
By: Bryan Sweetland, Cabinet Member, Environment, Highways & Waste
Paul Crick, Director of Planning and Environment

To: Environment Highways & Waste Policy Overview and Scrutiny Committee 5 July 2011

Subject: Preliminary Flood Risk Assessment for Kent

Classification: Unrestricted

Summary KCC is required by the Flood Risk Regulations 2009 to produce a Preliminary Flood Risk Assessment (PFRA) by 19 August 2011. The PFRA summarises past flood events and future flooding potential from surface water, groundwater and ordinary watercourses in Kent. This is different from the Environment Agency's responsibilities, which are for the assessment of fluvial (main river) and coastal flooding.

The PFRA will be used to develop a strategy for managing the risks to properties from these sources of flooding as required by our Lead Local Flood Authority role (Flood and Water Management Act 2010).

POSC is asked to approve the PFRA for submission to the Environment Agency.

1 Introduction

- (1) The Preliminary Flood Risk Assessment (PFRA) has been prepared to meet our duties to manage local flood risk and deliver the requirements of the Flood Risk Regulations (the Regulations). The Regulations are a transposition into UK law of the EU Floods Directive (Directive 2007/60/EC).
- (2) The PFRA provides a high level overview of flood risk and identifies areas of significant flood risk that need to be investigated in subsequent stages of the Regulations.
- (3) Kent County Council is defined as a Lead Local Flood Authority (LLFA) under the Regulations. As such, Kent County Council was required to undertake the PFRA for local flood sources of surface water, groundwater and ordinary watercourses (all watercourses other than main river). The Environment Agency is responsible for the assessment of fluvial (main river) and coastal flood risks.
- (4) The PFRA has been produced in accordance with Environment Agency and Defra guidance, which requires KCC to report on:

- (a) Areas of significant flood risk – defined by the Minister as areas where 30,000 people or more are estimated to be at risk of surface water flooding;
 - (b) Past flood events with significant harmful consequences – which are advised to be “an order of magnitude lower” than the significant flood risk criteria, i.e. approximately 3,000 people at risk of flooding; and
 - (c) Future flood risks – no advice is given on the scale of risk for reporting.
- (5) The Environment Agency’s national exercise to map areas at risk of surface water flooding has identified ten areas of significant surface water flood risk in England and none are located within Kent County Council’s administrative area.
- (6) From this national exercise Kent is estimated to have the highest risk from surface water flooding in England. Approximately 70,000 properties across Kent are estimated to be at risk during a severe rainfall event. As Lead Local Flood Authority, KCC will have to address this risk through appropriate flood risk management.

2 Financial Implications

- (1) The PFRA has been produced for approximately £5,000, funded by Defra.

3 Relevant priority outcomes

- (1) The PFRA shows areas vulnerable to surface water flooding. Its preparation has also highlighted a need to better understand the impact of flooding from groundwater and ordinary watercourses.
- (2) As Lead Local Flood Authority under the Flood and Water Management Act 2010 we have new duties to prepare a Local Flood Risk Management Strategy (the Local Strategy), which will set out how we will further our understanding of these risks and their consequences through Surface Water Management Plans.
- (3) The Local Strategy will also set out how we exercise our other duties under the Act, which are as follows:
- (a) The duty to investigate flood incidents
 - (b) The duty to maintain a register of structures and features that may cause flooding
 - (c) The power to do works to manage surface water flooding
 - (d) The duty to approve and adopt SUDS
- (4) The Local Strategy will be funded through the new Lead Local Flood Authority element of the Local Services Support Grant.
- (5) The Local Strategy will have an impact on other areas of service delivery in KCC, including Highways and Emergency Planning.

4 Consultation and Communication

- (1) The draft PFRA has been shared with KCC's Flood Risk Committee, who agreed the report and recommends it to POSC.
- (2) KCC's Emergency Planning, Highway Services and Water Resources teams have been consulted. The Kent Flood Partnership (a partnership of flood risk management authorities in Kent, including representatives from the Districts and Boroughs, the Environment Agency and Internal Drainage Boards) has also been consulted. No amendments or additions have been suggested.

5 Legal Implications

- (1) There are no legal implications from the PFRA when submitted in line with the timetable set out in section 1 (2).

6 Equality Impact Assessments

- (1) There are no equality impacts from the PFRA.

7 Sustainability Implications

- (1) The PFRA has no sustainability implications

8 Are there any Personnel or Health and Safety Issues which are relevant?

- (1) The PFRA raises no Personnel or Health and Safety issues.

9 Risk and Business Continuity Management

- (1) The PFRA will be made public. It highlights the flood risk that Kent faces from surface water flooding.
- (2) Our new role as Lead Local Flood Authority, under the Flood and Water Management Act 2010, along with our existing role as highway authority raises a potential reputational risk if we fail to satisfactorily address the issues outlined in the PFRA. This will be mitigated by the delivery of the Local Strategy.

10 Alternatives and Options

- (1) The PFRA is a statutory requirement of the Regulations. There is no alternative to publishing it.

11 Conclusion

- (1) KCC is required by the Flood Risk Regulations 2009 to produce a Preliminary Flood Risk Assessment (PFRA) by 19 August 2011. The PFRA summarises past flood events and future flooding potential from surface water, groundwater and ordinary watercourses in Kent. This is different from the Environment Agency's responsibilities, which are for the assessment of fluvial (main river) and coastal flooding.

- (2) The PFRA will be used to develop a strategy for managing the risks to properties from these sources of flooding as required by our Lead Local Flood Authority role (Flood and Water Management Act 2010).
- (3) Our new duties as Lead Local Flood Authority, under the Flood and Water Management Act 2010, will need to be well managed in order to address the flood risks highlighted by the PFRA.

12 Recommendations

- (1) That POSC approve the submission of the PFRA to the Environment Agency.
- (2) POSC note the flood risk in Kent that we now have a strategic duty to oversee.

13 Background Documents

Ashford Borough Council (2006) Strategic Flood Risk Assessment

Defra (2006) Flood and Coastal Defence Appraisal Guidance, FCDPAG3 Economic Appraisal, Supplementary Note to Operating Authorities – Climate Change Impacts. October 2006.

Defra (2010) Surface Water Management Plan Technical Guidance

Defra / WAG (2010) Selecting and reviewing Flood Risk Areas for local sources of flooding – Guidance to Lead Local Flood Authorities.

Dover District Council (2007) Strategic Flood Risk Assessment

Environment Agency (2010) Flood Map for Surface Water – Property Count Method

Environment Agency (2010) Preliminary Flood Risk Assessment – Annexes to the Final Guidance (Report – GEHO1210BTHF0E0E).

Environment Agency (2010) Preliminary Flood Risk Assessment - Final Guidance (Report – GEHO1210BTGH0E0E).

Environment Agency (2011) Flood Risk Regulations – PFRA FAQs

Kent Thameside Delivery Board (2009) Water Cycle Strategy (incl. Strategic Flood Risk Assessment)

Maidstone Borough Council (2008) Strategic Flood Risk Assessment

Parliament (2010) The Flood and Water Management Act

Sevenoaks District Council (2008) Strategic Flood Risk Assessment for Local Development Framework

Contact details

Elizabeth Milne, Flood Risk and Natural Environment Team Leader; P&E, E&E, Invicta House; elizabeth.milne@kent.gov.uk; 01622 221487

Max Tant, Flood Risk Manager; Flood Risk and Natural Environment, P&E, E&E, Invicta House; max.tant@kent.gov.uk; 01622 221691