

**North Yorkshire County Council**  
**Business and Environmental Services**

**Executive Members**

**21 May 2021**

**Flood Risk Management (FRM) Programme 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 the BES Executive Members of the progress of scheme development in priority locations
- 1.2 To seek the approval of the Corporate Director - BES, in consultation with BES Executive Members for additional locations to be included in the flood risk programme during 2021/22 and the associated allocated 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 NYCC. 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 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
  - Stokesley
  - Tadcaster

**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 to be newly included in programme commitments. Indicative NYCC expenditure during this financial year against these locations is also indicated.
- 3.2 It is fair to say that the wider commitments of the team has impacted on resources and led to delays in the delivery of the programme. This has been combined with a necessity to prioritise the Malton, Norton and Old Malton project, in order to meet the funding stipulations of the EA and the LEP. This prioritisation has inevitably led to some intended projects inevitably being re-profiled in the programme into future years.

3.3 It has therefore been agreed that two additional fixed term project managers will be recruited to the Development Management Team, for a period of a year, which will permit the accelerated delivery of work towards existing commitments and also the potential to bring more locations into the programme for the years 21/22 and 22/23.

#### **4.0 Locations to bring into the programme**

##### **4.1 Lower Aire Villages**

In February 2020 various locations in the Aire catchment experienced flooding, resulting in the undertaking of a formal Section 19 investigation.

4.2 The section 19 report is available on the following link:

<https://www.northyorks.gov.uk/sites/default/files/fileroot/Environment%20and%20water/Flooding/201202%20Section%2019%20February-2020.pdf>

4.3 Actions for NYCC resulting from the Section 19 report included:

- The Lead Local Flood Authority and North Yorkshire County Council Highways to work with the community of Gildersleets to review the feasibility of any flood alleviation or improved resilience scheme for the community.
- Opportunities to include communities in the future North Yorkshire County Council flood mitigation programme will be explored
- The work will include identifying critical assets to flood risk and identifying those responsible for maintenance and engaging in active response planning

4.4 Work has been on-going to support communities following the publication of the section 19 report. To permit continuation of the recommendations of the report it is intended that Gildersleets, Brotherton and Lower Aire villages are included as programme commitments in 2021/22.

#### **5.0 Equalities Implications**

5.1 A full Equalities Impact Assessment 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 The annual base budget for lead local flood authority work is £820k. The team also receives grant from the EA to part fund the levy contribution of approximately £55k.

6.2 There is presently £160k of this unallocated this financial year. The already approved 2 x fixed term Project Manager posts will be funded from this year's base budget.

6.3 There is presently £1,415,453 in the flood risk reserve, the below profile will require funds to be drawn from the reserve this financial year, due to the value of work within the programme.

6.2 A profile of expected expenditure during this financial year, to be taken from base budget and topped up from reserve is included in Appendix 1. This is however 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.

## **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 in consultation with BES Executive Members note:
- i. The progress of scheme development in the priority locations already in development
- 9.2 The Corporate Director - BES, in consultation with BES Executive Members approve:
- i. The allocation of the base budget and flood risk reserve as detailed in Appendix 1 of this report
  - ii. The bringing of projects in Gildersleets, Brotherton and Lower Aire villages into the flood risk programme.

BARRIE MASON  
Assistant Director - Highways and Transportation

Author of Report: Emily Mellalieu

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 2021/22
Malton, Norton and Old Malton	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	Additional work to investigate feasibility of groundwater solutions is in progress. In addition, NYCC will support YW in its Living with Water campaign in the area. YW is undertaking drainage surveys in Norton and Malton to better understand some of the interactions which may also lead to additional improvement. There is also a contribution from Ryedale District Council to draw in the delivery of future work.	£200k –scheme £150k - pumps
Scarborough Town	Flood modelling has been undertaken, with contribution from DEFRA. 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.	£100k
Upper Dales Villages	Following the July 2019 section 19 report, Successful funding was applied for from the LEP to undertake feasibility work to look at mitigation solutions in villages affected in the event and also locations in Wensleydale with historic surface water issues. The feasibility work was delivered during 20/21.	Progress the development of options, by looking at feasibility and progress delivery.	£100k
Great Ayton	Jointly led by NYCC and Northumbria Water, the initial results of drainage modelling have not demonstrated the numbers of properties that were expected to be at risk. It has been agreed that a high-level damages assessment will be required in order to progress options further.	Mott McDonald Bentley to undertake additional damage analysis and present to partners.	Additional work to be undertaken by partners to ascertain future delivery
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.	£200k
South Craven	This work was put on hold to permit catchment modelling by the EA which may lead to joint outcomes.	Continue to support the catchment work of the EA. Commission an initial options appraisal to look at surface water solutions.	£50k

**APPENDIX 1**

	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.		
Filey	Fully funded surface water project developed and presently in delivery by Scarborough Borough Council.	No NYCC action required. Remove from programme	n/a
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.	£25k
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
New locations to be included in the programme.			
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.	£60k
Brotherton	Work has been identified to be required to an NYCC highway culvert to ensure it is in good working order. This may stimulate wider investment and investigation of other parties in the receiving drainage systems.	Quotes have been provided for works to be undertaken by IDB on NYCC's behalf.	£350k
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	£35K
<b>TOTAL:</b>			£1.270m NYCC contribution to be taken from flood risk base budget and reserve

<b>Initial equality impact assessment screening form</b> (As of October 2015 this form replaces 'Record of decision not to carry out an EIA')			
<b>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.</b>			
<b>Directorate</b>	Business and Environmental Services		
<b>Service area</b>	Highways and Transportation		
<b>Proposal being screened</b>	Flood risk management programme update		
<b>Officer(s) carrying out screening</b>	Emily Mellalieu		
<b>What are you proposing to do?</b>	Inform on the progress of the flood risk management programme and include additional locations in the programme, for project delivery during 2021/22		
<b>Why are you proposing this? What are the desired outcomes?</b>	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).		
<b>Does the proposal involve a significant commitment or removal of resources?</b> Please give details.	The report seeks to allocate the 2021/22 base budget to flood risk projects and to profile the flood risk reserve to work over the next year.		
<b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristic</b> As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> <li>• To what extent is this service used by particular groups of people with protected characteristics?</li> <li>• Does the proposal relate to functions that previous consultation has identified as important?</li> <li>• Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul>			
<b>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 <a href="#">Equality rep</a> for advice if you are in any doubt.</b>			
<b>Protected characteristic</b>	<b>Yes</b>	<b>No</b>	<b>Don't know/No info available</b>
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	
<b>NYCC additional characteristic</b>			
People in rural areas		No	

People on a low income		No	
Carer (unpaid family or friend)		No	
<b>Does the proposal relate to an area where there are known inequalities/probable impacts</b> (e.g. disabled people's access to public transport)? Please give details.	No.		
<b>Will the proposal have a significant effect on how other organisations operate?</b> (e.g. partners, funding criteria, etc.). <b>Do any of these organisations support people with protected characteristics?</b> Please explain why you have reached this conclusion.	No		
<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	X	Continue to full EIA:
<b>Reason for decision</b>	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.		
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason		
<b>Date</b>	11/05/21		



## 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](mailto: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](mailto:climatechange@northyorks.gov.uk) for advice.

<b>Title of proposal</b>	<b>Flood risk management delivery programme</b>
<b>Brief description of proposal</b>	<b>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 2021/22</b>
<b>Directorate</b>	<b>BES</b>
<b>Service area</b>	<b>Network Strategy</b>
<b>Lead officer</b>	<b>Emily Mellalieu</b>
<b>Names and roles of other people involved in carrying out the impact assessment</b>	<b>D Hugill</b>
<b>Date impact assessment started</b>	<b>29/04/21</b>



**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.

<p>How will this proposal impact on the environment?</p> <p><b>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.</b></p>	<p><b>Positive impact</b> (Place a X in the box below where</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (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"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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 <b>greenhouse gas emissions</b> e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	Emissions from travel		X		n/a	n/a	
	Emissions from construction		X		<p><b>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.</b></p>	n/a	
	Emissions from running of buildings		X		As above	n/a	
	Other		X			n/a	
Minimise <b>waste</b> : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic			X			n/a	
Reduce <b>water</b> consumption			X		As above	n/a	

<p>How will this proposal impact on the environment?</p> <p><b>N.B.</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><b>Positive impact</b> (Place a X in the box below where</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (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"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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 <b>pollution</b> (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 <b>resilience</b> 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 <b>conservation</b> and wildlife</p>		X		<p>As above</p>	n/a	

<p>How will this proposal impact on the environment?</p> <p><b>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.</b></p>	<p><b>Positive impact</b> (Place a X in the box below where</p>	<p><b>No impact</b> (Place a X in the box below where</p>	<p><b>Negative impact</b> (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"> <li>• Changes over and above business as usual</li> <li>• Evidence or measurement of effect</li> <li>• Figures for CO<sub>2</sub>e</li> <li>• Links to relevant documents</li> </ul>	<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 <b>North Yorkshire's landscape</b></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>		

<p><b>Are there any recognised good practice environmental standards in relation to this proposal?</b> If so, please detail how this proposal meets those standards.</p>
<p>Working near watercourses. SuDS guidance</p>

**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:

<b>Name</b>	<b>Emily Mellalieu</b>
<b>Job title</b>	<b>Development Management Team Leader</b>
<b>Service area</b>	<b>H&amp;T -Network Strategy</b>
<b>Directorate</b>	<b>BES</b>
<b>Signature</b>	<b>E Mellalieu</b>
<b>Completion date</b>	<b>29/04/21</b>

**Authorised by relevant Assistant Director (signature): Barrie Mason**

**Date: 11/05/21**