

REPORT FOR: **CABINET**

Date of Meeting:	19 May 2011
Subject:	Preliminary Flood Risk Assessment (PFRA)
Key Decision:	Yes
Responsible Officer:	Brendon Hills, Corporate Director, Community and Environment
Portfolio Holder:	Councillor Phillip O'Dell, Portfolio Holder for Environment and Community Safety
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	<i>PFRA - Due to the size of this document, it has been circulated to Cabinet Members only, Members' Library and Group Offices only. The document has been published with this agenda and can be viewed on the website.</i>

Section 1 – Summary and Recommendations

This Preliminary Flood Risk Assessment (PFRA) is a high level screening exercise providing the evidence base for Harrow Council to deliver a Flood Risk Management Strategy required under EU Directive 2007/60/EC, transposed into UK Law in the Flood Risk Regulations 2009 (FRR).

The PFRA must be submitted to the Environment Agency (EA) and Regional Flood Defence Committee (RFDC) by 22 June 2011 so that it can undergo a technical area and national review before submission to the EU in order to comply with the Directive.

Funding has been granted to Harrow over two years to complete this and undertake the first actions from the resulting management plan.

This report seeks the required support from Cabinet and approval to submit to DEFRA by the due date. It also asks Cabinet to support the next stage in the preparation and adoption of the resulting Management Plan.

Recommendations:

1. Support the draft Preliminary Flood Risk Assessment and approve this for submission to the Environment Agency and the Regional Flood Defence Committee
2. Authorise the Portfolio Holder for Environment and Community Safety to sign the approved document.

Reason: (For recommendation)

To comply with the Council's obligations contained in the Flood Risk Regulations 2009 as required by the EU Floods Directive.

Section 2 – Report

Introductory paragraph

The PFRA meets the Council's obligations under the FRR 2009 and is required to fulfil the government's national obligation under the EU Floods Directive 2007/60/EC. This is in line with Harrow's Corporate priority to assess and manage flood risk in the category **Water and Flooding** and also meets requirements under former National Indicator 189.

Options considered

No other options were considered as this is in response to an EU Directive that has been transposed into UK law as a statutory instrument in the Flood Risk Regulations (FRR) 2009.

The FRR came into force December 2009 with the aim of implementing the requirements of the EU Floods Directive which will provide a consistent approach to managing flood risk across Europe.

It establishes 4 stages of activity within a 6 year flood management cycle including:

- PFRA – June 2011
- development of flood risk areas – June 2011
- hazard and risk maps – June 2013
- flood management plans – June 2015

The FRR define new responsibilities based on recommendations of the Pitt Review. Responsibilities are placed on both the Environment Agency and various local authorities, including all London Boroughs designated as Lead Local Flood Authorities (LLFA).

Current situation

The Engineering Drainage Section at the Council asset manages 65 flood defence structures including reservoirs, lakes and ponds, 82kms of watercourse and a number of flood storage areas. Other managed assets include 19,500 road drainage gullies, highway drain and kerb drainage systems.

In addition the Section has worked with Planners to produce a Level 1 & 2 Strategic Flood Risk Assessment (SFRA), which provides the planning evidence base to steer development away from areas of greater flood risk.

The Section has also worked with Emergency Planners to produce an Emergency Flood Plan. However; none of these documents fully meet the requirements under the new legislation to provide a Flood Risk Management Strategy for the Borough.

Why a change is needed

To meet the Statutory Requirements of the latest Surface Water and Flooding Management legislation that has been transposed into UK Law from the EU Floods Directive.

Implications of the Recommendation

Considerations

Resources, costs This work is currently being managed and led by the Engineering Drainage Section with assistance from GLA, Drain London, Planning & Emergency Planners; a likely outcome is to set up an internal Project Group reporting to a Strategic NW London Group. A 2 year funding plan is in place from Defra, with funds (£124k) for 2011/12 and (£175k) for 2012/13.

Staffing/workforce No additional staffing resource required

Equalities impact No foreseeable equality impact.

Legal comments The PFRA will deliver Harrow's statutory duty under the new surface water and flooding legislation.

Community safety The Council will have in place a Flood Risk Management Strategy to deal with all sources of flooding that will build in flood resistance, resilience and an emergency flood plan for the Boroughs residents. This will also provide adaptation to climate change and changing weather patterns and reduce the risk to business continuity and economic development in Harrow.

Financial Implications

- There are no Revenue or Capital costs to Harrow now or in the future, therefore no implications on the Medium Term Budget Strategy.
- All costs are covered by the DEFRA Area based grant of £124.7k for 2011/12 and £175k for 2012/13.

There are no implications on current staffing levels. Work is required to complete the Asset Register, engage with specialists to complete the Management Plan and commission contractors, but this can be contained within current staffing levels.

Works will be commissioned through the Highways Contract.

Performance Issues

1. The PFRA will provide the evidence base for the Council to implement its Flood Risk Management Strategy by identifying and planning for, managing and mitigating flood risk.
2. NI 189 Flood and Coastal Erosion Risk Management has been used prior to the new legislation but will no longer be used since the inception of Lead Local Flood Authority which will implement the key stages of Flood Risk Management Strategy.
3. Harrow has to date achieved 100% measure against NI 189 when submitting its actions to the Environment Agency.
4. Performance measurements within the new legislation have yet to be implemented.

5. The PFRA will reinforce the Council position as meeting its statutory obligations for managing surface water and flooding in the Borough, measured by the EA & Defra

Environmental Impact

The PFRA is the first stage of 4 in a 6 year cycle of flood risk management activity under the EU Floods Directive and FRR that will provide an assessment of the local flood risk across the study area of Harrow.

This is linked to the Flood and Water Management Act 2010 which aims to improve flood risk management and the way we manage our water resources. The Flood Risk Management Plans fall under the scope of the Strategic Environmental Assessment (SEA) Directive 2001/42/EC implemented in the UK by the Environmental Assessment Plans and Regulations 2004.

This builds on earlier government reports EA Foresight Future Flooding 2004; Defra Making Space for Water and EU Water Framework Directive 2000/60/EU dealing with water supply, pollution from waste water, river basin management including ecological and environmental protection.

Risk Management Implications

The scheme is not included on the Directorate risk register and there is no separate risk register in place for the PFRA.

Equalities implications

The PFRA has no foreseeable equality impact as it will benefit all residents at this stage. Any equality implications as a result of action identified in the flood risk management plan will be considered when that document is prepared in due course.

Corporate Priorities

- Keeping neighborhoods clean, green and safe
- United and involved communities: a Council that listens and leads
- Supporting and protecting people who are most in need
- Supporting our Town Centre, our local shopping centres and business

Section 3 - Statutory Officer Clearance

Name: Kanta Hirani



on behalf of the
Chief Financial Officer

Date: 20/04/11

Name: Matthew Adams



on behalf of the
Monitoring Officer

Date: 20/04/2011

Section 4 – Performance Officer Clearance

Name: Martin Randall



on behalf of the
Divisional Director
Partnership,
Development and
Performance

Date: 14/04/2011

Section 5 – Environmental Impact Officer Clearance

Name: John Edwards



on behalf of the
Divisional Director
(Environmental
Services)

Date: 14/04/2011

Section 6 - Contact Details and Background Papers

Contact: Michael Bradshaw, Senior Engineer Drainage, 020 8424 1586

Background Papers:

Draft Preliminary Flood Risk Assessment.

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]