
**Executive Member for Environment and
Climate Change Decision Session**

8 March 2023

Report of the Director of Economy & Place

York 5 Year Flood Plan Update

Summary

1. The flooding in late December 2015 followed an intense period of rainfall across November and December due to the impacts of Storms Desmond and Eva. Record river levels were observed in many river catchments across the north of England. More than 4,000 homes and 2,000 businesses flooded across Yorkshire with 453 properties and 174 businesses flooded in York.
2. Funding has been allocated to the Environment Agency (“**EA**”) following the floods to renew existing and provide new flood defences across the city, £38m has been allocated to the Foss Barrier improvements and a total of £64m to the wider flood defences across the City of York.
3. An update on progress has been supplied by the EA, this can be seen in **Annex 1**.
4. The City of York Council (the “**Council**”) are leading on the development of the scheme in Fulford, submission of the planning application was made in January 2023, further approvals will be sought and construction phase detailed design will commence during the determination of the application.
5. The Council’s Department for Environment, Food and Rural Affairs (“**DEFRA**”) funded Innovative Flood Resilience project is being developed. All financial and governance approvals are in place and final procurement of all project partners has been finalised and key work has begun. Recruitment of all project officers is underway.
6. DEFRA have announced a significant way in which surface water will be managed. Delayed legislation from the Flood and Water Management Act will be enacted in 2024 requiring sustainable drainage solutions (SuDS)

to be delivered in new developments, a SuDS Approving Body (SAB) role will need to be developed by the Council to approve and ultimately adopt all drainage features.

Recommendations

7. It is recommended that the Executive Member for the Environment and Climate Change:
 - i. Note the updated report and the evidence presented by the Environment Agency in the session, feedback is sought from the Executive Member on all content

Reason: To support the delivery of flood resilience interventions in York and across the wider River Ouse catchment.

Background

8. Following the development and publication of the York Five Year Plan (<https://www.gov.uk/government/publications/york-5-year-flood-plan>), the EA have developed detailed business cases and designs for schemes in 19 flood cells across the city.
9. The EA continue to work closely with the Council on all aspects of the York Five Year Plan, an update has been provided by the EA at **Annex 1**.
10. The initial design and appraisal of flood defences and a pumping station on Germany Beck has been completed and a planning application has been made. The scheme will provide protection to homes and maintain access on Fordlands Road during flooding. The scheme will also aid future flood resilience on the A19.
11. The programme for the development of the planning application submission has been delayed due to heritage and conservation matters. Public meetings have been held regularly with the community.
12. The Council are developing works to increase the flood resilience of Millennium Bridge. Although physically impossible to raise the levels to prevent inundation in all future flood events the works will significantly reduce the likelihood of the east/west link across the bridge being unusable. Design work is ongoing, permissions and the delivery programme will be finalised in the new financial year.

13. The DEFRA funded Flood and Coastal Resilience Innovation Programme catchment scale natural flood risk management project has received all financial and governance approvals and the project has progressed into the delivery phase. Procurement of hydraulic and environmental modelling consultants, catchment advisors and academic partners has been completed. Recruitment of the first catchment partner posts have progressed and the programme coordinator hosted by Yorkshire Dales Rivers Trust has started work. Unfortunately, the CYC project manager has left the project, the process to recruit a new project manager has commenced.
14. The project team has developed proposals for a grant scheme for natural flood management (NFM) measures in the river catchments upstream of York, this process will also be promoted as a future way to prioritise the delivery of NFM in other areas of the country, Defra are working closely with our project to this end. Funding will be available for measures which will help reduce to reduce flood risk to people and property, based on current evidence about the effectiveness of a range of NFM measures. A wide range of partnerships and linkages have been formed by the project team and a number of case study demonstration sites have begun to be considered.
15. The North Yorkshire Flood Risk Partnership (co-chaired by the City of York Council Executive Member for Environment and Climate Change) provide governance over the project and will be asked to approve details about how the grant scheme will operate and the initial proposed tranche of grant recipients at their meeting in February 2023. The project team will also present the progress to date to the Climate Emergency Policy and Scrutiny Committee on the 28th of February to show its importance in climate adaptation planning in the city.
16. The review of the 2007 floods which affected over 55,000 homes and businesses across the UK led to the development of the [Flood and Water Management Act 2010](#) (FWMA) to provide improved legislation for the management of risks associated with flooding and coastal erosion. This gave City of York Council responsibilities as the Lead Local Flood Authority (LLFA) for its area, with a range of local flood risk management duties.
17. Two thirds of all properties flooded in 2007 were affected by surface water flooding and Schedule 3 of the FWMA required the delivery of sustainable drainage systems (SuDS – interventions that mimic natural drainage features in developments to control excess surface water at source – ponds, swales, green roofs, rain gardens etc) in new

developments. The act required the setup of a SuDS Approving Body (SAB) to manage the delivery of SuDS in new developments.

18. This was not enacted but changes were made to planning policy that have helped to deliver limited improvements in surface water management.
19. DEFRA announced in January that Schedule 3 will be enacted in 2024. The detail is still to be confirmed but the likely approach, based on the original proposals, will require the SAB to approve all and adopt all infrastructure to ensure whole life maintenance and performance is managed. Sitting alongside the Local Planning Authority, City of York Council, as a LLFA, will be the SAB for its area.
20. A regulatory impact assessment and a new burdens analysis will be made to ensure SABs can carry out their functions, further consultation will be held throughout 2023, a paper will be brought to the Executive Member at a later date.

Consultation

21. Public consultation on the York Five Year Plan continues through a range of flood cells, this is detailed in the update in Annex 1 along with the programme of future consultation events.
22. Consultation on the Germany Beck Flood Alleviation Scheme continues as the design work commences.

Options

23. The principal options open to the Executive Member for Environment and Climate Change are to comment on and review the work undertaken to date, the future work identified and the representations made by the EA and the Council on all detail provided in this report and its Annexes.

Analysis

24. On-going liaison will continue between the Executive Member for Environment and Climate Change and the Council's Flood Risk Manager. Future briefings to the Executive Member for Environment and Climate Change Decision Session will be made to ensure key outputs and decisions are supported by the Council and to provide formal opportunities for members and the public to consult. Further recommendations will be made for agreement at these sessions.

Council Plan

25. Improved provision of flood defences supports a prosperous city for all through safer communities for residents, businesses and visitors, a wide range of consultation events will ensure this is in line with the needs and expectations of local communities.

Implications

26. **Financial** – Funding is allocated directly to the EA. The additional funding is available to be directed towards key flood risk projects in the city in the short term. The extent of required works may require wider funding and DEFRA funding bids will be developed. There are likely to be contribution requirements as part of this wider work.
27. Although the majority of funding for Council's scheme in Fulford is secured a DEFRA Partnership Funding bid is to be developed to finalise the funding package.
28. All funding for the Innovative Flood Resilience Project is secured. The procurement strategy for the delivery phase of the project has been approved, this was endorsed by Council Executive on the 28th July 2022 <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13288>
29. **Property** – The Site Investigation programme will include sites under Council ownership and/or control, consultation will be carried out with Estates teams and all relevant agreements will be put in place.
30. **Legal** - The governance and cross border working arrangements needed for the delivery phase of the Innovative Flood Resilience Project were endorsed by Council Executive on the 28th July 2022 <https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13288>
31. **Human Resources (HR)** – No implications.
32. **One Planet Council/Equalities** – No implications.
33. **Crime and Disorder** – No implications.
34. **Information Technology (IT)** – No implications.

Risk Management

35. No known risks are identified at this time, detailed risk management work will be developed as the business case and detailed design works commence.

Contact Details

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Report **Date** 24/02/2023
Approved

Wards Affected: List wards or tick box to indicate all **All**

For further information please contact the author of the report

Background Papers: None

Annexes:

Annex A - York 5 Year Flood Plan Update Mar23