

North Yorkshire Council

Corporate Director, Resources

18 December 2023

Permission to apply for Environment Agency Grants for Coastal Capital Programme

Report of the Assistant Director - Highways and Transportation, Parking Services, Street Scene, Parks and Grounds

1.0 PURPOSE OF REPORT

- 1.1 To inform the Corporate Director, Resources, the Executive Member for Finance and the Executive Member for Highways and Transportation of ongoing former Scarborough Borough Council legacy coastal capital schemes, programmes and studies.
- 1.2 Request the Corporate Director Resources, in consultation with the Executive Member for Finance and the Executive Member for Highway and Transportation approvals to apply for Environment Agency allocated grant funding to undertake a range of coastal projects

2.0 BACKGROUND

- 2.1 North Yorkshire Council has inherited the role of Coast Protection Authority, historically undertaken by the former Scarborough Borough Council. In this role, the Council is undertaking numerous coast protection schemes and studies along the North Yorkshire coast to mitigate against coastal erosion and sea flooding.
- 2.2 The majority of these schemes are funded by the Environment Agency. The appended letter from the Environment Agency sets out the EA Board approved funding for 2023-2024. The letter includes a number of (but not all) funded and currently in progress legacy schemes, programmes and studies. In addition, the letter also identifies future schemes and studies for which funding bids are required prior to commencement.

3.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

- 3.1 Current Programmed Schemes. The following legacy capital schemes, programmes and studies are ongoing and have been incorporated into the new North Yorkshire Council Capital Programme and are ongoing:

Project	Value
Robin Hoods Bay Seawall Capital Maintenance Scheme Scheme to improve the condition of the seawall to extend it useful life.	£1.709m
Filey Seawall Coast Protection Scheme Scheme to improve the condition of the seawall and performance of rock armour.	£1.654m
Scarborough South Bay Beach Management programme (2021-27) Sediment redistribution to reduce incidents of sea flooding.	£84k
Cowbar Cliff Erosion Monitoring Programme 3 (2021-27) Project to laser scan the cliffs to measure erosion rates.	£142k

Scarborough Coastal Risk Management Programme (2021-27) Monitoring of groundwater and coastal slope stability.	£309k
North East Strategic Coastal Monitoring Programme (2021-27) Monitoring the coast from the Scottish Boarder to Flamborough Head	£4.549m
Whitby Town Property Level Protection (PLP) Study Feasibility study examining options for property protection	£57k
Scarborough Coastal Strategy Appraising options for the future coast protection of Scarborough	£462k
Scalby Ness coastal risk re-evaluation. An updated study to reevaluate the risk to properties based upon new monitoring data.	£110k
North Bay Urgent Wall Improvements phase 2 Outline Business Case. Business case to enable a future grant to be applied for maintenance works to the sea wall.	£57k

3.2 Legacy Grant Applications. There are also a number of new schemes that have grant allocated and now need to be progressed. As these schemes are Environment Agency grant funded, certain approvals are required in accordance with the Grant Application & Acceptance Procedures before the grants can be accepted and the schemes progressed.

3.3 New Funding Applications Funding bids are required to be submitted to the Environment Agency for the following coastal projects during 2023/24 and these projects would all be 100% EA Grant funded and therefore no match funding is required from NYC.

Whitby Town Property Level Protection works Project to provide flood protection measures to properties in Whitby.	£594k
Robin Hoods Bay Coastal Strategy Project to review the coastal strategy for this area to consider the coastal management options available for protecting this stretch of coastline. The key objective of a strategy is to recommend options to manage erosion and coastal flood risk which are sustainable in the longer-term.	£150k
Whitby Coastal Strategy. As above.	£300K

4.0 ALTERNATIVE OPTIONS CONSIDERED

4.1 Not to submit the funding bids is an option. There is no obligation to submit the proposed funding bids. However, our communities on the coast rely on up to date information regarding coastal change, and should the funding bids not be submitted it would result in outdated predictions of coastal change, outdated coastal strategy options and ultimately in the absence of coherent strategic approach future grant aid for capital works from central government would not be forthcoming. Up to date coastal strategies are a requirement for applications for grant aid to undertake capital works.

5.0 FINANCIAL IMPLICATIONS

- 5.1 If all bids are successful, it will secure capital funding of £1,044,000 to deliver NYC's coastal programme, and 100% grant aid covering all project costs including NYC staff time and consultant fees. No match funding would be required from NYC.
- 5.2 If successful, the terms and conditions of the grants will be reviewed ahead of seeking the appropriate approval for acceptance by NYC, this will include the financial years in which the grant must be spent and any clawback arrangements.

6.0 LEGAL IMPLICATIONS

- 6.1 The proposed schemes are being carried out using NYC's permissive powers under the Coast Protection Act 1949 and the Flood and Water Management Act 2010.
- 6.2 If successful, further approvals will be sought (appropriate to the level of grant) seeking authority to accept the grants which will include a review of the terms and conditions of acceptance.

7.0 EQUALITIES IMPLICATIONS

- 7.1 There are no direct equalities implications as a direct result of this decision.

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 See forms in Appendix C.
- 8.2 The proposed funding bid for the provision of property level flood protection, if successful, will lead to increased resilience against flooding.
- 8.2 The proposed funding bids for coastal strategies, if successful, may lead to future mitigation and adaptation to climate change through planning for future impacts of sea level rise, flooding and coastal erosion in future coastal projects.

9.0 REASONS FOR RECOMMENDATIONS

- 9.1 The capital schemes, programmes and studies outlined above bring a huge value to the Yorkshire Coast and assist North Yorkshire Council to protect its residents against coastal risks. The fact that these works are 100% grant aided by the Environment Agency reduces both the cost and risk to the Council.
- 9.2 The Assistant Director considered how he wished to seek approval to apply for the grants outlined above and in particular, whether this should be done individually or the whole programme to be reported to the Executive Member. The Assistant Director recommended bundling the programme into one report for the Corporate Director and Executive Member to raise awareness of the programme.

10.0 RECOMMENDATIONS

- 10.1 It is recommended that:
- i) The Corporate Director, Resources in consultation with the Executive Member for Finance and the Executive Member for Highways and Transportation agrees to the Council bidding for a grant from the Environment Agency: £594k to undertake flood protection measures in Whitby.
 - ii) The Corporate Director of Resources, in consultation with the Executive Member for Finance and Executive Member for Highways and Transportation agrees to the Council bidding for a grant from the Environment Agency for £300k to update the Whitby Coastal Strategy.

- iii) The Corporate Director of Resources, in consultation with the Executive Member for Finance and the Executive Member for Highways and Transportation agrees to the Council bidding for a grant from the Environment Agency for £150k to update the Robin Hoods Bay Coastal Strategy.

APPENDICES:

Appendix A – EA Funding Letter 2023-2024

Appendix B – EIA Screening

Appendix C – Climate Change Impact Screening

BACKGROUND DOCUMENTS: None

Barrie Mason
Assistant Director - Highways and Transportation, Parking Services,
Street Scene, Parks and Grounds County Hall
Northallerton

01 December 2023

Report Author – Chris Bourne, Head of Projects
Presenter of Report – Stewart Rowe, Principal Coastal Officer

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



Date: 6 April 2023
Our Ref: LA/IDB FinalGrant/2324

Dear Mr Mike Greene

Scarborough Borough Council
Chief Executive's Office,
Scarborough Borough Council,
Town Hall,
Scarborough,
YO11 2HG

Confirmation of your flood and coastal erosion risk management grant-in-aid allocation for 2023/24.

Throughout 2022/23, we have collectively delivered a great deal for flood and coastal erosion risk management (FCERM), despite all the challenges we have faced. Since the start of the programme in April 2021, 140 schemes have better protected over 35,000 properties. Forecasts indicate that by the end of March 2023 more than 60,000 properties will have been better protected - including around 20,000 properties better protected by schemes led by risk management authorities (RMAs). Alongside the properties better protected, a range of wider benefits have also been forecast, including over 28,000ha of agricultural land, 5,600 non-residential properties and 1,500km of road.

I am pleased to confirm that the Environment Agency Board has approved the allocation of FCERM Grant-in-Aid (GiA) funding for the third year of the investment programme, including funding that will be invested by Scarborough Borough Council schemes and studies. The enclosed programme details the funding available in 2023/24 for schemes in your Local Authority. Please note that the amounts shown relate to full indicative costs of the schemes. The GiA actually paid will be confirmed on a scheme-by-scheme basis, in line with the rules for allocating funding on approval, set by the Department for Levelling Up, Housing & Communities.

The capital allocation for 2023/24 has been created using a prioritisation method based on partnership funding score, which complements the allocation principles and maximises the wider benefits that flood and coastal schemes can achieve. Following the request for additional funding through the RFCC 'local choice' process this year we increased our allocation for 2023/24 from £800m to £875m. The Yorkshire Regional Flood and Coastal Committee (RFCC) reviewed and consented the implementation of the regional programme for 2023/24 on 19th January 2023. The allocation in the enclosed programme is for 2023/24 financial year only. Any changes to this programme will need to be indicated to the Environment Agency via your local Area Flood and Coastal Risk Manager.

We are currently in discussion with HM Treasury on re-profiling the funding settlement, to help manage the future needs of the programme. This will ensure the programme remains affordable, value for money and can be delivered on time to meet our properties better protected target. The £875m settlement is based on a review of deliverability and has been approved by the EA Board. With the current over-programme, schemes are encouraged to continue to maximise delivery in 2023/24 to ensure spend to budget and to take advantage of any underspend across the wider Defra group. We will continue to work closely with RFCCs, RMAs and Environment Agency Area teams to manage the position in-year through 2023/24.



Due to challenges including resource and skill shortages, high levels of inflation and a slower than planned start to the programme period due to the Covid pandemic, the original properties better protected target of 336,000 is now unachievable within the current programme period. The Environment Agency have undertaken some strengthening activities to improve delivery across the Environment Agency and other risk management authorities. These activities include changes to Environment Agency assurance and approval, changes to deliver permits more quickly by centralising the way we permit in-river activities, commercial improvements such as a framework renewal or extension on our suite of frameworks, and proposed changes to partnership funding. We will be in touch in due course to explain what these changes may mean for you.

We would like to thank all RMAs and RFCCs for their excellent partnership working in helping to define how FCERM GiA is best used within the Yorkshire RFCC area. You make a vital contribution to planning and delivering a wide range of local benefits to communities across the country. This role is even more important in the current programme, with just over half of the schemes being led by other RMAs.

Support for developing new projects/schemes can be found on the [FCERM Capital Project Development SharePoint](#) site (formerly known as The Investment and Partnership Community SharePoint site). This improved site has been streamlined to help all RMAs and all levels of experience in developing FCERM projects. We have plans to simplify business case development and speed up investment decision making particularly for smaller projects. These improvements will be phased in over the coming months, and you can find all information and resources on this site. If you don't already have access to the SharePoint site, please email FCRM_Investment@environment-agency.gov.uk to be granted access.

We are using the [United Nations Sustainable Development Goals](#) (UNSDGs) to maximise the value of our investments. With the information collated from FCERM projects, we will be able to report consistently across a range of government goals and globally through the UNSDGs. It will also enable the Environment Agency and other RMAs to better demonstrate the wider benefits to local communities. This can include unlocking local economic growth opportunities, creating new jobs, helping to protect vital infrastructure, benefits to health and wellbeing and enhancing and creating green spaces.

The Environment Agency's climate ambition is to create a net zero nation resilient to climate change. This includes delivering the capital programme with 45% less emissions by 2030. Delivering a lower carbon programme requires new ways to plan, prioritise, design and build solutions in which lower carbon is at the heart of our decision-making. We know many other RMAs will also be considering their own net zero ambitions and we would welcome a conversation on this.

We recognise that there have been numerous challenges to delivery in the first two years of this programme. As we look ahead to the remainder of the programme, your support and commitment will continue to play a crucial role in helping to make local communities more resilient to the impacts of flooding and coastal change. I encourage you to progress and prioritise your FCERM investment to ensure communities reap the full benefits.

Finally, I would like to remind all RMAs about the process for managing grant claims. It is important that RMAs claim their grant payments promptly. Grant payments may not be awarded if RMAs have not yet claimed outstanding grants following completed work on other projects.

Yours sincerely

Mike Dugher



Area Director
Environment Agency

Please direct any enquiries to the Area Flood and Coast Risk Manager, Paul Stockhill, on paul.stockhill@environment-agency.gov.uk or 7920806175

cc. Caroline Douglass, Executive Director, Flood and Coastal Risk Management Encs:
2023/24 FCERM Programme

Initial equality impact assessment screening form 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	Environment		
Service area	Projects		
Proposal being screened	Permission to apply for EA Grants for Coastal Projects		
Officer(s) carrying out screening	Chris Bourne, Head of Projects		
What are you proposing to do?	Apply to the EA for a Grant to carry out three coastal projects: Whitby Flood Protection Measures Whitby Coastal Strategy Robin Hoods bay Coastal Strategy		
Why are you proposing this? What are the desired outcomes?	Good coastal management. Protect the coast.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics 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 an 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 directorate representative for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	

APPENDIX B

People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	No		
Will the proposal have a significant effect on how other organisations operate? (for example, 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:	<input checked="" type="checkbox"/>	Continue to full EIA:
Reason for decision	<p>The decision itself whether or not to apply for an EA Grant for coastal projects has no equalities impact.</p> <p>If the grants are awarded, and if the grants are accepted, there may be projects arising from them. At this point further EIA assessments will be made which may or may not lead to a full EIA depending on the nature and content of the project.</p>		
Signed (Assistant Director or equivalent)	Barrie Mason		
Date	11/08/23		

Climate 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

Version 2: amended 11 August 2021

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 the summary section of the form below.

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

Title of proposal	Permission to apply for EA Grants for Coastal Projects
Brief description of proposal	<p>That the Executive Member for Highways and Transportation, in consultation with the Corporate Director of Environment, the Corporate Director of Resources and Assistant Chief Executive Legal and Democratic Services agrees to the Council bidding for a grant from the Environment Agency: £594k to undertake property level flood protection measures in Whitby and if it is successful to accept the grant;</p> <p>That the Corporate Director of Resources, in consultation with the Executive Member or Highways and Transportation and the Corporate Director of Environment agrees to the Council bidding for a grant from the Environment Agency for £300k to update the Whitby Coastal Strategy. If the bid is successful that the Executive Member for Highways and Transportation, in consultation with the Corporate Director of Environment, the Corporate Director of Resources and Assistant Chief Executive Legal and Democratic Services accepts the bid;</p>

	That the Corporate Director of Environment, in consultation with the Executive Member or Highways and Transportation and the Corporate Director of Resources agrees to the Council bidding for a grant from the Environment Agency for £150k to update the Robin Hoods Bay Coastal Strategy and if the bid is successful, the Corporate Director of Resources to accept the bid
Directorate	Environment
Service area	Projects
Lead officer	Stewart Rowe, Principal Coastal Officer
Names and roles of other people involved in carrying out the impact assessment	Permission to apply for EA Grants for Coastal Projects
Date impact assessment started	25/7/2023

<p>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.</p> <p>No. There are no other options. This is an application for permission to apply for EA grant for coastal projects. This is the only mechanism and option to deliver the projects.</p>
<p>What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?</p> <p>Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.</p> <p>No impact on budgets. The grants provide 100% of the funding to deliver the projects.</p>

APPENDIX C

<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>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel		x		The decision being made is to seek permission to apply for grants to deliver 3 coastal projects. One provides grants to property owners to purchase property level flood protection measures; two are desk based strategy studies to review how the coast is managed.		
	Emissions from construction		x				
	Emissions from running of buildings		x				
	Emissions from data storage		x				
	Other		x				

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<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>		x				
<p>Reduce water consumption</p>		x				
<p>Minimise pollution (including air, land, water, light and noise)</p>	x			<p>The provision of property level flood protection will reduce water pollution in flooding incidents.</p>		
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>	x			<p>The provision of property level flood protection will improve resilience to flooding incidents.</p>		
<p>Enhance conservation and wildlife</p>		x				

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<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		<p>x</p>				
<p>Other (please state below)</p>		<p>x</p>				

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

No.

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 provision of property level flood protection protects against future flooding effects.

The desk top strategy studies, have no environmental impact, however the policies arising from the studies will aim to minimise environmental impact across the coast and protect against climate change.

Sign off section

This climate change impact assessment was completed by:

Name	Christopher Bourne
Job title	Head of Projects
Service area	Projects
Directorate	Environment
Signature	
Completion date	25/7/23

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 11/08/23