MUNICIPAL YEAR 2018/2019 REPORT NO. 132

Agenda – Part: 1	**Item: 6**
Subject: Albany Park River Restoration and Flood Alleviation Scheme **Wards:** Enfield Highway, Enfield Lock and Turkey Street **Key Decision No:** 4807	
Cabinet Member consulted: Cllr Guney Dogan	

MEETING TITLE AND DATE:
Cabinet 23rd January 2019

REPORT OF:
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1. EXECUTIVE SUMMARY

1.1 It is proposed to restore up to 350 metres of Turkey Brook within Albany Park and create a flood storage area that will reduce flood risk to over 200 local properties. The overall cost of this project is estimated to be £973k. The Greater London Authority (GLA) has awarded the project a £346k Green Capital Grant and the Environment Agency has provisionally allocated a sum of £377k – this is due to be confirmed in early 2019.

1.2 A contribution of £250k from Enfield Council for 2019/20 is needed to fulfil the match-funding requirements and confirm the external funding.

2. RECOMMENDATIONS

2.1 To approve the works to restore Turkey Brook and create a new flood storage area in Albany Park.

2.2 To approve capital funding of £250k for 2019/20 to ensure that the project is adequately funded and that the match-funding requirements related to the external funding are met.

2.3 To delegate authority to the Director of Environment and Operational Services to authorise the placing of orders through any of the Council's existing relevant term contracts or to invite and evaluate tenders/quotations and, where suitable tenders/quotations are received, to authorise the award of contracts for the works in compliance with the Council's procurement rules.

3. BACKGROUND

3.1 Albany Park is a large open space between Enfield Highway and Enfield Lock in the north-east of the London Borough of Enfield. The Turkey Brook main river runs along the northern boundary of the park in a heavily engineered channel with concrete and masonry walls on both sides. The space is dominated by sports pitches; however, there are substantial opportunities around the sports facilities to create more natural spaces with enhanced biodiversity and amenity value.

3.2 A recently completed flood study identified that if the river were to come out of bank at this location it could potentially flood over 200 properties to the north and south of Albany Park. Hydraulic modelling carried out as part of this study indicates that this would happen for a flood event with a 1% annual probability with the effects of climate change taken into account; however, such an event could occur during more frequent flood events if the channel was partially blocked – for example, if a riverside tree was to be dislodged during a storm and become trapped on one of the footbridges in Albany Park. Because of the combination of relatively low probability and high severity at this location the risk is considered to be moderate.

3.3 This project aims to transform Albany Park by naturalising up to 350m of Turkey Brook. Widening the river corridor and bringing it into the park will create interesting spaces for local people and significantly enhance the available habitat for a wide range of wildlife. Wetland features and a large flood storage area will also be delivered as part of this project resulting in reduced flood risk for over 200 properties – the spoil generated by excavating the new channel will be used to create a landscaped earth bund on the south side of the park that will retain up to 75,000m^3 of flood water during extreme flood events. This proposal was identified in Enfield's Local Flood Risk Management Strategy that was published in 2016.

3.4 The existing engineered river is bad for wildlife but also means that people cannot access and enjoy the river, bringing it into the park creates an opportunity to address this by providing new public spaces close to the river; taking away the 3.5m high concrete wall also removes a significant existing safety risk to park users. One of the main aims of the project is to attract more park users and volunteers by creating a range of different features and opportunities for volunteering. A consultation revealed that over 80% of residents supported the naturalisation of Turkey Brook. To ensure the long-term success of the project, it is proposed to deliver a community engagement programme to encourage volunteers and local schools to use the park more.

3.5 The existing wall has been assessed by a recent structural survey and was found to be in poor condition in several places. Retaining the wall in the future would necessitate expensive repairs in the medium-term. As an example, when a short section of this wall collapsed in 2005 the resulting repair works cost approximately £50k. Consequently, removing a long section of the wall also removes a significant liability to the Council.

3.6 As the new flood storage area will have the capacity to hold more than 25,000m^3 of water above the natural ground level it will be defined as a reservoir under the Reservoir Act 1975 and therefore the works will be subject to the requirements of this legislation. The new flood defences will be designed and constructed in accordance with reservoir safety requirements. Additionally, the new reservoir will require two inspections per year to be carried out by a qualified Supervising Engineer.

3.7 This project will require planning permission. It is planned to finalise the scheme design, complete the feasibility study and submit the planning application in December 2018. It is planned to carry out procurement in Spring 2019 and commence construction in Summer 2019.

4. ALTERNATIVE OPTIONS CONSIDERED

Do nothing: This scheme is part of a series of improvements to reduce the risk of flooding in the Enfield Highway area. To do nothing will lose an opportunity to attract significant funding to the London Borough of Enfield, improve the environment, for both people and wildlife, and reduce flood risk to local residents and infrastructure. Furthermore, it would mean the loss of an opportunity to comply with one of the actions identified in the Local Flood Risk Management Strategy.

5. REASONS FOR RECOMMENDATIONS

5.1 Improvements to the environment through the creation of wetland features that contribute to a diverse range of habitats and improve biodiversity within Albany Park.

5.2 Improved flood protection through the creation of a significant flood storage facility which will reduce the risk of flooding to properties downstream. This complies with the recommendation in Enfield's Local Flood Risk Management Strategy to reduce flood risk in this area.

5.3 Improved utilisation of open space by providing amenity features and wildlife facilities available to local schools and users of the park.

5.4 External investment of up to £723k through the GLA's Green Capital Grant, Defra's Flood Defence Grant in Aid and the Thames Regional Flood and Coastal Committee's Local Levy.

5.5 Improved public perception and understanding of sustainable drainage and wetlands, and increased interaction with local waterways.

5.6 Avoidance of a potential significant cost to repair or re-build the existing concrete retaining wall in the future.

6. COMMENTS FROM OTHER DEPARTMENTS

6.1 Financial Implications

6.1.1 The cost of these works is estimated to be £973k – this includes a 20% contingency sum. A Green Capital Grant bid was submitted to the GLA in early 2018. Following a two-stage application process this project was awarded £346k by the GLA in May. The funding award requires the project to be carried out in 2019/20.

6.1.2 Funding is also sought from the Environment Agency. A Business Case is currently being prepared in accordance with Defra requirements. This will set out the flood risk management benefits of the project and determine how much funding can be awarded to the project through Defra's Flood Defence Grant in Aid and the Thames Regional Flood and Coastal Committee's Local Levy. The Environment Agency has confirmed that the project is currently forecast to claim £377k of Grant in Aid.

6.1.3 The funding from the GLA and Environment Agency are both dependent on Enfield Council match-funding to the project. Based on the estimated costs and forecast contributions from external partners it is expected that the Council's capital contribution will need to be in the order of £250k.

6.1.4 Future maintenance costs will be contained within existing Parks and Highway Services budgets. The cost of additional inspections of the new flood defences required by reservoir safety legislation is estimated to be no more than £2k per year. This additional cost will be partly offset by the reduced need to carry out structural inspections of the existing concrete retaining wall. Any remaining additional inspection costs will be covered by the existing Watercourses budget for inspecting significant flood risk defences.

6.2 Legal Implications

6.2.1 Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of their functions.

6.2.2 The Council has a general power of competence under section 1(1) of the Localism Act 2011 to do anything that individuals may do, provided it is not prohibited by legislation and subject to Public Law principles. The proposals in this report are compliant with the Council's general power.

6.2.3 Furthermore, the recommendations in this report will enable the Council to fulfil its statutory duty as a Risk Assessment Management Authority (RMA). The Flood and Water Management Act 2010 requires RMAs to act in a manner that is consistent with the National Flood and Coastal Erosion Risk Management Strategy for England and the Local Flood Risk Management Strategy. The proposals in this report implement the actions identified in the latter.

6.2.4 As the total value of the match/grant aided funding is over £250,000, this will be a Key Decision and therefore compliance with the Council's Key Decision process including publication on the Key Decision List is required (see CPR 1.22.4). If the Council will be procuring contracts with the funding, it must comply with all requirements of its Constitution, Contract Procedure Rules ("CPRs") and, should the value of any contracts be above the relevant EU thresholds, with the tendering requirements set out in the Public Contracts Regulations 2015 ("Regulations").

6.2.5 The receipt of grant funding by the Council does not appear to contravene the EU State Aid rules as set out in the Treaty for the Functioning of the EU (TFEU) Article 107(1) as the Council is not an undertaking engaged in economic activity.

6.2.6 The Council must at all times also adhere to the Duty of Best Value in accordance with the Local Government Act 1999.

6.2.7 The Council will also need to comply with the provisions of the Reservoirs Act 1975 as amended and any subordinate legislation enacted thereunder.

6.2.8 All legal agreements arising from the matters described in this report must be approved in advance of contract commencement by Legal Services.

6.3 Property Implications

6.3.1 The scheme involves the removal of the concrete wall which is in poor condition and this will reduce the Councils Corporate Landlord Liability.

7. KEY RISKS

7.1 The following key risks relate to not implementing the project:

- Loss of opportunity to reduce flood risk downstream and compliance with an action in Enfield's Local Flood Risk Management Strategy
- Loss of attraction of up to £723k of external funding to Enfield
- Loss of opportunity to increase biodiversity and wildlife habitat
- Loss of opportunity to cooperate with the local community

7.2 The grant from the Environment Agency isn't confirmed at the time of this report and so the council's contribution could potentially increase if funding from the agency falls short of the current forecast. If the expected Environment Agency funding is not forthcoming the Council could re-design and reduce the scope of work to stay within the £250k capital funding request.

8. INTERNAL DEPARTMENT IMPLICATIONS/CONSULTATION

8.1 Parks and Street Scene

8.1.1 The proposals have been discussed with the Parks Operations team. It has been agreed that although the proposals will require a change in the pattern of

maintenance activities, the overall cost of future maintenance will not be significantly increased.

9. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

9.1 Good homes in well-connected neighbourhoods

9.1.1 By reducing flood risk, improving the public realm and improving infrastructure for walking and cycling this project contributes to the aim of creating good homes in well-connected neighbourhoods.

9.2 Sustain strong and healthy communities

9.2.1 This project has potential to significantly improve the green environment in Albany Park making it a more attractive place to visit. Encouraging residents to visit the park improves quality of life and supports community activities. Reducing flood risk and pollution also helps to sustain strong and healthy communities.

9.3 Build our local economy to create a thriving place

9.3.1 Increasing park visitor numbers helps to create a thriving place and supports the local economy.

10. EQUALITIES IMPACT IMPLICATIONS

10.1 Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report to access funding for and approve the proposals for the Albany Park River Restoration and Flood Alleviation Scheme.

10.2 The scheme will be designed in accordance with good practice to ensure it is reasonably accessible for all users, all new footpaths will be compliant with the Equalities Act 2010.

10.3 The project aims to create a sustainable and accessible green space which alleviates flood risk for a number of residential properties.

10.4 It should be noted that any contracts awarded should include a duty on the successful applicant to assist us with meeting our obligations under the Equalities Act 2010.

11. PERFORMANCE AND DATA IMPLICATIONS

11.1 The implementation of the scheme will satisfy actions derived from the Local Flood Risk Management Strategy by reducing surface water runoff rates (Objective 4) and helping to protect existing properties from flooding (Objective 5).

12. HEALTH AND SAFETY IMPLICATIONS

12.1 The scheme will be designed in accordance with the Construction Design and Management Regulations 2015, and industry good-practice standards, to be safe for members of the public. For example, open water features are surrounded by vegetated margins and slopes are designed to be shallow to reduce the risk of accidental entry into the water.

12.2 As the flood storage area reduces flood risk to over 200 residential properties, the scheme will have a significant positive impact on health and safety during flood events.

13. PUBLIC HEALTH IMPLICATIONS

13.1 These improvements to the environment will reduce the risk of flooding, improve the environment and encourage residents to visit the park so increasing the physical activity offer in Enfield.

Background Papers

The figures below show the extent of the proposed river restoration and flood defence works at Albany Park:

Figure 1 Plan of the proposed river restoration works at Albany Park

Figure 2 Artistic visualisation of the proposed riverside walk at Albany Park

Figure 3 Sections of proposed river restoration

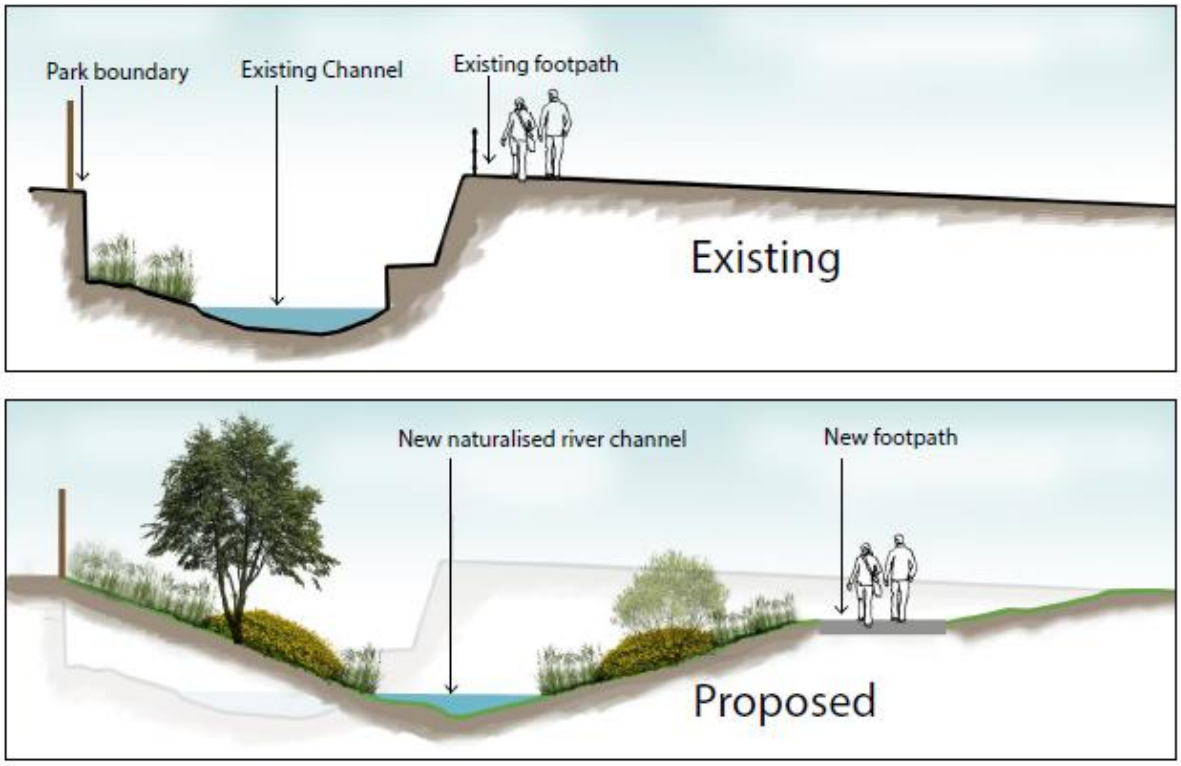

Figure 4 Images from Albany Park and other wetlands and river restoration projects in Enfield

Existing concrete wall on south bank of Turkey Brook

Restored riverbank along Salmons Brook in Enfield

Pymmes Park Wetlands scheme in Enfield

Glenbrook wetland scheme in Enfield