

Update on ECSOSC Informal Workshop: Preliminary Flood Risk Assessment

After the 22 July ECSOSC Scrutiny workshop and some further comments from the Environment Agency and Southern Water, the draft Preliminary Flood Risk Assessment (PFRA) was amended and re-submitted to the Environment Agency before their deadline of 19 August.

The amendments and an updated CD containing the complete final PFRA (to replace the one within the draft document) will be issued in due course for every draft copy released, including the scrutiny members' draft copies.

Additional information (minuted below) has been provided; the EA Figure 5.5 now includes a brief narrative and the Brighton Marina Estate Company has been asked to provide information on their action plan and construction. A visit to the Marina has been offered. Key officers from other Council services will be invited to any future flooding scrutiny.

The workshop recommended that the Scrutiny Chair write to DEFRA regarding the lack of response from Network Rail.

PFRA Workshop: 2pm Friday 22 July 2011. Hove Town Hall Committee Room 1

Minutes

Present: Councillors Ollie Sykes (Acting Chair), Leo Littman, Denise Cobb, Tony Janio, Penny Gilbey and Mike Jones.

- a) Councillor Ollie Sykes ECSOSC Deputy Chair, chaired the workshop as Councillor Warren Morgan ECSOSC Chair had given his apologies. He welcomed everyone to the meeting, particularly specialists from partner organisations who had travelled here specially for this workshop. These were: Peter Amies (Technical Specialist) of the Environment Agency; Barry Luck (Sewerage Strategy Manager) and John Challoner (County Sewerage Engineer covering Brighton and Hove) from Southern Water Services and Paul Jenkin, partner at Peter Brett Associates LLP, who have prepared the Preliminary Flood Risk Assessment for BHCC.
- b) Councillor Sykes explained that the aim was to complete the proceedings within an hour, in view of an OSC call-in meeting arranged for 3pm at short notice that involved at least three of the ECSOSC Members present, including himself. He asked councillors to be concise and focus on priority issues as far as possible. He referred to the Introduction to the Workshop, Policy Update and the Preliminary Flood Risk Assessment that had been circulated in advance, taking these self-explanatory documents as read.
- c) There was no quorum for this informal workshop so if they wished Councillors could remain in discussion after 3pm up to 4pm. In addition, further comments or questions could be sent individually to the officers via the scrutiny team up till Friday 29th July 2011. This would still allow time for the point to be considered before the 19 (check) August deadline for submission of the PFRA document to the Environment Agency.

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- d) Scrutiny did not have powers formally to approve the document but comments and questions from this meeting would inform the final document and notes would be taken forward to the next ECSOSC, 5 September.
- e) The Lead Commissioner, City Regulation and Infrastructure, Mark Prior pointed out that flooding was a big issue for the City. There had been many incidents including significant flooding in different parts of the City in 2000-2001. Flooding was a growing concern across the EU and nationally, and new EU Directives and UK legislation, as detailed in the papers, brought new responsibilities for the Council as the Lead Local Flood Authority (LLFA) and others.
- f) The Environment Agency had responsibility for risk of flooding from the sea, rivers and reservoirs while BHCC as the LLFA was responsible for all other forms of flooding. Brighton & Hove had been designed as the 8th authority most at risk in the UK and funding was allocated to address this.
- g) An initial draft version of the PFRA had been submitted to the Environment Agency in June; this scrutiny workshop had an opportunity to recommend any additional issues for inclusion in time for the submission of any revised version before 19 August.
- h) Regarding the decision-making process; the report would be taken to the Environment, Transport and Sustainability Cabinet Member Meeting in the Autumn for retrospective approval
- i) Paul Jenkin of Peter Brett Associates LLP gave a presentation on the PFRA that set out the aims of the new legislation and responsibilities of the Lead Local Flood Authorities (LLFA). The PFRA is a high level, National screening exercise that is an initial stage of collecting information on past significant flooding and potential future areas of flood risk. The next key parts would be production of flood risk and hazard maps followed by a flood risk management plan.
- j) Brighton & Hove City Council as the LLFA, like all Unitary and County Councils, was responsible for investigating all local flooding, except from the sea, main rivers and reservoirs. It had authority to investigate and designate third party assets; for example a reservoir landowner had duties such as suitable maintenance and repair of certain assets.
- k) A SuDS approval body, (SAB) similar to and working alongside usual development control processes, was to be set up by April 2012. A DEFRA consultation exercise and guidance on this was expected this autumn.
- l) Paul Jenkin referred to the 'Wheel of Fortune' partnership approach to the four-phase development of Surface Water Management Plans (SWMPs), for which the 'Preparation' stage had already been completed. This included the formation of a partnership between Southern Water and the Environment Agency. Work on risk assessment for the SWMP had also started.
- m) There was some overlap between the PFRA and SWMP; these would be developed in tandem.

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- n) Paul Jenkin outlined why Brighton & Hove had been designated by DEFRA as one of the country's top ten hotspots. Surface water vulnerability and key assets had been screened and the resulting grid indicated contiguous clusters that affected relatively high numbers of assets. This was partially due to City's steep-sided valleys combined with relatively high population densities and large numbers of properties with basements.
- o) Asked if this was a robust estimate, Peter Amies said that the initial modelling was 'coarse' assuming extra-ordinary amounts of rain in a very short timespan; around 200mm rain in 6 hours. This compared with 160mm rain in 4 days during the autumn 2000 rainy period.
- p) Members welcomed the report and the close working between partners.
- q) Asking questions, some members were surprised that there seemed to be relatively little detailed historical data in the report and suggested there had been other flooding events that were not included. They questioned how historical records could be compared validly, and recalled significant flooding events from the sea that they felt could also usefully inform this PFRA process. Members asked whether all the localised springs around the South Downs had as yet been identified – such as at Patcham and Mile Oak.
- r) Members asked about the involvement of the Emergency Planning team and whether any of this work was being duplicated elsewhere.
- s) The Lead Commissioner pointed out that the content of the PFRA was specified in the Flood and Water Management Act 2010. There was a separate coastal strategy and Brighton & Hove were undertaking a separate study in coastal flooding.
- t) The findings of this PFRA process would feed into Emergency Planning processes and be included in the Emergency Response Plan. A more detailed map would be produced based on evidence received in due course.
- u) There was a query about the 'shy river' Winterbourne that flowed intermittently, that did not appear to be recognised or formally classified as a river. The workshop heard that it was in fact included on the map but the nature of this feature did warrant further discussion.
- v) Members who had further information to contribute to this stage of the process were asked to contact the officers via the scrutiny team, by the end of Friday 29 July.
- w) Asked about the next stages and the purpose of the plan, the Head of Highway Engineering and Projects said there would be a detailed investigation of all the data. There would be consultation and a probable questionnaire to gather information on significant rainwater and groundwater events. Lesser effects, eg broken water pipes, were to be excluded. Having assessed the risks and hazards, partners would determine if there is a solution and prioritise the available resources.
- x) This all provided background data for Stages 3 and 4 leading to a published Action Plan.
- y) Members questioned why the Environment Agency Flood Map (Figure 5.5) included

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only 2 limited coastal areas denoted at risk of flooding and felt it would be helpful if the list of Appendices (page vi) included a narrative.

- z) Replying to a query about the height of the Marina sea walls, officers noted that sea levels were known to be rising and the owners, the Brighton Marina Estate Company had an action plan. Members asked for more information to be provided and on the type of construction of the Marina.

- aa) Members asked if storm drains were needed – for instance at London Road in Patcham. Barry Luck replied that even the 150,000 cubic metre tunnel between Hove Street and Black Rock installed as part of Southern Water’s work to stop overflow into the sea, had been close to full capacity during heavy rain in 2001. (Southern Water deals with foul water flows, and runoff from roofs, gardens and highways.)

- bb) As much as 1,000 litres per second was flowing across the A23 at Patcham in autumn 2000. The City was ‘inundated’ and was lucky not to have had more rain, he said. But works to alleviate those problems were estimated at £20million in 2001 and so it was difficult to demonstrate the costs and benefits for an event that may happen once in 40 years.

- cc) The Chair asked how climate change was represented in the available data and heard that this would be dealt with at the next phase.

- dd) Some Members were concerned that if not spent on engineering solutions, the funding available to the Partners might be lost. Peter Amies reassured Members of the considerable expertise available within the Partnership. There were great benefits of working together on multi-agency flooding, to enable either solutions or mitigation of the problems.

- ee) He said the Flood Risk Register was a legal requirement. Hotspots would be identified, that would feed into the SWMP and lead to practical action. However the aim was to avoid heavy engineering where possible and try to manage flood risk via small changes – such as through the planning processes and from April 2012, through the SAB system.

- ff) The Workshop discussed the implications of floods for buildings insurance premiums. At present insurance cannot be refused to a current inhabitant, (as opposed to someone moving to another home) on grounds of flood risk. Effects on properties would depend on how the flood risk maps were to be published; it was not intended to identify individual properties, only groups of properties. Currently the Government has a Statement of Principles Agreement with the Insurance Industry until 2013 that ensures flood risk insurance is widely available. Follow this link for a post meeting update from Government
<http://www.defra.gov.uk/news/2011/07/20/flood-insurance/>

- gg) Councillor Janio and others would send further details by e-mail of known flooding locations before 29 July.

- hh) The Chair referred to the Environment Agency questions that the officers would be aware of. (attached)

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- ii) Summarising, the Chair said Members were pleased at the solid progress on the 'Wheel of Fortune.'
 - jj) However they remarked on the lack of information from Network Rail, who had been described as 'silent' in response to requests for data, and argued this knowledge would be very important for the PFRA in view of the location of known flooding events on Rail land.
 - kk) Members queried the risk to telecommunications assets which would be key for emergency services during flooding incidents and were dismayed to hear that telecoms firms too, had not engaged well in emergency planning processes. This was a national issue. *It was later clarified that telecoms companies are not involved in this stage of the LLFA's PFRA but they are supposed to work with related Environment Agency processes}*
- ll) The workshop thanked all those involved.
- mm) RESOLVED;** The workshop (i) requested that additional information be provided as minuted above at y) and z), (ii) asked that key officers from other Council service areas also be invited for future scrutiny of the flood risk management.and (iii) resolved to recommend that representation be made to national Government on the inadequate response thus far of Network Rail ~~and telecommunications organisations.~~

Suggested (Environment Agency) questions to consider in reviewing PFRA:

Are appropriate governance arrangements in place to understand and manage local flood risk?

Have the relevant internal and external partners been involved in the PFRA process?

Has all readily available information been gathered from within the LLFA and other partners?

Does the assessment of flood risk identify the receptors and the consequences in terms of human health, economic activity and the environment (including cultural heritage)?

Has the evidence been interpreted appropriately in reviewing indicative Flood Risk Areas?

Has adequate justification been provided for changes to indicative Flood Risk Areas?

Is there sufficient evidence to support Flood Risk Areas?

Are the conclusions and recommendations clear and based on suitable evidence?

Have the preliminary assessment report and associated spreadsheets been prepared in line with the templates in the guidance?