

Notice of a public

Decision Session - Executive Member for Environment and Climate Change

To: Councillor Widdowson (Executive Member)

Date: Wednesday, 13 April 2022

Time: 3.00 pm

Venue: The Snow Room - Ground Floor, West Offices (G035)

A G E N D A

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services by **4:00 pm on Tuesday 19 April 2022**.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00 pm on Monday 11 April 2022**.

1. Declarations of Interest

At this point in the meeting, Members are asked to declare any discloseable pecuniary interest or other registerable interest they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

2. Minutes

(Pages 1 - 4)

To approve and sign the minutes of the Decision Session held on 9 March 2022.

3. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is **5:00pm on Monday 11 April 2022**.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill out an online registration form. If you have any questions about the registration form or the meeting, please contact the relevant Democracy Officer, on the details at the foot of the agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this public meeting will be webcast including any registered public speakers who have given their permission. The public meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. York 5 Year Flood Plan Update (Pages 5 - 24)

This report provides the Executive Member with an update on the York Five Year Flood Plan and seeks feedback on its content.

5. Urgent Business

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Democracy Officer: Joseph Kennally

Telephone No- 01904 551573

Email- joseph.kennally@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim (Polish)
własnym języku.

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

(Urdu) یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میاکی جا سکتی ہے۔

 (01904) 551550

This page is intentionally left blank

City of York Council	Committee Minutes
Meeting	Decision Session - Executive Member for Environment and Climate Change
Date	9 March 2022
Present	Councillor Widdowson

10. Declarations of Interest

The Executive Member was asked to declare, at this point in the meeting, any personal interests not included on the Register of Interests or any prejudicial or discloseable pecuniary interests she might have in respect of the business on the agenda. None were declared.

11. Minutes

Resolved: That the minutes of the Decision Session held on 9 February 2022 be approved and signed by the Executive Member as a correct record.

12. Public Participation

It was reported that there had been no registrations to speak at the session under the Council's Public Participation Scheme.

13. Decarbonisation Plans

The Executive Member considered a report that highlighted the proposals to decarbonise City of York Council's corporate buildings.

The Assistant Director of Policy and Strategy presented the report and it was noted that the use of £50,000 from the Climate Change Scheme Fund would cover decarbonisation plans for 5 to 10 of the council's corporate buildings. These buildings currently generated 1,713 tonnes of carbon dioxide emissions, with West Offices, York Crematorium and Marjorie Waite Court generating the highest emissions.

The Executive Member welcomed the scheme and

Resolved: That the use of £50,000 from the Climate Change Scheme Fund to cover the creation of decarbonisation plans for 5 to 10 of the council's corporate buildings, be approved.

Reason: Decarbonisation plans for our corporate buildings present an opportunity to reduce the council's carbon emissions and reduce energy bills while providing the basis for external grant funding, minimising the cost of capital works to the council. The Climate Change Scheme Fund was established to support carbon reduction initiatives.

14. York Local Area Energy Plan

The Executive Member considered a report that highlighted the establishment of a Local Area Energy Plan (LAEP) for York.

The Assistant Director of Policy and Strategy informed the Executive Member that producing a LAEP for York would be an important part of a wider North Yorkshire energy plan and delivering York's LAEP alongside the North Yorkshire plan would provide an efficiency and cost saving to the council of £25k to £35k.

The Executive Member noted that a LAEP for York would reduce emissions, deliver future cost savings and ensure future infrastructure was located appropriately.

Resolved: That the allocation of £90,000 from the 2021/22 Carbon Reduction Budget and £20,000 from 2022/23 budget to carry out a Local Area Energy Plan for York, be approved.

Reason: A Local Area Energy Plan is an important component of York's net zero carbon transition. As well as reducing emissions, the project is expected to deliver future cost savings, deferred investment and value for money to the council; ensuring that future infrastructure is located appropriately, technologies are future proofed and investment is strategically targeted.

Cllr Widdowson, Executive Member
[The meeting started at 3.00pm and finished at 3.05pm].

This page is intentionally left blank



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?Cld=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

Author:

**Steve Wragg
Flood Risk Manager
Highways**

Chief Officer Responsible for the report:

**Neil Ferris
Director of Economy & Place**

Report Approved **Date** 31/03/2022

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

York Flood Alleviation Scheme



March 2022

Update for April's Executive Decision Session

This is an update of the progress made over the last three months on the flood alleviation work in York, as well as providing information on the programme and expected timelines for delivering the remaining work. In this update we have provided:

1. Summary of activities per flood cell
2. Engagement highlights
3. Our response to storms Dudley, Eunice and Franklin
4. Programme information tables
5. Map of the York Five Year Plan flood cell outlines

1. Summary of activities per flood cell

Clementhorpe (B8)

Since our last update in December we have completed the Deep Soil Mixing along Terry Avenue and removed the equipment. We have completed the flood walls at Postern Close, Dukes Wharf and behind the Caravan Park.

Clifton and Rawcliffe (B10)

The compound set up has been completed along with the diverted Sustrans route. Necessary tree felling started but had to be paused due to the recent flooding which saw the Ings being operated and filled as designed. Tree felling is due to resume week commencing 14th March. There are plans in place to replant up to 250 trees within the area once works are complete.

A public drop-in is being planned in Clifton Ings for Wednesday 16th March.

Coppins Farm to Scarborough Bridge (B11)

All glass panels have been re-fitted and tested. Some outstanding work is ongoing at the transition wall between the embankment and Almery Terrace.

Scarborough Bridge to Lendal Bridge (B12)

All glass panels have been fitted and tested. The embankment within Museum Gardens has been seeded but this will be revisited following the recent floods with more topsoil expected to be added to the embankment. Our compound within Marygate carpark has been significantly reduced and the car parking spaces returned to CYC. We are in the process of completing works to Marygate gate itself and the railings near Scarborough Bridge.

Bishophorpe (C1)

The Bishophorpe scheme is almost complete. The flood gate at the bottom of Chantry Lane has been fitted and tested and the flood wall built. We have resurfaced the road and fitted fencing and coping stones and are demolishing the compound.

Foss Storage Area (F8, F10 and F11)

The base of the compound was established before Christmas with work since on pause over the Winter period. In preparation for earth works to start in the Spring we are conducting environmental surveys. The first of which was the Water Vole survey which took place in February.

ANNEX 1

Foss Barrier

The compound area within St Georges carpark has been demobilised and the spaces returned to CYC. We are in the process of applying for Advertisement Consent from CYC to erect Interpretation Boards to inform passers-by of the function of the structure and raise awareness of flood risk throughout the City.

Work to fully refurbish and upgrade the Foss Barrier is complete. There are some outstanding activities mainly concerning training and handover which is ongoing. An opening ceremony is being planned for March 2022.

PFR

South Bank (B8)

Agreements have been secured from all homeowners wishing to proceed with receiving PFR measurers in the South Bank area. Over 60% of installations are complete with the remaining properties being delivered through March and April.

Lendal Hill, Skeldergate, Naburn, Government House Rd, Kings Staith, Bishopthorpe, Acaster Malbis and Huntington Rd. (B12, B7, C3, B11, B15, C1, C2 and F8)

We have sent letters containing a link to an online questionnaire to all properties at flood risk and potentially eligible for PFR in these areas. We are planning to reengage with property owners over the coming weeks to ensure everyone has had the relevant information and opportunity to get in touch. Contract arrangements for carrying out the work are being finalised.

Tree Planting

To date we have planted 18 trees at St Peters School with plans for a further 8-10 trees to be planted in the next planting season. Weather and ground conditions permitting we are planning on tree planting at both Derwenthorpe and Lord Deramore's sites this month.

ANNEX 1**2. Engagement highlights**

In February, members of our team visited Clifton With Rawcliffe Primary school to lead a session with eighty seven Year 5 students, discussing the work we are doing as part of our Clifton Ings scheme. This was very well received, with great interest shown by the students, who were left with a good understanding of the how the Ings work, why we are making improvements, and what we are doing to benefit the wildlife in the area. This session is to be followed up in the coming weeks with a visit to site, in conjunction with colleagues from BAM Nuttall.

We are also shortly running a similar session with Year 5s at St Peters School, and also have plans to visit Scarcroft Primary school in the Summer term. Our engagement team is working on plans to build our education outreach further across the city to continue promoting the work we are doing to better protect properties against flooding.

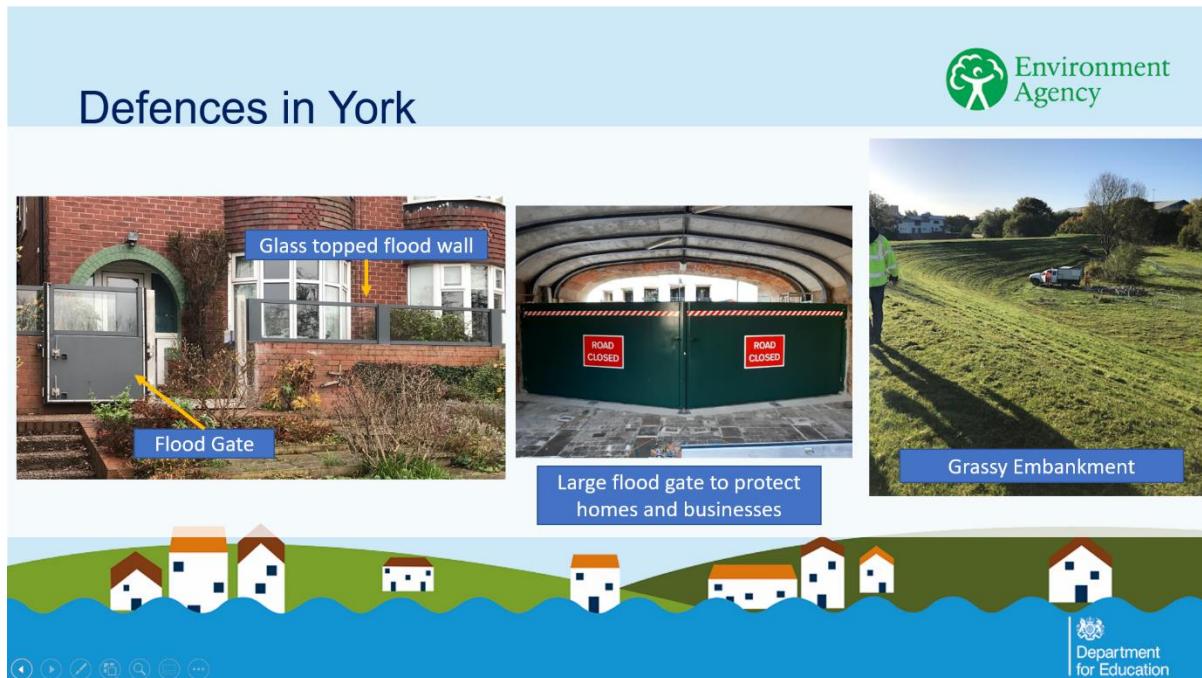


Figure 1: one of the slides used in our presentation to show different flood defences.

3. Our response to storms Dudley, Eunice and Franklin

With three severe storms hitting Yorkshire in quick succession in the last week of February, our existing flood schemes proved effective at reducing the impacts of flooding. Yorkshire is recognised nationally as an area requiring continued investment and this is reflected in the money that has been invested in the flood defences across the county. Over 1,600 homes in Yorkshire were protected from flooding last week. A total of 127 Flood Warnings and 39 Flood Alerts were issued across Yorkshire including coastal warnings for high tides.

Across Yorkshire, over half a billion pounds has been invested in flood schemes since 2015, protecting more than 66,000 properties. In York alone, since 2015 over £70 million has been invested with over 1800 properties benefiting from better flood protection.

The River Ouse peaked at 4.6 metres at the Viking Recorder in York City Centre. Our newly raised defences were tested accordingly.

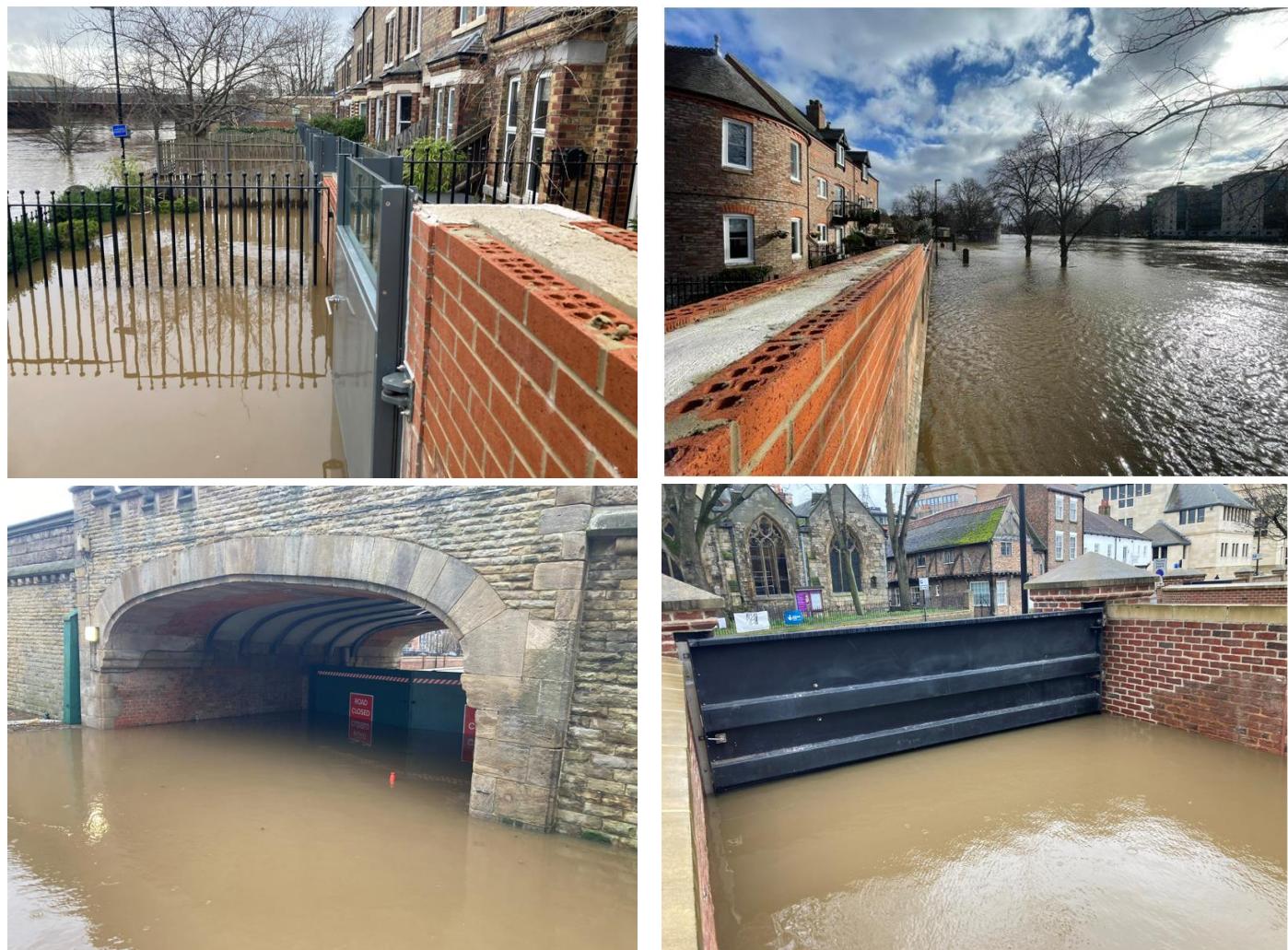


Figure 2: Clockwise from top left. Almery Terrace, Esplanade Close, North Street, Lendal Arch.

Some of our work was impacted by the flooding. Tree felling in Clifton Ings was paused due to inaccessibility, this is planned to resume week commencing 14th March once the ground conditions are suitable. Work was also temporarily paused in Museum Gardens, Foss Flood Storage Area site and at our PFR installations whilst the flood water was at its peak. In Clementhorpe all plant and equipment in the working areas which were at risk of flooding were moved to higher ground. The site and compound areas have now been cleared of silt and debris deposited by the flood water and work on the defences resumed.

4. Programme Information Table

Capital Schemes being delivered

Flood Cell / Scheme	Estimated total cost (£k)	No. of properties better protected (approx.)	Brief description	Expected completion
B4 - Scarborough to Ouse Bridge (Right Bank)	2,555	39	A new flood wall along Leeman Rd from Westgate Apartments to a new embankment in the grounds of York City Rowing Club, with demountable flood barriers across the main and second entrance to the Memorial Gardens. A new, larger flood gate under Lendal Bridge. Raised height to existing flood wall along North St with replaced flood gates, including increased width to northernmost gate to improve pedestrian flow.	Complete
B8 - Clementhorpe	7,717	135	A new flood wall in front of Waterfront House. Raised steps between Waterfront House and Dukes Wharf and raised road beside Dukes Wharf. A new flood wall and flood gate at Rowntree Park Caravan Site. Raised height of existing flood wall at Roomzzz Hotel. A new flood wall at the top of the steps between Postern Close and Postern House and raised wall corners at these properties. A new bi-fold floodgate on Clementhorpe Road and a 240m long, up to 6m deep underground seepage cut-off along Terry Avenue.	Aug 2022
B10 - Clifton & Rawcliffe	20,600	140	Increased height of the existing barrier bank and extended at both northern and southern ends. A wider 'footprint' of the bank to reduce the angle of the slope and so reduce the risk of bank slippage in the future. A new pumping station within the barrier bank to control water levels in Blue Beck storage lagoon.	Nov 2023
B11 - Coppins Farm to Scarborough Bridge (Left Bank)	3,665	156	Raised height of the flood embankment in St Peters School fields. A new transition wall between the embankment and the development at the end of Almery Terrace. New floodgates and glass panels to increase the height of the flood defence along Almery Terrace. A new flood gate at the top of the Almery steps and piling within the Network Rail embankment.	Apr 2022
B12 - Scarborough Bridge to Lendal Bridge (Left Bank)	2,950	57	Increased height of the existing flood wall from Scarborough bridge to Museum gardens. This includes new flood gates and glass panels along Earlsborough Terrace and Esplanade Court, a new flood gate near Scarborough Bridge and new demountable panels for the Marygate flood gate. Increased height of the embankment within Museum Gardens and also extended at southern end. This includes terracing of the embankment adjacent to the Hospitium to preserve the rare True Service tree.	Apr 2022

ANNEX 1

Page 16

C1 - Bishopthorpe	3,390	170	A 180m long flood wall along Chantry Lane with a 6m deep steel barrier underground cut off. A flood gate across the bottom of Chantry Lane. A new manhole chamber with a penstock mechanism.	Mar 2022
F8 /F10/F11- Foss Storage Area	17,526	490	Construction of a new embankment with outfall control structure upstream of York, designed to hold up to 1million m ³ during times of extreme rainfall. Once downstream river levels recede, the stored water will be released at a controlled rate. The creation of two ponds connected to the River Foss, together with improvements to the river channel, will result in new wetland habitats to support wildlife.	Nov 2023
Foss Barrier	38,000	1600	Greatly increased pumping capacity with replacement of all 8 pumps, including new infrastructure and new power supplies. In addition to 2 independently sourced High Voltage electricity supplies the barrier has 5 new back-up generators to maintain operation of all eight pumps at maximum capacity in the event of catastrophic power failure. All vulnerable infrastructure raised to first floor height. A new taller barrier gate, lifting equipment and housing.	Apr 2022

Capital Schemes still in the design phase or being delivered by our partners

Flood Cell / Scheme	Description	Being delivered by	Stage
B9 – Germany Beck	City of York Council (CYC) led project with multiple benefits including increased flood protection to Fordlands Road and the A19 as well as reducing flood risk to local homes and businesses. Initial design is progressing well with planning submission planned for later this year.	CYC	Design
F1 – Tower Street	We are investigating options on how to provide flood protection along Tower Street to prevent exceptionally high flood levels on the River Ouse bypassing the defences within St Georges Car Park and entering the Foss Basin which would pose increased flood risk in the lower Foss. This scheme will initially involve raising of the wall between St George's car park and the Foss Basin tying into Skeldergate Bridge. We are working closely with the CYC Castlegate project team to ensure our projects align.	Environment Agency	Design
F4/F5 – Tang Hall and Osbaldwick Becks	We are in early conversations with CYC and other partners to investigate how to incorporate Natural Flood Management and Sustainable Drainage processes to reduce flood risk in this area.	N/A	N/A
F12 – Westfield Beck	The flood risk in this area is complicated as it is influenced by a number of sources. We have been in discussions with our partners to consider what options may be available. To mitigate flood risk here a number of factors need to be considered to ensure that any work does not have adverse impact on another flood risk source. We will continue to work with our partners to identify possible options and how any work may be delivered.	N/A	N/A

ANNEX 1

Property Flood Resilience (PFR)

Completed PFR Flood Cells

Flood Cell	Cell Name	No. of eligible properties	Total participating	Total delivered	Percentage achieved
B16	Foss Confluence to Fulford	55	44	44	80%

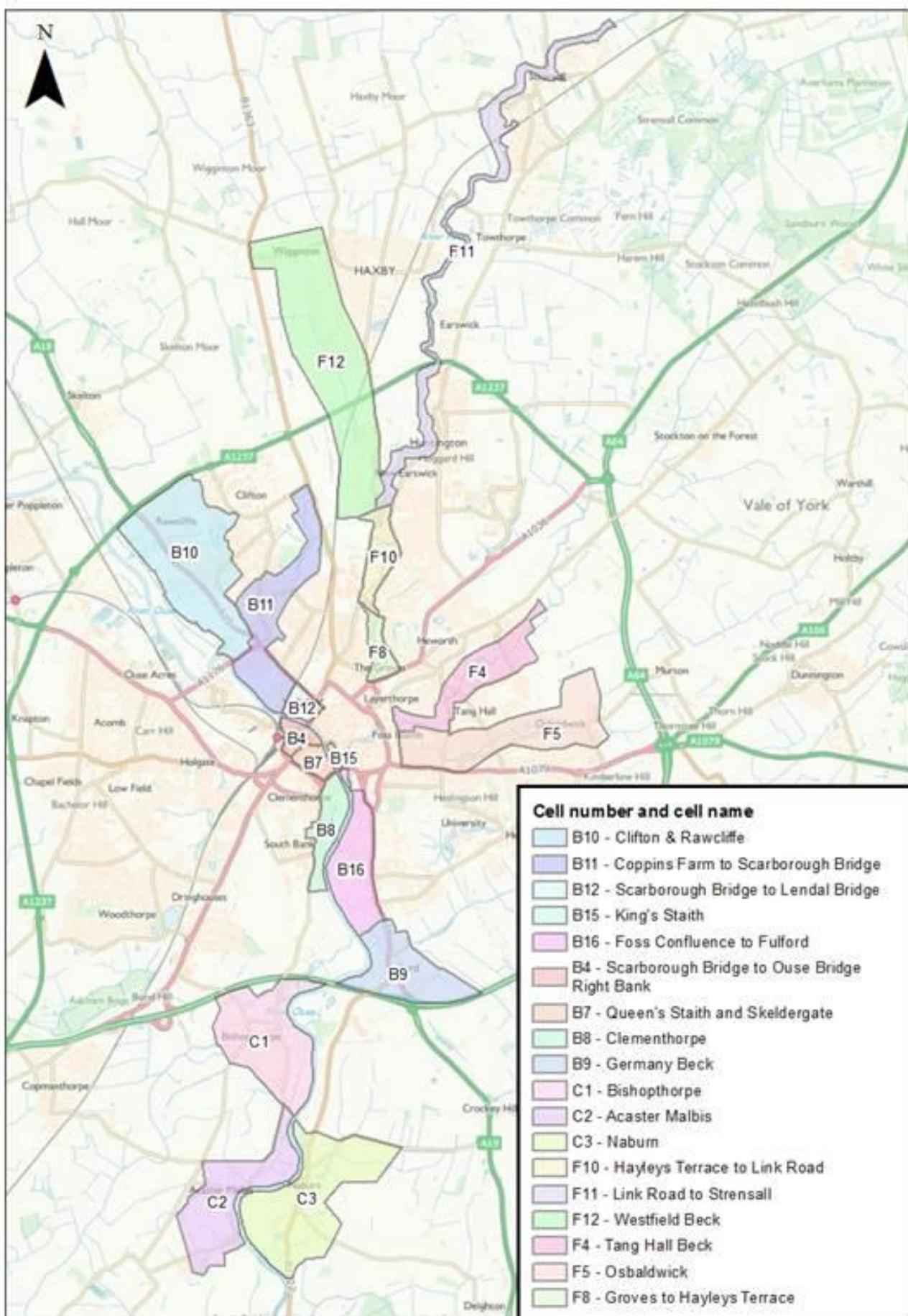
PFR Flood Cells in progress

Flood Cell	Cell Name	No. of eligible properties	Total participating	Total delivered	Percentage achieved to date
B8	Clementhorpe	28	27	19	68%

PFR Flood Cells not yet in contract

Flood Cell	Cell Name	Potential No. of eligible properties (yet to be confirmed)	Responses to date	Percentage engaged
B7	Queens Staith and Skeldergate	38	26	68%
B11	Coppins Farm to Scarb Br	4	0	0%
B12	Scarborough Br to Lendal Br	5	5	100%
B15	Kings Staith	69	12	17%
C1	Bishopthorpe	14	4	29%
C2	Acaster Malbis	30	6	20%
C3	Naburn	78	52	67%
F8	Huntington Rd	3	0	0%

5. Map of the York Five Year Plan Flood Cell Outlines



ANNEX 2

DEFRA Flood and Coastal Resilience Innovation Programme

Background

In the 2020 budget, Government announced a programme to test and demonstrate ways to help communities become more resilient to flooding and coastal change. The programme has allocated £150m to 25 areas in England to deliver projects which will inform future approaches to increasing the nation's resilience to flooding.

The City of York Council (the **Council**) successfully led a bid for funding, in collaboration with project partners, for a project to manage water within the 3,500km² Swale, Ure, Nidd and Ouse (**SUNO**) catchment upstream of York. Recognising that water doesn't respect authority boundaries, the project will develop a pipeline of projects across North Yorkshire which use 'natural flood management' measures to slow and store flood water.

Approach

Future flood resilience in York and North Yorkshire communities can be achieved through the development of measures away from urban areas that deliver direct benefits to those communities and work with hard engineered flood defences where they exist.

Natural flood management (**NFM**) includes a wide range of measures including soil and land management changes and features such as small earth bunds and shallow depressions to slow runoff at a catchment scale. Our project will work in partnership with farmers and land managers to develop NFM measures that can be implemented in a way that supports farm businesses and the wider rural economy. Agricultural subsidies, which are changing as part of the developing Environmental Land Management Schemes, are expected to be an important element of funding for NFM measures in the near future. The project will provide advice to farmers and land managers to encourage uptake of NFM measures and helps them access funding.

The project has been developed with involvement from a number of key partners including JBA Consulting, Environment Agency, University of York, Yorkshire Dales Rivers Trust, Yorkshire Dales National Park and a range of other catchment-based organisations. The experience and local relationships held by these organisations has been invaluable in developing the project to date. There are numerous initiatives, including

ANNEX 2

tree planting and habitat improvement projects, within the SUNO catchment which can contribute to NFM outcomes and are potential candidates for project funding.

The project will use innovative modelling approaches to understand how these NFM measures could benefit both local communities and downstream urban areas. Based on this understanding, the project will explore options for financing NFM measures in the upper catchments from established funding sources (including existing Government funding streams for managing flood risk) and also from downstream beneficiaries.

To help all communities to understand the interconnections within the catchment, the project will trial innovative engagement techniques. This will aim to present the complex dynamics within the catchment in simple terms and communicate in engaging ways.

Progress

The project has received development funding to enable a project manager to be employed. The next step is to develop an Outline Business Case, which will be submitted to the Environment Agency for approval to release the next phase of funding.

The Council is managing the drafting of the business case in close collaboration with partners, including North Yorkshire County Council. A non-technical summary of the business case will be shared with the City of York Council Executive Committee in early summer 2022. It is expected that the total project value will be around £6m (including contingency and inflation) and the duration will be to March 2027, when the funded programme ends.

Challenges

A truly coordinated scheme delivered through many partners will require the development of effective governance arrangements. The linkages between City of York Council and North Yorkshire County Council will be essential to the project's success. We are currently developing these approaches which will be outlined further in the paper to the Executive, but initially a high level non-legally binding shared Memorandum of Understanding which sets out a long-term approach to managing water across the catchments, is proposed (see **Appendix 1** of this Annex). A template form for a detailed legally binding Collaboration Agreement based upon the principles set out in non-legally binding Memorandum attached in **Appendix 1** of this Annex has been drafted with advice from

ANNEX 2

Legal Services and will be used to support our work with partners across the catchment as we seek to formalise the governance arrangements for the project going forward.

This will provide a framework for the project but will also provide a basis for longer-term collaboration, North Yorkshire County Council are similarly scrutinising the current and future governance proposals

The project is ambitious in scale, innovative in approach and presents a good opportunity to inform Government policy and funding arrangements based on practical application. Most importantly, the project aims to establish a lasting legacy of ways of working that improve flood resilience across the catchment for the benefit of all our communities.

ANNEX 2

Appendix 1

Memorandum of Understanding between the City of York Council and North Yorkshire County Council in relation to managing water to reduce flood risk

Background

City of York Council (CoYC) and North Yorkshire County Council (NYCC) are ‘lead local flood authorities’ under the Flood and Water Management Act 2010 and have duties under this Act to cooperate in order to manage flood risk. CoYC and NYCC act collaboratively to manage flood risk to their communities, and their flood risk management strategies are aligned.

Water does not respect administrative boundaries and actions taken in one part of a river catchment can have effects downstream, in different local authority areas. Catchment-wide approaches to managing flood risk are increasingly recognised as an important tool to mitigate the impact of more intense rainfall caused by climate change. The Government’s flood and coastal risk management policy and the Environment Agency’s national flood risk management strategy both promote the use of nature-based measures to slow and store water within catchments, alongside investment in engineered flood defences.

Purpose

This Memorandum of Understanding (MoU) sets out the commitment from CoYC and NYCC to work together to increase flood resilience within their communities.

The councils recognise that a collaborative approach to managing water across catchments is mutually beneficial but it does bring challenges. Catchment-wide working means councils need to take an interest in work outside the area they administer. A catchment-based approach also means local communities across the catchment need to be engaged: in particular, farmers and land managers who hold back water on their land must be recognised and appropriately supported.

This MoU will form the basis for the councils’ approach to working together to balance the needs of all communities to improve resilience to flooding.

ANNEX 2

Our commitment to working together

- We will support transparent decision making that recognises potential trade-offs between different areas and maximises benefits to all our communities
- We will build the evidence base to better understand how actions in one part of the catchment can impact other places
- We will engage with communities across the catchments so they understand the interconnections within the catchment and how they can help increase flood resilience
- We will develop measures to reduce flood risk in a collaborative way which recognises connections within the catchment
- We will investigate and promote funding opportunities which support catchment-wide approaches
- We will work together to enable efficient delivery of catchment-wide measures, including any consenting needed.

Termination

Either party may terminate this MoU by giving at least one (1) month's notice in writing to the other party at any time.

Variation

This MoU may only be varied by written agreement of the parties.

Charges and liabilities

Except as otherwise provided, the parties shall each bear their own costs and expenses incurred in complying with their obligations under this MoU. Both parties shall remain liable for any losses or liabilities incurred due to their own or their employee's actions and neither party intends that the other party shall be liable for any loss it suffers as a result of this MoU.

ANNEX 2

Status

For the avoidance of any doubt, this MoU is not intended to be legally binding, nor does it constitute a binding obligation upon either of us to enter into any kind of legally binding collaboration agreement at any later date, and no other legal obligations or legal rights of any kind shall arise between the parties from this MoU.

The parties enter into the MoU intending to honour all their obligations.

Nothing in this MoU is intended to, or shall be deemed to, establish any partnership or joint venture between the parties, constitute either party as the agent of the other party, nor authorise either of the parties to make or enter into any commitments for or on behalf of the other party.

Governing law and jurisdiction

This MoU shall be governed by and construed in accordance with English law and each party agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

Signed for and on behalf of the City of York Council

Signature:

Name:

Position:

Date:

Signed for and on behalf of North Yorkshire County Council

Signature:

Name:

Position:

Date: