

Report of the Director of City Strategy

PRELIMINARY FLOOD RISK ASSESSMENT

Summary

1. This report updates Members of progress on the preparation of the Preliminary Flood Risk Assessment being carried out to comply with the Flood Risk Regulations 2009.

Background

2. In a report to this committee on 25 January 2011 Members were informed of the requirement for Lead Local Flood Authorities (LLFAs), which are County Councils and Unitary Authorities, to complete a Preliminary Flood Risk Assessment to comply with the requirements of the Flood Risk Regulations 2009. These implement the requirements of the European Floods Directive, which aims to provide a consistent approach to managing flood risk across Europe. The approach consists of a six year cycle of planning based on a four stage process of:
 - i) Undertaking a Preliminary Flood Risk Assessment (PFRA).
 - ii) Identifying flood risk areas.
 - iii) Preparing flood hazard and risk maps.
 - iv) Preparing flood risk management plans.
3. LLFAs are required to produce an approved and scrutinised PFRA report, identifying flood risk areas where the risk of flooding is significant, and submit this and accompanying data to the Environment Agency (EA) by 22 June 2011. The EA has a duty to review, collate and publish the reports of all LLFAs in England and Wales by 22 December 2011.
4. The PFRA is a high level summary of significant flood risk, i.e. where the risks from local sources of flooding are greatest. The scope of the PFRA is to consider, based on available and readily derivable information, past flooding and possible future flooding from local flood sources. These are defined as surface water, groundwater, ordinary watercourses and canals. Flooding associated with the sea, main rivers and reservoirs is the responsibility of the EA and does not need to be considered by the LLFA as part of the PFRA,

unless the LLFA considers that it may affect flooding from one of the sources listed above.

5. Given that this is a new process, a high national threshold of flooding has been set by Defra to identify Indicative Flood Risk Areas for the first cycle of assessments. This threshold is greater than 30,000 people at risk and very few areas in the country have been identified, generally being major urbanised areas. York is not in this category.
6. The LLFA is required to determine the location and extent of its local flood risk. In addition to the LLFA using its own records, the EA have provided flood risk maps based on modelling, for significant rainfall events with a probability of 1 in 30 (3.33%) and 1 in 200 (0.5%), to predict the depth of future flooding. The LLFAs must use this data to determine the location and extent of its local flood risk areas with reference to indicators, which will help to develop understanding of the impacts and consequences of flooding. The key flood risk indicators are:

Impacts of flooding on	Flood Risk Indicators
Human Health	Number of residential properties. Critical services (Hospitals, Police/Fire/Ambulance Stations, Schools, Nursing Homes, etc)
Economic Activity	Number of non-residential properties Length of road or rail. Area of agricultural land
Cultural Heritage	Cultural heritage sites (World Heritage Sites)
Environment Designated sites	(SSSIs, SACs, SPAs, etc) and BAP habitat

7. Guided by the above criteria, on the basis of local conditions and knowledge the LLFA is required to assess its own definition of local significance, with appropriate thresholds
8. Work has commenced on analysing the coarse data provided by the EA but this has highlighted that the number of properties enumerated as being affected by flooding may be higher than that calculated by the Council's engineers who have looked at the information in greater detail. As the difference is quite significant (between 15% and 24% higher depending on the modelled event) clarification on this is being sought from the EA mapping team. Work will continue on the analysis and developing definitions of local significance but this anomaly needs to be resolved because the LLFA is required to agree the EA data.
9. This has had the effect of delaying the PFRA report and the timescale for completion will depend on how long it takes to resolve the above issue. It is now proposed that a draft report is discussed with the EA prior to being presented for Council endorsement, to ensure that it will be acceptable to the EA.
10. The intention of bringing the report to this committee was to comply with the timetable in paragraph 3 above and the requirement for the report to be

approved by the LLFA, and also taking into account the intervention of the local election. The guidance from the Environment Agency is:

“LLFAs should review and approve their PFRAs in accordance with their own internal processes. This may be through consideration by Cabinet, Council or an overview and scrutiny committee. The purpose of such review is to ensure the LLFA is satisfied that its products are fit for purpose in meeting the requirements of the Regulations.

If PFRAs are to be considered by overview and scrutiny committees, early inclusion in work programmes will be needed to meet submission to the Environment Agency by June 2011. It is therefore recognised that this type of review is desirable but may not always be possible.”

It is proposed that the final PFRA report is taken to the Executive at its meeting on 24 May which will still enable formal submission to the EA to comply with their timetable. Members guidance is requested regarding the scrutiny process.

11. Before this meeting of the committee it is proposed to provide Members with a briefing note to inform them of the initial findings and conclusions for their consideration.

Consultation

12. No external consultation has taken place, as the purpose of this report is to inform Members of progress.

Options

13. There are no options to consider, as the PFRA is a statutory duty on the Council.

Corporate Priorities

14. The completion of the PFRA will make a contribution to three of the Council's Corporate Priorities, the Sustainable City, The Thriving City and the Safer City, by identifying existing and potential flood risk areas, ensuring that development takes into account the restrictions thus imposed, and managing the impact of flooding on the economy.

Implications

15. Implementation of the Flood Risk Regulations is necessary to comply with the EC Floods Directive and the government would risk considerable infraction penalties in the event of non-compliance. There are no financial implications as Defra has provided funding through a grant of £10,000 for carrying out the PFRA. There are no Human Resources, Equalities, Legal, Crime and Disorder, Information Technology or Property implications.

Risk Management

16. Implementation of the Flood Risk Regulations is necessary to comply with the EC Floods Directive and the government would risk considerable infraction penalties in the event of non-compliance. There is a risk to the Council's reputation if it does not complete the PFRA in accordance with the required timetable.

Recommendations

17. It is recommended that Members:
- i) note the delay in the progress of the PFRA report, and that the draft report will be agreed with the Environment Agency and be brought to the Executive for approval on 24 May to enable it to be submitted to the Environment Agency by 22 June.
 - ii) provide officers with guidance on scrutiny of the PFRA report.

Reason: To enable an agreed report to be presented to the EA in accordance with their statutory timetable.

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Report
Approved

Date

✓ 22.03.2011

Specialist Implications Officer(s):

None

Wards Affected: All

For further information please contact the author of the report

Background Papers:

Flood and Water Management Act - Report of the Director of City Strategy to the Executive, 2 November 2010

Preliminary Flood Risk Assessment - Report of the Director of City Strategy to the Economic & City Development Overview & Scrutiny Committee, 25 January 2011