



# Title of report: Yazor Flood Alleviation Scheme Reinstatement Works

**Decision maker:** Corporate Director for Economy and Environment

**Decision Date:** 01 May 2025

**Report by:** Laurence Butterworth, Senior Project Manager

**Director:** Delivery Director for Infrastructure

## Classification

Open

## Decision type

Non-key

## Wards affected

Credenhill; Stoney Street;

## Purpose

To approve expenditure of £260,000 to restore land at Weir Farm to the landowner's satisfaction in accordance with a signed agreement to that effect

## Recommendation(s)

That:

- a) Approval is granted for the expenditure of £260,000 allocated within the 2025/26 capital programme to proceed with option D to deliver restoration of land owned by National Trust in accordance with an agreement in place between Herefordshire Council and National Trust as landowner.
- b) The Delivery Director for Infrastructure is authorised, in consultation with the corporate Director for Economy & Environment to take all operational decisions necessary to implement the above recommendations.

## Alternative options

**Do nothing:** this option is not recommended since it would be contrary to the obligations placed on Herefordshire Council by the agreement in place with National Trust, whereby the Council is required to restore land disrupted by the installation of the Flood Alleviation Scheme and allow safe access for pedestrians across the land.

**Option A:** Below ground culvert from the current FAS outfall to the River Wye. This option is not recommended due to the heavy engineering required which would potentially weaken the subsoil.

**Option B:** Surface channel from the current outfall to the Mill Leat. This option is not recommended due to the heavy engineering required, as in option A.

**Option C:** Enhance the existing flow regime from the current FAS outfall to the River Wye. This option is not recommended due to insufficient confidence that this option would deliver the long term solution.

## Key considerations

1. Following extensive work at the outfall of the Yazor Flood Alleviation Scheme (FAS) at Weir Farm in 2012, areas of land were reinforced with large rocks to minimise the risk of soil erosion during flood events.
2. Some of the land impacted by these works was pastureland and compensation is being provided to the landowner for this loss. The impacted area includes some storage of materials enabling the council to rapidly react to any repairs necessary following flood events. Despite significant and repeated flood events however, the outfall has not been negatively impacted, and the continued storage of material is no longer deemed necessary.
3. The following stakeholders have been engaged in consultations throughout the design of the original alleviation scheme and, more recently, to consider options to protect the bank of the River Wye from further erosion:
  - a. Herefordshire Council (scheme promoter)
  - b. National Trust (the landowner)
  - c. Environment Agency
  - d. Natural England
  - e. Balfour Beatty Living Places
4. The stakeholder's objectives may be summarised as follows:
  - a. Herefordshire Council**
    - i. Ensure a robust solution for the FAS outfall
    - ii. Maximise positive impacts on the local environment for both overall appearance and biodiversity
    - iii. Maximise added value of any further interventions
  - b. National Trust**
    - i. Robust arrangement for the FAS outfall that can accommodate all anticipated conditions
    - ii. Achieve a landscape environment that is acceptable to the Trust
    - iii. Ensure robust data used to both current and future operations of the FAS
  - c. Environment Agency**
    - i. Limit the extent on non-nature based intervention around the riverbank
    - ii. Natural materials used as far as possible
    - iii. Ensure capacity and operation of River Wye floodplain is maintained

**d. Natural England**

- i. Avoid hard engineering interventions, particularly on the riverbank
  - ii. Ensure FAS flows entering the River Wye do so with minimal impact to the surrounding River Wye environment
  - iii. Allow the established and establishing ecosystems to develop
5. A review in 2022 resulted in a joint stakeholder meeting to discuss potential long-term solutions to the outfall area. The result was to commission an options analysis.
  6. The options analysis suggested four options for consideration:
    - a. Option A: Below ground culvert from the current FAS outfall to the River Wye
    - b. Option B: Surface channel from the current outfall to the Mill Leat.
    - c. Option C: Enhance the existing flow regime from the current FAS outfall to the River Wye
    - d. Option D: Minimum intervention
  7. Natural England and the Environment Agency are of the view that natural vegetation growth has, over time, strengthened the arrangement and that any fresh disturbance from heavy engineering work could disrupt this process detrimentally. Herefordshire Council and National Trust support this view, and so option D is the preferred solution.
  8. The outfall area has become a natural wetland due to flow of water from the Flood Alleviation Scheme. Investigations, however, suggest that additional measuring equipment would be beneficial to allow accurate monitoring of the flows. This has been included in these reinstatement proposals.

**Community impact**

9. The Council Plan (2024 to 2028) commits the council to continuing to work with partners to support communities to adapt to climate change, and further investment will be made to improve drainage and infrastructure, including nature based solutions (natural flood management).
10. National Trust is Europe's largest conservation charity and is a well-respected institution in British culture. As with all stakeholders on this scheme, Herefordshire Council works very closely with organisations that promote conservation and uphold strong environmental standards.

**Environmental Impact**

11. The project will deliver landscaping to enhance and restore the original pastureland including removal of fencing and hardcore material that previously allowed vehicle access to the site. As such, the intervention will have a positive environmental impact, restoring further areas to nature.
12. The land fill material currently stored on site will be broken down and repurposed as a filler for the large boulders that form the ground stabilisation
13. The environmental impact of this proposal has been considered through the service specification and includes appropriate requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the ongoing contract management.

14. The Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.

## Equality duty

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

15. A public authority must, in the exercise of its functions, have due regard to the need to –
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
16. No specific equality matters have been identified with these proposals, which take place wholly within private land that will not be managed or used by the Council in future.

## Resource implications

17. Balfour Beatty Living Places have been intrinsic throughout the history of this scheme and have led the strategic planning and development of this latest phase. It is proposed that this continues through delivery of the reinstatement works, maximising the benefit their accrued knowledge.
18. Restoring the area of land in question will conclude the council's obligations to the landowner in this respect and eliminate ongoing revenue costs associated with the Council's beneficial use of the land. The 'future years' saving in revenue costs will represent an ongoing annual saving.
19. The project will be supported by the Project Management Team, the cost of which is included in the capital budget.

Capital cost of project	2025/26	Future Years	Total
	£000	£000	£000
<i>Reinstatement works</i>	250	0	250
<i>Internal project management fees</i>	10	0	10
<b>TOTAL</b>	<b>260</b>	<b>0</b>	<b>260</b>

Funding streams (indicate whether base budget / external / grant / capital borrowing)	2025/26	Future Years	Total
	£000	£000	£000
<i>Corporate Funded Borrowing</i>	260	0	260
<b>TOTAL</b>	<b>260</b>	<b>0</b>	<b>260</b>

Revenue Budget Implications	2025/26 Part year effect	Annual saving	Total Annual savings
	£000	£000	£000
<i>Compensation Payments to cease</i>	(12)	(26)	_(26)
<b>TOTAL</b>	<b>(12)</b>	<b>- (26)</b>	<b>(26)</b>

### Legal implications

20. There are no specific legal implications of this report.
21. Balfour Beatty Living Places will be commissioned to deliver the works and the procurement route for this approved through the delegated authority given by this decision, in compliance with the Council's procurement rules and policies

### Risk management

22. The project is supported by the Council's Projects Team with risks and issues tracked via the Verto project management system.
23. The risks identified in this report have been appropriately recorded on the relevant risk register and escalated in line with the Council's Risk Management Strategy. Governance and monitoring arrangements, including oversight by the project team and continued engagement with stakeholders, will ensure these risks are actively managed throughout the delivery of the scheme.

<b>Risk</b>	<b>Mitigation</b>
Funds are insufficient to complete all the planned works due to unforeseen circumstances.	The investigative works to date alongside stakeholder engagement have provided a degree of clarity in terms of what is required, and the cost estimate reflects that. In the event of unforeseen works there will be the potential to liaise with National Trust to agree the most effective scope that will deliver restoration to an acceptable standard.
Restoration work does not meet all stakeholder's expectations	Stakeholder engagement to date has been extensive. Ensure information is shared between all stakeholders and feedback is recorded.
Construction team unable to complete works within agreed timeframe	Continued engagement and negotiation with stakeholders to ensure shared understanding of issues and solutions.
Conclusion of the Balfour Beatty Living Places public realm contract in May 2026 – loss of information, delays due to re-procurement and mobilisation of an alternative	Target programme seeks to conclude the works prior to contract end.  Project team will ensure that all key information held by Balfour Beatty Living Places is held client-side post-contract.  Opportunities for award to Balfour Beatty Living Places outside the public realm contract while ensuring value for money to be investigated.
Potential reputational risk if land restoration is perceived as inadequate – Public and stakeholder perception of the project could be negatively impacted if restoration does not meet expectations.	Ensure clear and transparent communication with stakeholders, including the National Trust, throughout the project lifecycle to manage expectations and address concerns proactively.
Potential disputes or delays in final agreement with the National Trust – Differing interpretations of the agreement could lead to delays in sign-off or further negotiations.	Maintain clear documentation of agreements and commitments, ensuring legal and project teams work closely with the National Trust to resolve any issues swiftly.

## Consultees

24. Consultations have taken place regularly between statutory bodies, design consultants, landowners and construction teams to establish agreed strategies and progress. The stakeholders:
- National Trust
  - Natural England
  - The Environment Agency
  - Balfour Beatty Living Places/WSP
  - Herefordshire Council

**Appendices**

None

**Background papers**

None identified

**Report Reviewers Used for appraising this report:****Please note this section must be completed before the report can be published**

Governance	John Coleman	Date 28/03/2025
Finance	Karen Morris	Date 24/03/2025
Legal	Sean O'Connor	Date 26/03/2025
Communications	Luenne Featherstone	Date 24/03/2025
Equality Duty	Harriet Yellin	Date 25/03/2025
Procurement	Carrie Christopher	Date 04/04/2025
Risk	Paige McInerney	Date 26/03/2025

Approved by	Ross Cook	Date 15/04/2025
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**Please include a glossary of terms, abbreviations and acronyms used in this report.**

**FAS:** Yazor Flood Alleviation Scheme