1 PURPOSE
1.1 This report confirms the project objectives for Hawick Flood Protection Scheme.

2 REVISION HISTORY

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<th>Version</th>
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<tr>
<td>0-1</td>
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<td>Conor Price</td>
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<td>10-08-2012</td>
<td>Halcrow comments included</td>
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3 BACKGROUND
3.1 The Hawick Flood Protection Scheme (the Scheme) is a major infrastructural project being advanced under the Council’s Flood Protection Scheme’s Implementation Programme. It is being advanced in turn and behind the Galashiels Flood Prevention Scheme 2010 and the Selkirk Flood Protection Scheme 2012 respectively.

3.2 The project team have been advancing the Scheme through a low cost approach since the Council approved a revised strategy for the implementation of flood protection schemes on 24 June 2010. This provided permission for the project team to continue with the design of the Scheme to the end of Project Stage 3 (The Options Appraisal Process) before returning to Council. The project team were instructed to advance the design whilst also considering:

   (1) Reducing the flood risk to Hawick within the context of an overarching strategy for Hawick;
   (2) If a reduced scope flood protection scheme was possible;
   (3) If the works should be undertaken within the framework of a formal flood protection scheme or whether they could be achieved outside of a formal scheme;
   (4) The level of protection that could be provided; and
   (5) The potential for delivering the construction of the Scheme in ‘bite-sized’ stages over time as money allowed.
In December 2011 the Scottish Government changed the mechanism through which they fund flood protection schemes by reverting to providing 80% funding for eligible schemes (i.e. that are approved under the Flood Risk Management (Scotland) Act 2009 (2009 Act) and meet all other eligibility criteria). This marks a sea change in their approach to funding for eligible schemes and thereby raises the possibility that a single whole scheme approach to the Scheme might (again) be possible. It is however noted that this current approach is for the 2012 – 2015 Funding Period and that in 2015 it is anticipated that the mechanism for funding flood protection schemes will change again to align itself with the Local Flood Risk Management Plans currently being developed under the 2009 Act.

In recognition of the change in the Scottish Government’s approach to funding, as identified in section 3.3 of this report, and further to the ongoing consideration of the Scheme, as identified in section of 3.2 of this report, the project team consulted the Scottish Government on 29 May 2012 to ensure that the approach taken in advancing the Scheme would leave it capable of being considered eligible for Scottish Government funding in the future (assuming it was approved and invited to apply for funding): it was confirmed that the approach taken by the Council to date would not make the Scheme ineligible for funding.

Further to section 3.4 of this report: during the meeting with the Scottish Government various discussions were held about how a flood protection scheme should be designed within the context of the continuously advancing 2009 Act. Since then the project team have been undertaking a number of additional activities to ensure the design of the Scheme, to date, is fully compliant with the design of a Scheme under the 2009 Act and its associated regulations and guidance.

On 21 June 2012 the Project Executive presented a report to Council to update them on progress with the Scheme and to notify them that the project team intended to hold a public exhibition on the Scheme in Hawick in July 2012.

A public exhibition was held on 18 and 19 July 2012 at Tower Mill in Hawick. An advanced viewing was held on 17 July 2012 for the media and the project’s key stakeholders. These key consultation exercises allowed the project team to present the flood risk and various flood protection options to the people of Hawick as part of Project Stage 3 (the Option Appraisal Process) and before the best combination of options to form the Preferred Scheme are chosen.

The Options Appraisal Process is a process through which the project team must systematically determine the best combination of options for reducing the flood risk to Hawick through a formal flood protection scheme. This combination of options will be called the Preferred Hawick Flood Protection Scheme and will be presented to Council for review and approval.

In order that the project team undertake the Option Appraisal Process they must consider each option individually and many combinations of these options from a: technical; hydraulic; economic; social; cultural; environmental etc. perspective. They must also consider them within the context of the project’s objectives.
4 THE EXISTING OBJECTIVES

4.1 The project objectives were first defined in the Project Mandate and later they were further considered in the Project Brief.

4.2 The agreed objectives for the Scheme as defined in the Project Brief are:

(1) To investigate and develop design solutions for a flood protection scheme (FPS) that are technically sound and the most fit for purpose;
(2) To ensure the solutions are environmentally acceptable and sustainable;
(3) To ensure the solutions include appropriate natural flood management measures;
(4) To ensure the solution represents the best value for money;
(5) To consult with stakeholders within and without the FPS Area to establish the issues of concern with the local population; and
(6) To remove the real and perceived danger of a flooding event from the communities, individuals and businesses that lie in the floodplain.

4.3 Further to the project objectives identified in section 4.2 of this report, the Project Brief also defined in the associated exclusions: i.e. the Scheme will not:

(1) Undertake a Scheme if there is not a positive cost / value model;
(2) Deliver a solution which is not acceptable to the population of Hawick;
(3) Deliver a solution that is not sustainable;
(4) Deliver a solution that degrades the environment;
(5) Consider upstream flood risk reduction measures as these were deemed prohibitively expensive in 2006; and
(6) Consider flood protection measures on the Slitrig Water upstream of Drumlanrig Bridge.

4.4 These project objectives and associated project exclusions are no longer appropriate for the Scheme. This is primarily due to the evolution of the Scheme as detailed in section 3 of this report. This report, therefore, reviews the existing objectives and sets out new objectives that are both appropriate for the Scheme that the Council is currently advancing, and for the Scheme that the Council would ultimately like to see delivered for Hawick.

5 KEY CONSIDERATIONS IN SETTING THE PROJECT OBJECTIVES

5.1 During the Combined Stage 2 & Stage 3 – Part 1 contract the project Consultant, Halcrow Group Limited (Halcrow) undertook a focused analysis of the options available to the Council to protect Hawick town centre from a large scale flood event through an interrogation of the model. On the basis of this analysis the following conclusions were achieved:

(1) The height of the flood walls / embankments required to protect

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1 For further detail on these conclusions it is necessary to review the report: Hawick Town Centre Direct Flood Defences – Option Assessment: dated July 2011
against a major flood event would be a limiting factor and should be limited to approx. 1.4 to 1.6m high. Therefore, the probable level of protection that such flood defences could deliver would be in the region of the 1 in 75 years flood event;

(2) The flood protection options envisaged by the proposed Scheme do not significantly increase flood risk either upstream or downstream of Hawick for the preferred 1 in 75 years level of protection;

(3) That major options such as removing the Cobble Cauld should be considered; and

(4) It is likely that similar volumes of work will require to be undertaken whether the works are taken forward under a formal flood protection scheme or not, therefore it is recommended that the Council’s medium term strategy to provide flood protection for Hawick is taken forward under a flood protection scheme.

5.2 Further to conclusion 5.1. (4) of this report the project team are now advancing the project as a formal flood protection scheme under the 2009 Act.

5.3 A formal flood protection scheme advanced under the 2009 Act must comply with the requirements of the 2009 Act and its Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010 (2010 Regulations). It must also comply with the appropriate Scottish Government guidelines for advancing flood protection schemes in Scotland; all other appropriate pieces of legislation (e.g. CAR Licensing under the Water Environment (Controlled Activities) (Scotland) Regulations 2011); and if funding is desired the criteria for any funding application.

5.4 The Selkirk Flood Protection Scheme 2012 was advanced under the 2009 Act. It was the first major Scheme to be advanced under this new act and the first Scheme advanced under the act that had an environmental statement. As such, the project team had to continuously interrogate the new Act and its regulations in partnership with the Scottish Government to ensure the Scheme’s design was advanced in accordance with the requirements and ethos of the act. At that point in time the Scottish Government had not yet issued guidance for designing a Scheme under the 2009 Act therefore they instructed the project team to develop the design in accordance with the DEFRA Flood and Coastal Risk Management Appraisal Guidance (FCERM-AG) but to interpret it in a Scottish context.

5.5 During the project team’s meeting with the Scottish Government on 29 May 2012 it was confirmed that for the design of a formal flood protection scheme under the 2009 Act it was now required to undertake the design in accordance with the Scottish Government’s new guidance to local authorities. In particular, “Chapter 5 – Project Appraisal: Assessment of economic, environmental and social impacts” replaces the use of DEFRA’s FCERM-AG (in a Scottish context).

5.6 Further to section 5.5 of this report it is worth noting the following in relation to the Scottish Government’s new Chapter 5:

(1) It continues to advance the ethos of the 2009 Act in that flood protection schemes should be environmentally acceptable and
sustainable;
(2) It provides techniques / tools through which we are capable of monetising social and environmental impacts of flooding for the first time; and
(3) It effectively removes the need for the chosen Scheme to be the one with the optimum Benefit Cost Ratio (BCR). This does not reduce the importance of the optimum BCR and the need for appropriate analysis of BCR: it simply increases the importance of sustainability, social, cultural drivers alongside the pure economic driver.

6 THE NEW PROJECT OBJECTIVES

6.1 The proposed objectives for the Hawick Flood Protection Scheme (the Scheme) are:

**General:**

(1) To investigate and develop the Scheme in accordance with the Council’s Implementation Plan for Flood Protection Schemes and the Implementation Plans for reducing the Flood Risk to Hawick;
(2) To advance the Scheme under the 2009 Act, its 2010 Regulations and the appropriate guidelines for designing a formal flood protection scheme;
(3) That the Scheme will consider all possible options for reducing the flood risk within the Option Appraisal Process;
(4) That where possible the Scheme will strive to achieve multiple benefits;

**Economic:**

(5) To ensure that the Scheme, as a minimum, achieves a Benefit Cost Ratio (BCR) equal to one;
(6) To ensure that a full analysis of BCR is undertaken during the Option Appraisal Process (Stage 3) to such that a full understanding of economic benefit and cost is achieved. The Scheme does not require to have the optimum BCR however economic benefit is to remain a key consideration;
(7) To choose a Scheme that is considered to be best value for money for the Council and the town of Hawick within consideration of both the short and long term;

**Hydraulic:**

(8) To ensure that the Scheme delivers the maximum level of protection that is achievable within the context of the existing flood risk and all of these objectives. It is noted that the Scheme will be broken into stand-alone flood cells for design purposes and it is assumed that the level of protection at each flood cell should be determined within the context of that flood cell, the impact of that cell’s flood protection on other flood cells, and the town as a whole;
(9) That the Scheme will not materially increase the flood risk to another property through the delivery of flood protection to Hawick;

**Technical:**

(10) To ensure that the Scheme is technically sound;
(11) To ensure that the Scheme addresses all sources of flood risk and
that any residual risks are fully documented and identified to the Council;

(12) That further to objective no. 8 to ensure that the Scheme is designed with the flexibility to have its level of protection increased in the future (future flexibility);

**Environmental:**

(13) To ensure that the Scheme is environmentally acceptable and achieves as a minimum a neutral impact on the environment;

(14) To ensure that the Scheme includes appropriate natural flood management (NFM) measures;

(15) To ensure that the Scheme is sustainable;

**Social & Cultural:**

(16) To ensure that the Scheme does not sever the town from its rivers (through the height / size of flood protection walls and / or embankments) in either the physical or visual sense;

(17) To ensure that the Scheme respects the cultural heritage of the town;

(18) To ensure that the Scheme takes account of people most vulnerable to flooding;

(19) To consult with stakeholders and the local population; and

(20) To remove the real and perceived danger of a flooding event from the communities, individuals and businesses that lie in the floodplain.

7 **CONSULTATION**

7.1 This report has been drafted by the Project Manager, Conor Price and reviewed by the Project Executive, Steven Renwick, and the Senior User, David Green.

7.2 This report has been provided to Halcrow for review and their comments have been incorporated.

7.3 The report has been approved by the project Board during Project Board Meeting No. 3 on TBC

**Approved by:**

**Project Executive for Hawick Flood Protection Scheme**

**Signature** ………………………………….

**Author(s)**

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<tr>
<td>Conor Price</td>
<td>Hawick FPS - Project Manager – 01835 826765</td>
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Background Papers:

- None

Previous Minute Reference:

- Scottish Borders Council, 24 June 2010 → in relation to the Council’s revised Implementation Plan for Flood Protection Schemes
- Scottish Borders Council, 21 June 2012 → in relation to the Project Executive’s update report on Scheme progress