

# Flood Risk Management

## New legislation – New Duties!

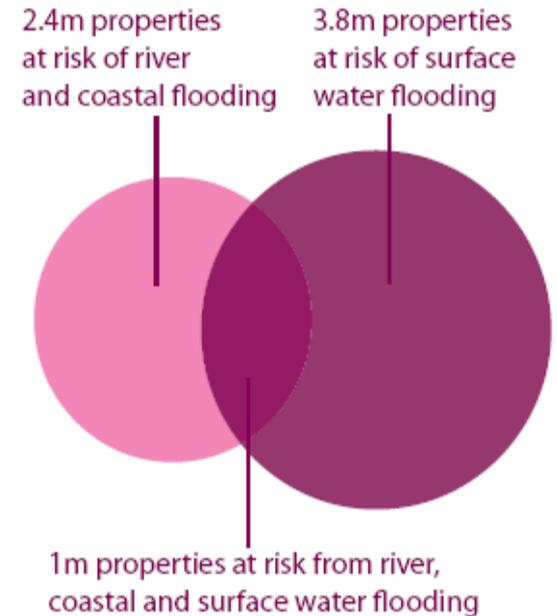
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Development & Flood Risk

February 2011

# Some background...

- ⇒ **The legislative context for flood risk management is changing...Why?**
- ⇒ Scale/threat and liability of risk
- ⇒ Culmination of policy work –  
Future Water  
Making Space for Water
- ⇒ Flooding incidents = Pitt Report 2007  
Cumbria 2005  
Summer floods 2007
- ⇒ Flood Risk Regulations 2009
- ⇒ Flood & Water Management Act 2010



# 'Strategic Overview' objectives

## Outcome:

Flood risk from [redacted] is adequately assessed and managed using a strategic, risk-based approach

## To be achieved by:

- ➔ continued delivery of risk management for main rivers and sea, [redacted] oversight of reservoir safety

### **Environment Agency**

- ➔ significantly improve risk management for surface water, groundwater and [redacted] primary watercourses

### **Lead Local Flood Authorities**

# The Act 2010

- ⇒ **Local flood risk management strategies**
- ⇒ **Investigating incidents**
- ⇒ **Assets**
  - Registration
  - Designation
- ⇒ **Consenting works** on ordinary water courses
- ⇒ **SUDs Approval Body**
  - Adoption and maintenance
- ⇒ **Sustainable development** – duty to contribute
- ⇒ **Reservoir safety** – a new risk based approach
- ⇒ **Regional Flood and Coastal Committee**
- ⇒ **Duty to co-operate and share information**

# The Regulations in a 'Nutshell!'

**Preliminary Flood Risk Assessment**



**Identify areas with potential significant flood risks**



**Develop Flood Hazard and Risk Maps**



**Develop Flood Risk Management Plans**

- For each river basin district
- By 22/12/2011

- For areas with significant risks
- By 22/12/2013

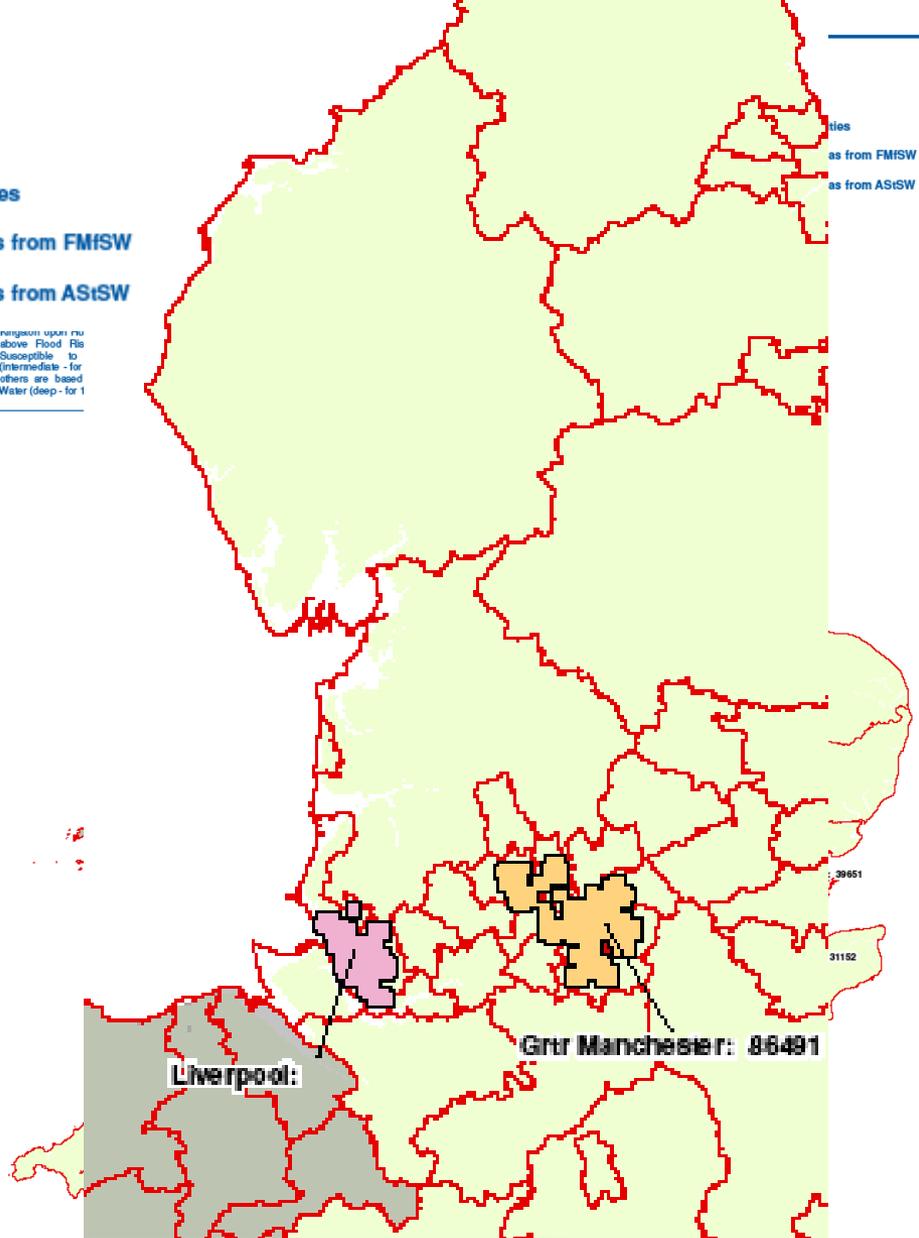
- For areas with significant risks
- By 22/12/2015





-  Lead Local Flood Authorities
-  Indicative Flood Risk Areas from FMfSW
-  Indicative Flood Risk Areas from ASfSW

regions up to  
above Flood Ris  
Susceptible to  
(intermediate - for  
others are based  
Water (deep - for 1



### Indicative Flood Risk Areas for England

These are to be used by Lead Local Flood Authorities as part of the process for identifying Flood Risk Areas under the Flood Risk Regulations as set out in the Environment Agency and Defra & WAG guidance on PFRAs.

Drawn by:	Peter Robinson
Date:	10/12/10
Scale:	DRAFT
File Name:	...ArcGISProject\FRA Maps England.mxd
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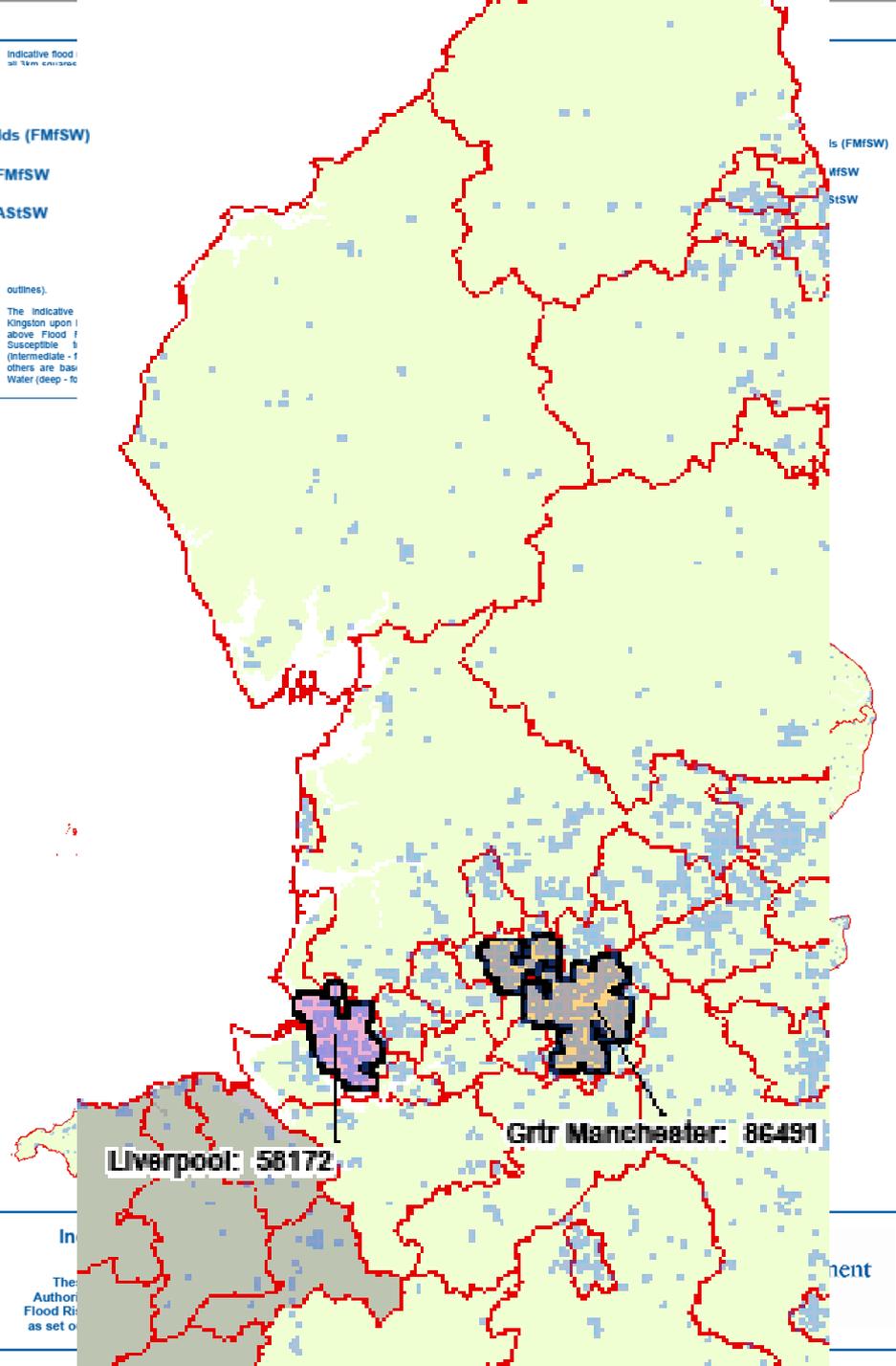


Indicative flood  
at 1km distance

- Places above Flood Risk Thresholds (FMFSW)
- Indicative Flood Risk Areas from FMFSW
- Indicative Flood Risk Areas from ASStW
- Lead Local Flood Authorities

outlines).

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# Flood Risk Regulations

Stage 1

&

Stage 2

**Preliminary Flood Risk Assessment**

To prepare:

**Preliminary Assessment Reports (PARs)**

Then

PAR is used to identify **Flood Risk Areas**

By June 2011



Stage 3

By June 2013

**Flood Hazard & Flood Risk Maps**

To identify

The level of hazard and flood risk from flooding in flood risk areas

**Flood Risk Management Plans**

To prepare a Flood Risk Management Plan for each flood risk area



Stage 4

By June 2015



*Not Required in Lancashire, Cumbria, Blackburn or Blackpool*

# Some Definitions / Who is involved?

- ➔ **FCRM - Key concepts and definitions (Clauses 1-6)**
- ➔ Various definitions including “flood”, “coastal erosion”, “risk”, “risk management”, “main river”, “ordinary watercourse”, “groundwater” and “surface runoff”. “Culvert” defined in the amended Land Drainage Act
- ➔ “Lead local flood authority” (LLFA) defined as meaning unitary authority or county council, or county borough council in Wales.
- ➔ “Risk management authority” (RMA) defined as meaning
  - ➔ the Environment Agency
  - ➔ a LLFA
  - ➔ a district council
  - ➔ an Internal Drainage Board
  - ➔ a water company
  - ➔ a highway authority.

# Impact on redevelopment

## ➔ Local Flood Risk Management Strategy

- ➔ Looks at how existing risk can be addressed
- ➔ Ordinary Watercourses
- ➔ Surface Water
- ➔ Groundwater
- ➔ Sewers

## ➔ Investigating Incidents

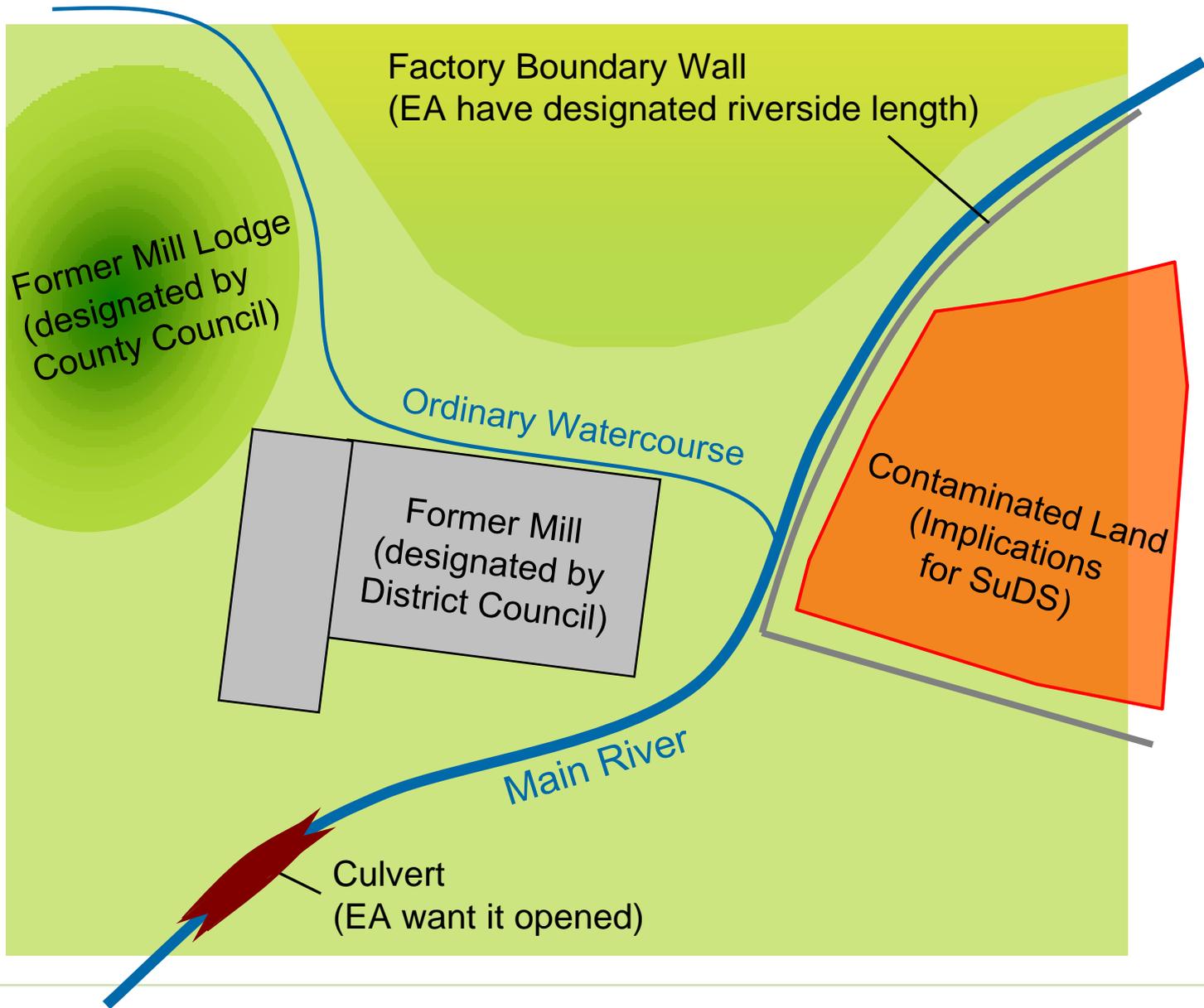
- ➔ What flood sources?
- ➔ Who has lead responsibility?
- ➔ Who will take it further?



# Impact on redevelopment

- ➔ Consent for works on Ordinary Watercourses
  - ➔ Was EA, now LLFA
- ➔ Assets
  - ➔ Register of Assets
  - ➔ 3<sup>rd</sup> Party Assets
  - ➔ Consent required to modify
- ➔ SuDS Approval Body
  - ➔ Coming from 2012
  - ➔ SuDS Mandatory on new developments
  - ➔ National Design Standards
- ➔ Funding changes





# Current Situation FWMA / PFRA NW

- ⇒ Formal sign-off of the Preliminary Assessment Report at LLFA can take place after the June deadline for the submission (but must be before August)
- ⇒ Lancashire
- ⇒ Cumbria
- ⇒ Other LLFA s in NW
- ⇒ Statutory Instruments which mean things can actually be done
  - ⇒ Register of Assets – April 2011
  - ⇒ Power to Designate 3<sup>rd</sup> Party Assets – October 2011
  - ⇒ Consenting on Ordinary Watercourses – April/October 2011
  - ⇒ Likely delay to implementation of SUDs element
- ⇒ National Strategy for Flood Risk Management being developed

# Funding

- ➔ December announcement of further funding for next 4 years for new burdens under the Regulations and Flood and Water Management Act - £21m in 2011/12 then £36m/ year for the following three years

# SWMP

- ➔ Surface Water Management Plans
- ➔ Pitt Recommendation 18 expanded upon PPS25 to establish SWMP s
- ➔ DEFRA then identified top 77 nationally and provided funding to carry out these plans.
- ➔ SWMP s underway in Blackpool, Cumbria and Preston (Lancs. CC)

# Immediate actions...

- ⇒ LLFA governance
  - ⇒ cross functional approach
  - ⇒ Political support / backing
- ⇒ Match funded post
- ⇒ Technical capacity and resilience
- ⇒ External Partnerships and working arrangements
- ⇒ Data sharing and co-operation
- ⇒ PFRA – Local flood risk management strategy
- ⇒ Preparatory work for commencement of Act:
  - ⇒ Asset register
  - ⇒ Shadow EA consenting regime
  - ⇒ National consultations
  - ⇒ EA training package

