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| SUSTAINABLE GROWTH SCRUTINY COMMITTEE | Agenda Item No. 5 |
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Report of the Executive Director of Operations

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PETERBOROUGH PRELIMINARY FLOOD RISK ASSESSMENT (PFRA)

1. PURPOSE

- 1.1 The UK Government has issued The Flood Risk Regulations (2009) in order to implement the European Floods Directive. The aim of the Directive is to provide a consistent approach to managing flood risk across Europe.
- 1.2 To meet the requirements of that Directive (and associated Regulations), plus to tackle other national water and flood related issues, the UK government has also enacted the Flood and Water Management Act (FWM Act) (2010).
- 1.3 **The FWM Act and Flood Risk Regulations make Peterborough City Council a ‘Lead Local Flood Authority’ (LLFA), responsible for the management of local flood risk.** Local flood risk is defined as flood risk from surface runoff, groundwater or ordinary watercourses. As a LLFA, a considerable number of new statutory duties have been placed on the council in relation to local flood issues (risk assessment, prevention, monitoring, managing etc).
- 1.4 One such duty is the requirement to undertake a Preliminary Flood Risk Assessment (PFRA), and submit a report of the findings of that Assessment to the Environment Agency (EA) by 22 June 2011. This agenda report presents the PFRA for consideration, prior to cabinet considering it on 13 June 2011 and prior to it being submitted to the EA by 22 June 2011.
- 1.5 The PFRA is the first step in a 6 year cycle of reporting about local flood risk. There are two further stages to be completed within each cycle; flood hazard and flood risk mapping by June 2013 and a flood management plan by June 2015. The completion of the latter two stages is understood to be dependent on whether or not an area of significant flood risk, known as a ‘Flood Risk Area’, is identified in Peterborough.

2. RECOMMENDATIONS

- 2.1
 1. That Scrutiny notes Peterborough’s new statutory role as a Lead Local Flood Authority and notes that one of many duties of being such a LLFA is to undertake a Preliminary Flood Risk Assessment (PFRA).
 2. That Scrutiny considers whether the PFRA is fit for purpose in meeting the requirements of the Flood Risk Regulations 2009.
 3. That Scrutiny makes comments on the attached PFRA, and such comments be reported to Cabinet on 13th June 2011 for their consideration.

3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY

- 3.1 This report is relevant to meeting the priorities of the Sustainable Community Strategy, particularly in the way it links to our ambitions of ‘delivering substantial and truly sustainable growth’.

4. BACKGROUND & KEY ISSUES

- 4.1 A PFRA assesses local sources of flood risk, primarily from surface runoff, groundwater and ordinary watercourses. The PFRA is a high level screening exercise which involves collecting information on past (historic) and future (potential) floods, assembling it into a preliminary assessment report, and using it to identify if a Flood Risk Area should be designated in Peterborough. A Flood Risk Area is one where the risk of flooding is significant from a national perspective.
- 4.2 In order to meet the requirements of the European Flood Directive, the PFRA must be carried out in accordance with the guidance set out by the Environment Agency. This includes preparing an assessment report and noting significant historic flood events and potentially significant future flood risk. If a Flood Risk Area (FRA) is identified, a digital map outlining the FRA must also be supplied.
- 4.3 The PFRA must be based on existing and available information and should bring together information from national and local sources including the Flood Map for Surface Water, Catchment Flood Management Plans and Strategic Flood Risk Assessments. Information from the PFRA process will also feed into other assessments including the future Local Flood Risk Management Strategy required under the 2010 Act. It should be noted that the PFRA process and requirements are European requirements and are not the only (or necessarily the most appropriate) mechanism for managing local flood risk, or the main route for funding. In many cases a separate local strategy is likely to be a more appropriate and quicker route to manage risk in an area. Nevertheless, the PFRA is a statutory duty so it must be undertaken.
- 4.4 A PFRA is a mix of **facts** (i.e. where have floods taken place; where do the EA predict surface water floods will occur in the future) and **policy** (i.e. at what scale of flood will PCC recognise it being classified as 'locally significant' or not).
- 4.5 In terms of facts, these could potentially have sensitive implications. Where past surface water floods have occurred will largely be uncontroversial as they will generally (though not necessarily entirely) be known about in the community that was affected. However, the 'facts' as to the future flood risk predicted by EA flood models will be sensitive, as these are not common knowledge. It should be noted that the EA have carried out a national assessment to identify broad areas that may be at risk, taking broad account of drainage and typical storms which may cause surface water flooding. Local variation is not accounted for and the method used does not enable identification of risk down to an individual property scale.
- 4.6 To put this in some kind of perspective, the EA several years ago published on the web various maps which relate to potential future flood risk from rivers. Nationally the new information associated with PFRAs is very similar, except this time it relates to surface water flooding (such as where flood risk may exist if, for example, a very heavy downpour of rain occurred over a prolonged period). The new information, therefore, should be regarded as building upon existing flood risk data already released by the EA. By gaining a better understanding of the type of risk that Peterborough faces from surface water flooding risk, an effective Local Flood Risk Management Strategy can be put in place. This will ensure that resources are focussed, and communities are aware so that we can plan and mitigate against the risks together.
- 4.7 The PFRA also contains elements which could be regarded as 'policy'. This is especially the case in terms of setting thresholds as to when, in Peterborough, we can regard a flood as having 'locally significant harmful consequences'. The thresholds are set out purely for the purposes of this PFRA, and it should be noted that this concept will be considered and consulted on further through the Local Flood Risk Management Strategy. For the PFRA these thresholds were recommended following agreement at the Peterborough Flood Risk Partnership (PFRP) meeting which was held on the 16 May 2011.
- 4.8 LLFAs need to submit their PFRA report to the EA by 22 June 2011. The EA has a role to review, collate and publish the outputs nationally, and thereafter submit a report to the European Commission.

5. IMPLICATIONS

5.1 The PFRA process is city council wide.

Financial: Preparation of the PFRA has minimal costs, and can be met within existing budgets. The contents of the PFRA do not commit the council to additional resources. However, Members should note that the wider, linked responsibilities which now fall upon the council as a result of the FWMA will have financial implications on the council and, where existing budgets do not cover such expenditure, these will be reported accordingly.

Legal Implications: The PFRA must be prepared in accordance with the Flood Risk Regulations and EA guidelines, which we have done. Once submitted to the EA, all of the PFRA's will be collated and the required information submitted to meet the requirements of the European Flood Directive. The PFRA will also form one of a collection of new strategies and programmes for the council which will ensure the council complies with the wider requirements of the FWMA.

Environmental: Researching potential floods, communicating the outcome of that research and taking action to mitigate the risks are all important matters which will help ensure we protect and manage our environment, for the benefit of humans and wildlife.

6. CONSULTATION

6.1 The PFRA has been prepared by the council in conjunction with the partners on the PFRP. The PFRP includes the EA, Anglian Water and several Internal Drainage Boards. Further details on this partnership are found within the PFRA directly. The PFRP commented on and recommended approval of the PFRA on 16 May 2011

6.2 The PFRA is only required to include readily available data and due to the sensitive nature of the information, and the very tight timescale imposed on the council by the EA, public consultation has not been undertaken. It is recognised, however, that resident contribution is invaluable to really understanding local risk and how best to manage it. It is therefore intended that much wider consultation will take place as part of the production of the subsequent Local Flood Risk Management Strategy. This document will set out the council's approach to flood risk management.

7. NEXT STEPS

7.1 It is anticipated that Cabinet will approve the attached document next week and endorse its submission to the EA prior to the 22 June 2011 deadline.

8. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- Preliminary Flood Risk Assessment (PFRA) – Final Guidance, Environment Agency, Dec 2010 - <http://publications.environment-agency.gov.uk/pdf/GEHO1210BTGH-e-e.pdf>

9. APPENDICES

Draft Peterborough PFRA report

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