

**BIRMINGHAM CITY COUNCIL- TRUSTS AND CHARITIES COMMITTEE**  
**CHAIRS ACTION – CANNON HILL PARK**  
**APPROVAL OF GRANT OF PIPE EASEMENT FOR FLOOD ALLEVIATION**

<b>Wards affected:</b>	<b>Selly Oak</b>
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1.1	The Environment Agency has requested permission to route a surface water drainage pipe being part of a wider flood alleviation scheme for Selly Oak along the service road at the rear of the Birmingham Wildlife and Conservation Park and being part of Cannon Hill Park held in trust and to be granted a long term Easement to document this. It is considered to be a permanent installation.
1.2	The Environment Agency report attached (Appendix 1) sets out the details of this large bore pipe (2.40metres in diameter) which will run from the Pebble Mill site owned by Calthorpe Estates under Pershore Road and along the length of the service road known locally as Zoo Drive and break into the River Rea. It will require temporary use of a small part of the Wildlife Park but will not affect the animal enclosures or the opening hours.
1.3	The works will be dug and laid by boring machine and will be except for the formation of several manhole covers be carried out from underground but will require the roadway to be closed. This closes for the duration of the works (30 weeks) an informal pedestrian route to the park but also one of the few entry points to the Park for heavy vehicles. The Parks Service has agreed to this and will make alternative routes available for the set-up of any events booked to take place in the Park. The contractor's activities on the trust land will be controlled by the Parks Service.
1.4	The Environment Agency will undertake the works directly which will be documented by a standard Easement agreement negotiated by the Director of Property and completed by the City Solicitor. Once works are completed the land will be fully reinstated at the contractor's expense to a standard agreed by the District Parks Manager and returned to parks use.
1.5	This works will require local consultation and this will be effected by the placement of necessary advertisements for the temporary loss of public open space by the City Solicitor. These are required under s123 of the Local Government Act 1972. The cost of the adverts and all legal processes will be met by the Environment Agency. Additional consultation will be completed by the Environment Agency.
1.6	It is proposed to allow the pipe to be installed and grant the Easement. Unfortunately as these works are urgent the approval cannot await the next meeting of the Committee and the authority of the Chairman is requested to enable the works to proceed. The matter will be reported to the next available meeting of the Trusts and Charities Committee and the recommendation passed to the Council as Trustee for approval.

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**Decision - That the Chairman**

- 2.1 agrees to the installation of a new large bore pipe under part of Cannon Hill Park adjacent to the Birmingham Wildlife & Conservation Park
- 2.2 agrees that the installation be formally documented by the grant of an easement together with the grant of a right of way over the access road known as Zoo Drive, on terms to be agreed.
- 2.3 agrees to the formation of a contractors compound on a location and terms to be agreed
- 2.4 to recommend to the next available meeting of the Council as Trustee that the matters listed in 2.1, 2.2 and 2.3 be approved.
- 2.5 That the Director of Property be authorised to negotiate and agree the terms of the easement, licence for the compound and the right of way.
- 2.6 That the City Solicitor be authorised to prepare, negotiate, execute, seal and complete all necessary documentation to give effect to the above decisions and to place any formal advertisements required under either s123 of the Local Government Act 1972 or various statutes as may relate to the charitable status of the land in the granting of these agreements.

**Signatures of the relevant Chairman in agreeing to the grant of an Easement for the pipe under part of Cannon Hill Park :-**

Chairman of the Trusts and Charities Committee:  
Councillor Habib Ul Rehman

.....  
Date: .....

Chief Officer: .....

Date .....

Appendix 1 Report from the Environment Agency September 2016

**Selly Park North and Selly Oak Flood Alleviation Scheme**  
**Partnership Opportunity – Updated Briefing Note – Sept 2016**

**Background**

There are over 150 homes at risk of flooding in Selly Park north and Selly Oak, with a significant number of these having flooded on Thursday 16<sup>th</sup> June 2016. This event followed a similar pattern to the previous flooding experienced in this area in September 2008, but was significantly larger in scale.

Whilst Selly Park north is situated on the left bank of the River Rea, the community flood primarily due to the Bourn Brook overtopping at Pershore Road (one of the main arterial routes into the city). The Rea Catchment Partnership (a group of organisations working together to deliver flood risk and environmental improvements across south Birmingham) has been working to develop a flood alleviation scheme for the community and secure the funding needed for delivery.

**The Proposal**

After a significant amount of detailed analysis, a number of consultants working on behalf of the Environment Agency, Calthorpe Estates and Birmingham City Council have developed a combined solution, consisting of upstream storage and downstream conveyance works. A flood risk scheme for this area has been rigorously appraised and assessed, with two Environment Agency framework contractors confirming that the proposed scheme is the best option for managing flood risk in this area. Details of this scheme have been provided in the hybrid planning application being considered.

**June 2016 Flood Event Analysis**

Following the flood event on 16 June 2016, significant analysis has been undertaken to ensure that the computer model used as the basis for the flood alleviation plans is robust. The storm has been re-created based on local rain gauge records and then applied to the model to replicate the June event. Flood extents and depths have been verified.

The same event has been simulated with the flood alleviation proposals included, to ensure that the scheme would have prevented the spill of flood water from the Bourn Brook onto the Pershore Road and into the Avenues that ultimately resulted in flooding to properties. It should be noted that the flood alleviation scheme has been designed to deal with flood events larger than those witnessed in 2008 and 2016.

The use of highly detailed computer models is standard for both the assessment of flood risk and the design of alleviation schemes. The model in this location has been calibrated and verified against previous flood events and accurately reflects flooding dynamics in this area.

**Previous Work**

The Environment Agency have undertaken no flood alleviation works in the Bourn Brook catchment. Previous works at Harborne Lane were undertaken to provide compensatory storage for development plots on the old Battery site. Whilst these works will have satisfied development requirements, they were never designed to deal with flooding at a catchment scale. The works proposed as part of this



scheme will substantially increase the volume of available storage, resulting in a significant decrease in flood risk across the Bourn Brook catchment.

### **Funding**

Changes to government funding in 2011, mean most flood defence schemes attract a percentage of capital money relative to the benefits proposed. However, external funding must also be sought to secure government funds and reach the total required. The scheme that has been developed is currently estimated at £4.3 million. Partnership discussions have resulted in a significant proportion of the costs being taken on by Calthorpe Estates, with an agreement of around £2 million in kind and direct cash contributions. Other public funding sources have been investigated but are not sufficient to close the identified funding gap.

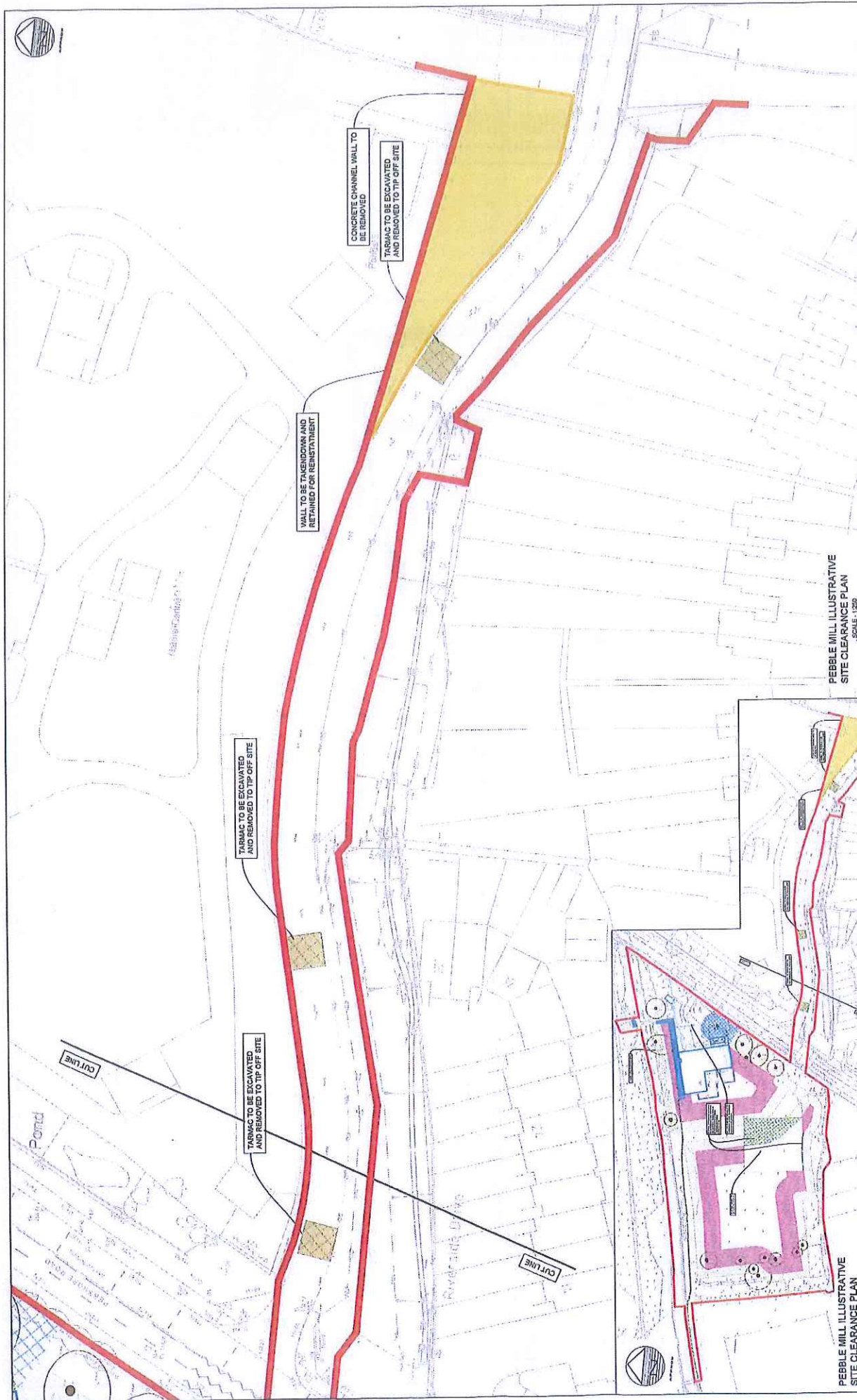
Based on discussions with local planning officers there are no other large developments earmarked within the Local Plan, in this catchment, that will be able to provide the funding required to deliver a scheme for the community of Selly Park north and Selly Oak. It should also be noted that the Pebble Mill site is integral to a flood risk management solution, with the development proposals being designed to enable the alleviation works.

### **Conclusion**

The Selly Park north scheme offers a unique opportunity to reduce flood risk and provide environmental and amenity enhancements for the Selly Park and Selly Oak area of South Birmingham. By working together to deliver multiple outcomes, the Environment Agency, and members of the Rea Catchment Partnership, have been able to secure a substantial monetary and land contribution, without which a scheme in this location would simply not be possible. Birmingham City Council's horizon scanning analysis has confirmed that this is likely to be the only large scale development in this area for the coming years and as such is an opportunity that we cannot afford to miss.

### **Key Headlines**

- 150 homes will benefit from the proposed flood alleviation works
- Key highway routes and infrastructure will be protected from the Bourn Brook, helping to maintain vital transport and emergency routes
- A scheme is only possible if works within the Pebble Mill site are delivered
- Development on the Pebble Mill site will enable these works and release the additional funding required to deliver flood risk improvements for these communities
- Without use of the Pebble Mill site and a significant level of external contributions a flood alleviation scheme in this area will not be possible



<b>PEBBLE MILL ILLUSTRATIVE SITE CLEARANCE PLAN</b> SCALE: 1:1000		<b>PEBBLE MILL ILLUSTRATIVE SITE CLEARANCE</b> SHEET 2 OF 2		Project: Selly Park North Fas - Pebble Mill Plot 6 Drawing: TENDER Date: 15/05/2023 Scale: D2 T2
<b>PEBBLE MILL INVESTMENTS LTD</b> 15/05/2023 15/05/2023		<b>BWB</b> 15/05/2023 15/05/2023		Project: Selly Park North Fas - Pebble Mill Plot 6 Drawing: TENDER Date: 15/05/2023 Scale: D2 T2
<b>ISSUES &amp; REVISIONS</b> Rev. Date. Description / Reason 1. 15/05/2023. Initial Issue 2. 15/05/2023. Initial Issue		<b>Legend</b> 1. Tarmac to be excavated and removed to tip off site 2. Concrete channel wall to be removed 3. Wall to be taken down and retained for reinstatement 4. Tarmac to be excavated and removed to tip off site 5. Concrete channel wall to be removed 6. Wall to be taken down and retained for reinstatement		Project: Selly Park North Fas - Pebble Mill Plot 6 Drawing: TENDER Date: 15/05/2023 Scale: D2 T2









