

MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2011
TITLE OF REPORT:	PRELIMINARY FLOOD RISK ASSESSMENT
PORTFOLIO AREA:	Highways and Transportation, Environment

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To:

- Introduce the requirements of the Flood Risk Regulations 2009 and the Flood and Water Management Act 2010 in regard to the development of a Local Flood Risk Management Strategy for Herefordshire; and in particular the requirement for Herefordshire council as the Lead Local Flood Authority to prepare a Preliminary Flood Risk Assessment.
- To seek the Committee's views on the modification of the indicative national assessment of flood risk in Herefordshire; and
- To seek the Committee's guidance on the local significance of the criteria used in the preparation of the Preliminary Flood Risk Assessment Report, and in the subsequent development of Herefordshire's Local Flood Risk Management Strategy.

Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was not included in the Forward Plan, however inclusion in the agenda gives the required notice in accordance with Section 15 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000.

Further information on the subject of this report is available from
Clive Hall, Highway Network Manager on (01432) 260786

Recommendations

THAT Scrutiny Committee:

- (a) Propose that the indicative national assessment of flood risk in Herefordshire is not amended; and
- (b) Supports the preparation of the Preliminary Flood Risk Assessment Report in accordance with the Guidance provided to all Lead Local Flood Authorities by DEFRA, and provides its views on the local significance of the criteria contained therein.

Key Points Summary

- The deadline for the submission to the Environment Agency of the Preliminary Flood Risk Assessment Report is the 22nd June 2011
- The Preliminary Flood Risk Assessment Report will be made available to the public by 22 December 2011.
- The indicative national flood risk map prepared by the Environment Agency provides a consistent assessment of flood risk across England and Wales. The indicative flood risk map identifies nationally significant flood risk areas.
- Drawing on local knowledge of flood risk it has been determined that there are no nationally significant flood risk areas in Herefordshire.
- A consistent approach is required nationally for the assessment of flood risk and this is supported by detailed guidance. The Preliminary Flood Risk Assessment (PFRA) will identify if from local knowledge there are Flood Risk Areas within Herefordshire. The identification will be based on the identification of significant harmful consequences on human health, economic activity and the environment.

Alternative Options

- 1 The committees proposes that Herefordshire Council as the Lead Local Authority (LLFA) draws on local knowledge to determine amendments to the flood risk areas.

Reasons for Recommendations

- 2 The indicative flood risk map has been prepared to identify national areas of flood risk. This decision, not to amend the flood risk map, allows Herefordshire Council as the LLFA to develop flood mitigation strategies and flood risk management plans that are the most appropriate for this county.
- 3 The guidance on the significance of criteria for flood risk ensures the strategies to be developed will be appropriate for Herefordshire.

Introduction and Background

- 4 The Flood Risk Regulations 2009 (the Regulations) implement the European Floods

Directive 2007/60/EC. This provides a consistent approach to managing flood risk across Europe. Herefordshire Council is the Lead Local Flood Authority (LLFA) for Herefordshire. Under the Regulations (and in line with responsibilities under the Flood and Water Management Act 2010 (the Act)) the LLFA is responsible for managing local flood risk in its area.

- 5 The approach the government has adopted for the management of flood risk starts with a Preliminary Flood Risk Assessment (PFRA) Report. The report is an initial screening to review historical and future flood risk to determine flood risk areas.
- 6 The deadline for the completion of the PFRA report is the 22nd June 2011. The report will then be reviewed by the Environment Agency (EA).
- 7 The PFRA to be prepared by all LLFAs are not required to cover flooding from the sea, main rivers and reservoirs, the assessment of these risks will be lead by the EA. The PFRA should not include for flooding from blocked sewers or burst water mains, but sewer surcharge due to heavy rainfall events, or the like must be included for.

Key Considerations

- 8 The PFRA Report is required to cover the following aspects:
 - Governance by Herefordshire Council for the management of local flood risk,
 - Partnership and communications with partners for the management of local flood risk
 - Past floods – listing of past floods and their consequences
 - Future floods – identification of the broad areas at risk of flooding in the future, and the consequences of that flooding, based on indicative flood risk areas provided by the Environment Agency (EA).
 - The report will contain map(s) of past floods and a summary table of consequences. These will provide a summary of all readily available information on past floods. This will be used in the development of local strategies.
 - The EA have provided an indicative flood risk map for each LLFA area based on national data. To ensure a consistent and proportionate approach DEFRA has identified significant criteria and thresholds to define flood risk areas.
- 9 The EA has applied these criteria and thresholds to produce indicative Flood Risk Areas. These areas are based on nationally available data. It is important that this is reviewed by the LLFA for the Report. The indicators and threshold values that have been used to determine the indicative Flood Risk Areas are included in Appendix 1 to this report.
- 10 The methodology adopted by the EA was to inspect 1 km grid squares for local flood risk and to seek clusters of flood risk in order to identify nationally significant flood risk areas. This process has identified 8 areas in England and 5 in Wales, none include Herefordshire. The nature of the national methodology is such that it is areas of major population that have been identified with nationally significant flood risk. As a result of the methodology these indicative national flood risk maps prepared by the EA do provide a consistent assessment of flood risk across England and Wales and do identify nationally significant flood risk areas.

- 11 The review of the PFRA undertaken by the EA will aim to ensure that the national method for identifying Flood Risk Areas has been applied appropriately and consistently by LLFA's in England and Wales. The EA will publish all Preliminary Flood Risk Assessment Reports and Flood Risk Areas by 22 December 2011 before making them available to the European Commission.
- 12 In line with EA recommendations the PFRA Report will be available to the public by 22 December 2011.
- 13 The EA's review will focus on the Flood Risk Areas particularly where these have been amended. They will check that any changes are justified and nationally consistent. To promote consistency, the Department for Environment Food and Rural Affairs (DEFRA) have published detailed guidance and alongside the details of the indicators and threshold values to determine Flood Risk Areas (Appendix 1), A series of other factors for LLFAs to consider for nominating new or expanded Flood Risk Areas are detailed. These consider further information on:
 - the risk to human health, including the vulnerability of sites such as caravan parks to flood risk and the impact on critical infrastructure such as schools, hospitals, nursing homes, power and water services;
 - economic factors, such as agricultural areas, road and rail links; and
- 14 Environmental factors, such as designated sites, heritage sites and pollution.
- 15 As the LLFA, Herefordshire Council may draw on local knowledge to review the indicative flood risk map prepared by the Environment Agency and determine if it wishes to amend the flood risk areas. Reasons for amending the indicative flood risk areas could include knowledge of geography, past flooding, future flooding. Unless the reasons for amendment are compelling the Environment Agency does not recommend amendments.
- 16 If accepted by the EA there are no financial benefits from amendment to the indicative flood risk areas. A decision not to amend the flood risk map allows Herefordshire Council as the LLFA to develop flood mitigation strategies and flood risk management plans that are the most appropriate for this county.
- 17 The EA review panel will make recommendations to the relevant Regional Flood Defence Committee (Midlands RFDC) for endorsement. Following consideration by the RFDC the final stage of the EA review will be signing off by the relevant EA director.
- 18 The PFRA stage of the Regulations will provide a flood risk assessment for local flood risk strategy in the Act. LLFA's without Flood Risk Areas will be able to choose the management approach they feel is most appropriate for the area. LLFA's are encouraged to consider the full range of local flood risk across their area.
- 19 Preliminary Flood Risk Assessment (PFRA) will identify local flood risk areas and be based on the identification of significant harmful consequences on human health, economic activity and the environment.

Community Impact

- 20 Flood events have a significant impact on the health, welfare and economic viability of our communities and the environment in which the live, work and travel.

Financial Implications

- 21 There are no direct costs to the proposals. Governance, Partnership building, the development of flood mitigation strategies and flood risk management plans is contained within existing budgets. The government has provided area grant funding for 2011/12 and 2012/13 for duties contained within the Flood and Water Management Act 2010. This falls within the new duties.

Funding is not limited by the recommendations

Legal Implications

- 22 The Regulations require the submission of the PFRA Report by 22 June 2011.

Risk Management

- 23 Under the Regulations Herefordshire Council as the LLFA for Herefordshire is responsible for managing local flood risk in the county. Herefordshire Council as the LLFA is required to review the PFRA in accordance with its own internal processes. The purpose of such a review is to ensure that as a LLFA it is satisfied that its products are fit for purpose in meeting the Regulations.

Consultees

- 24 The EA has been consulted on whether any area in Herefordshire will meet the significance criteria set out above. The EA has indicated that no area will meet the criteria.

Appendices

- 25 DEFRA Indicators and threshold levels to determine flood risk areas.

Background Papers

Herefordshire Strategic Flood Risk Assessment

Selecting and reviewing Flood Risk Areas for local sources of flooding – Guidance to Lead Local Flood Authorities. As published by DEFRA