

Report of Director of City Development

Report to the Executive Board

Date: 18 September 2019

Subject: Approval for the design and construction of a scheme to reduce flood risk to properties in Mickletown

Are specific electoral wards affected? If yes, name(s) of ward(s): Kippax & Methley	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<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
Will the decision be open 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: N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

- Mickletown is a village situated near the confluence of the rivers Aire and Calder downstream of Leeds. The area has a history of property flooding in Mickletown with properties flooded in 2007 and 2008 as well as during Storm Eva on 26th December 2015. In extreme floods a significant number of residential properties are at risk.
- The village is adjacent to the Mickletown Ings washland which provides flood storage protecting properties downstream of the reservoir. On the opposite bank of the River Aire St Aiden's Reservoir also stores flood water reducing flood risk to both Mickletown and Castleford.
- A scheme for Mickletown is listed as S9 in the List of Measures (Schemes) in the Leeds Local Flood Risk Management Strategy.
- There have been recent studies to update the hydraulic modelling of the rivers around the confluence of the two rivers and understand the flood risk here with the operation of the surrounding washlands. The initial phases of this scheme have used this hydraulic modelling to identify the most suitable option for a scheme to protect properties in Mickletown.
- A flood embankment is to be constructed at Pit Lane protecting properties in this area from river flooding via the neighbouring washland. The embankment is to be 65m long

with a maximum height of 3.5m above existing ground levels. A plan of this embankment is included as Appendix A of this report.

- There is an active flood group in Mickletown concerned with both flooding to properties in the village and draining of the farmland within the washland following a flood event.
- £1.1 million funding towards the delivery of a scheme to reduce flood risk to the village has been secured through a Section 106 agreement as part of a planning application for a residential development in Mickletown.
- Planning permission has been obtained for the embankment at Pit Lane. Construction works are required to commence by July 2020 to meet the conditions of this.
- Funding of £80,000 has been paid by the Environment Agency to undertake a study to develop a scheme to reduce risk to the village. £20,638 of this has been spent in past studies developing the scheme. This scheme will not be eligible for further EA funding.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- The proposed works will reduce flood risk improving the resilience of the affected community and neighbourhood.
- The Mickletown Scheme will move residential properties at Pit Lane to a lower level of flood risk contributing to this KPI

3. Resource Implications

- The total estimated cost to deliver the scheme is £1,159,000
- The costs of the scheme will be funded from the £1,100,000 Section 106 contribution secured from the housing development off Station Road – Planning Application 15/07360/OT. The remaining costs will be funded from the remaining FCERM GiA paid by the Environment Agency.

Recommendations

The Executive Board is requested to:

- a) Give authority to incur expenditure of £1,159,000 for a capital scheme to develop a design for a flood alleviation scheme at Mickletown and for the construction of the scheme.
- b) Give authority to drawdown the Section 106 contribution to fund the delivery of this scheme.
- c) To delegate authority to spend (ATS) approval of the scheme to the Director of City Development, subject to agreement with the Executive Member for Environment and Active Lifestyles.

1. Purpose of this report

- 1.1 To note the work that has already been undertaken in previous phases of this project and detail the flooding issues within Mickletown.
- 1.2 To request authority to incur expenditure required to take the scheme through to completion.

2. Background information

- 2.1 Mickletown is located in an area of flat-lying land near the confluence of the rivers Aire and Calder downstream of Leeds. The surrounding landscape has been radically altered as a result of extensive mining, settlement and subsequent land reclamation.
- 2.2 There is a history of property flooding in Mickletown with residential properties flooded in 2007, 2008 and 2015. There have also been other incidents of gardens being inundated.
- 2.3 Flooding within Mickletown is fluvial in nature from both the River Aire and River Calder. The flood route occurs from the adjacent Mickletown Ings with water overtopping the river channel into this storage area then flooding properties on the edges of this washland. This was identified in the LCC Section 19 Report produced following the 2015 flood events.
- 2.4 The area surrounding Mickletown along both rivers consists of washlands used to store flood water. East of Mickletown are the linked washlands of Mickletown Ings and Methley Ings. There is also a larger storage area at St Aidens washland on the left bank of the River Aire. These storage areas provide flood risk benefit to the areas downstream particularly to the town of Castleford.
- 2.5 An application for funding (FCERM7) has been approved and £80,000 has been paid by the Environment Agency towards the scheme. £20,638 of this has been spent through a revenue scheme funding the initial stages of this project. The scheme is not eligible for further Grant in Aid funding.
- 2.6 As part of a planning application for a residential development within Mickletown, a developer has agreed with the Environment Agency and Leeds City Council to contribute £1.1m towards measures to reduce flood risk to properties in Mickletown. The embankment at Pit Lane was identified as part of this agreement as a potential flood alleviation scheme.

3. Main issues

- 3.1 As described above, areas of Mickletown have known flood risk and properties have been internally flooded in past events. The area is adjacent to the Mickletown Ings flood storage area used to manage water levels in the Rivers Aire and Calder. However properties are at risk of flooding from the edges of this washland.
- 3.2 There is an active flood group within Mickletown who have been engaged through regular meetings and will continue to be engaged throughout the project. This group is also being consulted as part of wider proposals for work by the Environment Agency to improve the operation of washlands in the area.

- 3.3 The preferred option is to construct a flood embankment at Pit Lane protecting properties here from flooding. An additional defence was considered at Lower Mickletown during the project appraisal. Following hydraulic modelling it was found the flood risk to properties here was lower than anticipated and the defence at this location was not economically viable.
- 3.4 The proposed embankment is north of Pit Lane protecting properties at Mill Lane from river flooding via the neighbouring washland. The embankment is to be 65m long with a maximum height of 3.5m above existing ground levels. A plan of this embankment is included as Appendix A of this report.
- 3.5 The embankment also includes a flood storage area south of the embankment to prevent flooding from surface water held on this side of the embankment.
- 3.6 The preferred option will protect properties in the Mill Lane/Pit Lane area from a 1 in 100 year (1% AEP) flood event with an allowance for future climate change.
- 3.7 Planning permission has been obtained for the embankment at Pit Lane. The scheme will require amendments to this proposal but will not require a new full planning application if works commence by July 2020.
- 3.8 The work that has already been carried out for this scheme has identified the embankment as the most suitable solution for a scheme at Mickletown. This study has carried out detailed hydraulic modelling of the area around Mickletown and determined the required location and dimensions of the embankment as well as an estimated cost for the works.
- 3.9 It is proposed to deliver this scheme through a design-and-build contract with construction to start in summer 2020.
- 3.10 The current programme summary can be found in the table below:

Key Project milestone Summary

Activity	Planned Finish Date (P2)
Feasibility Study	01/06/2019
Outline Design	01/09/2019
Detailed Design	01/03/2020
Construction Start	01/06/2020
Construction finish	01/09/2020

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Regular consultation and engagement has been carried out and will continue at regular intervals with the local residents group throughout the development of the project. This is done through regular meetings with the flood group.
- 4.1.2 Ward Councillors have been consulted throughout the development of the scheme. This has been through both the meetings with the residents group and briefings on the scheme.
- 4.1.3 Consultation on the proposed scheme at Pit Lane has taken place as required with the previous application for planning permission.

4.1.4 The scheme was included in the public consultation on the Local Strategy for Flood Risk Management for Leeds City Council.

4.2 Equality and diversity / cohesion and integration

4.2.1 An EDCI screening has been completed and is attached as Appendix B. This indicated that an Equality Impact Assessment is not required for what is being proposed.

4.2.2 It should be noted that by carrying out these works the Council will be ensuring the safety of the local community and in particular more vulnerable residents such as those who are elderly or have a disability and may struggle to get to safety if flooding occurred.

4.3 Council policies and the Best Council Plan

4.3.1 The proposed works will provide improvements to the community and the neighbourhood by reducing the risk of flooding to this area.

4.3.2 The scheme will move residential properties at Pit Lane to a lower level of flood risk contributing to this KPI

4.3.3 The Council is meeting its responsibility as Lead Local Flood Authority in reducing flood risk.

4.3.4 This scheme is in accordance with the Councils Local Flood Risk Management Strategy and is considered a high priority scheme within the List of Measures to be taken.

Climate Emergency

4.3.5 Responding to the threats posed by the predicted future impacts of climate change (such as the increased risk of local flooding) is an important issue for the city and can be seen through the development of the Leeds Flood Alleviation Scheme which is aiming to achieve a 1 in 200 year standard of protection, to match that of the floods caused by Storm Eva.

4.3.6 The proposed scheme for Mickletown will help to reduce the impacts of flooding and therefore partly adapt to the predicted future impacts of climate change. Throughout the detailed design process options to reduce carbon emissions associated with construction will be considered where appropriate. These may include measures to reduce the carbon footprint of the scheme itself as well as emissions associated with construction vehicles and movement of staff.

4.4 Resources, procurement and value for money

4.4.1 The total estimated cost to deliver the scheme is £1,159,000

4.4.2 The costs of the scheme will be funded from FCERM GiA paid by the Environment Agency with the remaining costs funded from the £1.1m Section 106 contribution to the scheme from the development at Station Road.

Capital Funding and Cash Flow

Funding Approval :	Capital Section Reference Number :-		33111			
Previous total Authority to Spend on this scheme	TOTAL	TO MARCH	FORECAST			
	£000's	2019 £000's	2019/20 £000's	2020/21 £000's	2021/2022 £000's	2022 on £000's
LAND (1)	0.0					
CONSTRUCTION (3)	0.0					
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0					
OTHER COSTS (7)	0.0					
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL	TO MARCH	FORECAST			
	£000's	2019 £000's	2019/20 £000's	2020/21 £000's	2021/2022 £000's	2022 on £000's
LAND (1)	0.0					
CONSTRUCTION (3)	930.0			930.0		
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	139.3	34.5	84.0	20.8		
LCC STAFF COSTS	90.0	36.0	36.0	18.0		
OTHER COSTS (7)	0.0					
TOTALS	1159.3	70.5	120.0	968.8	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL	TO MARCH	FORECAST			
	£000's	2019 £000's	2019/20 £000's	2020/21 £000's	2021/2022 £000's	2022 on £000's
LCC Supported Borrowing	0.0					
Revenue Contribution	0.0					
Capital Receipt	0.0					
Government Grant	59.3	34.5	24.8			
Any Other Income (Specify)	0.0					
Developer Contribution (S106)	1100.0	36.0	95.2	968.8		
Total Funding	1159.3	70.5	120.0	968.8	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0

4.5 Legal implications, access to information, and call-in

4.5.1 The proposed works will implement a scheme to reduce flood risk in Mickletown. The content of the report is a Key Decision and is subject to Call In.

4.6 Risk management

4.6.1 An allowance for risk and uncertainty in the costs has been included in the costs of the scheme. As such there is a low risk of overspend in this phase of the work.

5. Conclusions

- 5.1 A study has identified a viable scheme to reduce flood risk to properties in Mickletown through construction of an embankment at Pit Lane.
- 5.2 The agreed Section 106 contributions combined with Environment Agency Grant in Aid funding provide an opportunity to reduce flood risk to properties in Mickletown.

5.3 To comply with the current approved planning permission the construction of the scheme must commence by July 2020. As such works must continue to progress in line with the current programme to begin construction by this date.

6. Recommendations

6.1 The Executive Board are requested to:

- a) Give authority to incur expenditure of £1,159,000 for a capital scheme to develop a design for a flood alleviation scheme at Mickletown and for the construction of the scheme.
- b) Give authority to drawdown the Section 106 contribution to fund the delivery of this scheme.
- c) To delegate authority to spend (ATS) approval of the scheme to the Director of City Development, subject to agreement with the Executive Member for Environment and Active Lifestyles.

7. Background documents¹

7.1 None.

8. Appendices

8.1 Appendix A – Pit Lane Embankment Location

8.2 Appendix B – Equality Impact Assessment

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.



Figure 1 – Flooding at Mickletown in 2007

Appendix A – Pit Lane Embankment Location



Appendix B

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.

Directorate: City Development	Service area: Flood Risk Management
Lead person: Ian McCall	Contact number: 0113 378 8012

1. Title: Mickletown Flood Alleviation Scheme
Is this a:
<input type="checkbox"/> Strategy / Policy <input checked="" type="checkbox"/> Service / Function <input type="checkbox"/> Other
If other, please specify

2. Please provide a brief description of what you are screening
This screening assessment is for the proposed flood alleviation works at Mickletown.

3. 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 <ul style="list-style-type: none"> • 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**.

4. Considering the impact on equality, diversity, cohesion and integration

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)

<ul style="list-style-type: none"> • Key findings <p>(think about 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)</p>
<ul style="list-style-type: none"> • Actions <p>(think about how you will promote positive impact and remove/ reduce negative impact)</p>

<p>5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.</p>	
Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

<p>6. Governance, ownership and approval</p> <p>Please state here who has approved the actions and outcomes of the screening</p>		
Name	Job title	Date
Ian McCall	FRM Engineer	22/07/2019

<p>7. Publishing</p> <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>Please send a copy to the Equality Team for publishing</p>	
Date screening completed	22/07/2019
If relates to a Key Decision send to Corporate Governance	
Any other decision please send to Equality Team (equalityteam@leeds.gov.uk)	