

**Department for Environment Food and Rural Affairs, Environment
Agency- Flood Risk Management Plan – cycle 2**

Report of the Director of Regeneration

This item is not exempt
Therefore exempt reasons are not applicable

This is a decision implementing an existing key decision

1. Purpose of the Report and Summary

- 1.1 The purpose of this report is to approve proposed measures created by flood risk officers at Hull City Council (HCC) in partnership with Environment Agency (EA) to be included in the EAs Flood Risk Management Plan – cycle 2 update (FRMP). Hull is classified as one of the areas highlighted nationally as being at significant flood risk by the EA and so requires a flood risk management plan. This is a requirement by law as defined in the Flood Risk Regulations 2009. This is not to be confused with a Local Flood Risk Management Strategy which is required by law under the Flood and Water Management Act 2010.
- 1.2 FRMPs contain information on an areas local sources of flood risk, including objectives of managing flood risk and the proposed measures for achieving those objectives. The proposed measures in Appendix 1 make reference to how the risk of flooding is being managed in Hull to reduce the impact on communities, the economy and the environment.
- 1.3 The measures sought for approval are high-level descriptions of how HCC will fulfil its statutory requirements as Lead Local Flood Authority (LLFA) in managing local flood risk. The proposed measures are provided in Appendix 1.

2. Recommendations

- 2.1 That Cabinet approve the measures as proposed in Appendix 1 so that they can be included in the EAs FRMP – cycle 2 update.
- 2.2 The risk of not approving these measures would significantly impact the ongoing partnership working of risk management authorities working in the region to manage flood risk. A multi-agency approach is critical for long term sustainable flood risk management in the city.

3. Reasons for Recommendations

- 3.1 Flood Risk Management Plans are required by law as defined in the Flood Risk Regulations 2009, so Hull City Council have a statutory responsibility to comply with these requirements. Therefore, it is strongly recommended that the objectives are approved by Cabinet so that Hull City Council flood risk officers can continue to work in partnership with other risk management authorities to effectively manage flood risk in the city.

4. Impact on other Executive Committees (including Area Committees)

- 4.1 The measures proposed align with Hull City Councils approach to managing flood risk in the city as detailed in Halls Local Flood Risk Management Strategy and Flood Risk Management Plan – cycle 1, published in 2015. Hull’s LFRMS and FRMP – cycle 1 will be updated later this year and will be consistent with the measures proposed in this report and the EAs National Flood and Coastal Erosion Risk Management Strategy.

5. Background

- 5.1 The Environment Agency (EA) are required to create Flood Risk Management Plans for areas identified to be at significant risk of flooding. In Hull, over 100,000 homes are at risk from at least one type of flooding. FRMPs are designed to inform how risk management authorities within areas at significantly high risk are going to be managed. The EA are required to compile FRMPs as their statutory overview role on flooding in England.
- 5.2 Flood risk management in England is underpinned by two key legislations: Flood Risk Regulations 2009 and Flood and Water Management Act 2010. FRMPs are required under Flood Risk Regulation 2009. The first FRMP was published in 2015 (cycle 1) and are required to be updated every 6 years, so this update is referred to as FRMP - cycle 2.
- 5.3 Each measure has a responsible authority, in our case the

responsible authority is either the EA, Hull City Council or the Living with Water Partnership, which is made up of board members from Hull City Council, East Riding of Yorkshire Council, EA and Yorkshire Water. When creating the measures, care was given to the available resource capacity of staff and so the measures are designed to fit in with ongoing and existing workloads, as opposed to creating additional work.

6. Issues for Consideration

- 6.1 The EA have a responsibility to create, maintain and update a Flood Risk Management Plan to cover their statutory overview role on flooding. Hull City Council have a responsibility to work with the EA to draft a FRMP that is suitable and viable for flood risk management in Hull. The knowledge and expertise of Hull City Council's flood risk officers is crucial for the FRMP to be suitable. There will be an opportunity for HCC to comment on the EA's FRMP when it goes out for public consultation later this year.

7. Options and Risk Assessment

- 7.1 There are two viable options available:

1 – suggest amendments to the proposed objectives in Appendix 1 and then approve;
2 – Approve objectives as they are in Appendix 1;
to be included in the Environment Agency's Flood Risk Management Plan – cycle 2 for Hull.

- 7.2 It is essential that Hull City Council's input into the measures that will be published in the EAs FRMP because we would not want unrealistic or unsuitable measures to be made on our behalf. The proposed measures take into account the availability of existing HCC flood risk officers' time and knowledge and so are realistic and achievable.

8. Consultation

- 8.1 Following the decision to approve the measures proposed in Appendix 1, the EA will take their FRMP to public consultation in Autumn 2021, which will also include the measures suggested in this report for approval. Hull City Council will provide a formal response to the public consultation following the democratic approval process.

9. Comments of the Monitoring Officer (Director of Legal Services and Partnerships)

- 9.1 FRMP's must be reviewed updated and published every 6 years. FRMP cycle 1 was published in 2015.

EA's and Lead Local Flood Authority's should work together and the objectives detailed in schedule 1 it seems have been agreed in partnership with EA and The Living With Water Partnership having taken account of resource issues.

The objectives appear therefore to satisfy the statutory requirements. This is not the end of the story as detailed in 8.1 of the report. (KG)

10. Comments of the Section 151 Officer (Director of Finance and Transformation)

- 10.1 The Director of Finance and Transformation notes the proposed measures attached as an appendix to this report, some of which will inevitably require future investment by the Council (as well as others) which will need to be addressed as part of future year's budget considerations. (GS)

11. Comments of Assistant Director of HR & OD and compliance with the Equality Duty

- 11.1 There are no staffing or equality issues arising for the council

12. Comments of Overview and Scrutiny

- 12.1 This report is due to be considered by the Infrastructure and Energy Overview and Scrutiny Commission, on Wednesday 16th June, 2021. Any comments or recommendations agreed by the Commission will be submitted to Cabinet for consideration alongside the report. Ref: Sc6198 [MK].

13. Comments of Councillor Kirk - Portfolio Holder for Transportation, Roads, Highways and Flood Prevention

- 13.1 The Flood Risk Management Plan is something we are legally required to produce. As the flood risk we face in Hull is significant, complex and integrated the sensible approach is to work with our partners, such as the Environment Agency in the production of this plan. This plan is just one of the many tools we use in the strategic management of flood risk for the city.

Mark Jones, Director of Regeneration

Contact Officer: Jessica Fox – Jessica.Fox@hullcc.gov.uk Telephone No.: 01482
615053

Officer Interests: None

Background Documents: - Appendix 1 – list of proposed measures.

Implications Matrix

I have informed and sought advice from HR, Legal, Finance, Overview and Scrutiny and the Climate Change Advisor and any other key stakeholders i.e. Portfolio Holder, relevant Ward Members etc prior to submitting this report for official comments	Yes
I have considered whether this report requests a decision that is outside the Budget and Policy Framework approved by Council	Yes
Value for money considerations have been accounted for within the report	Yes
The report is approved by the relevant Assistant Director	Yes
I have included any procurement/commercial issues/implications within the report	Yes
I have considered the potential media interest in this report and liaised with the Media Team to ensure that they are briefed to respond to media interest.	Yes
I have included any equalities and diversity implications within the report and where necessary I have completed an Equalities Impact Assessment and the outcomes are included within the report	Yes
Any Health and Safety implications are included within the report	Yes
Any human rights implications are included within the report	Yes
I have included any community safety implications and paid regard to Section 17 of the Crime and Disorder Act within the report	Yes

I have liaised with the Climate Change Advisor and any environmental and climate change issues/sustainability implications are included within the report	Yes
I have included information about how this report contributes to the City Plan/ Area priorities within the report	Yes
I have considered the impact on air quality, carried out an appropriate assessment and included any resulting actions or opportunities necessary to improve air quality in the report.	Yes