

North Yorkshire County Council

Business and Environmental Services

Executive Members

26 August 2022

Flood Risk Management Programme Delivery Update

Report of the Assistant Director – Highways and Transportation

1.0 Purpose of Report

- 1.1 To inform the Corporate Director - Business and Environmental Services (BES) and BES Executive Member for Open to Business of the progress of scheme development in priority locations.
- 1.2 To seek the approval of the Corporate Director - BES, in consultation with the BES Executive Member for Open to Business for additional locations to be included in the flood risk programme during 2022/23 and the associated indicative expenditure during this financial year.

2.0 Background information

- 2.1 In January 2018 the Corporate Director - BES in consultation with BES Executive Members approved a method of prioritising locations where flood investigation had been undertaken by North Yorkshire County Council (NYCC) as Lead Local Flood Authority (LLFA). This is used to inform the programme for scheme development and delivery, with the intention of NYCC delivering surface and ground water flood mitigation, in line with its powers as LLFA to act under the Flood and Water Management Act (2010).
- 2.2 Based on this criteria, the following locations are presently prioritised in the flood programme:
 - Malton, Norton and Old Malton
 - Scarborough Town
 - South Craven Villages
 - Saxton
 - Rye Villages
 - Upper Dales Villages
 - Great Ayton
 - Stokesley
 - Tadcaster
 - Gildersleets
 - Lower Air Villages

3.0 Update on NYCC scheme development

- 3.1 Appendix 1 to this report provides a progress update on NYCC agreed priority locations alongside the proposed action in locations that are proposed to be newly included in programme commitments. Indicative NYCC expenditure during this financial year against these locations is also provided.

- 3.2 Whilst progress is being made across the programme there are some on-going challenges. The wider commitments of the team has once again impacted on resources and led to delays in the delivery of the programme. The planned recruitment of two additional fixed term project managers to permit the accelerated delivery of the programme was unfortunately not successful with no suitable candidates being identified.
- 3.3 External delays in the supply of materials and products has caused delays on the Malton, Norton and Old Malton project. The slippage has inevitably impacted on the progress of similar schemes on the programme where we are targeting the same vein of intervention whilst resource is still involved in this project.
- 3.4 Progress has however been made on a number of projects by the team and this has been helped by the appointment of a second Senior Flood Risk Management Engineer.
- Works to the Brotherton culvert were completed to a value of £350k.
 - February 2022 saw the completion of the Upper Dales feasibility studies which has resulted in an approved preferred options short list. It is envisaged that some quick wins, property level resilience and even some Natural Flood Management measures may be implemented this year. However given the magnitude of geographic area this is likely to roll over to future years.
 - 2021/2022 also saw the completion of the Saxton study – we are currently working with the Parish Council to draw up a preferred options list this year.
 - The phase 2 feasibility study for Great Ayton was also completed which has identified a preferred options list.
 - A commission has also been requested by WSP for the South Craven villages with an anticipated completion date by the end of 2022/2023.
- 3.5 We are intending to deliver an ambitious programme of property level resilience works across a number of projects and are currently working with the NYCC procurement team to secure contractors through the Environment Agency Property Level Resilience Framework. A further key decision report on this will be bought separately. Based on the number of properties identified to be at risk this equates to circa £1.2 million identified across the schemes where feasibility studies have been completed. It is intended that this work would be funded from the NYCC flood risk reserve and supplemented where possible with Local Levy funding but this will be covered in more detail in a future report.

4.0 Locations to bring into the programme

- 4.1 To ensure a future pipeline of schemes based on the approved Flood Incident Review Protocol; Easingwold and Swainby have been identified as suitable locations for future feasibility studies with a view to implementing improved community resilience work, if a traditional flood alleviation scheme cannot be demonstrated to be viable. Delivery of these studies is expected to start in 2025/26
- 4.2 Kirkbymoorside was initially part of the Rye Villages studies project. Given that there is now a commitment on the EA forward programme to contribute towards the outcome of this scheme, Kirkbymoorside has been allocated its own line on the NYCC programme.

5.0 Equalities implications

- 5.1 An Equalities Impact Assessment Screening Form is included in Appendix 2.
- 5.2 The Assessment finds that the proposals will have no heightened effect upon any protected characteristic or combination of protected characteristics.

6.0 Financial implications

- 6.1 There is presently £1,696,211 in the flood risk reserve, the below profile will require funds to be drawn from the reserve this financial year, due to projects being brought forward from the future programme. Additionally, there is capacity within the flood risk management base budget of up to £300k to be used towards the delivery of programme commitments.
- 6.2 A profile of expected expenditure of the flood risk management programme commitments during this financial year is included in Appendix 1. Where additional funds could not be sourced, the schemes would be reviewed. This is not indicative of full scheme costs, it only seeks to demonstrate an indicative NYCC contribution to scheme development work or delivery during this financial period.
- 6.3 As schemes progress, where required, third party funding would be sourced for any projects which were not affordable within the NYCC indicative contribution. The team has successfully applied for funding over the past few years from funders including the LEP, EA, RFCC, DEFRA and also from other Risk Management Authority partners.

7.0 Legal implications

- 7.1 North Yorkshire County Council has permissive powers under both Section 14 of the Land Drainage Act 1991 to undertake work to mitigate surface water flooding or groundwater flooding and to undertake works to ordinary watercourses and under Section 25 of the 1991 Act to require works to maintain the free passage of flow on ordinary watercourses.
- 7.2 Under the County Council's Constitution, the Corporate Director BES has delegated powers to exercise all functions of the Council as Lead Local Flood Authority under the Flood and Water Management Act 2010 and the Land Drainage Act 1991, including (but not limited to) the granting (or otherwise) of land drainage consents for ordinary watercourses.
- 7.3 This report seeks to update on the progress of scheme development in the locations which are of the highest priority to NYCC in which to exercise these powers. The affordance of a priority to "high risk locations" is detailed in the NY Flood Risk Management Strategy. Further consideration of whether any legal implications arise will be required during the delivery of schemes.
- 7.4 Proper consideration as outlined in section 5.0 is being given to equalities issues that are pertinent to the proposals.

8.0 Climate Change Implications

- 8.1 A Climate Change Impact Assessment is included as Appendix 3 of this report. No significant impacts are anticipated resulting from the report, however flood mitigation offers positive benefits to resilience to future climate change projections and can offer

secondary water quality and environmental benefits if delivered sympathetically. Overall then, the proposals are therefore anticipated to have a positive impact upon climate change.

9.0 Recommendations

9.1 It is recommended that the Corporate Director - BES and BES Executive Member for Open to Business:

- i. note the progress of scheme development in the priority locations already in development and

the Corporate Director, BES, in consultation with the BES Executive Member for Open to Business approves:

- ii. the allocation of the base budget and use of the flood risk reserve to deliver programme commitments detailed in appendix one of this report
- iii. the inclusion of projects in Easingwold, Swainby and Kirkbymoorside in the flood risk programme.

BARRIE MASON
Assistant Director - Highways and Transportation

Author of Report: Meirion Jones

Background Documents: Flood Incident Review Protocol

Progress update on NYCC agreed priority locations and proposed action in locations to be newly included in programme commitments

Location	Officer comment	Recommendation for future work	Expected NYCC spend during 2022/23
Malton, Norton and Old Malton	<p>This project has nearly reached completion. This includes: A package of infrastructure improvements to facilitate swifter pumping during flood response, property level resilience measures, improved cctv for monitoring purposes Groundwater telemetry/channelling solutions</p> <p>Delays have been experienced due to difficulties in obtaining products and materials post Covid. Work continues to install property level measures to the remaining properties.</p>	Completion of the few remaining properties due to the delays experienced.	£50k
Scarborough Town	Flood modelling has been undertaken, with contribution from DEFRA. The modelling has demonstrated there to be significant number of properties at hypothetical risk. Outputs at this stage appear that the potential flow path could be exacerbated by blockages of the culvert which needs to be investigated further.	Next steps are to review the baseline model results and undertake some scenario testing to understand blockage influence.	£10k
Upper Dales Villages	<p>Feasibility Studies were completed and presented to the communities in a drop in event in February 2022. A preferred options list was also approved at this time.</p> <p>Officers have identified opportunities to collaborate with the York and North Yorkshire Catchment Solutions programme lead by the city of York. Preferred options identified a number of locations suitable for Natural Flood Management Techniques. There is an opportunity to utilise the York project as a facilitation of these projects.</p>	A funding strategy is to be agreed in order to identify the most suitable mechanism for funding and delivery. It is anticipated that property level resilience and quick wins can be delivered relatively quickly, however were more complex schemes are required there needs to be consideration for apportioned benefits, particularly where seeking Grant in Aid (GiA)	£250k

Great Ayton	<p>Jointly led by NYCC and Northumbria Water. Mott McDonald Bentley have completed additional damage analysis and have presented a report to partners.</p> <p>A preferred options list has identified limited opportunities for intervention in the east of the village, but a scheme that is likely to attract external funding GiA has been identified in Easby Lane area.</p>	To discuss with NWL the appetite for joint scheme given the disappointing response of OFWAT to NWL funding request. Scheme progression may be dependent on level of contribution from NWL.	n/a
Rye Villages	Funded by successful application to the EA for Flood Defence Grant in Aid (FDGIA) locations in the Rye identified for surface water study were Thornton le Dale, Hovingham, Sinnington, Gilling East, and Kirkbymoorside, based on the residual risk of conurbations in the Rye. Options have been delivered however the progress has been halted due to competing priorities.	Additional drainage surveys and feasibility work to be undertaken in Kirkbymoorside. There is a commitment on the EA forward programme to contribute towards the outcome of this scheme. A package of Property Level Resilience offers are to be delivered in the other villages.	£115k
South Craven	<p>This work was put on hold to permit catchment modelling by the EA which may lead to joint outcomes.</p> <p>It is intended to continue to work on this in 21/22, alongside an options appraisal targeting surface water management in those villages identified in the 2015 Section 19 report.</p>	Continue to support the catchment work of the EA. Commission an initial options appraisal to look at surface water solutions.	£50k
Tadcaster	The EA led scheme has achieved full funding and has been under development for a number of years. It has recently suffered a delay as additional modelling is required to support the scheme development.	NYCC to continue to support the EA in development of the scheme, in particular looking at surface water interactions. NYCC is a member of the community client group supporting the scheme.	n/a
Saxton	Historic feasibility work has already been undertaken by various parties to address the risks in Saxton. It is necessary to understand the benefits of the outcomes of that work that have been delivered over the years in order to move this forward.	Desk top analysis of existing feasibility work and historic delivery. This will then inform the future direction of work.	£100k

	Desk top analysis of existing feasibility work and historic delivery. This will then inform the future direction of work.		
Stokesley	Stokesley was included as an extraordinary commitment to the programme to facilitate third party investment by Northumbria Water in NY as part of its partnership programme. The work to be undertaken by NW had not progressed.	n/a – the programme of those partner organisations leading in this location has not reached this location yet.	n/a
Gildersleets	Gildersleets has had a number of flood events in recent years. NYCC has delivered low level flood works in the location historically but it has been identified that there may be a proportionate and deliverable flood management scheme that could be developed.	NYCC to develop feasibility works to deliver mitigation in the location.	£25k
Brotherton	Work to an NYCC highway culvert to ensure it is in good working order complete. This may stimulate wider investment and investigation of other parties in the receiving drainage systems.	Further work to combat vegetation growth required	£50k
Lower Aire Villages	To undertake work to deliver the recommendations from the 2020 Aire Section 19 report	To review property level provision in the impacted villages	£110k
Easingwold/ Swainby	Production of a feasibility study to support community resilience.	To review property level provision	n/a
Kirkbymoorside	A scheme has been identified in partnership with the Environment Agency that will benefit up to 40 properties. It is anticipated that NYCC will progress the property level resilience work as part of the single contractor protocol as mentioned in section 3.4 of the Report.	To review and contact those that could benefit from PFR and include these in the single contractor protocol. In addition, a survey of the existing surface water system will also be carried out to assess its integrity and capacity.	£5k
TOTAL:			£765k

Initial equality impact assessment screening form (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Business and Environmental Services		
Service area	Highways and Transportation		
Proposal being screened	Flood risk management programme update		
Officer(s) carrying out screening	Meirion Jones		
What are you proposing to do?	Inform on the progress of the flood risk management programme and include additional locations in the programme, for project delivery during 2022/23		
Why are you proposing this? What are the desired outcomes?	To offer flood risk mitigation to our most impacted communities and in line with the council's responsibilities under the Flood and Water Management Act (2010).		
Does the proposal involve a significant commitment or removal of resources? Please give details.	The report seeks to allocate the 2022/23 base budget to flood risk projects and to profile the flood risk reserve to work over the next year.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristic As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.			
Protected characteristic	Yes	No	Don't know/No info available
Age		No	
Disability		No	
Sex (Gender)		No	
Race		No	
Sexual orientation		No	
Gender reassignment		No	
Religion or belief		No	
Pregnancy or maternity		No	
Marriage or civil partnership		No	
NYCC additional characteristic			
People in rural areas		No	

People on a low income		No	
Carer (unpaid family or friend)		No	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No.		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No		
Decision (Please tick one option)	EIA not relevant or proportionate:	X	Continue to full EIA:
Reason for decision	The report has not identified any issues which would adversely impact upon any protected characteristic. The work is related to the environment given that it is related to flood risk so would not have the potential to impact more severely on any group or characteristic.		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	17 August 2022		



Change Impact Assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Flood risk management delivery programme
Brief description of proposal	To inform on the progress of the flood risk management programme and to include additional locations in the flood risk management programme during financial year 2022/23
Directorate	BES
Service area	Network Strategy
Lead officer	Meirion Jones
Names and roles of other people involved in carrying out the impact assessment	
Date impact assessment started	28/07/22

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

n/a

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

The proposal seeks to commit the flood risk base budget to projects and to allocate funding from the flood risk management reserve to its intended use.

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel		X		n/a	n/a	
	Emissions from construction		X		Many of the new projects will require feasibility work which may lead to construction however none of the recommendations of the report at this stage involve commitment to construction.	n/a	
	Emissions from running of buildings		X		As above	n/a	
	Other		X			n/a	
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic		X			n/a		
Reduce water consumption		X		As above	n/a		

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> Changes over and above business as usual Evidence or measurement of effect Figures for CO₂e Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise pollution (including air, land, water, light and noise)</p>	X			<p>Flood mitigation projects can have positive secondary impacts on water quality.</p>	n/a	<p>Partnership working with responsible organisations to maximise shared benefits</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>	X			<p>Flood risk mitigation is aimed to increase resilience to flood events which are projected to increase with the changing climate</p>	n/a	<p>To ensure projects and modelling/feasibility consider the impacts of climate change and include future expected rainfall patterns.</p>
<p>Enhance conservation and wildlife</p>		X		<p>As above</p>	n/a	

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		X		<p>All projects will consider the character of the location in which they are delivered.</p>	n/a	
<p>Other (please state below)</p>		X		<p>As above</p>		

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

Working near watercourses. SuDS guidance

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The report relates to the refresh of the flood risk management programme. Flood mitigation offers positive benefits to resilience to future climate change projections and can offer secondary water quality and environmental benefits if delivered sympathetically. Overall the proposals are anticipated to have a positive impact upon climate change.

Sign off section

This climate change impact assessment was completed by:

Name	Meirion Jones
Job title	Senior Flood Risk Management Engineer
Service area	H&T -Network Strategy
Directorate	BES
Signature	Meirion Jones
Completion date	28/07/22

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 17/08/2022