

Report to: Lead Member for Transport & Environment
Date of meeting: 19 June 2017
By: Director of Communities, Economy and Transport
Title: Review of the East Sussex Preliminary Flood Risk Assessment (PFRA)
Purpose: To agree the reviewed PFRA for formal submission to the Environment Agency on 22 June 2017

RECOMMENDATIONS: The Lead Member is recommended:

- (1) To note the contents of this report and supporting material; and
 - (2) To endorse the East Sussex Preliminary Flood Risk Assessment and authorise its submission to the Environment Agency by the statutory deadline of 22 June 2017
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1 Background Information

1.1. The Environment Agency (EA) has reviewed the Preliminary Flood Risk Assessment report (PFRA) for East Sussex and has requested the County Council to comment on its findings. The PFRA process is a statutory one and the County Council must respond by 22 June 2017.

1.2. The collection of data and its subsequent analysis undertaken by the County Council to inform the development of the revised East Sussex Local Flood Risk Management Strategy (LFRMS) corresponds closely with the outcomes of the EA's review.

1.3. The review identifies two areas of nationally significant flood risk in the county (Eastbourne and Hastings). The Flood Risk Regulations require hazard and risk mapping and action planning to manage this risk. This will have an (as yet unquantified) impact on resources.

2 Supporting Information

Purpose of the PFRA

2.1 The purpose of the PFRA is to identify flood risk areas that are significant on a national scale, the criteria for which are set out in Appendix 1 of this report. The need for this stems from the EU Floods Directive, which was transposed into domestic law by the Flood Risk Regulations 2009. This review follows the first generation PFRAs, which were published in 2012 and subsequent to the June 2011 meeting of LMTE which considered the first East Sussex PFRA. The 2011 East Sussex PFRA can be viewed here:

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://www.environment-agency.gov.uk/research/planning/135538.aspx>

2.2 The Regulations require that the County Council as the Lead Local Flood Authority (LLFA) should determine whether any part of its area faces significant risk of local flooding (from surface water, groundwater and ordinary watercourses). In practice this is undertaken by the Environment Agency and then verified or amended by the LLFAs.

2.3 In 2010, Defra provided guidance for the identification of nationally significant areas of risk (Indicative Flood Risk Areas - FRAs) which resulted in only 10 FRAs being identified nationally (but none in East Sussex) in the 2011 PFRAs. The criteria were set to limit the number of LLFAs being involved in the first cycle, in order, it is assumed, to focus efforts on the highest priority areas in the country.

The outcomes of the Review

2.4 With this second cycle, the thresholds have been set at a more appropriate level and as a consequence two FRAs have been identified in East Sussex (Eastbourne and Hastings), which will have implications for the areas of work and priorities for the County Council's LLFA role.

2.5 The FRAs are defined using the cluster approach which is set out in guidance published by the Environment Agency (25 January 2017). The methodology and thresholds are set out at Appendix 1 of this report.

2.6 The Environment Agency has asked whether we agree with its assessment and has requested that we update our records of localised flooding that has taken place over the past six years. Yet, the indicative FRAs only represent the risk from surface water flooding. The County Council has also been asked to consider in combination risks such as those from sources such as groundwater and ordinary watercourses. We are also requested to consider impacts on local features such as designated sites, the presence of infrastructure or vulnerable land uses and so on.

2.7 The East Sussex Local Flood Risk Management Strategy 2016 - 2026 has provided an overview of risk based upon a number of factors, including the presence of surface water flooding, ground water flood risk, tidal and fluvial influences on drainage and the presence of reported incidents and vulnerable receptors including cultural and environmental features.

2.8 Consequently, the County Council has a thorough understanding of local flood risk based upon the best available information. The Environment Agency's risk areas and our own assessment of risk are overlain at Appendix 2.

2.9 Although the EA assessment is based upon 1km grids and the ESCC assessment is based upon lower tier ward boundaries there is a close relationship between the two, and it is recommended that the EA's assessment is not challenged.

Next Steps

2.10 The outcome of the PFRA does not directly release additional funding. Nonetheless, the Government has allocated flood risk funding to upper tier authorities and whilst it is not ring fenced, the Government has placed such a priority on it that the allocated sums are visible lines on the local government funding settlement. The presence of risk has been a consideration in the allocation of funding in the past, but it is uncertain if this will be the case going forward.

2.11 The Regulations expect that mapping of risk and hazard will follow the identification of FRAs followed by the preparation of a Flood Risk Management Plan for each FRA.

2.12 Discussions have already commenced with local partners on how this risk might be managed in both towns. This will involve building upon the Eastbourne Surface Water Management Plan and working with key partners to identify viable schemes to submit for funding. However, funding has been secured from the Southern Regional Flood and Coastal Committee to undertake studies and deliver schemes in Hastings.

3 Conclusion and Reasons for Recommendations

3.1 The information provided by the Environment Agency is a reasonably accurate depiction of risk in the County, given that its focus is on those areas which pass tests of national significance. Nevertheless, there are implications for the County Council's Flood Risk Management Team as it needs to ensure that subsequent stages of the Flood Risk Regulations are met. Funding is available for work in Hastings, although this is attributable to officers submitting bids for funding last year rather than a PFRA related funding stream.

3.2 The risk identified by the EA is understood by the County Council, and notwithstanding the uncertainties of managing the subsequent tasks required by statutory instrument, its findings should be endorsed.

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

East Sussex Summary report 2011 – due to the nature of this report with extensive spreadsheets it will not be available in hardcopy but can be viewed online at

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://www.environment-agency.gov.uk/research/planning/135538.aspx>

Appendix 1 - Statutory Guidance on Significant Risk for the Identification of Flood Risk Areas: February 2017

Introduction

1. This is guidance issued under regulation 14(3) of the Flood Risk Regulations 2009 (the Regulations) for Lead Local Flood Authorities (LLFAs) about the criteria for assessing and reviewing whether a risk of flooding is *significant*. The Regulations require LLFAs to determine whether any part or parts of their area face significant risk of flooding and to identify any such areas as Flood Risk Areas.
2. LLFAs are only required to do this in relation to local flood risks, including risks of flooding from surface water, groundwater and ordinary watercourses. They do not need to consider risks of flooding from the sea, main rivers or reservoirs, except where these may affect flooding from another source. Flood hazard and risk maps and flood risk management plans must subsequently be prepared for the Flood Risk Areas identified.
3. Flood Risk Areas were first identified in 2011 and the first review must be completed before 22 June 2017. This guidance applies to the review and replaces previous Ministerial guidance issued in 2010. There are some changes to the criteria for assessment of significant flood risk which reflect improved national information on surface water risk and adjustments to the method for clustering risk areas.
4. This guidance should be read alongside the Environment Agency document 'Review of preliminary flood risk assessments (Flood Risk Regulations 2009): guidance for lead local flood authorities in England', issued under regulation 12(7) of the Regulations.
5. The future allocation of resources to manage flood risk will take into account all assessments of flood risk including local and national strategies. Funding will not be limited to Flood Risk Areas identified under the Regulations.

The Criteria

6. Table 1 below sets out for people, services, properties and communities, the level of flood risk which LLFAs should consider to be significant for the purposes of the Regulations. These indicators and criteria relate to the risk of surface water flooding from a rainfall event with a 1% (or 1 in 100) chance of occurring in any one year.
7. To help LLFAs with their determinations, the Environment Agency has provided a set of indicative Flood Risk Areas for LLFAs to consider. They are included in the guidance mentioned at paragraph 4 above.
8. The Environment Agency has used two methods and information held nationally to derive these indicative areas. The methods are:
 - The Flood Risk Areas cluster method, as used in the first cycle to identify high concentrations of risk. The country was divided into 1km squares and national information used to identify the squares meeting one or more of the cluster method related criteria in Table 1. A cluster is formed wherever, within a 3x3 km square grid, there are at least 5 squares meeting the criteria. Often multiple grids that meet this requirement will overlap. Overlapping grids are unified to form a larger cluster. All clusters, large and small, are identified as indicative Flood Risk Areas.
 - The Environment Agency's Communities at Risk method, developed since 2010 which complements and validates the cluster method by identifying built up areas where total flood risk is high. Indicative Flood Risk Areas are identified wherever there are 3000 or more reportable properties (residential and non-residential) at risk within a built up area (BUA) or built-up area sub-division (BUASD) as defined by the Office for National Statistics.
9. When determining their Flood Risk Areas, LLFAs should begin with the Environment Agency's indicative Flood Risk Areas and use their local knowledge and information to review them.
10. In doing so, LLFAs should consider local information relevant to the indicators and criteria in Table 1 and whether this suggests any change is needed to the Environment Agency's indicative areas (which are based on national information).

11. LLFAs should also consider information in relation to the following local factors which are additional to the indicators and criteria in Table 1:

- flood risk from other local sources eg groundwater, local watercourses
- the combined impact of flooding from multiple sources
- areas susceptible to more frequent, less extensive flooding, that could over time result in significant damages
- consequences of flooding for agricultural land
- consequences of flooding for roads, rail or other infrastructure
- consequences of flooding for internationally or nationally designated environmental sites or internationally or nationally important cultural heritage features, and
- location of sites subject to Integrated Pollution Prevention and Control or Control of Major Accident Hazard regulation.

12. Any one of these local factors may be sufficient for a flood risk to be considered significant. An LLFA can therefore use these factors to identify a change from the indicative Flood Risk Areas. There are no national criteria for these local factors, but when considering whether a local factor related risk is significant, LLFAs should assess whether the magnitude of risk in relation to a local factor, or a combination of local factors, is comparable to the scale of the risk presented by the criteria in Table 1.

The Process

13. LLFAs need to determine their Flood Risk Areas by 22 June 2017. The Environment Agency has a duty to review the Flood Risk Areas determined and identified by LLFAs. The aim of this process is to ensure that guidance for reviewing Flood Risk Areas has been applied appropriately and consistently by LLFAs across England.

14. If the Environment Agency does not agree with an LLFA's Flood Risk Area determination, it may recommend that the LLFA identifies a different Flood Risk Area, an additional Flood Risk Area or that no Flood Risk Area exists. If the LLFA disagrees with such a recommendation, the matter will be referred to the Minister for determination.

Table 1: Indicators and criteria for assessing and reviewing whether the risk of local flooding is significant for the purposes of identifying Flood Risk Areas Method for determining indicative Flood Risk Areas

	Definition	Indicator	Criteria
Cluster method	<p>A cluster is formed where, within a 3x3 km square grid, at least 5 of the 1km squares meet the criteria for one or more of the indicators.</p> <p>Where multiple overlapping grids meet the requirement, these are unified to form a larger cluster.</p> <p>All of the clusters (both small and large) have been identified as indicative flood risk areas.</p>	Number of people at risk of surface water flooding*	<p>200 people or more per 1km grid square</p> <p>Number of people taken as 2.34 times the number of residential properties at risk.</p>
		Number of key services at risk of surface water risk* eg utilities, emergency services, hospitals, schools	More than one per 1km grid square
		Number of non-residential properties at risk*	20 or more per 1km grid square
Communities at risk method	<p>Community areas, as defined by the Office for National Statistics built-up areas (BUAs) and built-up areas sub-divisions (BUASDs), where there is a large number of properties at risk within the BUA/BUASD.</p>	Number of reportable properties (residential and non-residential) properties at risk*	<p>3000 or more reportable properties (residential and non-residential) within a BUA/BUASD.</p>

Appendix 2 East Sussex LFRMS Assessment of risk (wards ranked in order of risk) overlain with the EA's Flood Risk Areas (the blue squares)

