

Flood Risk Management

New legislation – New Duties!

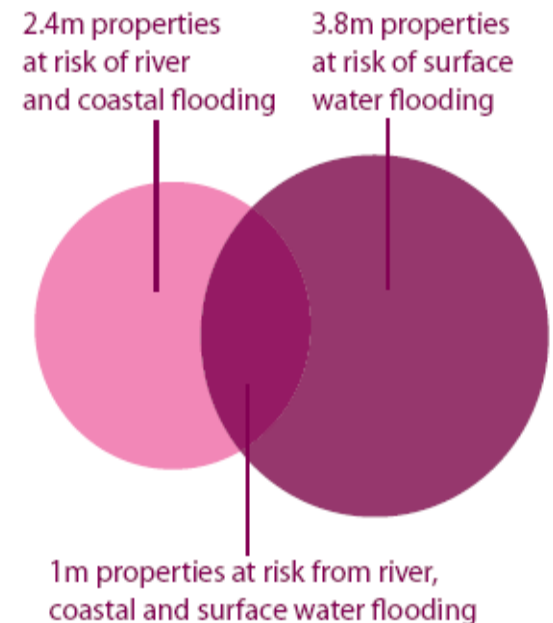
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Development & Flood Risk

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, and oversight of reservoir safety

Environment Agency

- ➔ significantly improve risk management for surface water, groundwater and ordinary 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

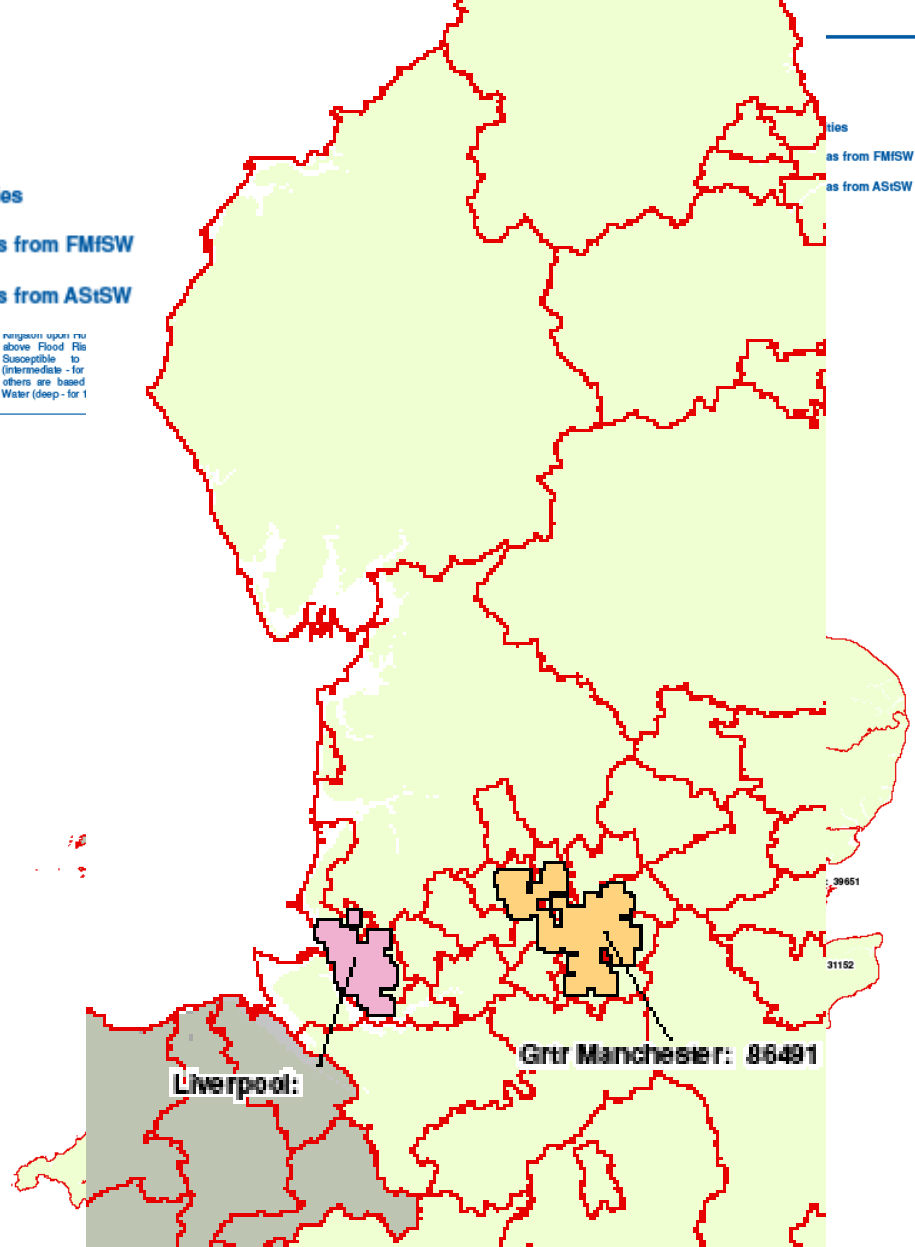
- For areas with significant risks
- By 22/12/2015





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

regions upon the
above Flood Risk
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
Drawing Number: FRA_EE

Contains Ordnance Survey data © Crown copyright
and database right 2010

Scale:
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Indicative flood
all form enclosure

- Places above Flood Risk Thresholds (FMfSW)
- Indicative Flood Risk Areas from FMfSW
- Indicative Flood Risk Areas from AStSW
- Lead Local Flood Authorities

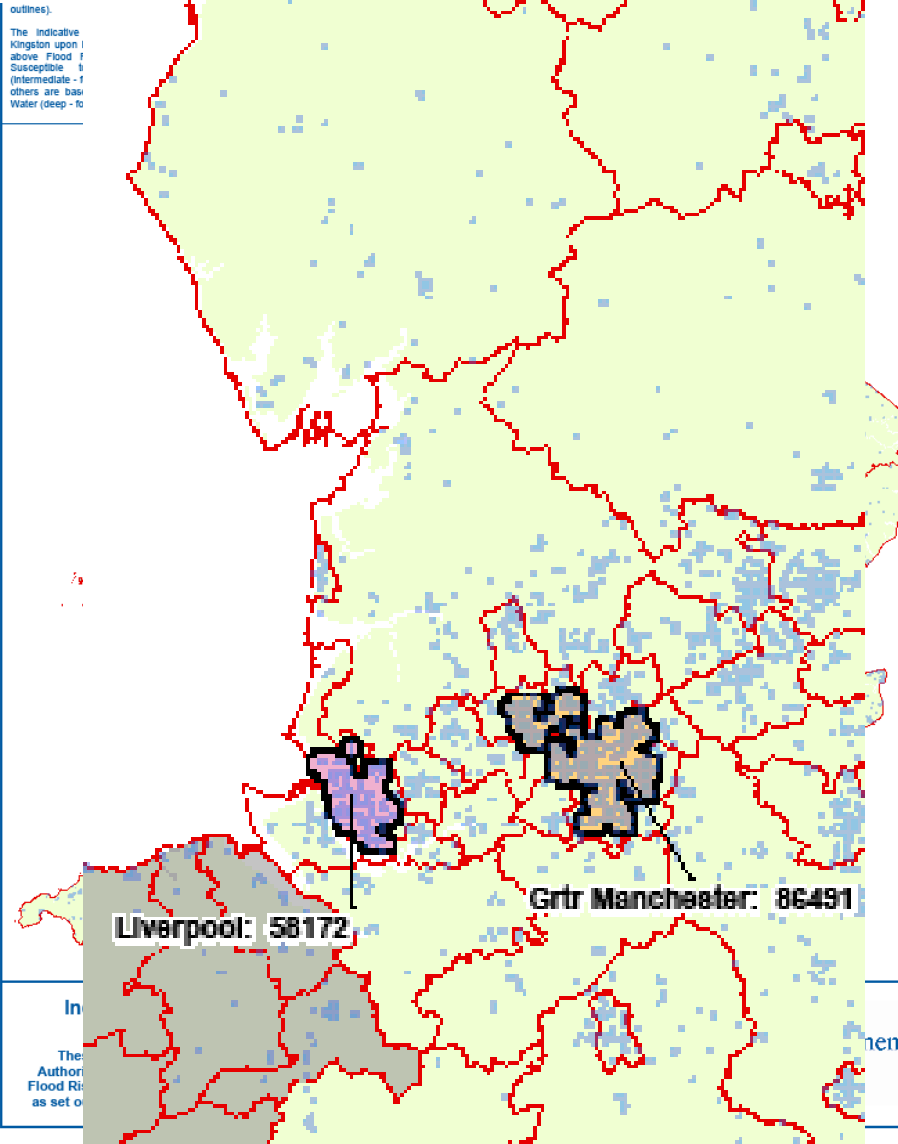
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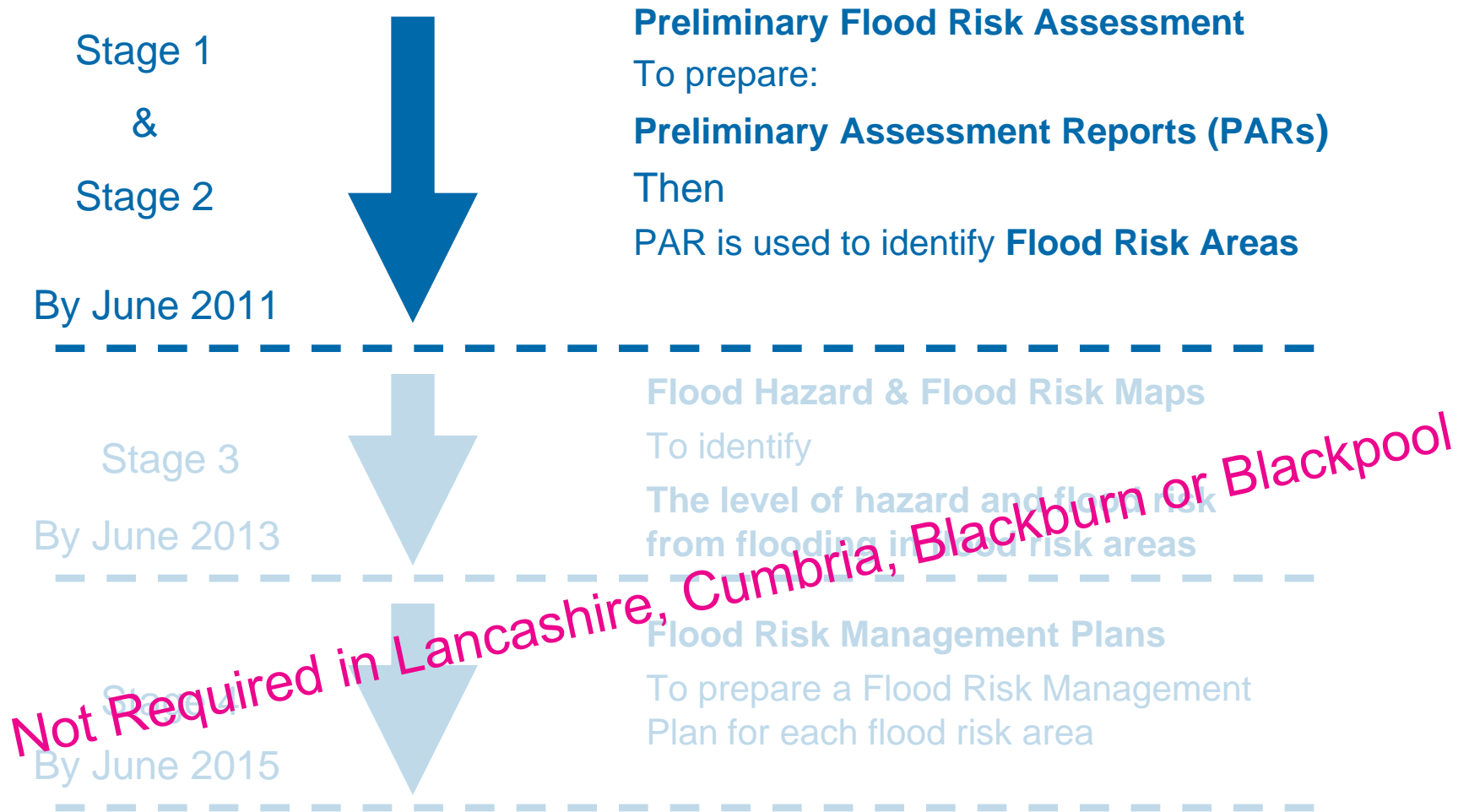
Is (FMfSW)

FMfSW

AStSW



Flood Risk Regulations



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

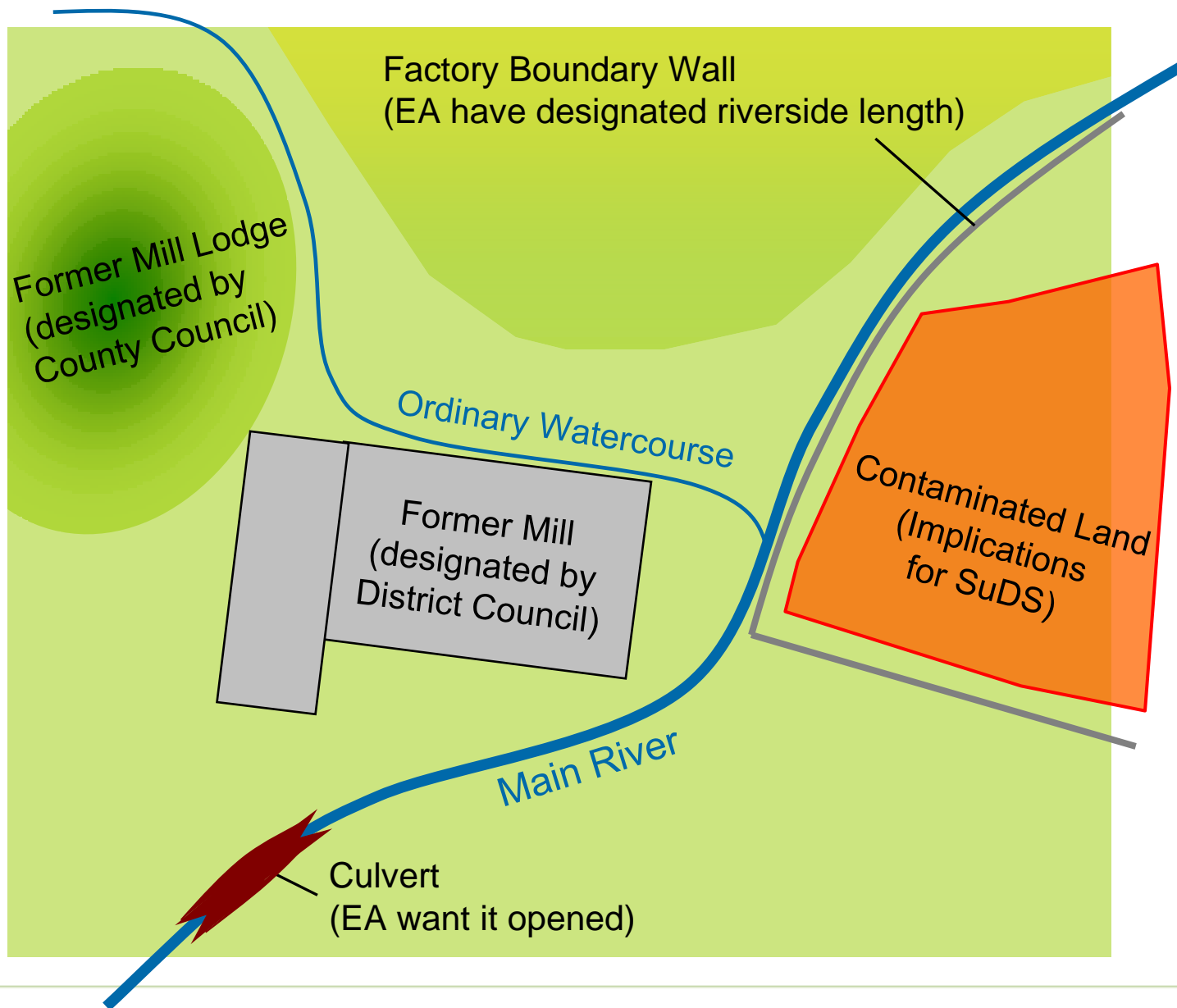
- ➔ What flood sources?
- ➔ Who has lead responsibility?
- ➔ Who will take it further?



Impact on redevelopment

- ➔ Consent for works on Ordinary Watercourses
 - ➔ Was EA, now LLFA
- ➔ Assets
 - ➔ Register of Assets
 - ➔ 3rd 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 3rd 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

