

Report of Director of City Development

Report to Executive Board

Date: 13th February 2019

Subject: Local Flood Risk Management Strategy

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" 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

- Under the Flood & Water Management Act 2010, Leeds City Council as the Lead Local Flood Authority is required to have a Local Flood Risk Management Strategy,(LFRMS), which is refreshed every 6 years
- The previous strategy for Leeds was developed in 2012 and was adopted by Full Council on 26th March 2014.
- During this 6 year period Leeds has suffered a number of flooding events the most significant being the flooding of Boxing Day in 2015.
- Since the publication of the previous LFRMS a variety of schemes have been implemented and completed, the most significant being the Leeds Flood Alleviation Scheme Phase One.
- This report reviews the implementation of the LFRMS over the last 6 years and provides a summary of the measures that are set out for the years ahead.
- The LFRMS itself has been reviewed and updated and will be taken to Full Council in March 2019 for subsequent approval. The previous LFRMS is available for inspection on the Council Website.

Recommendations

- 1 Note the contents of the report; the outcome of the consultation undertaken and the comments of the Scrutiny Board (Infrastructure, Investment and Inclusive Growth) included in Appendix 5.
- 2 Endorse the Local Flood Risk Management Strategy as submitted, and refer the Strategy to full Council with a recommendation that it is formally adopted by the Council, in line with the Budgetary and Policy Framework.
- 3 Note that, if the Strategy is approved by Council on 27th March 2019, the Strategy will be implemented by 30th April 2019.

1 Purpose of this report

- 1.1 Allow for the review of the Council's Local Flood Risk Management Strategy.

2 Background information/Reasons for Recommended Decisions

- 2.1 Following major floods during 2007, Government set up the Pitt Review to look into the way flood risk management agencies dealt with such a major event. This review came up with 93 recommendations, which Government accepted.
- 2.2 A number of these recommendations needed legislation to give the agencies the powers or duties necessary and hence the introduction of the Flood & Water Management Act 2010 (FWMA). One of these duties was for all Lead Local Flood Authorities (Leeds City Council for this area) to prepare a Local Flood Risk Management Strategy (LFRMS).
- 2.3 The purpose of a LFRMS is to guide the activities undertaken by Risk Management Authorities operating in the metropolitan district of Leeds. These are Leeds City Council, the Environment Agency, Yorkshire Water Services, Ainsty Internal Drainage Board and the Highways England. The scope of this updated Local Flood Risk Management Strategy covers all sources of flooding. It focuses on 'local flooding' that originates from ordinary watercourses, surface water, sewers (rainfall only) and groundwater. It also includes Main River flooding, although this is primarily the Environment Agency's responsibility, however its inclusion here allows the impact on the local situation to be recognised. Lead Local Flood Authorities (LLFA's) have duties under the FWMA to develop, maintain, apply and monitor a strategy for Local Flood Risk Management. The initial LFRMS was originally developed in 2012, adopted in 2014 and now is being updated in 2018 in accordance with the proposed six-year review cycle.
- 2.4 The initial LFRMS included objectives for flood risk management cross the Leeds district. These have not been changed as part of this update and remain as follows:
- Improve procedural cooperation between the LLFA and other Risk Management Authorities (RMAs) to meet the requirements of new legislation and achieve catchment-wide solutions to identified risks and problems, such as emergency planning.
 - Promote sustainable flood risk management through Water Framework Directive (WFD) compliance, climate change adaptation, land management, habitat protection and creation.
 - Develop a consistent, affordable and sustainable approach to planning and investment in flood risk management; such as land allocation and SuDS.
 - Increase internal skills and the capacity for flood risk management.
 - Increase community awareness of flood risk, and the work of the LLFA in managing this risk.

- Engage with local communities and involve them in decision making. Improve the understanding of local flood risk and seek to decrease this risk through the implementation of affordable, high quality measures to alleviate flooding, where it is practicable.

3 Main issues

3.1 Leeds Local Flood Risk Management Strategy - 2018 Update

The strategy needs to take account of current legislation, guidance and other plans. Hence updating at regular intervals allows changes that have occurred since its initial development to be into account. This update has now incorporated the following:

- Changes in legislative context including Brexit, the government's 25-year Environment Plan and the National Infrastructure plan
- Local plans including Leeds Best Council Plan and the Inclusive Growth Strategy for Leeds
- Newly defined flood risk areas identified through the updated Preliminary Flood Risk Assessment (PFRA) in July 2017
- Section 19 reports following the significant flooding events, particularly winter 2015
- Measures implemented since 2012, in particular the Leeds FAS phase 1
- Ongoing development of schemes to address local and city wide flooding problems
- Changes in funding sources and mechanisms

The current LFRMS is available for inspection on the Council Website:

<https://www.leeds.gov.uk/docs/01%20Flood%20Risk%20Strategy.pdf>

The specific measures are contained in Appendix C of the Strategy, which is to be updated regularly to ensure it is reactive to latest priorities.

Progress against priority measures identified in Appendix C of the Strategy is included in Appendix 1.

Other actions that have been taken and continue to be taken are

- Ongoing maintenance of watercourses and flood alleviation features
- Partnership working with other key agencies
- Close working with Community Flood Groups – increase awareness of flood risk
- Develop and maintain a comprehensive Register of flood risk features
- Manage flood risk generally
- Investigate flooding events – where necessary producing a Section 19 Report, promote sustainable development – particularly with regard to Sustainable Drainage Systems (SuDS)
- Support planning with determining the impact of development on flood risk and securing contributions from developers to support the delivery flood risk management measures.

3.2 Flooding across Leeds

The city is still very vulnerable to a wide range of flooding impacts continuing to be seen across the city. A number of properties, roads and businesses were again badly affected, in some cases this has led to repair work and also investigations that have led to improvements being made to local drainage alongside Yorkshire Water, but more work is needed to reduce this likelihood of these events in future.

Surface water flood risk remains a complicated source of flooding to residents and businesses in Leeds, with the responsibility for assets and infrastructure that affect this spread across a number of council departments and other organisations, as well as also being privately owned in many places.

Works to provide property level protection, repair and clear damaged culverts and drainage assets and undertake improvements works have reduced the risk of future flooding in a number of the locations affected.

The Garforth area remains a particularly vulnerable to heavy rainfall with completed flood alleviation works at Barley Hill and Glebelands playing fields providing valuable flood storage for the area. A number of other recently completed schemes in the area have also been tested during flood events and provided valuable protection.

3.3 Governance

The council now has an established governance structure around flood risk at all levels across many directorates and services. The Flood Resilience Programme Board (FRPB) established in early 2017 and chaired by the Director of City Development includes Chief Officers from a range of directorates as well as officers from the Environment Agency and Yorkshire Water. This group provides strategic leadership on flood risk in very broad terms covering major schemes, community resilience, stewardship and cultural elements relating to the Waterfront. The lessons learnt following Storm Eva have been reviewed in late 2017 and cross referenced with the Leeds City Region Flood Review and National

Flood Resilience Review conducted by the Government, progress on these and related actions are tracked and coordinated by the FRPB and its sub-group the Resilience and Stewardship Group.

3.4 Proposed and recently completed Capital Works on Flood Alleviation

Appendix C – The List of Measures in the Strategy (included as Appendix 2 in this report) has been updated on the progress made and includes new priorities already identified following the flooding events in 2015 and the investigations that took place during 2016 and 2017.

3.5 Major Capital Works Completed

Since 2012, a number of major schemes were completed:

- **Leeds Flood Alleviation Scheme Phase 1**

This covers the central section of the River Aire where it passes through the city centre and involves the incorporation of moveable weirs as well as linear fixed defences. The scheme was officially opened on 4th October 2017 by Cllr Judith Blake and Emma Howard-Boyd, chair of the Environment Agency.

- **Westfields Flood Alleviation Scheme, Allerton Bywater**

This was the construction of a bypass culvert and new watercourse to reduce the risk of flooding to properties in the Westfields area of Allerton Bywater.

- **Glebelands Flood Alleviation Scheme, Garforth**

This is a flood water storage area at the top of the Garforth culverted water course and reduces significantly the risk from flooding to downstream properties. It is also a feature of the ongoing Lin Dike Options strategy.

- **Barley Hill Recreation Ground Flood Storage**

This is an expansion of the proven existing flood storage area and further protects properties downstream. It is also part of the ongoing Lin Dike Options Strategy.

- **Ramsden Street Flood Alleviation Scheme**

This is a 270m raised earth flood embankment and provides protection to 32 homes from overland flooding from Kippax Beck (Lin Dike), and is one of the first schemes to have been constructed as part of the Lin Dike Strategy.

3.6 Major Capital Works Proposed

- 3.6.1 Leeds FAS Phase 2 remains the highest priority and profile flood risk scheme in the city. The city councils proposal is to proceed with a “pragmatic two-step solution” to provide enhanced flood protection measures for Leeds. This decision follows Councillor Blake’s response after receiving a letter from the Floods Minister Thérèse Coffey replying to her proposal put forward last month on how to fund the full £112.1million phase two of the Leeds Flood Alleviation Scheme, which will offer protection to Leeds and neighbouring areas along the River Aire catchment from potential flooding.
- 3.6.2 The letter revealed that while supportive of the city’s plans to provide the best possible level of protection, the government is currently unable to offer funding above £65m towards the scheme, although that contribution figure was confirmed.
- 3.6.3 This means that currently the full scheme to deliver a one-in-200-year level of protection is not fully funded, so in order to proceed Leeds City Council working with the Environment Agency is to carry out a two-step solution.
- 3.6.4 The council proposes to proceed with a planning application and tenders to be presented shortly to deliver the scheme in full, but it will now be carried out in two parts. Using the government funding supported by council and other financial support, works will begin next year to deliver an initial one-in-100-year level of protection. This will then be upgraded to the full one-in-200-year level with a further phase of work after the remainder of the funding has been secured
- 3.6.5 Included within the refreshed LFRMS 2018 Measures (Appendix C) are the following major schemes:
- Otley Flood Alleviation Scheme
 - Killingbeck Naturalised Flood Management Scheme (Part of the wider Wyke Beck Programme of Flood Alleviation)
 - Leeds FAS 2
 - Mickletown Flood Alleviation Scheme
 - Wortley Beck Catchment Assessment
 - Lin Dike Upper Catchment (Garforth)
 - Lin Dike Middle Catchment (Kippax)

Also these Measures are being used to form the Medium Term Programme, for bids to the Environment Agency for Grant in Aid and Local Levy funding.

3.7 Funding

The Environment Agency administer a 6-year flood risk investment programme on behalf of Defra, over the current six years to 2021 this has an estimated value of £2.9bn nationally across all sources of funding.

In 2015 Leeds included £1m in the Council's Capital Programme to be spent over three years in the bidding process as partnership/match funding to secure financial support and to deliver flood mitigation works that would not be eligible for other funding. This continues to prove an extremely useful way to maximise the councils ability to be flexible in how it delivers schemes and has attracted match and partnership funding that would not otherwise have been available. The time period for spending this funding has been extended as it has successfully attracted match and further funding from a range of sources enabling a larger capital FRM programme to be delivered.

Funding for Leeds FAS phase 2 and Otley FAS both included funding announced in the Spring and Autumn Statements in 2016, this included 'booster' funding and where further funding is required to complete the preferred options further discussions with Defra ministers and central government are ongoing.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 A wide consultation was carried out for the adoption of the Strategy. Further local consultation will be undertaken on individual schemes. The 2018 review and update of the LFRMS for Leeds has included further consultation with neighbouring local authorities, key RMA's and Organisations.

4.1.2 Scrutiny of the 2018 review and update of the LFRMS for Leeds has taken place on 9th January 2019 by the Scrutiny Board (Infrastructure, Investment and Inclusive Growth) and a summary of their comments are included in Appendix 5.

4.2 Equality and Diversity / Cohesion and Integration

It should be noted that by carrying out flood alleviation works the Council will be ensuring the safety of the local community and particularly those residents that have children and members of the families that have a disability, where these benefits will be greater – as currently these individuals may struggle to get to safety if flooding occurred.

4.3 Council policies and Best Council Plan

4.3.1 The approach to flood risk management is in keeping with Council Policies and Best Council Plan (BCP) - to reduce the risk of flooding to various communities, industrial premises and the environment.

4.3.2 Benchmarking performance on Flooding is undertaken annually using a Key Performance Indicator (KPI) using BCP 37: Number of residential and commercial properties moved to a lower level of flood risk.

4.4 Resources and value for money

- 4.4.1 The implementation of the LFRMS will potentially have an impact in the Council's budgets but the LFRMS will ensure that any expenditure is prioritised. Furthermore it will allow stronger cases to be built for future funding applications.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 Section 9 of the FWMA places a requirement on Leeds to prepare and manage the LFRMS.
- 4.5.2 (1) A lead local flood authority for an area in England must develop, maintain, apply and monitor a strategy for local flood risk management in its area (a "local flood risk management strategy").
- (2) In subsection (1) "local flood risk" means flood risk from—
- (a) Surface runoff,
 - (b) Groundwater, and
 - (c) Ordinary watercourses.
- 4.5.3 The Act requires Scrutiny of the Council's activities in this area
- 4.5.4 This report does not contain any exempt or confidential information. The report is ineligible for Call In, as the Executive and Decision Making Procedure Rules state: 'The power to call in decisions does not extend to decisions made in accordance with the Budget and Policy Framework Procedure Rules'. This is one such decision. In line with the Budget & Policy Framework Procedure Rules, the matter has now been considered at the relevant Scrutiny Board. The updated LFRMS (2018) will return to Executive Board in February 2019 following consultation with a view to it being implemented following adoption by the Full Council in March 2019.

4.6 Risk Management

- 4.6.1 The LFRMS allows the Council to prioritise its work on Flood Risk, leading to reduced overall risk of flooding.

5 Conclusions

- 5.1 Flood Risk is a key threat to the wellbeing of the residents across Leeds and in order to ensure action is taken it is important that Council continues a proactive approach to mitigating the impact of flooding.
- 5.2 There has been good progress in the delivery of projects identified in the LFRMS in 2014. Priorities have been reviewed as part of this refresh and following the evaluation of the exceptional flooding events in 2015 and subsequent Section 19 report.
- 5.3 The allocation of a Capital budget is already helping in achieving the proposed aims set down in the LFRMS by securing match funding for works to be delivered in to the future.

- 5.4 The city councils proposal for Leeds FAS Phase 2 is to proceed with a “pragmatic two-step solution” to provide enhanced flood protection measures for Leeds.

6 Recommendations

- 6.1 Note the contents of the report; the outcome of the consultation undertaken and the comments of the Scrutiny Board (Infrastructure, Investment and Inclusive Growth) included in Appendix 5.
- 6.2 Endorse the Local Flood Risk Management Strategy as submitted, and refer the Strategy to full Council with a recommendation that it is formally adopted by the Council, in line with the Budgetary and Policy Framework.
- 6.3 Note that, if the Strategy is approved by Council on 27th March 2019, the Strategy will be implemented by 30th April 2019.

7 Background documents¹

- 7.1 None

8 Appendices

- 8.1 Appendix 1 - Progress on LFRMS Appendix C (2014)
- 8.2 Appendix 2 – Updated version LFRMS Appendix C (i) Measures (2018)
- 8.3 Appendix 3 - Equality, diversity, cohesion and integration screening form
- 8.4 Appendix 4 – The Local Flood Risk Management Strategy 2018 and Appendices
- 8.5 Appendix 5 - comments of the Scrutiny Board (Infrastructure, Investment and Inclusive Growth)

[1] 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.