

**Report of City Development**

**Report to Executive Board**

**Date: 4<sup>th</sup> September 2013**

**Subject: Leeds (River Aire) Flood Alleviation Scheme**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): City and Hunslet & Rothwell Ward	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. This is a high priority scheme for the City which has the aim of defending the City Centre against a 1 in 75 year flood event, ensuring and supporting the further growth and regeneration of the Leeds economy.
2. The Executive Board has previously approved a phased approach and revised strategic direction, with Leeds City Council taking the lead role, to ensure work continues on this vitally important project for the city.
3. A Leeds Flood Alleviation Team has been assembled and appointed with the task of ensuring that the scheme is progressed with a view to commencing on site late this financial year. External consultants have also been engaged to complete the design of the scheme; additional external technical resource will be procured to support the team in the design, technical development and build of the project.
4. Planning permission was granted on the 1<sup>st</sup> May 2013 to construct two movable weirs and associated infrastructure in place of static Victorian structures. A condition was placed on the approval to undertake mitigation measures to prevent any increase in flood risk downstream of the movable weirs. A study has since identified Woodlesford as an area of increased flood risk due to the proposed flood defence works. The mitigation works must be implemented before the movable weirs can be operated.

## **Recommendations**

The Executive Board is requested to:

1. Approve an injection of funding into the Capital Programme of £3,362,000 from the Regional Growth Fund and £23,000,000 from the Defra Growth Fund.
2. Authorise expenditure from the Regional Growth Fund and Defra Growth Fund of £3,638,800 for the initial development and design of the Leeds Flood Alleviation Scheme and for the implementation of advance mitigation works in Woodlesford.

## **1 Purpose of this report**

- 1.1** This report updates the Executive Board on the progress of proposals to provide flood defences for the City.
- 1.2** It seeks approval to progress the development and design of the overall Leeds Flood Alleviation Scheme and the implementation of advance mitigation works in Woodlesford.

## **2 Background information**

- 2.1** Currently, there are no formal flood defences along the River Aire and in recent years the city has come close to suffering a major flood event.
- 2.2** The Executive Board in August 2009 considered a Comprehensive scheme for the River Aire, from Newlay Bridge to Woodlesford and agreed that a Managed Adaptive approach to protecting Leeds from major flooding from the River should be adopted by the Environment Agency (EA).
- 2.3** In January 2011, the Council and the EA were informed by Defra that the comprehensive scheme would be subject to the new “payments for outcomes” funding assessment model. The latter prioritises residential flood protection schemes ahead of schemes that protect businesses and distributes the “flood defence grant in aid” accordingly. For Leeds, because of the predominance of businesses on the Waterfront, this means the potential central government grant is relatively low requiring the shortfall to be made up from significant external funding. In essence, this makes the Comprehensive Scheme unaffordable in the foreseeable future.
- 2.4** As a consequence and further to a constructive meeting with the Secretary of State for Defra in March 2011, alternative options were examined including a phased approach to introducing flood defences along the River Aire.
- 2.5** The Director of City Development submitted a report to Executive Board in February 2012 providing an update on the progress of proposals to provide flood defences for the city. In response to this, Executive Board acknowledged that the original comprehensive flood defence scheme would not be funded and in light of that gave approval for an alternative approach. The alternative approach aims to achieve a 1 in 75 year Standard of Protection for the City Centre area from Leeds Station to Knostrop Weir by the end of 2016.

## **3 Main issues**

- 3.6** In 2000, the city centre was only centimetres away from flooding with further near misses in 2004, June 2007 and January 2008. It has been estimated by the Environment Agency (EA) that over 4,500 residential and commercial properties are at risk and approximately £400m of direct damage would be caused by a major flood from the River Aire in Leeds.
- 3.7** The Executive Board in August 2009 considered a comprehensive scheme for the River Aire, from Newlay Bridge to Woodlesford which had been developed in

accordance with Defra's guidelines prevailing at the time. Despite some considerable reservations about the proposed height and extent of some of the defences, the Executive Board agreed that a Managed Adaptive approach to protecting Leeds from major flooding from the River should be progressed by the Environment Agency. Under the Managed Adaptive approach, an initial standard of protection at 1 in 200 year event level, without an allowance for climate change, was to be provided. Climate change would then be managed by future interventions such as upstream storage, land management or by periodic "topping up" of defences in future years. The alternative precautionary approach incorporates an assessment and allowance for climate change in the constructed defences. This would have significantly affected the heritage and aesthetics of and access to the Waterfront, by installing higher defences along the Waterfront, thereby affecting the regeneration and amenity value of the river corridor.

- 3.8** Following informal feedback in late Summer 2010, it was then confirmed in January 2011 by Defra that the proposals for the River Aire needed to be progressed in accordance with the concept of "payment for outcomes" model that Defra had recently consulted on. At the time, the EA suggested this would result in the external funding requirement for the comprehensive scheme being increased to in excess of £100m. This level of external funding effectively made the comprehensive proposals unaffordable in the foreseeable future.
- 3.9** A meeting with the Secretary of State, the Environment Agency, Leeds MPs and a cross party delegation from the City Council, on 22 March 2011 considered the possible next steps and course of action.
- 3.10** Working with the Environment Agency, it was agreed there should be a review of the options including the possibility of a "revised scheme", of under £100m, including potentially providing a lower Standard of Protection in the first instance to facilitate work in the short term. The benefit of a "revised scheme" is that it could be delivered in phases and funded over a number of years with funding coming from a variety of sources e.g. from government, from the City Council, from an ERDF bid and from the private sector.
- 3.11** In February 2012 the Director of City Development submitted a report to Executive Board providing an update on the progress of proposals to provide flood defences for the city. In response to this, Executive Board acknowledged that the original comprehensive flood defence scheme would not be funded and in light of that gave approval for an alternative approach. The alternative approach aims to achieve a 1 in 75 year Standard of Protection for the City Centre area from Leeds Station to Knostrop Weir by the end of 2016. A further Executive Board Report will be submitted in November for the progress of the main works.
- 3.12** In October 2012 a planning application was submitted for approval to remove Crown Point and Knostrop weirs and replace them with two movable weirs. Planning permission was granted on the 1<sup>st</sup> May 2013. A condition was placed on the approval to undertake mitigation measures to prevent any increase in flood risk downstream of the movable weirs. The planning condition also stipulated that any mitigation works must be implemented before the movable weirs can be operated.

- 3.13** An EA study has since identified Woodlesford as an area of increased flood risk due to the proposed flood defence works. River modelling has demonstrated that the proposed city centre defences could in a flood event raise the water level at Woodlesford by 50mm. Currently Woodlesford has no defence against the possibility of river flooding. In light of the upstream works and their potential effect it is proposed to provide new flood defences to achieve a 1 in 200 year Standard of Protection to Woodlesford.
- 3.14** The Woodlesford defences consist of a sheet-pile wall approximately 650m in length. The steel piles will be driven along the watersedge to form a robust defence structure within the river channel. The structure will be sympathetically landscaped such that any visible intrusion from the banks of the river will be kept to the absolute minimum.
- 3.15** The outline plans are shown on drawing CC-010 attached as Appendix A. Artists impressions of the proposed flood defences are attached as Appendix B.
- 3.16** In April 2013 a Leeds Flood Alleviation Team was assembled and appointed with the task of ensuring that the scheme is progressed with a view to commencing works on site this financial year. It is expected that the capital costs for the Leeds FA scheme (including construction and fees) is in the region of £40-45m. These works are being funded by borrowing undertaken by Leeds City Council and grant from several sources. Capital funding has been confirmed from Regional Growth Fund of £3,362.0k and Defra Growth Fund of £23m. This report seeks approval to inject these funds into the approved Capital Programme. The Council is awaiting confirmation of further funding from Environment Agency Grant in Aid, which is anticipated to be in the region of £8.46m. Further information on funding streams will be included within the report brought to Executive Board in November.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Rothwell Ward Members were consulted at two separate meetings on the 18<sup>th</sup> and 26<sup>th</sup> April 2013. No adverse comments were received regarding the proposals at Woodlesford.
- 4.1.2 Extensive consultations have been carried out for the works and are still on-going. A questionnaire has been distributed to all businesses and members of the public directly affected by the proposals via a letter and leaflet drop in Woodlesford. The questionnaire is also available through the Leeds Flood Alleviation Scheme webpage and this consultation process is due to expire on the 28<sup>th</sup> July 2013.
- 4.1.3 The letter also advertised the Leeds City Council attendance at the Leeds Waterfront Festival on the 29<sup>th</sup> and 30<sup>th</sup> June 2013. Approximately 150 people visited the stall during this period. Visitors to the stall were offered copies of the consultation leaflet and informed about the FAS website. The stall also offered an opportunity for members of the public to openly discuss their concerns and expressed their interest in the proposed development.

4.1.4 The consultancy Ove Arup and Partners Ltd were commissioned with the task of producing a Statement of Community Involvement. This document gives a detailed breakdown of consultation process and summarises the comments and feedback received.

## **4.2 Equality and Diversity / Cohesion and Integration**

4.2.1 An equality, diversity, cohesion and integration screening has been undertaken on the proposals and is available as appendix C. It identified that there was not a need to carry out an impact assessment at this time as further equality screenings and impact assessments will be undertaken as part of the equality process at the planning and design stages of the proposals.

4.2.2 Due consideration to equality will be carried out as part of the Corporate Human Resource Process when recruiting additional external technical resource.

4.2.3 The proposals will have a beneficial impact on a large number of residential properties in the Woodlesford area, as it will provide a standard of protection against a 1 in 200 year flood event. This positive impact benefits all people living in the area, particularly people with impaired vision, people with mobility difficulties and small children who may have had difficulty exiting their properties should a major flood event be realised.

## **4.3 Council policies and City Priorities**

4.3.1 The scheme is consistent with the aims contained within the Council's Priority Plan and Business Plan, including:

- (i) Best City for business: Support the sustainable growth of the Leeds economy; create more jobs
- (ii) Best City for health and well-being: support people to live safely in their homes
- (iii) Best City to live: enable growth of the city whilst protecting the distinctive green character of the city.

## **4.4 Resources and value for money**

4.4.1 There has been significant progress in recent months with a funding package for the works comprising of contributions from the City Council, Central Government (Business Innovation & Skills) and Defra Growth Funding all scheduled to be in place by August 2013. .

4.4.2 The Council has allocated £10m towards this scheme from its Capital Programme.

4.4.3 At the time of writing, and subject to input from other funding streams, government monies, in the form of "flood defence grant in aid", are expected to be approved up to the amount of £8.46m before the September meeting of Executive Board.

4.4.4 The Regional Growth Fund bid has been approved for £3.362m.

- 4.4.5 A Defra Growth Fund bid has been approved for £23m, with an additional £700k allocated should further funding be required.
- 4.4.6 The cost of installing mitigation works at Woodlesford to provide a 1 in 200 year Standard of Protection, including contingency, is estimated at £1,501.5k. Further internal fees required to deliver all phases of the scheme until November 2013, when a further report will be brought to Executive Board, is in the region of £221.2k. Additional external technical resources to support the team in the design, technical development and build of the project are estimated in the region of £1,916.1k. This report seeks Authority to Spend for these amounts.

Funding Approval :		Capital Section Reference Number :-		16557/000/000			
Previous total Authority to Spend on this scheme	TOTAL	TO MARCH					
	£000's	2013	2013/14	2014/15	2015/16	2016 on	
			£000's	£000's	£000's	£000's	
LAND (1)	0.0						
CONSTRUCTION (3)	0.0						
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	202.4	154.1	48.3				
OTHER COSTS (7)	297.6	297.6					
<b>TOTALS</b>	<b>500.0</b>	<b>451.7</b>	<b>48.3</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	
Authority to Spend required for this Approval		TOTAL	TO MARCH				
		£000's	2013	2013/14	2014/15	2015/16	2016 on
			£000's	£000's	£000's	£000's	£000's
LAND (1)	0.0						
CONSTRUCTION (3)	1501.5			1426.4	75.1		
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	221.2			221.2			
OTHER COSTS (7)	1916.1			1745.1	55.0	55.0	61.0
<b>TOTALS</b>	<b>3638.8</b>	<b>0.0</b>	<b>0.0</b>	<b>3392.7</b>	<b>130.1</b>	<b>55.0</b>	<b>61.0</b>
Total overall Funding (As per latest Capital Programme)		TOTAL	TO MARCH				
		£000's	2013	2013/14	2014/15	2015/16	2016 on
			£000's	£000's	£000's	£000's	£000's
Unsupported Borrowing	10000.0	451.7	798.3	500.0	8189.0	61.0	
RGF	3362.0		2000.0	1362.0			
DEFRA Growth Fund	23000.0		7790.0	15210.0			
<b>Total Funding</b>	<b>36362.0</b>	<b>451.7</b>	<b>10588.3</b>	<b>17072.0</b>	<b>8189.0</b>	<b>61.0</b>	
<b>Balance / Shortfall =</b>	<b>32223.2</b>	<b>0.0</b>	<b>7147.3</b>	<b>16941.9</b>	<b>8134.0</b>	<b>0.0</b>	

## 4.5 Legal Implications, Access to Information and Call In

- 4.5.1 There are no legal implications directly related to this report.

## 4.6 Risk Management

- 4.6.1 There is significant risk that if the progression of the scheme is delayed, we will be unable to meet the deadlines and funding could be withdrawn.

## 5 Conclusions

- 5.1 The immediate progression of the mitigation works at Woodlesford is critical to ensure that the scheme can be delivered within the funding time constraints.

5.2 The scheme remains a vitally important scheme for the City, not just because of the threat to lives and property but also because of the long-term reputational damage a major flood would have on the attractiveness and economic performance of the City.

## **6 Recommendations**

The Executive Board is requested to:

- a) Approve an injection of funding into the Capital Programme of £3,362,000 from the Regional Growth Fund and £23,000,000 from the Defra Growth Fund.
- b) Authorise expenditure from the Regional Growth Fund and Defra Growth Fund of £3,638,800 for the initial development and design of the Leeds Flood Alleviation Scheme and for the implementation of advance mitigation works in Woodlesford.

## **7 Background documents<sup>1</sup>**

7.1 None

## **8 Appendices**

8.1 Appendix A – Drawing CC-010

8.2 Appendix B – Woodlesford Artist Impressions

8.3 Appendix C - Equality, diversity, cohesion and integration screening

---

<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.