

Questions and Answers

This is an updated version of earlier Q&A documents, the most recent of which was circulated in April 2017.

In this version, new questions raised by LLFAs and PSO teams since the April 2017 version are presented first, followed by all Q&As included in earlier versions.

If you are reading this document for the first time, we recommend that you skip ahead to the second section and read the original Q&As first, as these introduce the subject, and then return to read more recent Q&As.

We've included a list of acronyms at the end of this version.

This is living document and we will continue to issue updates as new questions arise.

NEW Q&As

The following Q&As have been added to this document since the circulation of the April 2017 version of this document.

NEW If an LLFA is seeking local scrutiny of its PFRA review eg approval by committee, but will be unable to complete that local scrutiny or to gain the necessary approval by the 22 June deadline, what should the LLFA do?

The 22 June deadline is set by the Flood Risk Regulations, not by the Environment Agency. Therefore, every LLFA must provide its PFRA review by 22nd June.

LLFA's should decide their own internal approval process for the review. If an LLFA cannot gain its locally required approval before the 22 June deadline, for example due to the timing of a meeting, it should still submit its review by 22 June as a draft, indicating that it is subject to approval and providing dates of when a final, approved review will be submitted. They should then submit the final, approved PFRA review in due course.

NEW Will identification of FRAs as part of this review affect annual Defra/DCLG funding for LLFAs eg will an LLFA receive additional funding in areas which have FRA status?

No. FRA status does not influence funding. Identifying a FRA means that an LLFA has a statutory duty under the FRR to prepare maps and FRMPs for the FRA.

The criteria for identifying FRAs are set out in the guidance. The indicative FRAs have been identified by the Environment Agency using national information (Risk of Flooding from Surface Water – RoFSW). LLFAs should use additional local knowledge and information to review the indicative FRAs to ensure they are appropriate. An LLFA can propose a change to, or challenge, an FRA, or propose an additional FRA. LLFAs should discuss the evidence for any such changes with their PSO contacts.

NEW Where FRAs are identified, will LLFAs receive additional funding to prepare the necessary flood hazard and risk maps, and to develop flood risk management plans (FRMPs) as required by the FRR? Will there be additional funding from Defra for this work if an LLFA identifies additional FRA/s?

We are in the early stages of a six yearly cycle and, in due course, we will engage fully with LLFAs in designing the process and products for the mapping and plan stages. We will be looking to design a process that avoids any unnecessary burdens on LLFAs and others.

NEW Should LLFAs consult Emergency Planning colleagues as part of the process?

LLFAs should use their discretion in consulting others internally and externally as part of their review.

NEW If there is an area at risk, which was not known about or referred to in the original PFRA report, but for which there are plans to address the risk, how should this be handled in the review?

In such a case, and if the risk is significant, we would advise LLFAs to make reference to it in the self-assessment form, including the fact that the risk will be addressed and a brief description of how and by when.

NEW When updating the appendices to its original PFRA report, what should an LLFA update?

The appendices that should be updated are the excel appendices to an LLFA's original PFRA report from 2011. If an LLFA does not have its 2011 PFRA report for any reason, they should be able to find it in via our web archive starting from [this page on GOV.UK](#) and selecting the link for the relevant River Basin District.

NEW When updating the appendix for past flood events, can an LLFA include records of past flood events which pre-date 2011?

When the original PFRA was carried out in 2011, LLFAs were required to record past flood events (in the spreadsheet annexe 1). Floods that have occurred since 2011 are now 'past floods', so they must be added to the original annexe as part of this review to bring the record up to date in 2017. It is important that LLFAs complete this information as the Environment Agency must compile records of past flood events to report to the European Commission.

If an LLFA has discovered details of past flood events before 2011 that they did not have, or did not record, in the original PFRA annexe, then they may do so now as part of this review if they wish. If this is the case, they should add them in chronological order so that the Environment Agency can clearly differentiate between pre- and post-2011 records, as only the latter will be reported to Europe.

NEW Can the Environment Agency provide standard text to describe the Risk of Flooding from Surface Water (RoFSW) for LLFAs to update in the future floods annex 2?

Yes. Standard text for the descriptive fields is now provided in the excel annex to this version of the Q&A. If an LLFA has already submitted its review to the Environment Agency, there is no need to resubmit it to include this information.

NEW In the ‘cluster’ method used to identify indicative FRAs, what is the definition of a cluster, and is it the same definition used in 2011?

The formation of a cluster is illustrated in the two figures below. A ‘blue square’ is a 1km square that meets the criteria set out in the guidance for the number of residential properties, commercial properties and services at risk.

4.2 Formation of Clusters

A cluster is made up of the union of all 3 x 3 km squares that contain 5 or more touching blue squares.

The blue squares are regarded as touching if they are adjacent up or down, side by side or diagonally as shown in Figure 4-1 below.

Figure 4-1 Examples of 3 x 3 squares that contain 5 touching blue squares

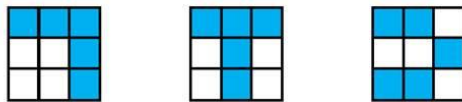
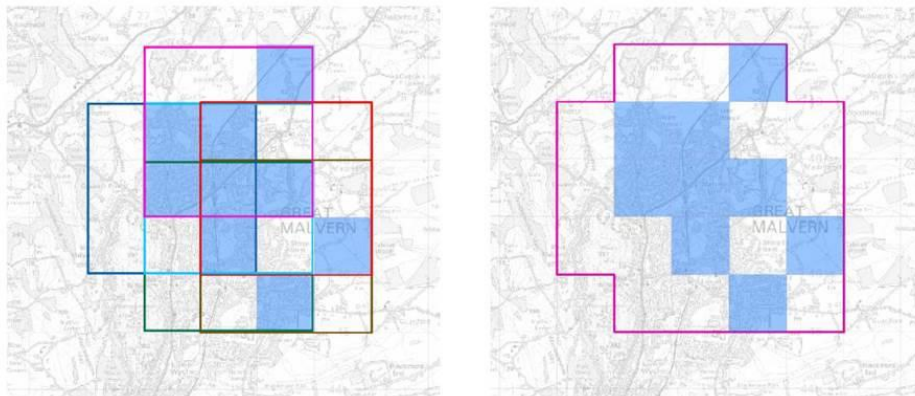


Figure 4-2 Example of cluster formation from 3 x 3 km squares that contain 5 or more touching blue squares



All 3x3 squares that contain 5 or more touching blue squares

The final cluster

NEW If an LLFA disagrees with an indicative FRA can they exclude it from the review?

LLFAs must review the indicative FRAs in their areas, so no they cannot exclude an indicative FRA from review. The indicative FRAs have been put together using national data described in the guidance, and the purpose of reviewing indicative FRAs is to allow LLFAs to consider them in light of locally available information which may present a different picture of risk. As described above, an LLFA can propose changes to or challenge indicative FRAs, or propose additional FRAs, with appropriate evidence.

So, no an LLFA cannot exclude an indicative FRA from its review, but yes it can propose a change or challenge it if local evidence shows that the risk does not merit FRA status.

NEW What evidence is required if an LLFA wishes to propose changes to the boundary or boundaries of an indicative FRA?

The guidance for the PFRA reviews states that LLFAs can propose changes to the boundary or boundaries of iFRAs. They should do this via discussion with their relevant local PSO teams, providing available evidence and the rationale for the change.

NEW What is the difference between questions 2.1 and 2.2 in the self-assessment form?

Question 2.1 is asking if you have information about all relevant sources of information on flood risk. Question 2.2 is asking specifically if you and relevant partners have 'locally agreed surface water information'.

NEW With relation to question 2.3 in the self-assessment for - 'share data' - is this between different teams of the LLFA or with their partners?

Both.

NEW With relation to question 3.1 of the self-assessment form – referring to 'annex 1' of the original PFRA report - if an LLFA did not use annex 1 in their original PFRA, having listed in the report itself, should they now complete annex 1 for this updated PFRA? If so, do they need to populate a new annex 1 with:

- all the events they mentioned in the original PFRA plus the recent ones that occurred since 2011,
- or only the recent events that happened since 2011?

LLFAs should complete annex 1, with relevant flood events that have occurred since 2011 (this is the most practical way for the Environment Agency to capture the information that must be reported to Europe). In the case above, we would not expect the LLFA to re-populate the annex with floods before 2011.

NEW In question 5.1 of the self-assessment form, LLFAs are confirming that the iFRAs are an appropriate representation of significant SW flood risk. Do they need to justify in the box ‘Summary description’ or is the ‘Yes’ enough?

If the answer is yes, then no further information is required. If the answer is no, then we advise LLFAs use the summary text box to cross-reference to any evidence they are presenting for changes or challenges to indicative FRAs. We advise LLFAs to discuss proposed changes and evidence for them with Environment Agency PSO teams before submitting their reviews.

NEW Should LLFAs put their addendum updates on their websites now?

No. The addendum should not be added to the original PFRA report until the Environment Agency review is complete. We will advise LLFAs when this is.

NEW Will the Q&A documents continue until the review process is finally complete in December 2017?

Yes, we will continue these Q&A document updates as and when required until the review process is complete. You can raise further questions at any time. Please remember to keep in touch with your contact details so that we can ensure you receive all updates.

Q&As provided in April 2017 version

The following Q&As were included in the April 2017 version of this document and have not changed.

What are the Flood Risk Regulations?

The Flood Risk Regulations 2009 (FRR) implement the EU Floods Directive in England. They establish a framework for assessing and managing the risk of flooding.

Who do the FRR apply to and how?

The FRR place duties on the Environment Agency and lead local flood authorities (LLFAs) to:

- prepare a preliminary flood risk assessment (PFRA)
- identify areas of significant risk, known as flood risk areas (FRAs)
- prepare flood hazard and risk maps
- flood risk management plans (FRMPs)
- and to review and update all of these on a 6 yearly basis.

The Environment Agency’s duties relate to risk of flooding from main rivers, sea and reservoirs.

An LLFA’s duties relate to risk of flooding from local sources in its area (mainly surface water, ordinary watercourses and groundwater), but also considering interactions with other sources or risk.

Where are we in the cycle?

We have completed one full cycle of the FRR. For LLFAs, the first milestone of the second cycle is to review the preliminary risk assessment reports they completed in 2011, and identify FRAs for local sources of risk for second cycle planning.

What is the deadline for the review?

Each LLFA must review its preliminary assessment report, identify FRAs for the second planning cycle and submit the required information to the Environment Agency by 22 June 2017.

The Environment Agency must then review LLFA submissions by 22 December 2017, and is responsible for reporting relevant information to the European Commission.

Is the Environment Agency reviewing risks from main rivers, sea & reservoirs?

Yes, but the process is different. We used risk information from our existing national assessment of flood risk (NaFRA) and reservoir plans in the first cycle.

The Environment Agency must review this information for the second planning cycle by 22 December 2017.

As the UK will be leaving the EU, do LLFAs still need to complete reviews?

Yes. Although preparations are under way to leave the EU, the UK remains subject to EU law until it has left. The FRR are part of our English legislation and still stand until and unless they are removed or changed after EU exit.

Is the review necessary, given LLFAs have produced local flood risk management strategies (LFRMS)?

Yes, LLFAs must complete a review, as it is a requirement of the FRR.

The original preliminary flood risk assessment in 2011 will have contributed much of the evidence base for the development of the LFRMS. The PFRA review provides a logical opportunity to reconsider how LLFAs have assessed flood risk within the LFRMS and make sure that the quality of that assessment is also current and fit for purpose.

How do LLFAs go about the review?

The Environment Agency provided LLFAs with guidance for the review in January 2017. The guidance document incorporates guidance from Defra on what 'significant' means for the purposes of identifying FRAs for the second planning cycle. Defra also sent the guidance for FRAs direct to LLFAs.

How does an LLFA get the guidance if it does not already have it?

All LFFAs should have received the Environment Agency guidance document (which incorporates the Defra guidance) from Partnership and Strategic Overview Teams (PSO). LFFAs should request the guidance again from their local PSO team if they do not have it.

Do LFFAs need to prepare new preliminary assessment reports as part of the review?

No. We have aimed for a proportionate approach to the review. A standard self-assessment template supports the guidance. It takes LFFAs through the review process and sets out the information that LFFAs must submit to the Environment Agency by 22 June 2017. It incorporates a template for drafting an addendum that an LLFA can add to update its original report, so that it is not necessary to revise or write a new report.

What is a FRA and what does it mean?

An FRA is an area where the risk is considered to be significant (the Defra guidance describes what is considered 'significant' for the purposes of the regulations).

Where an LLFA identifies a FRA, the LLFA (or LFFAs) responsible for the area concerned will have statutory duties to prepare:

- flood hazard and risk maps for the FRA by December 2019
- a flood risk management plan (FRMP) by December 2021, setting out measures for the FRA for the period 2021-2027.

Outside identified FRAs, there is no such statutory duty on LFFAs.

Must every LLFA review FRAs, even if it had no FRA(s) in the first cycle?

Yes. Understanding of risk will have developed since 2011. It is important that LFFAs consider afresh, using the latest risk information available, and the Defra guidance, whether there are FRAs in their area, so that the next generation of maps and plans reflect that assessment.

Doesn't the Environment Agency prepare the flood hazard and risk maps and the FRMPs?

The FRR set out separate duties for the Environment Agency and LFFAs to prepare maps and FRMPs. During the first planning cycle, the Environment Agency prepared all maps for all sources of risk and led on a preparing a single set of FRMPs at river basin district scale, incorporating LLFA measures in many cases. This reduced the burden on LFFAs. There will be full consultation with LFFAs, risk management authorities and others on how maps and plans should be prepared for the second cycle.

In the first cycle, the Environment Agency helped LLFAs identify FRAs. Is that the case for the review?

Yes. As in 2010 to 2011, the Environment Agency has applied the Defra guidance on what 'significant' means to nationally available information – in this case, the national Risk of Flooding from Surface Water (RoFSW) map. This has resulted in identification of a set of 'indicative' FRAs.

LLFAs need to consider these indicative FRAs in light of local knowledge and information on surface water and other local risks. The Environment Agency guidance gives more detail on what LLFAs should consider.

How do LLFAs find out if they have an FRA or FRAs in their area?

The Environment Agency guidance document includes a simple map of the indicative FRAs.

Maps that are more detailed are available to LLFAs in the form of pdfs, GIS shapefiles and supporting data via [Partner Data Catalogue](#) or data.gov.uk

How has the Environment Agency identified indicative FRAs?

The Environment Agency uses a similar clustering methodology to that used in 2010 to 2011, and supplements this with information based on the 'communities at risk' approach developed since then. The Environment Agency guidance document provides more detail on the two approaches.

The map in the guidance document distinguishes between indicative FRAs identified by the two approaches – clustering and 'communities at risk'. Where the two methods overlap, the indicative FRA is the greatest extent of the two outlines. LLFAs can propose changes to indicative FRAs.

Can LLFAs change an indicative FRA?

Yes. LLFAs can propose changes to an indicative FRA, propose additional FRAs or disagree with an FRA, where there is local evidence to support the case. LLFAs should do this in discussion with the relevant Environment Agency PSO team on a case-by-case basis. We encourage LLFAs to do this as early as possible, ahead of the deadline for submission of the review information by 22 June 2017.

What happens where an indicative FRA falls across LLFA boundaries?

There are a number of indicative FRAs where this is the case. We advise LLFAs to work together to agree the FRA.

If LLFAs consider there is a case for dividing an indicative FRA into separate, smaller FRAs, or to join up closely located FRAs, they should discuss this as early as possible with the relevant PSO teams, ahead of the deadline for submission of the review information by 22 June 2017.

Why are there more indicative FRAs for the second cycle than there were in the first?

Only the 10 very largest clusters (each one containing over 30,000 people at risk) were proposed, and subsequently agreed, as FRAs in the first cycle. Understanding of local flood risk has considerably improved since 2011. It is now logical to widen the focus and present a more complete picture of local risk across the country.

Will more LLFAs have a statutory duty to prepare maps and FRMPs in the second cycle than in the first cycle?

The 10 FRAs identified in the first cycle resulted in statutory duties for 65 LLFAs. If all the indicative FRAs proposed by the Environment Agency for the second cycle are confirmed following LLFA review, they would be statutory duties for around 100 LLFAs. All those who identify an FRA or FRAs will have statutory duties for maps and FRMPs.

In the first cycle, the Environment Agency invited all LLFAs to contribute to FRMPs, regardless of whether they had statutory duties or not. In the event, more than 30 LLFAs partnered voluntarily so that the FRMPs published at the end of the first cycle include measures from more than 100 LLFAs.

The Environment Agency is still considering how to shape the later mapping and planning phases of the second cycle. There will be full consultation with all LLFAs, risk management authorities and others to agree the approach.

Identifying a FRA commits an LLFA to more work in preparing maps and a FRMP. What is the overall benefit to the LLFA?

Including management of local flood risks in FRMPs recognises this work as part of the overall risk picture and strategic planning process. This can help risk management authorities work together to manage the risks and develop more joined-up actions to manage all sources of flooding.

Where can I find the maps and GIS files for the indicative Flood Risk Areas (FRAs)?

The maps in pdf form, GIS shapefiles and supporting data can be found on the [Partner Data Catalogue](#) or on data.gov.uk

Some LLFAs have found data.gov.uk easier to use. The link above should take you to the documents. If you need to navigate from the homepage, click on 'data' on the top tool bar, click on 'publishers', search for 'Environment Agency' and then search for 'Indicative Flood Risk Areas'.

Which shapefiles are used to make the 'heat map' and LLFA map referred in s2.5 of the guidance document?

- PFRA review – Guidance for LLFAs Jan 2017, Section 2.5:
PFRA2016_People_Sensitivity_Grid_1KM (difference between Ppl_100 and Ppl_1000 attribute)
- PFRA2016_People_sensitivity_CCproxy_England:
PFRA2016_People_Sensitivity_Grid_1KM (difference between Ppl_100 and Ppl_1000 attribute)
- PFRA2016_People_sensitivity_CCPProxy_LLFAAs:
PFRA2016_People_Sensitivity_LLFAAs (displayed on PctIncrP attribute)

Are there any specific requirements for sign-off of the PFRA or can an LLFA decide its own route? For example, if a Council has a Cabinet Member with responsibility for flood risk then would a Cabinet Member Decision Notice be acceptable to the EA, in place of the PFRA going to Cabinet, Full Council or a Committee?

It is up to the LLFA to decide what is required internally. It is worth remembering that compliance with the regulations rests with the LLFA, so there should be a robust audit trail.

With reference to the self-assessment question about multiple source flooding, the biggest risk factor often comes from main river sources. Where this is the case, can PSO teams help LLFAs with this one?

Flooding is often the result of water from more than one source, or water building up because another source (such as a river, or the sea) has prevented it from discharging normally. Information about past flooding will often be about an unknown source (ie it is not clear where the water came from), or flooding as a result of interactions between sources (in which case two or more sources may be recorded).

The national information about past floods may contain information about flooding as a result of interactions between sources of flooding. However, there is no additional national information which deals solely with this issue.

Local information about past floods is also likely to include information about flooding from interactions between sources of flooding. If it is clear that flooding is from two or more sources, it should be recorded. Where the source of flooding is not known, this should be recorded.

If flood risk is thought to be dominated by a main river source, but there is likely to be an influence on risk from surface water run-off or other local sources, this should be recorded with a comment about the importance of main river influences. If PSO can help with this then they will.

The guidance document suggests that ‘past floods’ will be those investigated under section 19 of the Flood and Water Management Act, however the probability of these flooding events occurring as required in Annex 1 has not been calculated as part of the investigations. How should this probability be determined or should the field be left blank?

Information is only required on past floods that have occurred since December 2011 and which had significant harmful consequences. LLFAs should complete details of the flood events as requested. If it is not possible to report probability, then we advise the LLFA to report that it is ‘not known’, but consider whether this information should be established in order to fully understand and manage risk. Similarly for any other aspect of a past flood event where the required information is not available.

Do LLFAs need to update existing maps and annexes, or could they create new annexes with information since 2011?

If it is not possible to use the existing PFRA report annexes, then LLFAs should recreate the annexes but make it clear when submitting the review that the annexes are new, and not updated, versions of the original report annexes.

The guidance gives information on the cluster and communities at risk methodologies but does not explain how a property is identified as being at risk, other than stating that a rainfall event with a 1% chance of occurring in any one year was used. Was there a depth or percentage of building footprint covered?

Yes, the definition for ‘at risk’ is based on parameters for depth and proportion of the property boundary above the depth threshold. The definition is as described in the technical report for the Updated Flood Map for Surface Water (uFMfSW) property points dataset (Environment Agency, 2014) ie depth of >0mm for >50% of wetted perimeter. The report states that ‘the parameter combination...was chosen to be consistent with the counts derived for other types of flooding.’ In this context, ‘the types of flooding’ refers to counts used in the National Flood Risk Assessment (NaFRA). Note that the UFMfSW is now referred to as the Risk of Flooding from Surface Water (RoFSW) map, which term is used in the guidance document.

Could you confirm what depth threshold (ddd mm) was used in your analysis to identify the number of properties considered to be at risk. Looking at the legend on the maps we have provided shows ‘D0’ embedded in the notation ‘Pyyy_Dddd_p50_ppp_kkk_nnn’. I’m reading this a depth of 0 mm (zero mm). Is this correct?

The depth threshold used to identify properties at risk is >0 mm for >50% of wetted property perimeter. See also the answer to the previous question.

What should an LLFA we do if it does not agree with an indicative FRA?

The indicative FRAs have been identified using national information on surface water flood risk. Where an LLFA has better local evidence that supports an amendment to an indicative FRA, or shows that an area should not be identified as an FRA, this must be shared with PSO to agree whether or not the area should be identified as FRA, and to ensure that LLFA and EA both have shared understanding of flood risk. The Environment Agency's national team can provide further support and advice to PSO teams if necessary.

Where an indicative FRA falls within two or more administrative areas, what are the expectations in terms of the duty to cooperate and to come to a workable arrangement for these FRA?

The FRAs set out in the guidance and maps are indicative Flood Risk Areas. LLFAs should review the indicative FRAs, using local knowledge to confirm that they are appropriate or to propose changes. In the case where an FRA falls within two or more administrative areas,, the LLFAs should work together to review the indicative FRA and can propose changes if there is evidence to support that. LLFAs should agree how to work together to manage risks that cross LLFA boundaries.

Acronyms

- FRR = Flood Risk Regulations 2009
- PFRA = preliminary flood risk assessment
- FRA – Flood Risk Area
- iFRA = Indicative Flood Risk Area
- FRMP = Flood Risk Management Plan
- PSO = Partnership and Strategic Overview team (Environment Agency)
- LFRMS = Local flood risk management strategies
- NaFRA = National assessment of flood risk

Where can I get more information?

Environment Agency PSO teams are the first point for contact for LLFAs with queries about this review process.

Please direct queries for the national project team to [Emer O'Connell](#).

This Q&A is a living document and it will be updated regularly to reflect questions raised.