

**Report to the Chief Officer (Highways and Transportation)**

**Date: 01 August 2017**

**Subject: Lumb Wood Pond Improvements**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Morley North	<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 type="checkbox"/> Yes	<input checked="" 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 Lumb Wood Pond is located off Whitehall Road, at Drighlington. It is situated in a natural valley, within the Tong Beck catchment. The pond is a man-made feature which was created sometime between 1932 and 1956. It has since become an established feature in the landscape and performs a valuable surface water balancing function for development in Drighlington.
- 2 Over time, the outlet from the pond has become blocked. It is believed that the blockage is situated under an area, which was filled during the last century to permit the construction of a coal-mining pit-head. Tipping in the valley, downstream of the pond, has continued until recent times, resulting in approximately 230m of culverted/piped watercourse downstream of the pond itself.
- 3 Since the pond was formed substantial, additional, development has taken place in Drighlington. As such, the pond now acts as a surface water balancing facility for the upstream urban catchment. From an engineering and land drainage viewpoint, the pond is a useful and desirable feature.
- 4 Developer contributions of circa £140k are expected to be received within the next few years to fund “drainage improvements” in the Lumb Wood Pond catchment. £19,422 has already been received.
- 5 The £19,422 now needs to be spent, because the S.106 Agreement includes provision for repayment of the drainage contribution, if the money is not spent within 5 years.
- 6 This money will be used to investigate the hydraulic regime at Lumb Wood Pond, and also to design a new high level outlet from the pond. When the other developer contributions have been received, the works, themselves, will be carried out.

## Recommendations

7. The Chief Officer (Highways and Transportation) is requested to:

Approve expenditure of up to £19,422 on the feasibility and design of a new high level outlet at Lumb Wood Pond. The costs are to be fully funded by developer contributions.

### 1 Purpose of this report

- 1.1 The purpose of this report is to gain approval to releasing £19,422 of S.106 developer contributions for use in investigating the hydraulic regime at Lumb Wood Pond, and identifying the scope of works required to formalise the control and operation of the pond.

### 2 Background information

- 2.1 Lumb Wood Pond is located off Whitehall Road, at Drighlington. It is situated in a natural valley, within the Tong Beck catchment. The pond is a man-made feature which was created sometime between 1932 and 1956. It has since become an established feature in the landscape and performs a valuable surface water balancing function for development in Drighlington.
- 2.2 The outlet from the pond is via a culverted section of watercourse which is blocked. It is believed that the blockage is situated under an area, which was filled during the last century to permit the construction of a coal-mining pit-head. Tipping in the valley, downstream of the pond, has continued until recent times, resulting in approximately 230m of culverted/piped watercourse downstream of the pond itself.

### 3 Main issues

- 3.1 The pond does not have a high level outlet or emergency overflow spillway. The water level in the pond has risen, on occasion, in recent years following spells of wet weather. It's not possible to determine how much flow is utilising the existing outfall pipe and how much water is being lost due to leakage and infiltration. In the long term severe water leakage could impair the stability of the tipped area, downstream of the pond.
- 3.2 Construction of a suitable high level outfall structure is now considered to be a priority. However, before such works can be carried out, we need to understand how the pond is currently draining, and whether or not any remedial works are needed.
- 3.3 Flood Risk Management (FRM) have requested/received the following contributions for drainage improvements within this catchment:  
10/02675/OT = £18,275 (£19,422 received, due to index linking)  
14/01904/FU = £20,000 (Trigger for payment not yet reached)  
FRM are also seeking a developer contribution of £100,000 from the Pitty Close Farm development (16/07987/OT).
- 3.4 The £19,422 now needs to be released, in order to allow initial feasibility and design works on Lumb Wood Pond to be progressed, in advance of the Pitty Close Farm development.

3.5 This money will be used to investigate the hydraulic regime at Lumb Wood Pond, and also to design a new high level outlet. When the other developer contributions have been received, the works, themselves, will be carried out.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 Detailed consultations were not considered necessary for this report

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

4.2.1 A screening document has been prepared (see Appendix 1). It is concluded that an independent impact assessment is not required and that the proposed works will not have any detrimental impacts on the equality characteristics.

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

4.3.1 In order for the council to meet its housing growth targets, it's necessary for FRM to work with developers on mitigating the impacts of surface water runoff from greenfield development. FRM are best placed to carry out this work, using its statutory Land Drainage powers.

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

4.4.1 The cost of the initial feasibility and design work will be fully met by the developer contribution, which has already been received. The works themselves will be implemented when additional contributions have been made and received.

### **4.5 Risk Management**

4.5.1 The S.106 Agreement includes provision for repayment if the money is not used within 5 years, the timely progress of the work described for the initial scheme design for a scheme at Lumb Wood pond mitigate against this risk to the £19,422 developer contribution.

4.5.2 There's a risk that the Pitty Close Farm development will not receive planning approval. If so, there will be insufficient funds to implement the proposed works. However, there would be less need for them, if the aforementioned development does not go ahead. The initial spend on feasibility and design work would not be wasted, as this will help us to gain a better understanding of the risks associated with the existing pond.

## **5 Conclusions**

5.1 A developer contribution £19,422 has been received for improvements to Lumb Wood Pond. This money should be used to carry out feasibility and design work for improvements to the pond in order to facilitate further development within the catchment.

5.2 FRM are best placed to carry out this work, utilising its professional partners WSP and Peter Duffy Ltd.

5.3 A supplementary report will be presented to the Highways Board, when the additional contributions have been received, outlining the scope of the works to Lumb Wood Pond.

## **6 Recommendations**

6.1 The Chief Officer (Highways and Transportation) is requested to:

Approve expenditure of up to £19,422 on the feasibility and design of a new outlet structure to Lumb Wood Pond. The costs are to be fully funded by developer contributions.

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

7.1 None.

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<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.

# Appendix 1

## Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

the relevance of proposals and decisions to equality, diversity, cohesion and integration. whether or not equality, diversity, cohesion and integration is being/has already been considered, and whether or not it is necessary to carry out an impact assessment.

<b>Directorate:</b> City Development	<b>Service area:</b> Flood Risk Management
<b>Lead person:</b> Stuart Pedder	Contact number: EXT 87417

Title: Lumb Wood Pond Improvements

**Is this a:**

**Strategy / Policy**
 **Service / Function**
 **Other**

If other, please specify

2. Please provide a brief description of what you are screening

This is a commission for the design of a new outlet from Lumb Wood Pond. The commission will have negligible impact on the equality characteristics. A separate Screening Assessment will be made for the works themselves, with an updated Design and Cost report.

Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		X
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on Eliminating unlawful discrimination, victimisation and harassment Advancing equality of opportunity Fostering good relations		X

If you have answered no to the questions above please complete sections 6 and 7  
If you have answered yes to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to section 4.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to section 5.

<b>4. Considering the impact on equality, diversity, cohesion and integration</b>	
If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment. Please provide specific details for all three areas below (use the prompts for guidance).	
How have you considered equality, diversity, cohesion and integration? (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)	
Key findings  <b>(think about</b> any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)	
Actions  <b>(think about</b> how you will promote positive impact and remove/ reduce negative impact)	

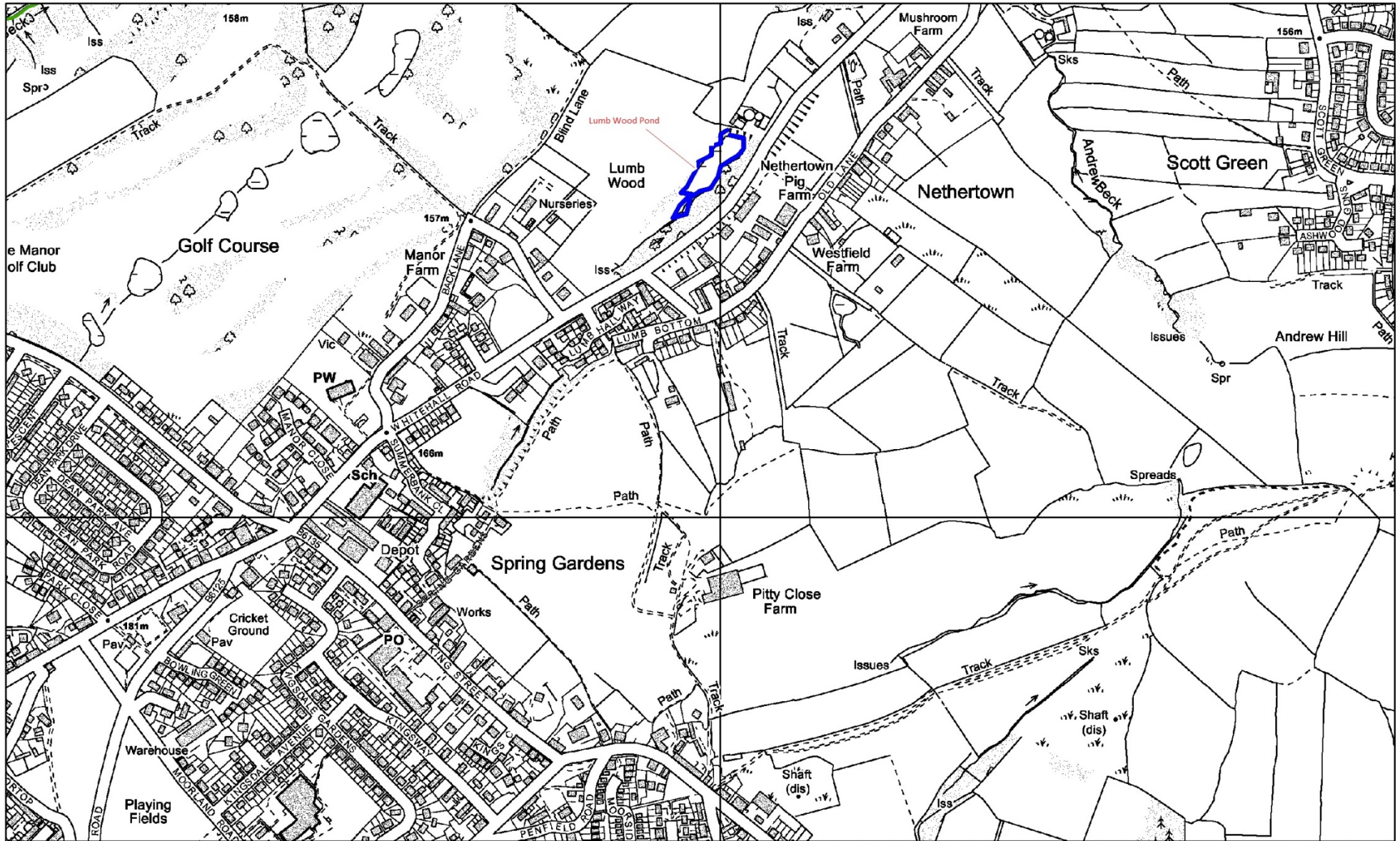
<b>5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.</b>	
Date to scope and plan your impact assessment:	N/A

Date to complete your impact assessment	N/A
Lead person for your impact assessment (Include name and job title)	N/A

6. Governance, ownership and approval Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
Jonathan Moxon	Flood Risk Manager	11/07/2017

7. Publishing	
<p>This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.</p> <p>If this screening relates to a <b>Key Delegated Decision, Executive Board, full Council</b> or a <b>Significant Operational Decision</b> a copy should be emailed to Corporate Governance and will be published along with the relevant report.</p> <p>A copy of <b>all other</b> screening's should be sent to <a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a>. For record keeping purposes it will be kept on file (but not published).</p>	
Date screening completed	
If relates to a Key Decision - date sent to Corporate Governance	
Any other decision – date sent to Equality Team (equalityteam@leeds.gov.uk)	

# Location Plan

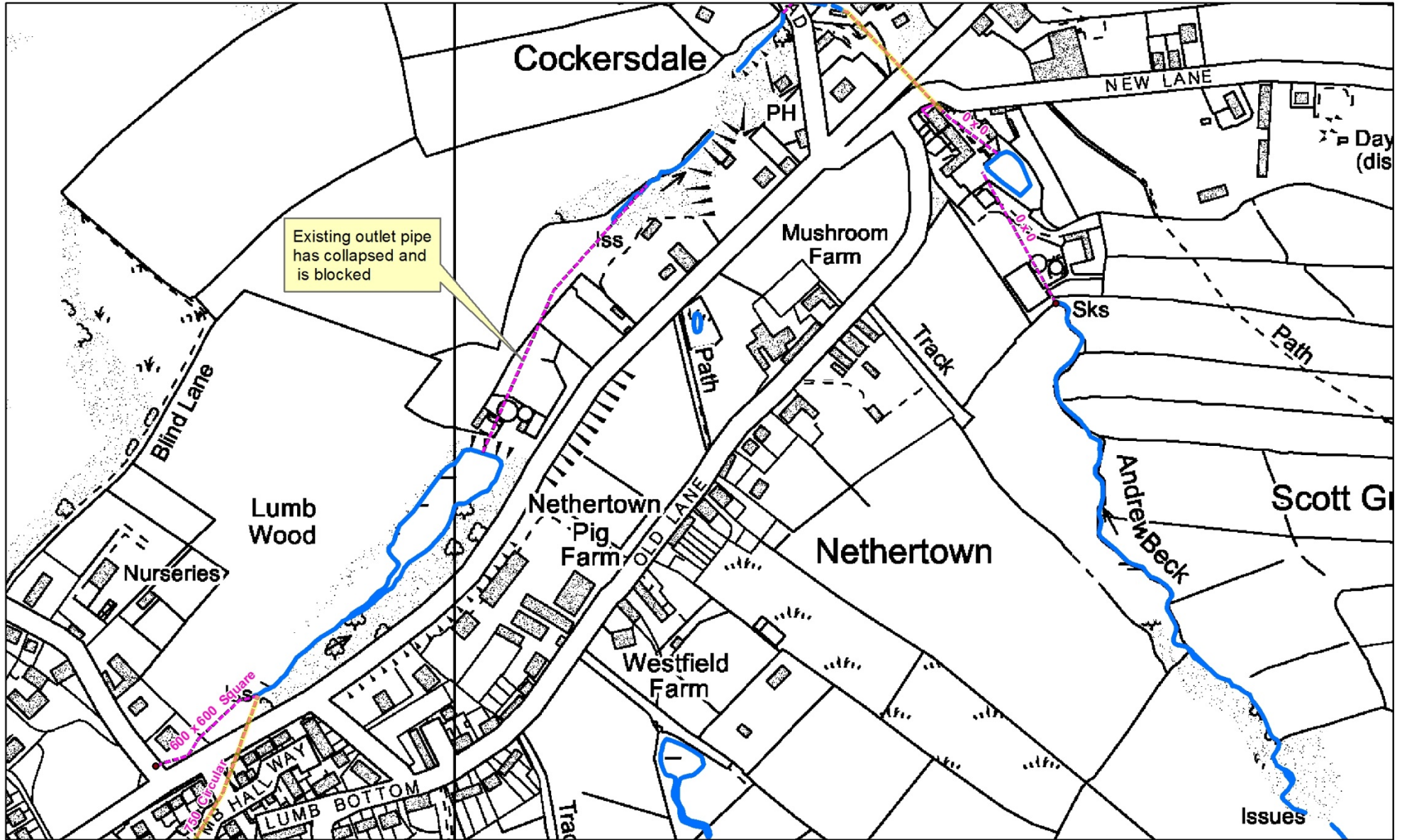


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# Lumb Wood Pond



Existing outlet pipe has collapsed and is blocked

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