

EAST RIDING OF YORKSHIRE

REPORT OF THE
CONSULTATION ON THE
LOCAL FLOOD RISK
MANAGEMENT STRATEGY &
KINGSTON UPON HULL AND
HALTEMPRICE FLOOD RISK
MANAGEMENT PLAN

OCTOBER 2015

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Table 12 - Comments from Natural England on amended HRA Appropriate Assessment Report for the LFRMS (received 10 September 2015)

Section	No.	Response	Officer Comment
Executive Summary para 1.1.5	H42	Remove word 'significant'	The text has been corrected.
Table 2.1 Key Stages	H43	Stage 3 - Replace 'significant effect on' with 'adverse effect'	The text has been corrected.
Table 4.1 Assessment of key vulnerabilities	H44	It would be good to highlight the issues that will be taken forward for further assessment, eg have a yes/no column followed by a column explaining the assessment.	This information has been added to the table.
Table 4.1 Assessment of key vulnerabilities	H45	Hornsea Mere SPA Pre-screening assessment - This is an SPA, what about bird disturbance if the works carried out at the wrong time of year?	The table has been amended to reflect this comment.
Table 4.1 Assessment of key vulnerabilities	H46	Thorne and Hatfield Moors SPA Pre-screening assessment - This is an SPA, what about disturbance to nightjar if work carried out in the breeding season?	The table has been amended to reflect this comment.
Table 4.1 Assessment of key vulnerabilities	H47	Lower Derwent Valley SPA Pre-screening assessment - As this is an SPA, what about bird disturbance if works are carried out at the wrong time of year?	The table has been amended to reflect this comment.
Table 4.1 Assessment of key vulnerabilities	H48	River Derwent SAC Pre-screening assessment - Disturbance to otter and lamprey should be assessed if works in rivers take place.	The table has been amended to reflect this comment.
Table 4.3 Site level mitigation to be developed at project level	H49	Some of these actions are compensation not mitigation, suggest changing the title of column to reflect this. Make it clear in the text that compensation can only take place if IROPI and no alternatives.	The table has been amended to reflect this comment.
Table 4.4 Proposed LFRMS Mitigation Measures	H50	Mitigation for Measure 19 – “Each of the FRMPs produced will be subject to further HRA as a matter of law. Measure 60 of this strategy ensures this” - HRA only needed where appropriate, if they are a long way from an N2K site and there are no mechanisms to affect N2K sites then no HRA needed.	The text has been amended to reflect this comment.

Table 13 - Comments on HRA draft Appropriate Assessment Report for the FRMP

Consultee	No.	Section	Response	Officer Comment
Natural England <i>(received 27/07/15)</i>	H51	Executive Summary	<p>In our response to the HRA screening for the LFRMS our response stated that:</p> <p><i>We have not provided detailed comments on the HaH FRMP HRA as it is difficult to separate out the information that relates to this plan.</i></p> <p>Natural England has not provided comments on the HRA screening of the HaH FRMP and we expect this information to be extracted from the LFRMS document and presented in a separate document. Without this information we cannot comment on whether H13 and H14 are the only measures that need to be taken through to Appropriate Assessment. We do however agree that The Humber Estuary is the only European site that is likely to be affected by the HaH FRMP.</p>	A 'second draft' HRA Screening Report, which included an addendum dealing with screening of the Hull and Haltemprice FRMP measures was provided to Natural England on 3 June 2015. Natural England returned comments on this on 7 July 2015, confirming agreement with its conclusions (see response no. H28 above).
Natural England <i>(received 27/07/15)</i>	H52	N/a	<p>This document jumps straight from table 4.1 which identifies measures which are likely to lead to a significant effect to the section on mitigation and avoidance measures. There should be a section in between which assesses whether any of the measures is likely to have an adverse effect on the integrity of the European site (the main section of the 'appropriate assessment' is missed out). Once these potential adverse effects have been defined then meaningful avoidance/ mitigation measures can be identified; there is no need for a mitigation measure if there is not likely to be an adverse effect.</p>	Noted. The report has been amended to reflect this comment.
Natural England <i>(received 27/07/15)</i>	H53	Table 4.2	<p>Table 4 of the HRA screening document included a useful table which outlined the potential pressures on the European sites and identified those pressures which required further study. We expected this study to be carried out in the Appropriate Assessment and specific mitigation measures identified to protect the European site where the risk was deemed to be significant. Table 4.2 starts the process by identifying the key vulnerabilities for each of the measures, however this should be linked to the key vulnerabilities for the Humber Estuary outlined in table 3.1. More</p>	This information has been added to the report.

Table 13 - Comments on HRA draft Appropriate Assessment Report for the FRMP

Consultee	No.	Section	Response	Officer Comment
			information should be provided on the mechanisms that would potentially result in adverse effect on the features of the Humber Estuary, for example, what activities will result in disturbance to birds and how will this be mitigated? Only works adjacent to the Humber are likely to be disturbing to SPA birds, so applying a generic mitigation measure on all flood defence works within the plan area is not necessary.	
Natural England <i>(received 27/07/15)</i>	H54	4.14	The report as it stands does not provide sufficient detail in order to conclude that there will be no adverse effect on the Humber Estuary European site (not 'no likely significant effects' this is an early stage in the HRA process).	Further detail has been added to the report.
RSPB <i>(received 29/07/15)</i>	H55	N/a	Support Natural England's comments of 27 th July, but also have some additional points.	Noted
RSPB <i>(received 29/07/15)</i>	H56	Table 4.2	The proposed timings in Table 4.2 (avoiding works between October and March) may not be sufficient. Instead, a system needs to be put in place to assess potential maintenance works, their locations and scope and then any potential impacts on SPA birds before setting timings to avoid all sensitive periods. The Humber Estuary SPA is designated for its wintering, breeding and migratory bird interest. On an Estuary-wide scale, this means that works at any time of the year could potentially impact upon the site's designated features, depending on the nature of the works, timings, locations, bird usage of the surrounding areas, etc. A blanket approach such as proposed in Table 4.2 is therefore not appropriate. This could still be done via the development of a maintenance plan, assuming the necessary level of detail is available, but it is a more significant task than simply avoiding October to March.	Table 4.2 has been amended to reflect this comment.
RSPB	H57	Table 4.2	Similar to the point above, the rationale for coordinating small-scale works to limit disturbance is understood. However, if this coordination is not done in the way described above then it could actually lead to greater	Table 4.2 has been amended to reflect this comment.

Table 13 - Comments on HRA draft Appropriate Assessment Report for the FRMP

Consultee	No.	Section	Response	Officer Comment
(received 29/07/15)			impacts by leading to simultaneous works at multiple locations, effectively spreading disturbance impacts across a wider area. This is again manageable through the production of a plan but only if that plan has enough information on both the proposed works and the relevant bird interest to properly assess the issues.	
RSPB (received 29/07/15)	H58	Table 4.2	The treatment of common reed as an invasive, non-native species is incorrect and concerning. The Humber's reedbeds are native and support SPA breeding species as well as numerous SSSI species and form part of the SAC and SSSI habitats. I assume what the consultants are driving at is the colonisation of intertidal areas by common reed and the adverse impacts this can have on more open intertidal habitats and their associated species. However, any plan to control reed would need to be carefully thought out in terms of its potential impacts on the Estuary's designations and their conservation objectives.	Table 4.2 has been amended to reflect this comment.
RSPB (received 29/07/15)	H59	Table 4.2	The water quality issues identified for the SPA are also of relevance (perhaps more so) to the SAC.	Table 4.2 has been amended to reflect this comment.
RSPB (received 29/07/15)	H60	4.9	The list of projects identified for inclusion in the in-combination is very short. This assessment must consider any plan or project that could interact with the FRMP to modify or create new impacts on the designated sites and their habitats/species. The list selected therefore needs further explanation to show how it has been narrowed down to that presented in Paragraph 4.9.	Section 4.9 has been amended to reflect this comment.

Table 14 - Comments from Natural England on amended HRA draft Appropriate Assessment Report for the FRMP (received 26 August 2015)

Section	No.	Response	Officer Comment
Table 4.1 - Humber Estuary SAC – Coastal Squeeze	H61	Maintenance of defences does result in coastal squeeze, however compensation is provided by EA through the Humber FRMS.	Table 4.1 has been amended to reflect this comment.
Table 4.1 - Humber Estuary SAC – Flood Defence Works	H62	This relates to disturbance effects as a result of coastal defence works.	Table 4.1 has been amended to reflect this comment.
Table 4.1 - Humber Estuary SAC – Flood Defence Works	H63	Delete: “Disturbance to qualifying bird species may also occur where works are adjacent to the SPA or functional habitats. E.g that uses as high tide roosts by the qualifying species” and leave in the SPA and Ramsar sections	Table 4.1 has been amended to reflect this comment.
Table 4.1 - Humber Estuary SPA – pre-screening assessment	H64	“Owing to its location in the East Riding of Yorkshire” - Location adjacent to Humber Estuary more significant than being in East Riding.	Table 4.1 has been amended to reflect this comment.
Table 4.1 - Humber Estuary SPA – pre-screening assessment	H65	Disturbance to birds may occur where construction or maintenance activities take place in close proximity to wintering or breeding populations or to areas of functional habitat <u>on the landward side of flood defences.</u>	Table 4.1 has been amended to reflect this comment.
Humber Estuary Ramsar – pre-screening assessment	H66	“Owing to its location in the East Riding of Yorkshire” - Location adjacent to Humber Estuary more significant than being in East Riding.	Table 4.1 has been amended to reflect this comment.
Table 4.1 - Humber Estuary Ramsar – pre-screening assessment	H67	Disturbance to birds may occur where construction or maintenance activities take place in close proximity to wintering or breeding populations or to areas of functional habitat <u>on the landward side of flood defences.</u>	Table 4.1 has been amended to reflect this comment.
Table 1.2: Assessment of Likely Significant Effects	H68	As section 4 is the appropriate assessment, either this table should come in earlier section or it should be renamed ‘assessment of adverse effects’.	Table 4.2 has been amended to reflect this comment.
Table 1.2: Assessment of Likely Significant Effects -	H69	Not all the potential adverse effects have been identified, eg bird disturbance and coastal squeeze.	Table 4.2 has been amended to reflect this comment.

Table 14 - Comments from Natural England on amended HRA draft Appropriate Assessment Report for the FRMP (received 26 August 2015)

Section	No.	Response	Officer Comment
Measure H13			
Table 4.3: Mitigation Measures – key vulnerabilities for Measure H13	H70	What aspects of ‘flood defences works’ are key vulnerabilities? Disturbance to birds?	Table 4.3 has been amended to reflect this comment.
Table 4.3: Mitigation Measures – mitigation for Measure H13	H71	As you know which part of the estuary is affected, you can identify which birds are likely to be present from webs counts. Some SPA birds not likely to be on this frontage. Key species will include redshank and turnstone for Hull frontages and golden plover, lapwing and curlew if there are using fields behind the defences which as supporting habitat. You may then be able to identify the key periods for these birds which should be avoided during maintenance works.	Table 4.3 has been amended to reflect this comment.
Table 4.3: Mitigation Measures – key vulnerabilities for Measure H13	H72	Add in coastal squeeze. EA will provide compensation.	Table 4.3 has been amended to reflect this comment.
Table 4.3: Mitigation Measures – mitigation for Measure H13	H73	Himalayan Balsam isn’t an HRA issue, could be an SSSI issue.	Table 4.3 has been amended to reflect this comment.

I.2. Environment Agency feedback on statutory compliance

Review criterion	EA Comment	Officer comment
General	It is noted that the FRMP and the LFRMS have been developed together. Whilst we wish to be pragmatic and acknowledge that the two documents are linked, but we also need to ensure the legislation is met within the FRMP and can be used to collate for future reporting requirements for Europe and nationally for Defra/the Minister.	At the meeting on 24 March it was agreed that relevant information from the LFRMS and FRMP will be collated in a format that will assist the EA in reporting to Europe and to Defra on compliance with the EU Floods Directive / Flood Risk Regulations 2009.
Information for flooding from surface water, groundwater and ordinary watercourses, and map of the flood risk area.	Information on modelled and observed risks are set out in section 3 of the Plan report. This has been met entirely.	Noted.
Drawing conclusions from flood hazard and flood risk maps.	Section 3 includes a discussion of the evidence and risks, with section 3.11 is summary of those risks. This has been met entirely.	Noted.
Information needed for 'objectives for managing flood risk' <ol style="list-style-type: none"> 1. LLFAs developing FRMPs need to define risk management objectives, and state these within the FRMP. These should follow on from the conclusions so that stakeholders can appreciate the logical journey from 'risk' or 'opportunity' to 'objectives'. 2. In setting the objectives, the person preparing the plan must have regard to the desirability of – reducing the adverse consequences of flooding for human health, economic activity or the environment, and reduce the likelihood of flooding. 	Objectives are set out in Section 4, in reference to the list of measures. This has been met partially, but have the following recommendation: The objectives as they are currently presented within the FRMP are copied from the Local Flood Risk Management Strategy, and the story of how they have evolved and are informed by the flood risk evidence to an opportunity is within the LFRMS. There needs to be some commentary about this within the FRMP to demonstrate that the Plan meets the requirements of the FRR, and to meet points 1 and 2 opposite.	The FRMP document will be amended to give further explanation of how the objectives set out in the LFRMS are aimed at addressing the flood risk issues across the East Riding, including those in the FRMP area. Inclusion of a table indicating which LFRMS objective relates to each flood risk issue identified will help this.

<p>Measures for achieving objectives - information format needed for reporting to EU</p> <p>In determining the proposed measures for achieving the objectives, the person preparing the plan must have regard to:</p> <ol style="list-style-type: none"> 1. The costs and benefits of different methods of managing the flood risk; 2. The information included in the flood hazard map and the flood risk map; 3. The river basin management plan for the area; 4. The effect of floodplains that retain flood water; 5. The environmental objectives, within the meaning of regulation 2 of the Water Environmental Regulations, and 6. The likely effect of a flood, and of different methods of managing a flood, on the local area and the environment. <p>FRMP measures should be prioritised in the context of risks, opportunities, costs and benefits (FRMP development does not guarantee the delivery of specific measures, but the plans do inform the established prioritisation and investment processes).</p> <p>Key information required for reporting is:</p> <ol style="list-style-type: none"> 7. The Floods Directive describes risk management measures as: protection, preparedness, prevention, recovery and review. Each measure must also be categorised according to the <u>coded list in the EU Reporting Scheme</u>. For each river basin district this will be reported to the European Commission via the Environment Agency in March 2016. 8. Measure location is a mandatory requirement for reporting to Europe, so the location or place name of each measure needs to be stated. 	<p>Measures are set out in section 4.2.</p> <p>It's clear that the costs and benefits have been considered. In the supporting text for those actions where this is particularly relevant ("Protection" type measures) costs and the areas of communities benefiting have been explained.</p> <p>There is some reference to WFD in Measure H20, but this doesn't currently link to the objectives or measures with the RBMP.</p> <p>Currently the measures are not clearly prioritised, but there are expected timescales included as appropriate.</p> <p>The EU code is included for each action.</p> <p>Measure location is included where it is specific/targeted to a community within the FRMP area.</p> <p>Timetable/deadlines are given for delivery of most measures, where this is known</p> <p>This is partially met, and have the following recommendations:</p> <p>Improve the links with the RBMP, and leave open opportunities to link measures from the FRMP with the RBMP as they are developed through the next cycle. This should include revising the wording of measure H20 to link with the relevant objective in the RBMP. Considered expanding this, or creating a new measure to link with RBMP objectives that aims to mitigate physical modifications as well as manage water quality. This would fit with the reasons for failure in this Operational catchment as well as the risk from the types of measures proposed.</p> <p>Provide some information on relative priority of the measures. The EAs FRMPs include a standard reference to address this requirement. Use of the same approach would address this area.</p> <p>Where a measure is relevant across the FRMP area, this should be clarified</p>	<p>Greater reference to the Humber RBMP measures will be added to the supporting text for Measure H20.</p> <p>Reference to the priority of each measure, its spatial relevance, implementation date / planning cycle and status will be added to both documents alongside each measure.</p>
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<p>9. The ‘timetable’ of each measure is required in addition (which planning cycle - 2015-21, 2021-2027, 2027-2033, 2033-2039, 2039+).</p> <p>10. Status (not Started, on-going; ongoing construction; complete)</p> <p>11. Each measure should state the lead organisation if different risk management authorities are listed (named RMAs e.g. Environment Agency, LLFA, Water Company etc).</p>	<p>Ensure a “timetable” is given for each measure</p> <p>Status needs to be provided, and clarity for all measures (though it is included on many) as to who the lead organisation is.</p>	
<p>Monitoring of FRMP Measures</p> <p>So that we can monitor and report to Europe in a concise way the Environment Agency would like to include the measures of separately produced FRMPs (in England) in the online database that is home to all of the other risk management authority measures. The information required to populate the database is included below in the table. The Environment Agency intend to report on progress with the measures on an annual basis, and would like to include the LLFA measures in this annual report.</p>	<p>Monitoring and review are with section 4.3 of the report.</p> <p>This is partially met, and have the following recommendations:</p> <p>This was discussed at our meeting 24th March.</p> <p>The EA committed to providing a list of the fields that we will be reporting on Nationally and will be required for annual reporting. Not all the information required to populate the database is not currently included in the documents, but the discussion we had suggested this can be collated. We therefore agreed that if ERYC could provide this that EA PSO team could upload the annual report data from ERYCs H and H FRMP to Asite to form part of the national picture.</p> <p>For clarity of how the indicators link to the objectives it is recommended that the objectives are added to Table 7, and that the same measure references are included in this table as are used in section 4.2</p>	<p>Noted. The objectives will be added to Table 7 as requested, and the measure references updated.</p>

<p>Consulting with other organisations and the public</p> <ul style="list-style-type: none"> • LLFAs developing FRMPs must consult all relevant bodies listed under section 36 (3) of the <u>Flood Risk Regulations 2009</u> and the public; • LLFA FRMPs should state what consultation has been done and which plans have been used to determine objectives and measures. 	<p>The consultation has been done for the public and all partners for a 6 week period, ending 10th April.</p> <p>This is partially met, and have the following recommendations:</p> <p>The final report should include a statement on this, and how the responses received in the consultation have been addressed.</p>	<p>This document: “A Report of the Consultation on the Local Flood Risk Management Strategy” sets out the details of the public consultation on the draft documents and how the responses are being taken into account in developing the final versions.</p>
<p>Meeting wider environmental requirements – coordinating with river basin management planning</p> <p>LLFAs developing FRMPs, where they consider appropriate shall include information in its measures that are co-ordinated with river basin management plans (RBMPs). These plans are currently out for consultation and can be accessed via the gov.uk web site. In particular, the FRMPs may:</p> <ul style="list-style-type: none"> • provide an assessment at the administrative boundary scale (high level), to assess any change to water bodies. • consider if proposed measures prevent future improvement (e.g. restoration) • identify opportunities that might improve <u>Water Framework Directive objectives</u> and improve ecological status (taking positive action) 	<p>There is reference to the RBMP and WFD in the FRMP document, and the SEA</p> <p>This is partially met, and have the following recommendations:</p> <p>There is not currently a WFD assessment at the LLFA or FRMP level. An assessment should consider the reasons for failure and classification data. This data is available to Local Authorities and if you don’t have it, it can be provided on request.</p> <p>The Assessment can then be used to address the recommendations here and in section 8 to identify opportunities - for waterbody improvements - or risks - to providing future restorations to address the reasons for failures.</p>	<p>The draft FRMP document does reference the WFD classifications of water bodies in the FRMP area in Section 2.5 (the Humber Estuary and Hesse Fleet Drain). Section 3.11 refers to the Humber RBMP’s priorities for the ‘Lower Hull Catchment’ (which includes the FRMP area), pointing out that it does not propose any specific measures for the water bodies in the FRMP area, but that it does state it is essential for flood risk management works in this catchment to be linked to projects that can contribute to improving the status of the water bodies. The current failure of water bodies in achieving ‘good status’ is highlighted as a key issue in Section 3.11 and Measure H20 is intended to support the RBMP in this respect. The supporting text refers to specific schemes for which WFD opportunities are being or will be considered.</p>
<p>How were the SEA requirements considered and met?</p> <p>Consider undertaking an SEA of the impacts of the measures proposed in the FRMP. The plan must have consideration of the Habitats Regulations.</p>	<p>This hasn’t been met.</p> <p>The SEA is complete. The final FRMP report needs to reference the recommendations from the SEA and make the relevant changes to measures, or explain how the measures should come forward for delivery to meet those recommendations.</p> <p>This was discussed at our meeting 24th March. We understand that making the link between the SEA and the Plan is already proposed</p>	<p>Noted. The final versions of the LFRMS and FRMP will refer to the SEA and HRA.</p>

Table 16 - Interim Environment Agency feedback on compliance with the Flood Risk Regulations (received 7 September 2015).

Review criterion	EA Comment	Officer comment
<p>Information for flooding from surface water, groundwater and ordinary watercourses, and map of the flood risk area</p> <p>In preparing a FRMP, LLFAs should use information from their <u>local flood risk management strategies (LFRMS)</u> and/or <u>surface water management plans</u>. They should consider whether this gives them the opportunity to refresh their LFRMS with information from the latest flood hazard and flood risk maps or other information which has become available since their development. They should take account of any planned changes to risk and receptors linked to any re/development identified in local spatial plans, including any associated opportunities to manage risk.</p> <p>Other sources of information include:</p> <ul style="list-style-type: none"> • surface water management plans • relevant proposals included in the <u>Medium Term Plan in England</u> • measures progressed by third parties • new measures identified as part of ongoing project planning work • catchment flood management plans and, where relevant, FRMPs produced for other risk management authorities. 	<p>Information on modelled and observed risks are set out in section 3 (pages 13 to 32) of the Plan report.</p> <p>There are no further recommendations</p>	<p>Noted</p>
<p>FRMPs: drawing conclusions from flood hazard and flood risk maps.</p> <p>In developing conclusions, LLFAs developing FRMPs should:</p> <ol style="list-style-type: none"> 1. include a map of the flood risk area and related authority boundaries; 2. consider all flood risk sources, and whether multiple flood sources might interact; 	<p>Section 3 includes a discussion of the evidence and risks, with section 3.10 (page 27 to 31) is summary of those risks</p> <p>There are no further recommendations</p>	<p>Noted</p>

<p>3. consider flood risk in terms of sources, pathways and receptors, and flow routes;</p> <p>4. consider flood risk, in terms of historic flooding and the probability and consequence of flooding - for example, which properties, services or environmental resources are at risk, and what the likely flood probability and impact severity of these might be.</p>		
<p>FRMPs: information needed for ‘objectives for managing flood risk’</p> <p>3. LLFAs developing FRMPs need to define risk management objectives, and state these within the FRMP. These should follow on from the conclusions so that stakeholders can appreciate the logical journey from ‘risk’ or ‘opportunity’ to ‘objectives’.</p> <p>4. In setting the objectives, the person preparing the plan must have regard to the desirability of – reducing the adverse consequences of flooding for human health, economic activity or the environment, and reduce the likelihood of flooding.</p>	<p>Following the exploration of flood risk in the FRMP area and the main areas of risk in section 3, the key flood risk issues are set out in section 4. This leads on to Section 5 where the Objectives are clearly set out , with Table 6 (page 37) cross-referencing these Objectives to the key flood risk issues list, clarifying the logic of the Objectives, and leading on to the opportunities – the measures that will deliver these objectives. This suggests a logical journey as described.</p> <p>The objectives listed have reference to the consequences of flooding on health, the economy (rural and urban) and the environment.</p> <p>There are no further recommendations</p>	<p>Noted</p>
<p>Measures for achieving objectives - information format needed for reporting to EU</p> <p>In determining the proposed measures for achieving the objectives, the person preparing the plan must have regard to:</p> <p>12. The costs and benefits of different methods of managing the flood risk;</p> <p>13. The information included in the flood hazard map and the flood risk map;</p> <p>14. The river basin management plan for the</p>	<p>Measures are set out in section 5.2 (page 37).</p> <p>It’s clear that the costs and benefits have been considered. In the supporting text for those actions where this is particularly relevant (“Protection” type measures) costs and the areas of communities benefiting have been explained.</p> <p>There is reference to WFD in Measure H20, but this doesn’t currently link to the objectives or measures with the RBMP. However, opportunities are left open to link measures from the FRMP with the RBMP and its objectives as both</p>	<p>Noted. Table 7 has been amended to identify how the measures link with other objectives in the LFRMS, demonstrating that all of the LFRMS objectives are addressed through measures within the FRMP, either directly or indirectly.</p>

<p>area;</p> <ol style="list-style-type: none"> 15. The effect of floodplains that retain flood water; 16. The environmental objectives, within the meaning of regulation 2 of the Water Environmental Regulations, and 17. The likely effect of a flood, and of different methods of managing a flood, on the local area and the environment. <p>FRMP measures should be prioritised in the context of risks, opportunities, costs and benefits (FRMP development does not guarantee the delivery of specific measures, but the plans do inform the established prioritisation and investment processes).</p> <p>Key information required for reporting is:</p> <ol style="list-style-type: none"> 18. The Floods Directive describes risk management measures as: protection, preparedness, prevention, recovery and review. Each measure must also be categorised according to the <u>coded list in the EU Reporting Scheme</u>. For each river basin district this will be reported to the European Commission via the Environment Agency in March 2016. 19. Measure location is a mandatory requirement for reporting to Europe, so the location or place name of each measure needs to be stated. 20. The ‘timetable’ of each measure is required in addition (which planning cycle - 2015-21, 2021-2027, 2027-2033, 2033-2039, 2039+). 21. Status (not Started, on-going; ongoing construction; complete) 22. Each measure should state the lead organisation if different risk management authorities are listed (named RMAs e.g. Environment Agency, LLFA, Water Company etc). 	<p>developing the way they deliver through the next cycle.</p> <p>The measures include information about their priority were this is indicated as high, also expected timescales for the delivery of the measures are included.</p> <p>The Status and EU code is included for each action, as well as the lead organisation.</p> <p>Measure location is included were it is specific/targeted to a community within the FRMP area. Where a measure is relevant for the whole FRMP area this is stated</p> <p>It is noted that there appear to be objectives listed is in table 7 (page 50), which there are no measures to help deliver. We would advise ERYC to consider whether this is appropriate, or whether in fact there are measures that deliver more than one objectives. They should look to avoid having actions that do not have measures to deliver them.</p> <p>There are no further recommendations</p>	
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<p>Monitoring of FRMP Measures</p> <p>So that we can monitor and report to Europe in a concise way the Environment Agency would like to include the measures of separately produced FRMPs (in England) in the online database that is home to all of the other risk management authority measures. The information required to populate the database is included below in the table. The Environment Agency intend to report on progress with the measures on an annual basis, and would like to include the LLFA measures in this annual report.</p>	<p>Monitoring and review details are with section 6 of the report.</p> <p>Table 7 (page 50) sets out how these measures deliver each objectives, and which indicators will be used to show progress and the benefits of the delivery of each measure.</p> <p>As documented in the Consultation document we have agreed with ERYC an approach to reporting</p> <p>There are no further recommendations</p>	<p>Noted</p>
<p>Consulting with other organisations and the public</p> <ul style="list-style-type: none"> • LLFAs developing FRMPs must consult all relevant bodies listed under section 36 (3) of the <u>Flood Risk Regulations 2009</u> and the public; • LLFA FRMPs should state what consultation has been done and which plans have been used to determine objectives and measures. 	<p>The consultation has been done for the public and all partners for a 6 week period, ending 10th April.</p> <p>ERYC have drafted, and it's expected that this will be published with the final FRMP and LFRMS. This sets out all the comments made on the plans and what action has been done to address the issues raised.</p> <p>The FRMP sets out the different plans and evidence that have informed the development in this area that have been used to inform the list of objectives and measures in the plan.</p> <p>There are no further recommendations</p>	<p>Noted</p>
<p>Meeting wider environmental requirements – coordinating with river basin management planning</p> <p>LLFAs developing FRMPs, where they consider appropriate shall include information in its measures that are co-ordinated with river basin management</p>	<p>There is reference to the RBMP and WFD in the FRMP document, and the SEA. Failures of waterbodies on the FRMP are highlighted as a Key Issues within section 4, and links to the measures in the RBMP are included in section 3.1o (page 17) . Measure H20 looks to provide enhancements and helps address measures within the RBMP where it can.</p>	<p>Noted</p>

<p>plans (RBMPs). These plans are currently out for consultation and can be accessed via the gov.uk web site. In particular, the FRMPs may:</p> <ul style="list-style-type: none"> • provide an assessment at the administrative boundary scale (high level), to assess any change to water bodies. • consider if proposed measures prevent future improvement (e.g. restoration) • identify opportunities that might improve <u>Water Framework Directive objectives</u> and improve ecological status (taking positive action) 	<p>Consideration of how maintenance can be adapted to support RBMP objectives and measures should also be given as delivery of the plans evolves.</p> <p>There are no further recommendations</p>	
<p>How were the SEA requirements considered and met?</p> <p>Consider undertaking an SEA of the impacts of the measures proposed in the FRMP. The plan must have consideration of the Habitats Regulations.</p>	<p>The SEA and Habitat Regulations Assessment (HRA) (more relevant to the LFRMS element of the documentation) is currently being updated subject to comments made in the consultation period. At the time of this initial Review, the results of this are not available.</p> <p>This is partially met, and have the following recommendations:</p> <p>In the Consultation Document ERYC have given a commitment to including reference to the SEA and HRA in the final FRMP document.</p> <p>Our recommendation is that this commitment is carried out in time for the resubmission of the FRMP in September.</p>	<p>Noted. Information about how SEA requirements and HRA requirements have been considered and met has been included in the final drafts of the LFRMS and FRMP, as well as this Report of the Consultation.</p>

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Andrew McLachlan
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Our ref: NL/FRMP/ERYC/01
Your ref:
Date: 24 September 2015

Dear Andy

Environment Agency review - East Riding of Yorkshire Council Flood Risk Management Plan (FRMP)

We have completed a review of FRMP documents you have submitted to us as required under section 26 (3)a of the Flood Risk Regulations (2009).

The process for this review was agreed with the FRMP Board and East Riding of Yorkshire Council in January 2015, and set out eight key information items which are included in the Flood Risk Regulations (2009).

Our review has taken a number of stages. In July 2015 we carried out a review of the draft documents and made a single recommendation to include reference to the Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) in the final FRMP document. This was seen and agreed by Phil Young on behalf of our Operations Director on 11 August 2015.

In response to our recommendation, you re-submitted the FRMP documents and SEA on the 17 September 2015. I am happy to confirm that the recommendation we made has been taken into account.

Can you ensure the appropriate details of where the FRMP will be published including the web address are provided to us by the 9 October 2015. This will allow us to include the correct links within the Humber-wide FRMP and on the gov.uk website in time for the required publication dates.

Yours sincerely

A handwritten signature in black ink that reads "Neil Longden".

Neil Longden
Flood and Coastal Risk Manager



INVESTOR IN PEOPLE

Contact information

For further information about the Local Flood Risk Management Strategy and associated documents please contact us using the details below.

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