

**Executive**

**28 July 2022**

Report of the Director of Environment, Transport & Planning  
Portfolio of the Executive Member for Environment and Climate Change

## **Catchment Flood Management Project**

### **Summary**

1. The City of York Council (the “Council”) has developed an exciting strategic approach to manage flood risk across a river catchment scale. This innovative programme of work will contribute to the solution of long term, sustainable, flood risk management in our city.
2. We are leading the co-development of natural flood risk management opportunities with a wide variety of partners that will increase flood resilience across North Yorkshire and York and support a wide range of wider climate, environmental, social and economic benefits. This initiative will expand our flood risk management activities beyond our administrative boundaries and represents the biggest, and most ambitious, change to our flood risk management strategies ever seen.
3. The Council’s Executive approved (24<sup>th</sup> June 2021) the development of a business case to deliver approved funding from the Government’s Flood and Coastal Resilience Innovation Programme.
4. The business case was developed in line with guidance from the Department for Environment, Food and Rural Affairs (“DEFRA”) and the Environment Agency and was submitted on 29<sup>th</sup> April 2022. This report summarises the proposed approach to the 5 year project (until 31<sup>st</sup> March 2027) as set out in the business case.
5. Members are recommended to approve the implementation of this project as requested in Paragraph 6 of this report.

## Recommendations

6. The Executive is asked to approve the implementation of this project using the approach summarised in this report.

Reason: To enable the delivery of the York and North Yorkshire Catchment Flood Management project.

## Background

7. The Council developed a proposal for the Government's Flood and Coastal Resilience Innovation Programme, which was approved for funding by Defra on 26<sup>th</sup> March 2021. Since that time, the Council has received development funding to further develop the business case and facilitate the recruitment of a project manager. An approved business case is needed to draw down further project funding.
8. The business case has been prepared following guidance provided by the Environment Agency, and sets out the strategic, economic, commercial, financial and management case for the project in line with the aims of the Flood and Coastal Resilience Innovation Programme.
9. The project aims to offset the impacts of climate change in York and smaller communities across North Yorkshire by initiating long-term change across the river catchment. The project will work with partners to deliver a programme of investment in natural flood management ("NFM") measures which will increase the resilience of small communities across North Yorkshire. Innovative catchment-scale modelling will show how this work and wider delivery of such measures has the potential to cumulatively benefit downstream communities, including the city of York. The project will engage with catchment partners and communities to build capacity to implement NFM and raise awareness of how water connects their communities. Financing models will be investigated with the aim of developing a self-sustaining forward pipeline of NFM investment opportunities that enables a long-term legacy.
10. The total project value in the business case is £5.9m, including contingency of £1.3m.
11. The business case has been developed with involvement from a number of key partners including North Yorkshire County Council, University of York, Yorkshire Dales Rivers Trust, Yorkshire Dales National Park,

Environment Agency and JBA Consulting. These partners are committed to the project and are instrumental to its successful delivery.

## **Consultation**

12. The initial project proposal was developed in collaboration with partners and further consultation has been carried out as the business case has been developed.
13. The business case has drawn on lessons learned from previous similar projects and programmes across the country. It identifies risks around communication and engagement and the project is designed to mitigate these. Engagement with upstream farmers and land managers will be led by partners (charitable organisations and public bodies) which are already active in the area and have existing relationships. Throughout this project, we will continue to work closely with partners and consult with affected communities, with the University of York providing a rigorous methodology for this.
14. Ongoing project governance and oversight will be provided by the North Yorkshire Flood Risk Partnership (and further linkages to the Yorkshire Regional Flood and Coastal Committee), which includes Executive Members of the respective councils, plus other partners and Council officers.

## **Options**

15. The project has been accepted for funding based on proposals provided in an initial expression of interest. There is therefore limited scope to change the proposed approach and the following options are available to Members.
  - i. Approve the implementation of this project using the approach summarised in this report.
  - ii. Approve the implementation of the project but require changes to the approach (but remaining within the scope of the project as approved for funding).

- iii. Reject the project altogether and draw down no further funding from the Government's Flood and Coastal Resilience Innovation Programme.

## Analysis

16. This project is considered necessary to improve the resilience of the City of York to flood risk over the long term. Flood defences throughout the city have recently been raised but there is a limit to the height of defences before their physical and visual impact has a serious negative effect on the city.
17. The defences in central York have been designed with climate change in mind and are constructed at a level to manage the projected impacts of climate change up to 2039. To ensure the defences continue to provide an effective level of protection after this time the Environment Agency and all key partners have identified that upstream measures are needed to support the direct flood protection in the city.
18. The River Ouse drains the 3,500km<sup>2</sup> catchment of the rivers Swale, Ure and Nidd, which merge upstream of York. The catchment includes a wide range of land use types including the protected uplands in the Yorkshire Dales National Park and Nidderdale Area of Outstanding Natural Beauty (including peat bogs, moor and grazing land) and the lower-lying Vale of York (where arable farming predominates).
19. Government policy<sup>1</sup> promotes the use of catchment-scale and natural measures to manage flood risk. In practice, such approaches are difficult to implement because of the large numbers of stakeholders and large geographical areas involved, and limitations of Government flood risk management grant in aid funding.
20. This project offers an opportunity to demonstrate catchment scale, nature-based approaches to managing flood risk, as part of the Government's Flood and Coastal Resilience Innovation Programme<sup>2</sup>.
21. The project comprises four main packages of work:

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1 <https://www.gov.uk/government/publications/flood-and-coastal-erosion-risk-management-policy-statement>

2 <https://www.gov.uk/guidance/flood-and-coastal-resilience-innovation-programme>

- i. Detailed computer modelling to better understand how land management changes in the catchment could affect flood risk downstream.
  - ii. A programme of natural flood management projects to directly benefit communities in North Yorkshire and cumulatively benefit areas downstream including York.
  - iii. Engagement with communities throughout the catchment to communicate the benefits of natural flood management, including farm advisor posts.
  - iv. Building local capacity and a future legacy, including options for funding and managing natural flood management into the future.
22. The project will benefit York and North Yorkshire by investing in local initiatives and reducing the damaging and disruptive effects of flooding. It will also help inform developing Government policy about grants and subsidies to farmers and land managers, which is changing following the UK's leaving the EU. The new Environmental Land Management Schemes will offer payment for 'public goods' including measures which help reduce flood risk (such as soil and land management practices).
23. Catchment-scale approaches to managing flood risk involve working with a large number of stakeholders. Project partners are leading existing work in the catchment which can help manage water runoff, including peat bog restoration, tree planting and farming and land management changes. The project will work with these partners to better understand and maximise flood risk management benefits.
24. Project funding will be used to make grant payments to partners and farmers/land managers for delivering measures that help manage flood risk. Technical work including flood modelling will be procured in accordance with Council procedures. The overall approach of the project builds social value and capacity to implement natural flood management over the long term.
25. The project is designed to create a future legacy of dispersed catchment natural flood management measures. Individually these will only have a small benefit for the city of York and may take many years to provide full benefit (e.g. tree planting) but combined the approaches seek to deliver a much wider and sustainable benefit to the city. Climate change is

expected to increase risk over time, so acting now will help to offset this risk and increase resilience over the long term.

## **Council Plan**

26. Improved flood resilience supports the economy of the city and safer communities for residents, businesses and visitors.

## **Implications**

- **Financial**

The project will be fully funded by external grant from central government (DEFRA) in line with the business case submitted. To date £238k has been received towards developing the business case which has funded a project officer and external consultancy costs.

- **Human Resources (HR)**

There are no HR implications.

- **One Planet Council / Equalities**

The project supports both climate change mitigation (by promoting approaches that sequester carbon) and adaptation (by promoting land use changes that are resilient to climate change).

The Council needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions). A full Equalities Impact Assessment has not been undertaken at this point. If the recommendation in the report is approved and a full Equality Impact Assessment will be developed in due course.

- **Legal**

The approach set out in this report will require further legal consideration and agreements with other organisations as the project develops.

A robust procurement strategy that complies with the Council's Contract Procedure Rules and our legal obligations under the Public Contract

Regulations 2015 (and the subsequent Procurement Bill once this comes into force) will need to be in place in respect of any consultancy services and/or works packages commissioned for this project. Where required under the Contract Procedure Rules, such a strategy will require the input of the Commercial Procurement team, and any contractual terms will require the input of Legal Services.

Funding arrangements with farmers and landowners or land managers will need to be assessed against the Subsidy Control Rules (formerly known as State Aid under EU Law), and any funding terms and conditions between the Council and said parties will require input from Legal Services, and will also need to capture any obligations the Council may have to its own funders that need to be passed on to these grant recipients.

Any arrangements between partner authorities or public bodies will need to be assessed and formalised in line with the Council's existing statutory powers.

- **Crime and Disorder**  
There are no Crime and Disorder implications.
- **Information Technology (IT)**  
There are no IT implications.
- **Property**  
There are no implications directly to Council property although some properties may benefit from increased flood resilience over the longer term.
- **Other**  
There are no other implications.

## **Risk Management**

Project risks and appropriate mitigation have been identified in a risk register and this is included in the business case. The project is funded as part of an innovation programme, and as such Defra and the Environment Agency recognise there is some uncertainty around the outcomes that will be delivered within the agreed budget. The project team will continue to proactively manage risks and work closely with the Environment Agency programme management team to ensure that risks are understood by funders. The project will also be subject to

comprehensive evaluation, to enable lessons (including any risks realised) to be shared and inform future practice in this area.

## Contact Details

### Author:

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Flood Risk Management

### Chief Officer Responsible for the report:

James Gilchrist  
Director of Highways, Environment &  
Planning

Report  
Approved



Date 15<sup>th</sup> July 2022

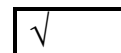
## Specialist Implications Officers

Financial:-  
Jayne Close  
Accountant

Legal:-  
Dan Moynihan  
Senior Solicitor

### Wards Affected:

All



**For further information please contact the author of the report**

### Background Papers:

Executive: Tuesday, 20 July 2021 (Item 20<sup>3</sup>)

### Annexes

None

## List of abbreviations Used in This Report

DEFRA	Department for Environment Food and Rural Affairs
ELMS	Environmental Land Management Schemes
EU	European Union
FCRIP	Flood and Coastal Resilience Innovation Programme
HR	Human Resources
NFM	Natural Flood Management
RFCC	Regional Flood and Coastal Committee