

Transport and Environment Committee

10:00am, Thursday, 17 March 2015

Flood Risk Management – Consultation

Item number	7.9
Report number	
Executive/routine	
Wards	All

Executive summary

The Flood Risk Management (Scotland) Act 2009 seeks to promote a proactive approach to Flood Risk Management.

The City of Edinburgh Council has been appointed as Lead Local Authority for the Forth Estuary Catchment Area. A Local Flood Risk Management Plan (the Plan) is required for the Forth Estuary Catchment which will identify areas vulnerable to flooding from all sources and potential mitigation measures and actions. The first stage in the development of the Plan is now complete and a public engagement and consultation exercise began on this on 22 December 2014. Draft Delivery Plans, which were added to this consultation on 2 March 2015, detail potential mitigation measures and actions.

Links

Coalition pledges	P28
Council outcomes	CO19
Single Outcome Agreement	

Flood Risk Management – Engagement and Consultation

Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 notes the content of the report;
 - 1.1.2 notes that an engagement and consultation exercise, led by the Scottish Environment Protection Agency, began on 22 December 2014;
 - 1.1.3 notes that Draft Delivery Plans were added to the consultation on 2 March 2015 by the Council; and
 - 1.1.4 notes measures and actions for Edinburgh contained within the Draft Delivery Plans.

Background

- 2.1 Scotland's approach to how flood risk is managed is changing due to the Flood Risk Management (Scotland) Act 2009 (FRM Act). The FRM Act aims to reduce the adverse impact of flooding on communities, the environment, transport, cultural heritage and economic activity.
- 2.2 In the past, when flooding has occurred, public bodies often constructed flood defences, but now more thought is required to be given to alternative means of reducing flood risk. This includes avoiding the likelihood of flooding through effective land use planning, maintenance of watercourses and associated infrastructure and the better control and management of surface water run-off. There may be occasions when the flood risk is tolerated and is best managed through protection of buildings and improved forecasting and flood warnings. However, there may also be instances where the construction of conventional flood defences is the most appropriate solution.

Work Undertaken to Date and Consultation

- 3.1 Scotland has been divided into 14 areas, based on the catchments of major rivers. Edinburgh is located in the Forth Estuary and the Council acts as the Lead Local Authority for this area. The Council works in collaboration with the 12 neighbouring local authorities, Scottish Water and the SEPA in developing the Plan.
- 3.2 The Plan, when finalised, will detail potential flooding from all sources, set broad objectives to mitigate flooding and recommend possible measures to reduce the risk of flooding.
- 3.4 The Council worked in partnership with SEPA and neighbouring local authorities to identify flooding from various sources and the impact of this flooding. Flooding was considered from the following sources:
- Fluvial which includes rivers and smaller watercourses;
 - Coastal; and
 - Pluvial, which is surface water run-off.
- 3.5 The first stage in the development of the Plan is now complete and a major engagement and consultation exercise began on 22 December 2014. This first phase of the consultation was led by SEPA and focused on identifying the sources of flooding and those areas at risk. The information was made available on line at <https://frm-scotland.org.uk> and at SEPA's offices. The information was also made available at the Local Neighbourhood Council Offices and 17 libraries across the city.
- 3.6 The second stage of the consultation began on 2 March 2015. This focuses on the Draft Delivery Plans which give details of potential mitigation measures and actions. The Draft Delivery Plan also identifies which actions are the responsibility of the Council and which are the responsibility of SEPA.

These are divided into:

Ongoing and Confirmed Actions – those actions that are underway or where funding has been confirmed e.g. maintenance of existing flood prevention schemes; and

Potential Actions – actions that are being consulted on to identify which ones are the preferred actions (implementation of preferred actions are dependent on lead in times and availability of funding).

- 3.7 The ongoing and confirmed actions identified by the council are:
- construction of Phase 2 of the Water of Leith Flood Prevention Scheme;
 - to undertake a study of sediment deposits at the Water of Leith Basin;
 - to undertake an integrated catchment study;
 - to develop a surface water management plan;
 - general maintenance of watercourses;
 - provision of an emergency response;
 - application of planning policies; and
 - the maintenance existing flood prevention schemes, coastal defences and reservoirs.

- 3.8 The potential actions identified are:
- construction of future phases of the Water of Leith Flood Prevention Scheme;
 - relocation of properties/infrastructure away from flood risk areas;
 - modelling to improve knowledge of flood risk;
 - construction of online and offline storage;
 - modification of existing culverts and bridges;
 - runoff control;
 - construction of online and offline storage;
 - construction of flood defences; and
 - sediment management.

It should be noted that the potential actions are being consulted upon to support the process of identifying preferred actions.

- 3.9 All of the second stage consultation information can be accessed at <https://frm-scotland.org.uk>. The consultation ends on 2 June 2015. It should be noted that the second consultation phase is being led by the Council acting as Lead Authority for the Forth Estuary Area.
- 3.10 The Draft Delivery Plans will be reviewed again once the consultation is completed.

Surface Water Flooding

- 3.11 One of the most significant confirmed actions being taken forward by the Council, aside from the Water of Leith Flood Prevention Scheme, is to evaluate the interaction between sewers and other sources of flooding. The Council is working in partnership with Scottish Water, East Lothian and Midlothian Councils to ascertain the risk of flooding and to develop a strategy to reduce this risk. A consultant has been appointed, by Scottish Water, and an Integrated Catchment Study (ICS) is being undertaken. This study will cover most of the city. The results of the first part of this study will be available in July 2015.
- 3.12 A consultant is to be procured by the Council to develop separate surface water management plans for areas of the city not covered by the ICS detailed above. The area covered by separate surface water management plans will be predominately in the west of the city.
- 3.13 The ICS and the separate surface water management plans will inform the further development of the Forth Estuary Plan.

Measures of success

- 4.1 Sources of flooding and the areas at risk and level of risk is better understood.
- 4.2 Resources for flood prevention are effectively prioritised and targeted.

Financial impact

- 5.1 The cost for all of the works detailed in the Draft Delivery Plan have not yet been developed, however this Plan will be under review and the cost of potential measures will be ascertained once it has been established that these are technically feasible. There will be a formal review after three years. This Plan will be updated and re-published every six years.
- 5.2 The cost of the ICS is £1,563,682 and the Council's contribution to this is £390,000. The remaining £125,000 contribution to the ICS will be met from the 2015/16 Flood Prevention Revenue Budget.
- 5.3 The cost of developing Surface Water Management Plans for the western area of the city is estimated at £20,000. This cost will be met from the 2015/16 Flood Prevention Revenue Budget.
- 5.4 The cost of the Water of Leith Phase 2 and the study into siltation at Water of Leith Basin were both reported to this Committee on 28 October 2014. The cost of this study will be met from the 2015/16 Flood Prevention Revenue Budget.

Risk, policy, compliance and governance impact

- 6.1 This process will identify possible solutions and should any major construction projects be identified these will be reported separately and be subjected to Assurance Reviews by the Corporate Programme Office.
- 6.2 The Plans are a statutory requirement of the Flood Risk Management (Scotland) Act 2009. The inclusion of potential risk mitigation measures in the Plan does not commit the Council to delivering them. The implementation of measures within the Draft Delivery Plan will be dependent upon the availability of resources.

Equalities impact

- 7.1 The engagement and consultation exercise is web based. SEPA has undertaken an Equality and Human Rights Impact Assessment on the consultation arrangements. The purpose of this assessment was to identify whether the approach to consultation would have a disproportionate impact on any individual or group of people in particular, those with a protected characteristic as determined by the Equality Act 2010.
- 7.2 The key issues identified were:
- Access to hard copy and other languages; and
 - Collation of hard copy responses with online responses.
- 7.3 SEPA has made hard copies available at its offices and the Council has also make hard copies available at all of the Neighbourhood Offices, City Chambers, Waverley Court and at a number of libraries.
- 7.4 The hard copies are in plain English, with translation in whole or in part into other languages or Braille available on request.
- 7.5 SEPA has undertaken an Equality and Human Rights Impact Assessment on the consultation arrangements for the Citizen Space consultation tool. The purpose of this assessment was to identify whether the approach to consultation would have a disproportionate impact on any individual or group of people in particular, those with a protected characteristic as determined by the Equality Act 2010. The Council undertook a more detailed Equality and Human Rights Impact Assessment in advance of further material being added to the Consultation on 2 March 2015.

Sustainability impact

- 8.1 The ethos of the FRM Act is to manage flood risk sustainably which requires a long term approach to be taken. It is necessary to improve the understanding of flood risk and its impacts before actions can be planned to manage flooding in a way that improves the environment, provides opportunities to restore rivers and coastlines and creates green spaces for everyone to enjoy. To take a sustainable approach to managing flood risk it is necessary to look at whole river or surface water catchments. A catchment approach ensures that flooding is tackled effectively and not moved to another part of the river or wider catchment area.

Engagement and Consultation

- 9.1 A major public engagement and consultation exercise began on 22 December 2014.
- 9.2 The Short List of Measures and the Draft Delivery Plan were added to the consultation on 2 March 2015.
- 9.3 This consultation is web based and can be accessed at <https://frm-scotland.org.uk>.
- 9.4 Hard copies of the information to be presented are available at all of the Neighbourhood Offices, City Chambers, Waverley Court and at a number of libraries.

Background reading/external references

Transport and Environment Business Bulletin – Thursday, 13 January 2015

Flood Risk Management (Scotland) Act 2009

Town and Country Planning (Development Planning) (Scotland) Regulations

Transport and Environment Committee 28 October 2014 – Water of Leith Phase 2 Project Update

Transport and Environment Committee 28 October 2014 – Water of Leith Basin

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Links

Coalition pledges	P28 – Further strengthen our links with the business community by developing and implementing strategies to promote and protect the economic well being of the city
Council outcomes	CO19 – Attractive Places and Well Maintained – Edinburgh remains an attractive city through the development of high quality buildings and places and the delivery of high standards
Single Outcome Agreement	SO1 - Edinburgh's economy delivers increased investment, jobs and opportunities
Appendices	None