

Local Flood Risk Strategy 2022-2027



Section 1: Policy Framework

**Why we need a strategy, what it contains,
and what we want to achieve**

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1 About the North Yorkshire Local Flood Risk Strategy

1.1 Why do we need a strategy?

In 2008, Sir Michael Pitt published his final report 'lessons learnt from the 2007 floods'. His report, which called for fundamental changes in the way the county is adapting to the increased risk of flooding, set out 98 specific recommendations that were required in order to substantially improve the way we deal with flooding in the UK.

One of the main recommendations was that local authorities should play a major role in the management of local flood risk, taking the lead in tackling problems of local flooding and co-ordinating all relevant agencies.

In response to the Pitt report, the government introduced the Flood and Water Management Act (2010) (FWMA). The Act gave county councils and unitary authorities a new leadership role (and the new title, 'Lead Local Flood Authority') in local flood risk management, designed to work closely with a new national leadership role for the Environment Agency (EA).

One of the duties given to Lead Local Flood Authorities (LLFA) is the development of a Flood Risk Strategy for North Yorkshire (described in the legislation as a 'Local Strategy') in which the County Council must develop, maintain, apply and monitor a local flood risk strategy.

Since the strategy was first launched in 2015 there have been significant and widespread flood events across the county. On Boxing Day in 2015 over 260 properties were internally flooded across the county, 513 properties and places were flooded in Richmondshire in 2019 and in 2020 approximately 96 were internally flooded across the county. Successive and repeated flooding events across the county from multiple sources e.g. main river, surface water coupled with the increasing pressure on limited resources, has underlined the importance of developing a more integrated, comprehensive and risk-based approach for managing the risks of flooding, including identifying clear lines of responsibility and targets for improvement.

This changing world is reflected in the publication of the Environment Agency's National Flood and Coastal Erosion Risk Management (FCRM) Strategy for England and the soon to be updated Flood Risk Management Plans¹. As such, the existing objectives and actions within the Local Flood Risk Management Strategy have been reviewed against these new and emerging national strategies and policies to ensure they are aligned. The FCRM strategy is underpinned by the EA's vision which states

'A nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100' – EA national FCRM strategy

The Local Government review will also substantially change the democratic landscape. North Yorkshire County Council will bring together 7 districts and the County Council. The new council and York City

¹ North Yorkshire is predominantly in the Humber River Basin Management Plan (RBMP), with a small area to the North of the county falling into the Northumbria FRMP, and a small area of the West of the county included in the North West FRMP.

Council, for example, will continue its close working relationship, reflected in the joint action plan as water does not recognise political boundaries and there is an ongoing need to look at solutions on a catchment scale to benefit those in York who live downstream of those within the NYCC area.

1.2 North Yorkshire County Council as Lead Local Flood Authority

NYCC recognises it has an important and challenging role to play as Lead Local Flood Authority in facilitating the delivery of flood risk management in its area by co-ordinating the activities of all relevant agencies.

As well as this general responsibility the Act assigns specific management functions to NYCC relating to 'local flood risk' – defined by the Act as flooding from Surface water, Ground Water and Ordinary Watercourses. These functions are expressed as 'Duties' – something we are legally obliged to do – and 'Powers' to be used at the authority's discretion.

NYCC's risk management duties are:

- To develop, maintain and apply a Local Flood Risk Management Strategy
- To develop and maintain information on flooding from ordinary watercourse, surface water and groundwater
- To investigate incidents of flooding in its area where appropriate and necessary and to publish reports
- To maintain a register of structures and features which have a significant effect on flood risk
- To respond to major planning applications on matters of local flood risk in its capacity as Lead Local Flood Authority

NYCC's permissive powers are:

- The power to designate any structure or feature that affects flooding
- To consent to third party works on ordinary watercourses
- The power to carry out works to manage flood risk from surface water and from groundwater

NYCC's permissive powers under the Land Drainage Act are:

- Maintain and improve ordinary watercourses and build new works
- Serve notice on any person or body requiring them to carry out necessary works to maintain flow in ordinary watercourses

Although NYCC has powers to do works in ordinary watercourses, the responsibility for the maintenance lies with the riparian owner. Hence NYCC is only responsible for maintenance where it is the riparian owner.

1.3 What is the North Yorkshire Flood Risk Management Strategy?

The Strategy is a legal document which provides a framework for addressing flood risk across the county. The development, maintenance and implementation of a strategy for the management of Local Flood Risk are statutory duties for the LLFA under the FWMA.

The act defines 'Local Flood Risk' as flooding from ordinary watercourses, surface water and groundwater. However, we recognise the importance of dealing with flood risk from all sources in a coordinated way, and so our strategy has been developed to reflect this.

The North Yorkshire Local Flood Risk Management Strategy is comprised of the following elements:

Section 1: Overview of the North Yorkshire Local Strategy – Why we need a strategy, what it contains, and what we want to achieve

[Section 2: The North Yorkshire Flood Risk Management Action Plan](#) – The latest programme of activities for managing and reducing flood risk in North Yorkshire

[Section 3: The North Yorkshire Flood Risk Management Protocol](#) – How we investigate and assess flooding and flood risk, and the actions we will take

[Section 4: An Overview of Flood Risk in North Yorkshire](#) – A summary of the geographical and economic context, and an overview of the sources of flooding

[Section 5: Flooding and Drainage Legislation](#) – A summary of the legislation and associated guidance

[Section 6: Roles and Responsibilities for Flood Risk Management](#) – Sets out the flood risk management duties and responsibilities of organisations, businesses and individuals

[Section 7: Financing Flood Risk Management](#) – An overview of the opportunities for attracting funding and investment in flood risk management

1.4 What do we want to achieve?

We have identified six objectives to help secure effective flood risk management for communities and businesses in North Yorkshire

1. A greater role for communities in managing flood risk, an opportunity that can also be developed further through LGR
2. Improved knowledge and understanding of flood risk and management responsibilities within NYCC and amongst partners, stakeholders, communities and the media
3. Sustainable development² utilising sustainable drainage where ever possible
4. Improved knowledge of watercourse network and drainage infrastructure
5. Flood risk management measures that deliver social, economic and environmental benefits
6. Best use of all potential funding opportunities to deliver flood risk management measures

² As defined within the 'National Planning and Policy Framework, Ministry of Housing, Communities and Local Government', 2021

These objectives are supported by an action plan of measures and actions that we are pursuing in order to ensure effective flood risk management across North Yorkshire. The action plan will be a living document that will be regularly amended and updated to reflect the changing nature of flood risk priorities.

1.4.1 A greater role for communities in managing flood risk, an opportunity that can also be developed further through LGR

A key challenge highlighted in our [Vision for North Yorkshire](#) is for the Council to play our part in helping develop the ability of communities to look after themselves to a greater degree than they already do. The development of community plans for managing and monitoring local flood risks is a key part of that vision.

We want to engage with communities through the development of tools and resources that will enable communities to identify flood risks, and to take action to improve adaptation and resilience or reduce those risks. Our [Action Plan](#) in Section 2 includes details of the steps we are taking to put this into place.

1.4.2 Improved knowledge and understanding of flood risk and management responsibilities

Effective flood risk management requires coordinated action and engagement from a wide variety of organisations and individuals. The complex nature of the causes of flooding, and also the complexity of the law in regard to flooding and drainage, mean that not everybody always understands or appreciates the roles that they should, or could, play in preventing or responding to a flood.

We want to play our part in increasing the knowledge and understanding of flood risk across the broadest possible range of organisations, businesses and communities through education, training and through the strong partnerships that we are developing with the other [Risk Management Authorities](#).

1.4.3 Sustainable development utilising sustainable drainage where ever possible

It is essential that new developments in North Yorkshire do not increase flood risk to existing communities and meet the highest possible standards for sustainability and environmental protection.

As statutory consultee to the planning process, we provide guidance and advice to Local Planning Authorities, developers and local communities in respect of individual planning applications where these effect or are affected by local flood risk. In doing so we seek to secure the application of high quality, multi-functional Sustainable Drainage Systems (SuDS), which follow the most up to date guidance, in new developments.

1.4.4 Improved knowledge of watercourse networks and drainage infrastructure

As the largest Council area in England, North Yorkshire also has one of the most extensive networks of watercourses and drainage features. Mapping of the critical features on watercourses, and of virtually the entire underground drainage network has never been tackled before, and so much of the things that contribute to, or protect communities from, flooding are not recorded.

It would be a huge and unrealistic goal to try to map and record all of these features and networks, but we are committed to capturing as much data and information as we can, particularly for locations where the risk of flooding is known to be the greatest.

Our [Action Plan](#) sets out the steps we are taking to develop and implement this important source of information.

1.4.5 Flood risk management measures that deliver social, economic and environmental benefits

Flood risk management measures are most effective and successful when they are integrated with the social, economic and environmental needs of the communities they sit within and serve.

We are committed to working with the widest range of partners and community representatives to achieve this, and to unlock the huge benefits that can be derived when multiple objectives can be delivered as part of a flood risk management initiative or scheme. This should include making reasonable efforts to align with the Council's current stated aims with regards to climate change, net zero carbon initiatives and net environmental gain.

Prioritising where these measures will be implemented is an important part of our role, to ensure that all available resources are used as effectively and efficiently as possible to help those communities and individuals with the greatest level of need.

To assist us in this task, we have analysed the predicted and historic flood risk throughout the County to inform future projects. Our [Action Plan](#) in section 2 of our Local Strategy details the steps we are taking to deliver these projects.

1.4.6 Best use of all potential funding opportunities to deliver flood risk management measures

To deliver effective flood risk management and to facilitate the delivery of initiatives and schemes that can reduce risk, we need to maximise the range and scale of the funding available.

We are committed to securing the highest possible levels of investment in flood risk management from the widest range of sources, through the identification of clear priorities and a well-structured programme that is attractive to both private and public sector funders.

[Section 7](#) of our Local Strategy highlights some of the funding opportunities that exist for addressing flood risk management.

1.5 Consultation and Communication Plan

The success of this strategy relies on effective partnership working and consultation with a wide range of partners and as such a great deal of discussion and agreement has been undertaken in the review of the action plan, strategy

The following engagement and information gathering activities have been carried out and drawn upon in the development of this document:

- Dialogue with individuals and communities

- Partnership working with other authorities
- Engagement with, and contribution to, regional and national discussions and initiatives
- Detailed investigation of historic flooding

We would now like to ask as many people as possible to feedback on this document, before it is formally adopted by North Yorkshire County Council.

We hope to be able to incorporate as much of your feedback in the final document, or in the documents and initiatives that support it, or in the programme of future opportunities and developments that will follow this review of our strategy.



1.6 Future Review of the Strategy

This document supersedes the previous strategy for North Yorkshire, which was published in 2015. This updated strategy will be monitored through overview and scrutiny processes and have an interim review and update in 2024 and a full review and update in 2027. The strategy will also be updated following the creation of the new unitary council for North Yorkshire in April 2023.

1.7 Glossary of terms and common abbreviations

Annual Exceedance Probability (AEP) The chance of a flood of a given size happening in any one year eg. a flood with a 1% AEP will happen, on average, once every 100 years.

Catchment A catchment is the total area that drains into a river or other drainage system.

Catchment Flood Management Plan (CFMP) A strategic tool through which the Environment Agency works with other key decision-makers within a river catchment to identify and agree policies for sustainable flood risk management.

Climate Change A long term change in weather patterns. In the context of flood risk, climate change is predicted to produce more frequent and more severe rainfall events.

Critical infrastructure Infrastructure which is considered vital or indispensable to society the economy, public health or the environment, and where the failure or destruction would have large impact. This would include emergency services such as hospitals, schools, communications, electricity sub-stations, Water and Waste Water Treatment Works, transport infrastructure and reservoirs.

Department for Environment, Food and Rural Affairs (DEFRA)

The UK government department responsible for policy and regulations on the environment, food and rural affairs.

Environment Agency (EA)

The Environment Agency was established under the Environment Act 1995, and is a Non-Departmental Public Body of DEFRA. The Environment Agency is the leading public body for protecting and improving the environment in England and Wales today and for future generations. The organisation is responsible for wide ranging matters, including the management of all forms of flood risk, water resources,

water quality, waste regulation, pollution control, inland fisheries, recreation, conservation and Navigation of inland waterways. It also has a new strategic overview role for all forms of inland flooding.

Environment Agency Flood Zones

Flood zones on the maps produced by the Environment Agency providing an indication of the probability of flooding (from rivers and the coast) within all areas of England and Wales.

Exceedance flows

Excess flow that appears on the surface once the capacity of an underground drainage system is exceeded.

Risk of Flooding from Surface Water (RoFSW)

These maps are held by the Environment Agency and give a broad indication of the areas that are likely to be at risk from surface water flooding – ie areas where surface water would be expected to flow or pond.

Flood Risk Regulations

Legislation that transposed the European Floods Directive in 2009.

Flood and Water Act 2010 (F&WMA)

The Flood and Water Management Act clarifies the Management legislative framework for managing flood risk in England.

Floods Directive

The EU Floods Directive came into force in November 2007 and is designed to help Member States prevent and limit the impact of floods on people, property and the environment. It was transposed into English law in December 2009 by the Flood Risk Regulations.

Fluvial Flooding

Resulting from excess water leaving the channel of a river and flooding adjacent land.

Lead Local Flood Authority (LLFA)

The authority, either the unitary council, or county council, with responsibility for local flood risk management issues in its area, defined in the Flood and Water Management Act.

Local Development Framework (LDF)	A non-statutory term used to describe a folder of documents which includes all the local planning authority's Local Development Documents (LDDs) such as the Sheffield Local Plan. The local development framework will also comprise the statement of community involvement, the local development scheme and the annual monitoring report.
Local Flood Risk	The risk of flooding from ordinary watercourses, surface water and groundwater.
Local Resilience Forums (LRF)	LRFs are multi-agency forums, bringing together all organisations which have a duty to co-operate under the Civil Contingencies Act, and those involved in responding to emergencies. They prepare emergency plans in a co-ordinated manner.
Main River	Main Rivers are watercourses marked as such on a main river map. Generally main rivers are larger streams or rivers, but can be smaller watercourses.
Ordinary watercourse	An ordinary watercourse is any other river, stream, ditch, cut, sluice, dyke or non-public sewer which is not a Main River. The local authority has powers to manage such watercourses.
Pitt Review	An independent review of the 2007 summer floods by Sir Michael Pitt, which provided recommendations to improve flood risk management in England.
Pluvial flooding	Pluvial flooding (or surface runoff flooding) is caused by rainfall and is that flooding which occurs due to water ponding on, or flowing over, the surface before it reaches a drain or watercourse.
Probability of flooding	The probability or chance of flooding is used to describe the frequency of a flood event occurring in any given year, e.g. there is a 1 in 100 chance of flooding in this location in any given year. This can also be described as an annual probability, e.g. a 1% annual probability of flooding in any given year. (See AEP).

Preliminary Flood Risk Assessment (PFRA)

A high level screening exercise that brings together information on significant local flood risk taken from readily available information.

Resilience measures

Resilience measures are designed to reduce the impact of water that enters property and businesses, and could include measures such as raising electrical appliances, concrete floors etc.

Riparian owners

A riparian owner is someone who owns land or property adjacent to a watercourse. A riparian owner has a duty to maintain the watercourse and allow flow to pass through their land freely.

Risk

In flood risk management, risk is defined as the probability of a flood occurring combined with the consequence of the flood.

Risk Management Authority (RMA)

An authority that is able to exercise functions for managing flood risk as defined in the Flood and Water Management Act 2010.

Strategic Flood Risk Assessment (SFRA)

A planning tool that provides information on areas at risk from all sources of flooding.

Surface water flooding

Flooding that takes place from the 'surface runoff' generated by rainwater or snowmelt which is on the surface of the ground and has not yet entered a watercourse, drainage system or public sewer.

Surface Water Management Plan (SWMP)

A tool to understand, manage and coordinate surface water flood risk between relevant stakeholders.

Sustainable Drainage Systems (SuDS)

A sequence of physical measures for managing rainwater that are designed to mimic natural drainage processes by attenuating and conveying surface water runoff slowly compared to conventional drainage.

Water Framework Directive

The European Water Framework Directive (WFD) came into force in December 2000 and became part of UK law in December 2003. It provides an opportunity to plan and deliver a better water environment, focussing on ecology. The WFD

sets environmental and ecological objectives for all inland and coastal waters in the UK.