

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

13th April 2022

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, appraisal and design work has continued, review sessions and community meetings have been held.
5. The Council’s Department for Environment, Food and Rural Affairs (“**DEFRA**”) funded Innovative Flood Resilience project is being developed further through to the full outline business case that will be submitted to DEFRA in spring 2022. An update to the project is provided at **Annex 2**.
6. The ongoing review of the Flood Risk Management Plans required by the EU Floods Directive 2007 was discussed at the 6th October 2021 Executive Member for the Environment and Climate Change Decision Session.

7. Following the consultation stage a limited number of proposed amendments have been identified and a recommendation is made for the Executive member to approve the updated document for publication.

Recommendations

8. **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; and
 - ii. **consider and endorse** the proposed amendments and updates to the consultation stage Humber Flood Risk Management Plan and support officer approval of the final publication stage document in June 2022.

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

Background

9. 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.
10. 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**.
11. The detailed design and appraisal of flood defences and a pumping station on Germany Beck continues. 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.
12. The programme for delivery of the detailed design and all permissions has been extended to autumn 2022 due to heritage and conservation matters that require further survey, redesign and approval works. A public meeting was held on the 28th February 2022 to update residents on the project and the changes to the programme.
13. Planning permission will be sought following necessary redesign and approvals, this is expected in early autumn 2022. The construction phase for the project is now expected to be in 2023.

14. The Council are developing works to increase the flood resilience of Millennium Bridge to be delivered as the Environment Agency works compound is dismantled at the completion of the Clementhorpe flood scheme. 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.
15. **Annex 2** provides an update on the progress of the Defra funded Flood and Coastal Resilience Innovation Programme catchment scale natural flood risk management project. The final business case for the project will be submitted to the EA by the end of April for approval. Work on the main phase of the project is expected to commence immediately after, further updates will be provided at the next decision session.
16. Flood Risk Management Plans required by the EU Floods Directive 2007 are currently being updated by the EA. The Council has contributed to the review to ensure all outcomes and measures link strategically with our local plans and policies. **Annex 2** of the 6th October 2021 Executive Member for the Environment Decision Session (<https://modgov.york.gov.uk/ieListDocuments.aspx?CId=870&MId=12718&Ver=4>) detailed the consultation approach being undertaken by the EA. This is now complete and consultation responses relating to individual Lead Local Flood Authorities are being considered and changes will be made to the plans ahead of publication in autumn 2022.
17. The EA received 46 consultation responses to the draft Humber Flood Risk Management Plan. The responses centred around the way in which the plan aligned with the National Flood Risk Strategy, approaches to combat the impacts of climate change, the role of partnerships, and the need to deliver multiple benefits through flood resilience works. Many responses reinforced the need for whole catchment scale working and the development of natural flood risk management measures and as such support current approaches within our Local Flood Risk Management Strategy and the ideals of many partners in the City of York area, or the river catchments that drain through our administrative area. There will therefore be no significant changes to the consultation stage draft document.
18. The Executive Member for the Environment and Climate Change endorsed the consultation stage draft document and its consultation activities at the 6th October 2021 meeting. The content, approach and detail of this document will not be altered significantly following the review of the responses and the preparation of the final draft for publication. The

EA require all Lead Local Authorities to approve this revised document by the end of June 2023.

19. Due to the minor revisions to the emerging document, a recommendation is made at paragraph 8ii for the Executive Member to endorse the approval of the document and agree officer sign-off of the approval with the EA.

Consultation

20. 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.
21. Consultation on the Germany Beck Flood Alleviation Scheme continues as the design work commences.

Options

22. 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

23. 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

24. 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

25. **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.

26. 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.
27. All funding for the Innovative Flood Resilience Project detailed at Annex 2 is secured. The procurement strategy for the delivery phase of the project is currently being developed, this will be brought to the Council Executive in early summer 2022 for endorsement.
28. **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.
29. **Legal** - The governance and cross border working arrangements needed for the delivery phase of the Innovative Flood Resilience Project detailed at **Annex 2** is currently being developed with input and advice from Legal Services. A high level model Memorandum of Understanding is included in the **Annex 2** and a proposed template form of collaboration agreement produced by Legal Services will be used as a starting point for discussions and negotiations with our partner(s). Any further amendment to the proposed template, or any alternative document(s) will be reviewed together with Legal Services in due course. Further detail will be brought to the Council Executive in early summer 2022 for endorsement.
30. **Human Resources (HR)** – No implications.
31. **One Planet Council/Equalities** – No implications.
32. **Crime and Disorder** – No implications.
33. **Information Technology (IT)** – No implications.

Risk Management

34. 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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Chief Officer Responsible for the report:

**Neil Ferris
Director of Economy & Place**

Report **Date** 31/03/2022
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 1 York 5 Year Flood Plan Update Apr22
Annex 2 York 5 Year Flood Plan Update Apr22**