

## KEY DECISION

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### Mayor and Cabinet

#### **Environment Agency Grant in Aid and Local Levy – Permission to submit Outline Business Case Application for Beckenham Place Park**

**Date: 9 March 2022**

**Key decision:** YES

**Class:** Part 1

**Ward(s) affected:** Downham, Bellingham

**Contributors:**

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#### **Reasons for Urgency**

This report is presented to Mayor and Cabinet as an urgent item as the amount of funding proposed to be applied for exceeds previously predicted amounts. It was not included in the Key Decision Plan of February 8th 2022 because no application was planned at this point. It cannot wait for correct inclusion in a Key Decision Plan for consideration at Mayor and Cabinet after May 2022 because of the need to progress the project with view to start on site this current year.

The total amount of EA funds for which the project is potentially eligible is based on a recently concluded formulaic calculation of cost and benefits and detailed flood modelling and is above £1m. Also, Mayor of London potential match funding requirements necessitate a project start on site this current year and hence an urgent need to confirm Environment Agency Contributions to the project.

Notification that this report should be considered as urgent has been given to the Chair of the Overview & Scrutiny Business Panel and by way of public notice.

#### **Outline and recommendations**

This report seeks consent to submit an Outline Business Case Application to the Environment Agency seeking £713,000 Grant in Aid and up to £875,000 Local Levy.

## Timeline of engagement and decision-making

On 24 April 2019 Mayor and Cabinet approved the allocation of £1,140,000 from the Council's Capital programme to the regeneration of the eastern part of the park, with the understanding that the additional funding required is secured from other partners.

On 22 September 2021 the Executive Director for Community Services approved the submission of a funding bid of up to £750,000 to the Mayor of London's Green and Resilient Spaces Fund.

## 1 Summary

- 1.1 This report seeks Mayor and Cabinet's agreement to submit an Outline Business Case Application to the Environment Agency seeking £ 713,000 Grant in Aid and up to £875,000 Local Levy. In the event of full award of other funds applied for from the Mayor of London's Green and Resilient Fund and from Network Rail the amount sought as Levy would be reduced to £200,000.

## 2. Recommendations

- 2.1 To approve the submission of an Outline Business Case Application to the Environment Agency seeking £ 713,000 Grant in Aid and up to £875,000 Local Levy.
- 2.2 To delegate authority to the Executive Director Community Services, in consultation with the Director of Law, Governance & Elections to accept any Grant offered if the Application is successful and to agree the terms of any associated funding agreement.

## 3. Policy Context

- 3.1 The proposed improvement to the eastern side of Beckenham Place Park will contribute to Council priorities.
- 3.2 A key corporate priority for the Council as set out in the Council's Corporate Strategy 2018–2022 is 'Making Lewisham greener' ensuring everyone enjoys our green spaces and benefits from a healthy environment as we work to protect and improve our local environment. The Strategy outlines a commitment to the preservation of our award-winning green spaces.
- 3.3 Lewisham's Parks and Open Spaces Strategy 2020–2025 sets out the vision for parks and open spaces to be 'to be the heart and lungs for Lewisham, connecting active, healthy and vibrant local communities' and provides a strategic framework for the management and development of open spaces within the borough that seeks to protect, create, enhance, and connect spaces and people. The Parks and Open Spaces Strategy 2020-2025 highlights that up to 6000 new homes could be built in wards surrounding Beckenham Place Park East and prioritises the park for improvement.
- 3.4 The improvements to the eastern side of Beckenham Place Park are also in line with Lewisham Council's Local Plan 2020-2040 which sets out key strategic objectives to:

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- Sustain and create inclusive neighbourhoods and communities that reflect and reinforce the diversity and cultural heritage of Lewisham’s people and places
  - Help London to achieve National Park City status and ensure all Lewisham residents benefit from access to high quality green space, by protecting, enhancing and connecting the Borough’s network of parks, open and water spaces
  - Promote and protect the ecological, biodiversity and amenity value of the borough’s natural assets
  - Protect and enhance open and green spaces, including by expanding the role of BPP as a key visitor destination
  - Enhance the environmental quality and amenity value of the Ravensbourne and Pool Rivers
  - Improve public access to the rivers with new and improved routes
- 3.5 Integrating flood storage measures into landscaping improvements helps to meet the Climate Strategy Objective Greener Adaptive Lewisham - increasing climate change resilience through improvements to local green infrastructure
- 3.6 At London-wide level, the Mayor of London’s Environment Strategy 2018 brings together approaches to every aspect of London’s environment, integrating the following areas: air quality, green infrastructure, climate change mitigation and energy, waste, adapting to climate change, ambient noise and low carbon circular economy.

## 4. Background

- 4.1 On 24 April, 2019 Mayor and Cabinet considered further capital funds for Beckenham Place Park. The decision was that ‘additional capital programme contribution of £1.936m be approved to secure the investment’. Of that amount, £1,140,000 was allocated to the ‘Regeneration of the eastern side of the park’. Mayor and Cabinet were asked to allocate funds on the understanding that the additional funding required is secured from other partners’ (paragraph 8 of the report).
- 4.2 Subject to the decision now sought, further funds are hopefully available from the Environment Agency (EA). As the amount of funding sought from the EA exceeds £1m, Mayor and Cabinet approval to make the application to the EA is required and the Council’s match funding, as detailed in para 5.7 and 7.2 below also needs to be confirmed as in place.
- 4.3 Potentially, in the event of full award of other funds applied for from the Mayor of London’s Green and Resilient Fund and from Network Rail, the amount sought as Levy from the EA would be reduced to £200,000. In such circumstance Grant in Aid sought from the EA would still be £713,000.

### Environment Agency Grant in Aid and Local Levy

- 4.4 Flood Defence Grant in Aid (FDGiA) funding is from central government for managing flood risk. The total amount of FDGiA available for a particular flood risk scheme is based on a formula that takes into account the number of households protected; the estimated value of damages being prevented; and the other benefits a particular project would deliver, such as environmental improvements. The Outline Business Case for Beckenham Place Park provides justification for the £713,000 of FDGiA funding sought from the Environment Agency.
- 4.5 Local levy funding is sought when there is insufficient money available for the delivery of a project through FDGiA and other funding sources. Local levy is raised by the

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Thames Regional Flood and Coastal Committee via Local Authority contributions. It is used to support flood risk management projects that are not considered to be national priorities and hence do not attract enough FDGiA funds.

## 5. Beckenham Place Park East

- 5.1 The development work for the Beckenham Place Park East project is at an advanced stage. The exciting designs for the eastern side of the park have been developed over the past 24 months in close collaboration with the Environment Agency and with extensive public engagement. The scheme will bring activity and interest to the east of the park with a focus on nature, interaction with the River Ravensbourne, new and enhanced play and activity for all ages. The designs very much complement the recent transformation of the western side of the park.
- 5.2 A key component of the design for Beckenham Place Park East is to introduce water management within the park in a natural way, using gentle landforms that create subtle features within the landscape, increase wildlife and habitat value and diversity, whilst reducing flood risk to local communities. A new flowing series of spaces and rolling landforms along the perimeter and an extended network of footpaths will offer opportunities to diversify walking, running and cycle routes around the park and allow more of the park to be explored and enjoyed by everyone.
- 5.3 Accessibility to the river will be opened up in a sensitive way that will maintain the natural environment of the river, whilst allowing greater opportunities for interaction with the water and the water's edge. The Council will also better connect the eastern and western sides of the park and improve entrances to the East side.
- 5.4 Enhanced opportunities for play are key to improvements, and new and enhanced opportunities for both prescriptive and non-prescriptive play for a wide range of ages will be provided.
- 5.5 The project team have been liaising with the EA throughout the project development and design process with a view to securing flood relief funding and grant in aid to support the flood mitigation and habitat improvement measures in the scheme. This builds on the overall commitment of the EA to a scheme in the park following their abandonment of a prior scheme in the park on the basis of excessive cost and cost: benefit ratio. The precise contribution of the EA is based on detailed flood modelling and a formulaic calculation of flood and associated environmental benefits which are set out in the business case to be submitted for approval by the EA.
- 5.6 The funds sought from the EA are highlighted in bold in the table below. In the event we secure the Green and Resilient Funding and Network Rail contribution the amount titled Levy underwrite (£675k) would not be sought from the EA.
- 5.7 The submission for the EA will also detail other sources of funding as match funding as set out in the table. The London Borough of Lewisham amounts (£ 93,973 and £268,300) are already secured through the Mayor and Cabinet's agreement on 24 April 2019 to allocate £1,140,000 from the Council's Capital programme to the regeneration of the eastern part of the park, with the understanding that the additional funding required is secured from other partners. This proposed funding application therefore places no further burden on the capital programme.

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Source of Funding	Amount
EA Grant in Aid	£ 713,000
EA Local Levy	£ 200,000
EA Local Levy Underwrite	£ 675,000
Water Environment Improvement Fund (confirmed in principle)	£ 95,000
London Borough of Lewisham (to present)	£ 93,973
London Borough of Lewisham (future)	£ 268,300
Green and Resilient Funding (requested but not secured, announcement due late February) (£750k applied for to be split between flood alleviation and park regeneration works)	£ 375,000
Network Rail contribution (requested but not secured)	£ 300,000
<b>Total funding secured</b>	<b>£ 2,045,273</b>
Unsecured funding, this will be used to replace the Levy Underwrite if it is secured.	£ 675,000

## 6. Other Lewisham EA funding

- 6.1 Lewisham Council currently has two other projects on the Environment Agency's medium-term programme: the Verdant Lane Flood Alleviation Scheme and Sydenham Wells Park wetlands. Both schemes are progressing toward Outline Business Case stage. The application to the EA for FDGiA funding for Beckenham Place Park will not impact on accessing future EA funding, each project is considered on its own merit.

## 7. Financial implications

- 7.1 This report recommends that Mayor and Cabinet agree to submit an Outline Business Case Application to the Environment Agency seeking £ 713,000 Grant in Aid and up to £875,000 Local Levy. In the event of full award of other funds applied for from the Mayor of London's Green and Resilient Fund and from Network Rail the amount sought as Levy would be reduced to £200,000.
- 7.2 The Lewisham Match funding to the application is already secured and confirmed through the Mayor and Cabinet's agreement 24 April, 2019 to allocate £1,140,000 from the Council's Capital programme to the regeneration of the eastern part of the park,

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with the understanding that the additional funding required is secured from other partners.

## **8. Legal implications**

- 8.1 In accordance with the Mayoral Scheme of Delegation, the approval of any application for external funding which requires match funding from the Council in excess of £250,000 or which exceeds £1m is reserved to members.
- 8.2 If the funding bid is successful, the terms of a funding agreement will need to be agreed and entered into. This report requests that authority is delegated to the Executive Director of Community Services, in consultation with the Director of Law, Governance & Elections to do this.
- 8.3 This is a key decision under the Council's Constitution, namely an application for funding from any external body which if successful would also require Council match funding of £500,000.
- 8.4 In taking this decision, the Council's public sector equality duty must be taken into account. It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary, the Council must, in the exercise of its functions, have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not.
- 8.5 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. Mayor and Cabinet must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 8.6 The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found on the EHRC website.

## **9. Equalities implications**

- 9.1 In regenerating the park, officers are seeking to address issues which hinder use and enjoyment of the space by the widest section of the community. A number of physical interventions to enhance facilities and accessibility will be implemented through the

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project, addressing key issues such as inaccessible toilets, poor quality paths etc. These physical improvements will be combined with outreach to target groups who might otherwise feel reluctant or unable to use the park to understand and break down any further barriers to use.

- 9.2 Events and activities will be developed to appeal to the wider population. Evaluation surveys will allow officers to compare usage prior to works with usage that occurs after completion with the aim of ensuring that usage is more reflective of the surrounding population.
- 9.3 Monitoring of the impact of the project will take place using qualitative and equalities data (gender, age, disability, ethnic background, religious background, sexual orientation).

## **10. Climate change and environmental implications**

- 10.1 Climate change and the environment are at the heart of the project. The improvement to the park will increase resilience to the impacts of climate change, including providing shade, reducing the risk of overheating, reducing surface water and fluvial flood risk and conserving water resources. The project will see improved air and water quality, and reduced exposure to air pollution, enhanced biodiversity and ecological resilience, creation of wildlife habitat and increased tree canopy cover, increased green skills, local community capacity and cohesion.

## **11. Crime and disorder implications**

- 11.1 Increasing the use of Beckenham Place Park is key to reducing anti-social behaviour and fear of crime in this open space. Investing in the park and removing damaged and derelict features will also deter anti-social behaviour, helping people to feel safer and discouraging casual vandalism.
- 11.2 In addition, there are plans to engage residents and school pupils extensively in the park, through volunteering opportunities and environmental education. As volunteers invest in the open space, the sense of ownership and pride in the park will grow. This in turn moves them to actively look after the space, and deters anti-social behaviour.

## **12. Health and wellbeing implications**

- 12.1 Renovation and regeneration of the park will provide significant health and well-being opportunities. BPP East will provide communities with increased opportunities for outdoor activities. As part of the project, a programme of volunteering and training will be developed leading to physical and mental health and well-being benefits and increased social cohesion. Building on existing links with local GPs and community groups, and working closely with the NHS and local Primary Care Networks, we will develop a programme of nature-prescribing whereby people suffering from poor mental and physical health will be supported to join activities that will increase health and wellbeing through contact with nature

## **Background papers**

Beckenham Place Park Update, Mayor and Cabinet, 24 April, 2019  
<https://councilmeetings.lewisham.gov.uk/ieDecisionDetails.aspx?AllId=22437>

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## Glossary

[Link to Oxford English Dictionary here.](#)

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