the new Cambridge Guided Bus (CGB) line and the river Ouse. These maintenance works involve returning the banks to 'Design' levels.

**Considerations**

- 6. The creation of a new flood defence embankment within Fen Drayton village has considerable support within the two communities of Fen Drayton and Swavesey. The Council has powers to carry out flood defence works of this nature but would be required to go through the process of Design, Consultation, Consents (from EA), Environmental Impact Assessment, Planning Application and Implementation of the Works.
- 7. It is important to note that the existing raised eastern embankment of Covell's Drain only offers a limited degree of protection to Swavesey village. Both the lower section of Covell's Drain (river to the Cambridge Guided Bus track - right bank) and the River Ouse right bank from Webb's Hole Sluice to Covell's drain are substantially below design level. It will be necessary, therefore, to restore these to design level if both villages are to be protected. Restoration of the riverbank is an EA function. It would seem reasonable, therefore, to engage with the EA in an effort to promote a combined scheme for the benefit of the two communities.
- 8. The raised right bank (Swavesey side) of Covell's drain has been in place for a number of years (some sections since 2002). As a result of the findings of the Atkins report, this situation is no longer sustainable as the report has shown there is an adverse impact on Fen Drayton village. The options for the future would appear to be either the return of the Swavesey banks to 'Design' level or offering mitigation to the Fen Drayton village area.
- 9. The Council has been asked in the past to reduce those sections of the eastern embankment that are currently above design level. This would negate the need to create a new flood defence for Fen Drayton. However, the impact on Swavesey would be considerable in terms of increased flood risk as laid out in the Atkins report. Additionally, the Council's Legal section has advised in the past that reducing the bank height might expose the Council to costly legal action.
- 10. Fen Drayton Parish Council has been promoting a scheme for the protection of the village area from river Ouse floodwaters for a number of years. The Atkins report considered the impact of such a scheme as outlined above. The most economical scheme is likely to take the form of an embankment approximately one metre high over a distance of about 600 metres. The embankment would need to cross the Fen Drayton Award drain (Oxholme drain) and this would necessitate the creation of a suitable culvert to allow upland flows to pass along the award drain unimpeded.
- 11. The costs associated with the creation of the Fen Drayton embankment are likely to be in the region of £90,000. The cost estimate is as follows:

Scheme Design, Survey costs, Planning application, Environmental Impact Assessment, Consultations, Tendering and Project Management.....	£45,000
Cost of Construction.....	£45,000

12. One of the advantages of a combined Council/EA scheme is the possibility of attracting Defra funding for the protection of both villages. This would ensure a substantial number of properties would benefit from a higher level of protection from flooding following the scheme. There is no agreement so far on such a combined scheme and further discussions will be necessary with the EA and local landowners. However, if the EA is prepared to engage in partnership working with the Council then substantial funding may be forthcoming from Defra. The total cost of a combined scheme is likely to amount to at least £135,000 depending on how the Environment Agency procures the works. However, the estimate for the Council's financial contribution for a combined scheme is as outlined above.
12. The Flood Defence Grant-in-Aid (FDGiA) allocation process has undergone substantial changes in the current application year. Funding has become more restricted and relies heavily on contributions from Flood Defence Authorities such as the Council. The final date for applications for 2012/13 funding was Friday 8 July 2011. In an attempt to keep all options available, officers have lodged an application for a joint scheme with the EA on the basis that agreement can be reached in the near future. The results of the funding bids will be announced in mid December 2011.

### Options

13. The following options are available
- a. Do nothing. This option is no longer sustainable as the W S Atkins report has demonstrated properties in Fen Drayton are at a higher risk of flooding due to the raised Swavesey embankment
  - b. Reduce the eastern banks of the Covell's drain to 'Design' level. This can be seen as a return to the status quo pre 2001 although there is still disagreement as to the 'original' levels. This will result in a substantial number of properties in Swavesey would lose their current level of protection with the accompanying risk of costly legal action against the Council
  - c. Erect a new flood defence bank as outlined at 9 and 10 above. The costs are likely to be in the region of £90,000 and Defra funding will be difficult to attract due to the limited protection offered to a relatively small number of properties.
  - d. Engage with the Environment Agency in an attempt to create a combined scheme that will offer increased protection to both villages. The works would need to include the flood defence bank as outlined in option (c) above as well as works to the lower section of Covell's drain and the EA main river embankments. The costs to the Council will remain as outlined but there is a very good chance that some measure of funding will be available (although no guarantee) through Defra Grant in Aid commencing in the year 2012/13.

### Implications

15. Financial	Possible increase in expenditure of up to £90,000 during 2012/13 that is outside the existing budgetary framework. However, it is expected there will be substantial savings in the H&ES budget for the year 2011/12 which will allow an opportunity for funds to be used for the additional flood protection works.
Legal	Options (a) and (b) risk future legal action against the Council
Staffing	None

Risk Management	For Options (c) and (d) the Council will be required to maintain the new embankment and culvert along the award drain. This work is likely to be absorbed by the Awarded Watercourses contract.
Equality and Diversity	None
Equality Impact Assessment completed	No Works are likely to benefit both communities but there are no direct Equality and Diversity implications.
Climate Change	None

### Consultations

16. A very broad cross-section of the local communities has been consulted on this issue. Both Fen Drayton and Swavesey parish councils, the Swavesey Internal Drainage Board, local landowners and residents from both parishes have been offered the opportunity to express views either verbally or in written form.

### Effect on Strategic Aims

17. The recommended option and the willingness to consider the views of both communities demonstrate that South Cambridgeshire DC is a 'Listening Council' that is prepared to engage with the local residents and landowners. Any increase in the level of flood protection will promote the Council's aim of creating a healthier and safer environment for residents and local businesses. Additionally, the commissioning of the Atkins report and the subsequent consultations shows the Council is offering a 'voice for rural life' by allowing both communities express their individual views.

### Conclusions / Summary

18. Since all the other options considered will fail to provide the desired level of flood protection required for both the villages of Swavesey and Fen Drayton, the recommendation is to pursue a combined scheme with the EA as outlined in 13(d) above. Although the costs involved are considerable, there may be substantial funding available through Defra if the Council and the Environment Agency can jointly promote the scheme. Additionally, there is an opportunity to offer substantially enhanced flood protection to more than one hundred domestic properties, roads and other infrastructure in the Fen Drayton and Swavesey areas. It should be noted however that any works are likely to take two to three years to put in place and that a combined scheme will require the agreement of the Environment Agency.

**Background Papers:** the following background papers were used in the preparation of this report:

Land Drainage Advisory Group meetings on the following dates:

22 October 2001; 16 September 2003; 14 December 2004; 14 October 2005;

24 January 2006; 31 October 2006.

Cabinet on 13 November 2008 and

Environmental Services Portfolio Holder Meeting 10 March 2011.

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