

**Report of Jonathan Moxon**

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

**Date: 23 February 2021**

**Subject: Approval for the implementation of a scheme to reduce flood risk from Farnley Wood Beck**

**Capital Scheme Number: 16979**

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, name(s) of ward(s): Beeston and Holbeck		
Has consultation been carried out?	<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
Will the decision be open for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:		
Appendix number:		

**Summary**

**1. Main issues**

- Farnley Wood Beck is a watercourse located in the West of Leeds and is a sub catchment of the larger Holbeck catchment. This watercourse passes northwest to southeast through Cottingley before meeting the Wortley Beck downstream which then runs into Holbeck. The beck has caused flooding to 15 properties in Old Close Cottingley on several occasions most notably in 2005.
- This flooding location is identified as a high priority in the List of Measures in the Leeds Local Flood Risk Management Strategy.
- Flooding to affected properties can be mitigated through flood alleviation works in the area. WSP were commissioned to undertake a flood study and appraisal of the options for a scheme. They recommended that the most suitable solution is to de culvert the watercourse between Old Road and Elland Road and it is now proposed to develop the design and implement this scheme.
- £100,000 funding for appraisal and design of a scheme was secured through Local Levy (LL) funding and £50,000 was secured through an application for accelerated Flood Defence Grant in Aid (FDGiA).

- Further FDGiA may be available subject to approval of a business case application to be prepared and submitted as part of the next phase of the development of the scheme design.
- There is also £300,000 of funding available for the development and implementation of a flood alleviation scheme in the Farnley Wood catchment as part of a Section 106 agreement with the developers of a development known as Treefields near Gildersome.

## **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 communities and the river environment.
- The scheme will mitigate the impact of climate change and support the Council's ambitions to provide Sustainable Infrastructure and Safe Strong Communities.

## **3. Resource Implications**

- The total cost of the appraisal works including LCC staff time to date is £42,000. This is funded from LL grants.
- It is proposed that the development of a design, preparation of a business case for further FDGiA funding and implementation will be commissioned using the LCC WEM Framework. These costs together with further internal LCC staff time will be funded through the remaining local levy, the FDGiA accelerated funding, further possible FDGiA and Section 106 money already deposited. The estimated total cost of the scheme £450k

## **Recommendations**

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

- a) Give authority to incur expenditure for the preparation of a design and business case to enable a further submission for FDGiA funding and, subject to viability and affordability, to implement a flood alleviation scheme at Farnley Wood Beck at an estimated total cost of £450,000.
- b) Give authority to drawdown the £300,000 Section 106 contribution to fund the delivery of this scheme.

## **1. Purpose of this report**

- 1.1 To note the flooding issues within the Farnley Wood Beck catchment to be addressed by a flood alleviation scheme.
- 1.2 To request authority to incur expenditure to carry out the design, prepare a business case submission to obtain further FDGiA and, provided the design is proven to be viable and the business case is affordable, to implement a flood alleviation scheme at Farnley Wood Beck

## **2. Background information**

- 2.1 Farnley Wood Beck is a watercourse located in the West of Leeds. This watercourse passes northeast to southwest eventually joining Wortley Beck.
- 2.2 There was major flooding from the beck in 2005 internally flooding 15 properties in Old Close Cottingley.
- 2.3 A Section 106 agreement signed on 31<sup>st</sup> March 2015 provides a contribution of £50k towards a flood study and £250k to either implement a flood alleviation scheme or other works including ongoing maintenance of existing assets downstream of a development at Gildersome. These sums have been drawn down and are available to use for the scheme being proposed in this report.
- 2.4 A hydraulic modelling study was completed in 2020 by WSP. This model was developed to assess options for a scheme.
- 2.5 The recommended option is to de culvert a section of the beck between Old Road and Elland Road. The existing culvert is a riparian responsibility on privately owned land and runs between a factory and automotive repair business.
- 2.6 The source of flooding to properties is from overtopping of the beck, over land flows on to the highway and then into Old Close which lies at a lower level.
- 2.7 It is proposed to implement the de culverting option using powers set out in Section 64 of the Land Drainage Act and as amended by the Flood and Water Management Act 2010.

### 3. Main issues

- 3.1 As described above, 15 properties in Old Close are at risk from flooding from Farnley Wood Beck and have been internally flooded in past events.



- 3.2 The proposed scheme is to de culvert the beck between Old Road Bridge and Elland Road Bridge. Based upon the modelling this will provide protection from

internal flooding up to a 1 in 100 year event for 15 residential properties and 3 commercial premises.

- 3.3 The viability of the scheme will need to be proven through the development of a design, investigation of ground conditions, proximity of mains and services, possible additional grant funding and affordability. However, preliminary assessment indicates that the proposal should be viable.
- 3.4 The proposed scheme is within the permitted exemptions in the Town and Country Planning Act and will not therefore require an application for planning permission.
- 3.5 The provisional programme is shown in the table below:

#### Key Project milestone Summary

Activity	Planned Finish Date (P2)
Completion of Feasibility Study	01/06/2020
Submit Outline design/Business Case	01/06/2021
Detailed Design	01/09/2021
Construction Start	01/04/2022
Construction finish	01/09/2022

## 4. Corporate considerations

### 4.1 Consultation and engagement

- 4.1.1 Consultation with residents and ward members will be undertaken as soon as the design is proven to be viable and affordable.
- 4.1.2 LCC have discussed the ongoing work in the catchment with the Environment Agency and will continue to work closely with them throughout the project.
- 4.1.3 The scheme is included in the Local Strategy for Flood Risk Management for Leeds City Council which is subject to an annual update report to the relevant Scrutiny Committee.

### 4.2 Equality and diversity / cohesion and integration

- 4.2.1 An EDCI screening has been completed and is attached as Appendix A. This indicates that an Equality Impact Assessment is not required for what is being proposed.
- 4.2.2 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 Best Council Plan

- 4.3.1 The proposed works will provide improvements to the community affected by reducing the risk of flooding to this area. There are also opportunities to improve the river environment and water-dependant habitat as part of flood alleviation work in this catchment.

- 4.3.2 The Council is meeting its responsibility as Lead Local Flood Authority in reducing flood risk as required by the Flood and Water Management Act 2010.
- 4.3.3 This scheme is in accordance with the Council's Local Flood Risk Management Strategy and it is identified in the Strategy as a high priority in the list of proposed measures.

### **Climate Emergency**

- 4.3.4 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.
- 4.3.5 The proposed scheme at Farnley Wood Beck will help to reduce the impacts of flooding by providing protection up to a 1 in 100 years event and therefore deliver managed adaptation to the future impacts of climate change.
- 4.3.6 Carbon emissions associated with the construction of the scheme will be considered within the project appraisal to identify and promote lower impact solutions.

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

- 4.4.1 The total expenditure to date for the data collection, modelling and option appraisal is £42k including LCC staff time. This completed work will support the next stages including applications for additional funding.
- 4.4.2 The costs to commission external support to undertake the design, to submit a business case and to deliver the scheme will be funded from the remaining local levy and grant, any further FDGiA grant if our submission is successful and the Section 106 money that has already been deposited.
- 4.4.3 The design, business case submission and construction works will be provided by BAM Nuttall/Mott MacDonald Joint Venture (BMMjv) through their appointment as sole provider using the LCC/WEM Framework Contract.
- 4.4.4 The watercourse is a riparian responsibility, i.e. the responsibility of the private landowner. The maintenance requirements of an open channel will be significantly less than could reasonably be expected to be required for a culvert structure and will therefore reduce liabilities for the landowner. Notwithstanding this, it is the custom and practice in Leeds that if a riparian asset is identified as a hot spot for grid clearance and/or repair, this work is provided by Leeds CC using the Watercourse Maintenance Revenue budget. The proposed de culverted asset is not expected to be a hot spot for future grid clearance or maintenance and should not therefore present any additional burden on the Council's revenue budget.
- 4.4.5 Capital Funding and Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2021 £000's	FORECAST			
			2021/22 £000's	2022/23 £000's	2023/24 £000's	2024 on £000's
LAND (1)	0.0					
CONSTRUCTION (3)	0.0					
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	0.0	0.0				
OTHER COSTS (7)	42.0	42.0				
TOTALS	42.0	42.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2021 £000's	FORECAST			
			2021/22 £000's	2022/23 £000's	2023/24 £000's	2024 on £000's
LAND (1)	0.0					
CONSTRUCTION (3)	0.0					
FURN & EQPT (5)	0.0					
DESIGN FEES (6)	28.0		28.0			
INTERNAL LCC STAFF	0.0					
OTHER COSTS (7)	380.0	10.0	370.0			
TOTALS	408.0	10.0	398.0	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2021 £000's	FORECAST			
			2021/22 £000's	2022/23 £000's	2023/24 £000's	2024 on £000's
LCC Supported Borrowing	0.0					
Revenue Contribution	0.0					
Capital Receipt	0.0					
Government Grant	150.0	52.0	98.0			
Any Other Income ( Specify)	0.0					
Developer Contribution (S106)	300.0		300.0			
Total Funding	450.0	52.0	398.0	0.0	0.0	0.0
<b>Balance / Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

- The aim of the proposed flood alleviation scheme is to mitigate the flood risk from Farnley Wood Beck, this is consistent with the Council's statutory duty as the Lead Local Flood Risk Authority as set out in the Flood and water Management Act 2010 and the Council's policy as set out and approved in the Leeds Local Flood Risk Management Strategy. The scheme will be undertaken using permissive powers under Section 64 of the Land Drainage Act 1991 and as amended by the Flood and Water Management Act 2010.

#### 4.6 Risk management

- 4.6.1 The appraisal and business case will identify the most suitable option for a scheme in the area. The information collected during this phase will reduce the risk associated with delivery of the scheme. There is a risk that the preferred option will not be affordable and the scheme will not progress until alternative funding can be secured.
- 4.6.2 Risk to the project will be managed through proactive monitoring and appropriate mitigation. A risk management workshop will be incorporated into the design and business case phases of the project.

## **5. Conclusions**

- 5.1.1 Implementation of a flood alleviation scheme on Farnley Wood Beck at Old Road Cottingley will reduce flood risk to properties on Old Close.
- 5.1.2 Local levy, Flood Defence Grant in Aid and Section 106 deposits should provide the funding to develop and construct works to reduce flood risk to residents of Old Close Cottingley in accordance with LCC's responsibilities as a Lead Local Flood Authority.

## **6. Recommendations**

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

- a) Give authority to incur expenditure for the preparation of a design and business case to enable a further submission for FDGiA funding and, subject to viability and affordability, to implement a flood alleviation scheme at Farnley Wood Beck at an estimated total cost of £450,000
- b) Give authority to drawdown the £300,000 Section 106 contribution to fund the delivery of this scheme.

## **7. Background documents**

- 7.1 None

## **8. Appendices**

- 8.1 Appendix A – Equality, Diversity, Cohesion and Integration Screening

## Appendix A

### 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: City Development</b>	<b>Service area: Flood Risk Management</b>
<b>Lead person: Ian McCall</b>	<b>Contact number: 0113 378 8012</b>

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

<b>2. Please provide a brief description of what you are screening</b>
<b>This screening assessment is for the appraisal of flood alleviation works at Farnley Wood Beck.</b>



### 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"><li>• Eliminating unlawful discrimination, victimisation and harassment</li><li>• Advancing equality of opportunity</li><li>• Fostering good relations</li></ul>		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)

- **Key findings**

(**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)

- **Actions**

(**think about** how you will promote positive impact and remove/ reduce negative impact)

**5.** If you are **not** already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.**

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)	

**6. Governance, ownership and approval**

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Ian McCall	FRM Engineer	16/12/2020

**7. Publishing**

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.

Please send a copy to the Equality Team for publishing

Date screening completed	16/12/2020
If relates to a Key Decision send to Corporate Governance	
Any other decision please send to Equality Team (equalityteam@leeds.gov.uk)	