

DFI – NI Flood Risk Management Plan (2021-2027) Timetable & Programme of Works: Public Consultation	26th June 2019
Planning Committee	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Outcome
Leader & Champion	<ul style="list-style-type: none"> • Our Elected Members will provide civic leadership to our citizens, working to promote the Borough as an attractive place to work, invest and visit. • We will establish key relationships with Government agencies and potential strategic partners in Northern Ireland and external to it which helps us deliver our vision for this Council area.
Accelerating our economy and contributing to prosperity	<ul style="list-style-type: none"> • The Council will work with partners to maximise investment funding opportunities from external sources including the NI Assembly, the European Union, the Rural Development Programme and from private sector financing.
Resilient and Healthy Communities	<ul style="list-style-type: none"> • The Council will work to develop and promote stable and cohesive communities across the Borough.
Protect the environment in which we live	<ul style="list-style-type: none"> • All environments in the area will benefit from pro-active decision making which protects the natural features, characteristics and integrity of the Borough; • Our natural assets will be carefully managed to generate economic and social returns without compromising their sustainability for future generations.
Lead Officer	Local Development Plan Manager
Cost:	N/A

FOR INFORMATION

1.0 Introduction

- 1.1 The Department for Infrastructure (DFI) published a Consultation on a Draft Timetable and Work Programme for the preparation of the Northern Ireland Flood Risk Management Plan (FRMP) 9th January 2019 (see Appendix 1).

2.0 Background

- 2.1 The European Directive on the Assessment and Management of Flood Risks (2007/60/EC), known as the “Floods Directive”, came into force on 26 November 2007 (transposed as the Water Environment (Floods Directive) Regulations (NI) 2009).

- 2.2 The Floods Directive requires Member States to establish a framework for managing flood risk that is aimed at reducing the adverse consequences of flooding on human health, the environment, cultural heritage and economic activity. This will help to mitigate the impacts of flooding in areas where potential significant flood risk exists or might be likely to occur. It also helps the Department prioritise investment in measures to reduce flood risk where it will have most impact.
- 2.3 Flood Risk Management Plans address the risk from the following significant flood sources:
- Rivers (fluvial);
 - The Sea (coastal); and
 - Surface water (pluvial) – which is caused by heavy rainfall that overwhelms the natural or engineered drainage systems.
- 2.4 The draft timetable and work programme outlines the preparation of the plan, details the key deliverables and their deadlines and provides a statement on the consultation measures to be taken with stakeholders and the public.
- 2.5 This will enable the Department to progress development of the 2021-27 Flood Risk Management Plan to address all aspects of flood risk management including prevention, protection and preparedness.
- 2.6 It is envisaged that the review of existing flood hazard and flood risk maps for all Areas of Potentially Significant Flood Risk (APSFR) will be complete by the end December 2019.
- 2.7 The Draft FRMP and associated Strategic Environmental Assessment (SEA) will be published by the end of December 2020 for consultation.
- 2.8 The final FRMP is due to be published at the end of December 2021 and will be submitted to the European Commission (subject to Brexit arrangements) in March 2022.
- 2.9 The closing date for receipt of comments to the proposed Timetable and Programme of Works is 28th June 2019.
- 2.10 Given that this consultation documents relates only to the proposed timetable and work programme, the Council's Planning Section would have no comment to make at this stage.

3.0 Financial Implications

- 3.1 None.

4.0 Other Implications

- 4.1 None.

5.0 Recommendation

- 5.1 **IT IS RECOMMENDED** that Members note the content of the attached consultation document.

Appendix 1: Northern Ireland Flood Risk Management Plan - Draft Timetable and Work Programme



Department for
Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Timetable and Work Programme for the Preparation of the Northern Ireland Flood Risk Management Plan (2021 – 2027)

DECEMBER 2018



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This document is produced in compliance with Article 19(1)(a) of The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009 which states:

The Department shall, ... not less than three years before the beginning of the period to which the plan is to relate, publish a timetable and work programme for the preparation of the plan, including a statement of the consultation measures to be taken....

How to Respond

We would welcome your comments on the draft Timetable and Work Programme for the NI Flood Risk Management Plan (2021-2027). A Consultation Response Form (CRF) has been developed to assist you in commenting on the content of the draft Timetable and Work Programme for the NI Flood Risk Management Plan (2021-2027).

The CRF can be accessed online at www.infrastructure-ni.gov.uk/consultations/timetable-and-work-programme and should be completed in association with this consultation document.

Anyone unable to respond by e-mail should complete the Appendix C - Consultation Response Form (CRF) and post responses to:

Department for Infrastructure (DfI)
Water and Drainage Policy Division
Room 1-22, Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB

Further Information

Hard-copies of this document are available on request, and an electronic copy of this document can be found at www.infrastructure-ni.gov.uk/consultations/timetable-and-work-programme

Freedom of Information Act 2000 - Confidentiality of Responses

The Department may publish a summary of responses following the closing date for receipt of comments. Your response, and all other responses to this publication, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of responses as this will give you guidance on the legal position about any information given by you in response to this publication.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this publication, including information about your identity, should be made public or treated as confidential. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- The Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided.
- The Department should not agree to hold information received from third parties 'in confidence' which is not confidential in nature.

- Acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

The information you provide in your response to this consultation, excluding personal information, may be published or disclosed in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004 (EIR).

If you want the information that you provide to be treated as confidential, please tell us why, but be aware that, under the FOIA, we cannot guarantee confidentiality.

For information regarding your personal data, please refer to the DfI Privacy Notice at www.infrastructure-ni.gov.uk/dfi-privacy.

For further details on confidentiality, the FOIA and the EIR please refer to www.ico.org.uk

What will happen next?

A summary of responses may be published on the DfI website at the following link www.infrastructure-ni.gov.uk/consultations/timetable-and-work-programme after the closing date for receipt of comments.

1. Introduction

1.1 The European Directive on the Assessment and Management of Flood Risks (2007/60/EC), known as the Floods Directive, came into force on 26 November 2007. This was transposed into domestic law through The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009 which came into operation on 14 December 2009. The Floods Directive requires Member States to establish a framework for managing flood risk that is aimed at reducing the adverse consequences of flooding on human health, the environment, cultural heritage and economic activity.

1.2 The Floods Directive Regulations required that the 2011 Preliminary Flood Risk Assessment (PFRA) for river basin districts was reviewed by December 2018. This review has been carried out using the most readily derivable flood risk information and the Northern Ireland Flood Risk Assessment (NIFRA) 2018 is now available on the DfI website at the following link www.infrastructure-ni.gov.uk/publications/northern-ireland-flood-risk-assessment-nifra-2018

1.3 NIFRA has identified 12 “Areas of Potential Significant Flood Risk” (APSFR) and the location of these areas is highlighted on the map at Appendix A. For each of the APSFR, the Floods Directive Regulations require that flood hazard and flood risk maps are reviewed and, if necessary, updated and made available to the public by December 2019. A Flood Risk Management Plan (FRMP) for the period 2021 – 2027, aimed at reducing the risk of flooding within APSFR, is to be produced and made available for public consultation by December 2020. A further 9 areas have been determined ‘Transitional Areas of

Potential Significant Flood Risk’ (TAPSFR) for continuity of FRMPs and to facilitate implementation of any outstanding commitments arising from delivery of measures and objectives within the 2015 – 2021 FRMPs. These areas are also illustrated on the map at Appendix A.

1.4 The approach to managing the risk of flooding from all significant sources on a catchment basis is being coordinated by the Department, the named competent authority for the Floods Directive. The successful implementation of the Floods Directive will continue to require the active involvement of other Departments, district councils, businesses, voluntary bodies and other stakeholders, including the general public.

2. Purpose

2.1 The purpose of this document is to outline the proposed works programme for preparation of the 2021- 2027 Flood Risk Management Plan, detail the key deliverables and their deadlines and to provide a statement on the consultation measures to be taken with stakeholders and members of the public.

3. Objectives

3.1 The purpose of the Floods Directive is to assess and manage the risks that floods pose to human health, the environment, cultural heritage and economic activity. This assessment is an ongoing process which is subject to six yearly review and update in accordance with the Directive.

3.2 The 2011 PFRA identified areas with a potentially significant risk of flooding and formed the basis on which the first cycle of FRMPs were developed in 2015. The current FRMPs have established

appropriate objectives for the management of flood risks within the APSFR. The plans address all aspects of flood risk management and focus on prevention, protection and preparedness. The plans also take into account the characteristics of the particular river basin district and may include the promotion of sustainable land use practices, the improvement of water retention as well as the controlled flooding of certain areas.

3.3 FRMPs address the risk from the following significant flood sources:

- Rivers (fluvial),
- The sea (coastal), and
- Surface water (pluvial) - which is flooding caused by heavy rainfall that overwhelms the natural or engineered drainage systems.

3.4 In preparing FRMPs, account is taken of other relevant aspects such as cost and benefits, flood extent and conveyance routes, areas which have the potential to retain flood water such as natural flood plains, the environmental objectives of the Water Framework Directive, soil and water management, spatial planning, land use, likely impact of climate change, nature conservation and navigation or port infrastructure.

3.5 Effective coordination with the Water Framework Directive which came into force through The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003, is important in implementing the Directive. The development of River Basin Management Plans under the Water Framework Directive and the FRMPs under the Floods Directive are elements of integrated river basin district management. The coordination of these plans and the associated public

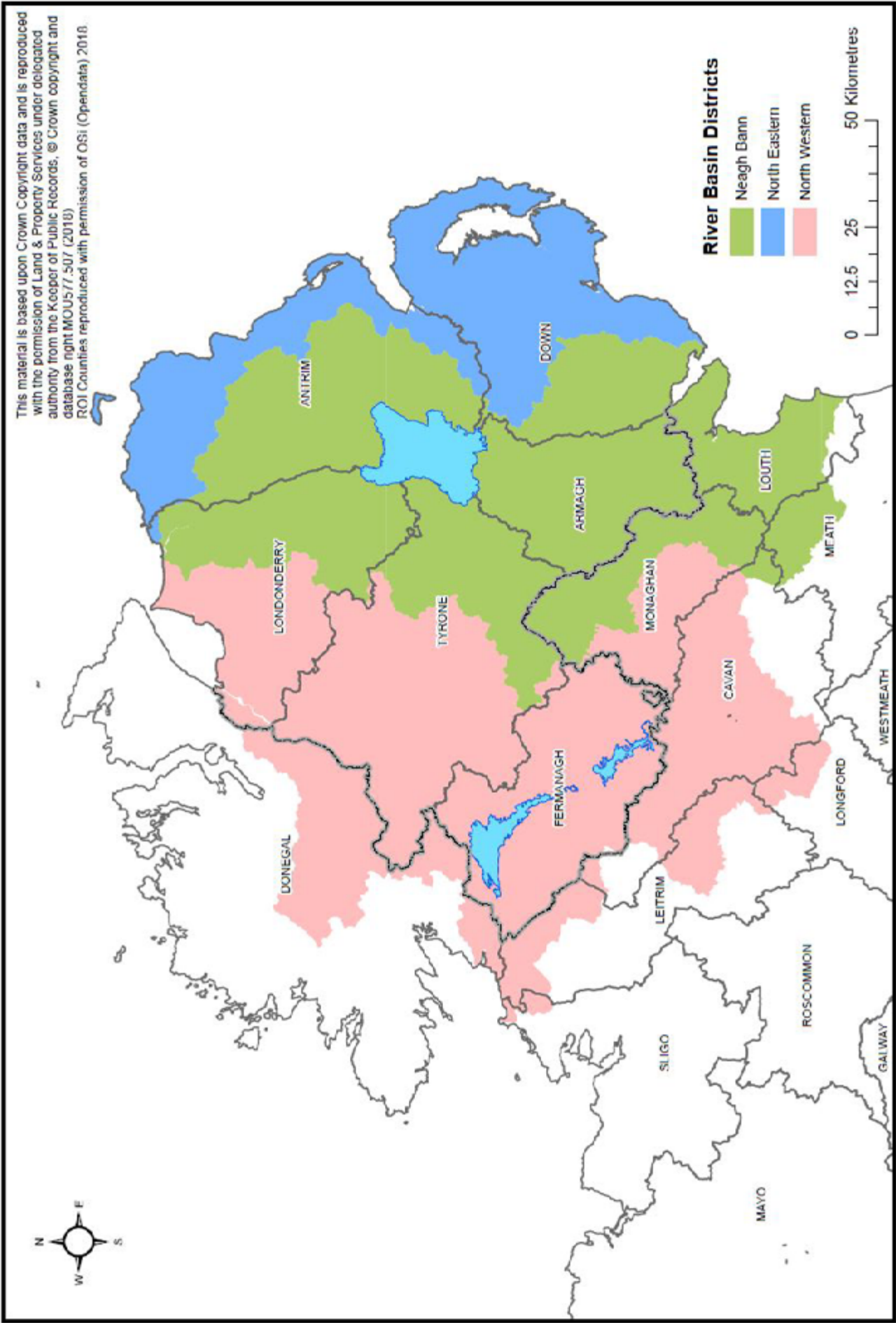
participation in their preparation continues to create opportunities to manage flood risk on a catchment basis in a manner that makes a positive contribution to the water environment.

3.6 To facilitate the effective coordination of water management, the plans required by both Directives are produced for common geographical areas known as River Basin Districts (RBDs). Northern Ireland has one internal River Basin District (North Eastern) and shares three International River Basin Districts (IRBDs) with the Republic of Ireland (North Western, Neagh Bann, Shannon). It is important to note that there are only a few square kilometers of the Shannon IRBD located within Northern Ireland. As there are no flood risk concerns within or arising from this small area it has been determined that there is no practicable reason to produce a FRMP for the portion of the Shannon IRBD that falls within Northern Ireland's territory. This IRBD is therefore not shown in **Figure 1**.

3.7 This programme of work is designed to review the existing FRMPs and to establish a Northern Ireland Flood Risk Management Plan for the period 2021-2027. It is to be completed and published by 22 December 2021 and shall if necessary, be updated every six years thereafter.

3.8 The content of a FRMP is set out in Schedule 3 of the Floods Directive Regulations and is included in Appendix B of this document for ease of reference.

Figure 1: Northern Ireland River Basin Districts



4. Trans-boundary Harmonisation within IRBDs

4.1 The Floods Directive Regulations requires Northern Ireland to harmonise plans for the three cross-border IRBDs with competent authorities in the Republic of Ireland. This is essential to ensure that any flood mitigation measures proposed by Northern Ireland do not significantly increase the flood risk in the Republic of Ireland and vice versa. To facilitate cooperation and coordination, DfI and the Office of Public Works have established the following main points of contact:

- Office of Public Works (OPW) / DfI Cross Border Implementation Group – staff at a senior level meeting to discuss flood risk management policy issues of mutual interest;
- DfI / OPW Operations Group – established to discuss cross-border operational flood risk management issues of mutual interest; and
- National Floods Directive Coordination Group – DfI have a position on this Steering Group which is expected to continue to operate during the 2nd cycle.

We consider that these three fora will be sufficient to maintain the necessary cooperation and coordination and enable resolution of any cross-border issues that may arise during the 2nd cycle of the Floods Directive.

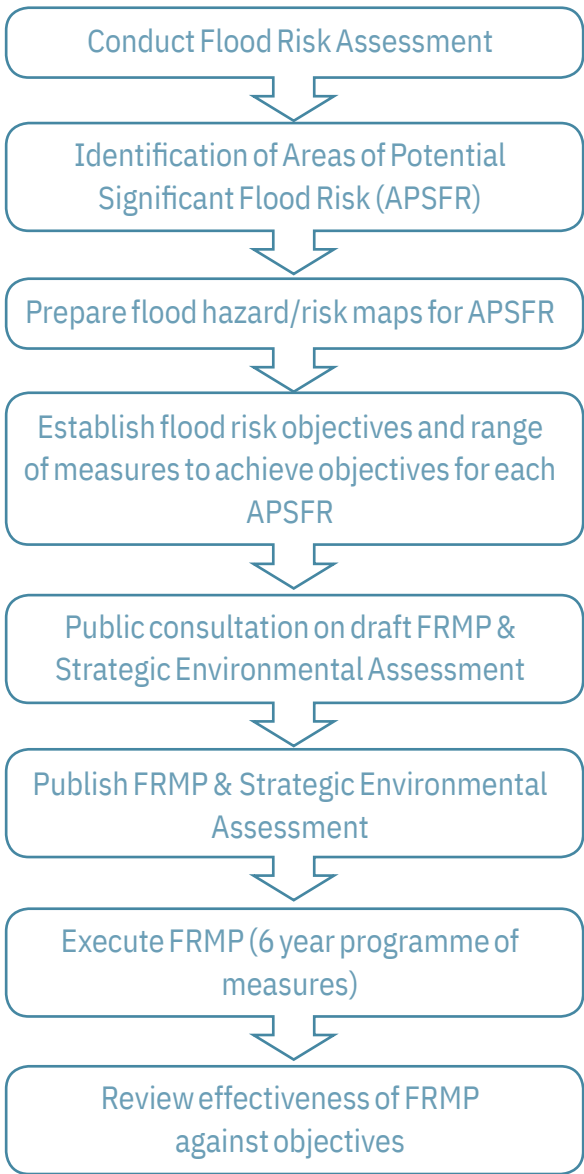
5. Working within Europe

5.1 The UK and the Republic of Ireland are actively involved with work being undertaken in Europe through the framework of the Common Implementation Strategy (CIS). As part of the CIS, the European Commission established Working Group ‘F’ on Floods to support the successful and effective implementation of the Directive. The aim of Working Group ‘F’ is to ensure that there is a common understanding and approach to the technical challenges of the Directive and also to facilitate information exchange between Member States and stakeholders on good practices. Northern Ireland is represented by a senior official at all Working Group ‘F’ meetings. Any issues arising from Brexit will be addressed as appropriate. However, as the requirements under the EU Floods Directive have already been transposed into NI law, there is unlikely to be any major change in approach for the foreseeable future.

6. Flood Risk Management Planning Cycle

6.1 There are a number of distinct steps to be taken in the production of a FRMP. The flowchart at **Figure 2** illustrates the logical sequence of activities in the development cycle for FRMPs.

Figure 2: FRMP Development Cycle



7. Consultation and Engagement

- 7.1** The successful implementation of the Floods Directive requires effective communication, cooperation and coordination across a number of government departments, agencies, councils and NI Water. The Flood Strategy Steering Group provides the strategic direction for the implementation of the Floods Directive and comprises representatives from all of the key central and local government stakeholders with an involvement in flood risk management, from the perspective of flood prevention protection or preparedness.
- 7.2** The Floods Directive Regulations specifically require the active involvement of interested parties in the production of FRMPs and also for coordination with those interested parties to the Water Framework Directive. The main channels for stakeholder involvement shall be through the Floods Directive Technical Stakeholder Group (FDTSG) which is chaired by DfI Water and Drainage Policy Division.
- 7.3** The FDTSG was established in 2016 to plan, organise and progress work associated with the delivery of the 2nd Cycle of FRMPs. In addressing the various requirements of the Directive and associated flood risk management issues, the involvement of a wide range of stakeholders will be encouraged, including government departments, local councils, statutory environmental bodies, NGOs, fishery interests, industry, utility providers and the general public.
- 7.4** Public consultation on the FRMP will ensure that everyone who may be affected by flooding has the opportunity to influence and contribute to the development of the FRMP.

7.5 In broad terms, the consultation exercise will:

- raise the general awareness of flooding and explain the context for the FRMP and how this will be a vehicle for managing ‘significant’ flood risk;
- create the opportunity for all groups, organisations and individuals to share their knowledge and experience of local flooding with decision makers; and
- contribute to the development of the FRMP which contains appropriate, affordable solutions to reduce flood risk and support the environmental objectives of the Water Framework Directive.

7.6 The public consultation shall be advertised on the DfI Website as well as in regional newspapers. Local political representatives will be notified separately.

8. Proposed Timetable and Work Programme

Key Activity	Deadline
Publication of Timetable and Work Programme for the Preparation of the Northern Ireland Flood Risk Management Plan (FRMP) (2021 – 2027).	22 nd December 2018
Review existing flood hazard & flood risk maps for all Areas of Potential Significant Flood Risk (APSFR)	22 nd December 2019
Publication and consultation on draft FRMP and associated Strategic Environmental Assessment (SEA)	22 nd December 2020
Publication of the Northern Ireland FRMP (2021 – 2027) and SEA	22 nd December 2021
Submission of FRMP to European Commission (Note: Subject to Brexit arrangements)	22 nd March 2022

9. Key Deliverables of the Directive

9.1 Publication of Timetable and Work Programme for the Preparation of the FRMP:

This document is produced in compliance with Article 19(1)(a) of The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009 which states:

The Department shall, not less than three years before the beginning of the period to which the plan is to relate, publish

a timetable and work programme for the preparation of the plan, including a statement of the consultation measures to be taken...

9.2 Review of Flood Hazard and Flood Risk Maps for all APSFR

The Directive requires the preparation of flood hazard and flood risk maps for all significant sources of flooding within the APSFR. These flood hazard and flood risk maps are important visual tools to communicate flood risk to different target groups including for example; drainage and sewerage providers, flood emergency response planners and responders, infrastructure operators, developers, land-use planners, the business community and the broader general public.

The flood hazard maps illustrate the geographical area which could be inundated by floods which have a low, medium or high likelihood of occurrence. For each of these scenarios, the flood hazard maps also show the extent of the flood, the water depth or level and, where appropriate, the flow velocity or water flow.

The flood risk maps are intended to show the potential adverse consequences in terms of the number of inhabitants, the type of economic activity, the potential release of pollutants from certain industrial installations and environmentally sensitive areas protected by environmental legislation.

A review and if necessary, update of each Flood Hazard and Flood Risk Mapping is to be completed by 22 December 2019. The maps are subject to review and update, if necessary, every six years thereafter.

9.3 Publication of Draft Flood Risk Management Plan

The Draft FRMP is to be published for public consultation by 22 December 2020. The Plan will be coordinated with the respective plans produced by the Republic of Ireland to take account of any trans-boundary flood risk aspect for geographic areas lying within the International RBDs.

The FRMP will address all aspects of flood risk management and describe the:

- objectives set for the management of flood risks within the APSFR;
- measures identified for achieving these objectives; and
- the priority to be given to implementing each measure.

Full details of the matters to be included in each FRMP can be found in Appendix B.

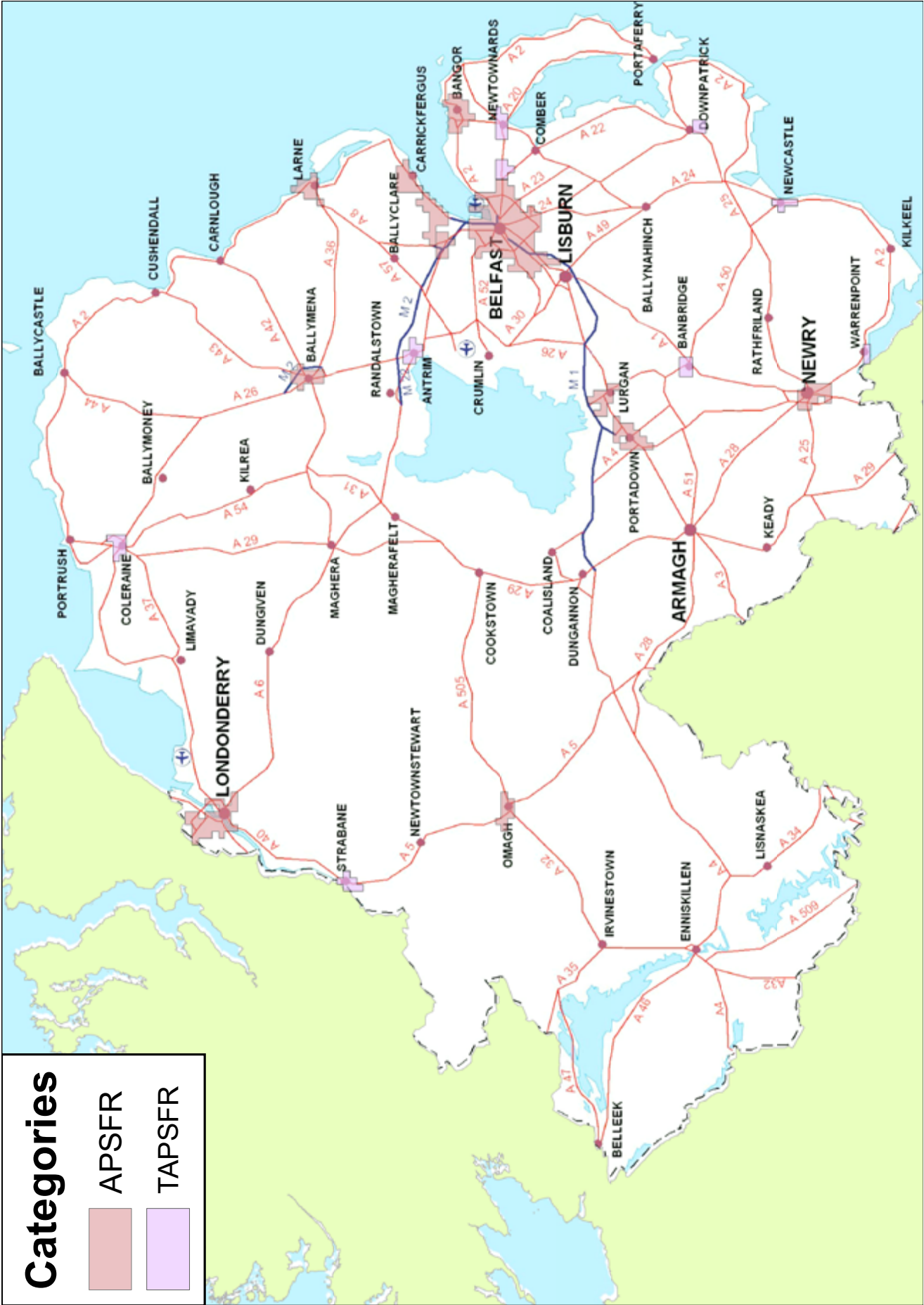
9.4 Publication of the Review of Flood Risk Management Plans

The review of FRMPs is to be finalised and published by 22 December 2021. The plans will contain a summary of the public information and consultation measures taken in connection with its preparation and any changes made in light of the views and representations received on the draft plan.

9.5 Next Steps

DfI will continue to implement the Floods Directive as detailed in this document. Stakeholders can expect additional engagement on a range of specific flood risk management issues as work on implementing the 2nd cycle of the Floods Directive progresses.

Appendix A: Northern Ireland APSFR and TAPSFR Map



Appendix B: Regulations 16(6) and 21(2)

Schedule 3 Matters to be Included in Flood Risk Management Plans

Part I:

Matters to be Included in Every Plan

1. A description of -
 - (a) the objectives set by the Department for the management of flood risks for the areas identified under regulation 8(1) or 9(1);
 - (b) the measures identified for achieving those objectives; and
 - (c) the priority to be given to implementing each measure.
2. The conclusions of the preliminary flood risk assessment as required by regulation 5 in the form of a map of the river basin district delineating the areas identified under regulation 8(1) or 9(1) which are the subject of the flood risk management plan.
3. Flood hazard maps and flood risk maps prepared under regulation 10 and the conclusions that can be drawn from those maps.
4. A summary of flood related measures taken under -
 - (a) Council Directive **85/337/EEC** on the assessment of the effects of certain public and private projects on the environment⁽¹⁾;
 - (b) Council Directive **96/82/EC** in the control of major accident hazards involving dangerous substances⁽²⁾;
 - (c) Directive **2001/42/EC** of the European Parliament and the Council on the assessment of the effects of certain plans and programmes on the environment⁽³⁾;
 - (d) any other Community instrument which the Department considers relevant to flood risk management; and
 - (e) the 2003 Regulations.
5. When available, for shared river basins or sub-basins, a description of the methodology of cost-benefit analysis used to assess measures with transnational effects.
6. A description of -
 - (a) how the priority given to implementing each measure under paragraph 1(c) was determined; and
 - (b) the way in which progress in implementing the plan will be monitored.
7. A summary of -
 - (a) the public information and consultation measures taken in connection with the preparation of the plan (including those public information measures taken in connection with the preliminary flood risk assessment mentioned in paragraph 2 and the maps mentioned in paragraph 3); and
 - (b) changes made to the plan in light of the views and representations received on it.
8. Information as to the Department and a description of the co-ordination process within any international river basin district and of the co-ordination process with the 2003 Regulations.

9. In this Part “river basin district” includes an international river basin district or, as the case may be, the part of an international river basin district lying within Northern Ireland.

Part II:

Components of the Subsequent Update of Flood Risk Management Plans

10. A summary of any changes which have been made as compared to the previous version of the plan including a summary of the reviews carried out under regulations 6, 9, 13 and 21.
11. An assessment of the progress made towards the achievement of the objectives included in the plan under paragraph 1(a).
12. A summary of any measures included in the previous plan under paragraph 1(b) which were not implemented, with reasons for non-implementation.
13. A description of any other measures implemented since the publication of the previous version of the plan which the Department considers have contributed to the achievement of the objectives included in the plan under paragraph 1(a).



Appendix C:

Draft Timetable and Work Programme for the Northern Ireland Flood Risk Management Plan (2021-2027)

Consultation Response Form

Responses should be received no later than
Friday 28th June 2019

Consultation Response Form

Draft Timetable and Work Programme for the Northern Ireland Flood Risk Management Plan (2021-2027)

This Consultation Response Form (CRF) aims to provide you with an opportunity to comment on the draft Timetable and Work Programme for the Northern Ireland Flood Risk Management Plan (2021-2027). It is intended that through the CRF you will have an opportunity to put forward your comments, to help inform the draft Timetable and Works Programme.

The CRF should be considered in conjunction with the consultation document available on the Department's website at the following link www.infrastructure-ni.gov.uk/consultations/timetable-and-work-programme. Alternative formats of the CRF can also be made available on request and you should forward any such requests using one of the methods detailed above.

Additional copies of both the CRF and the consultation document can be obtained from the Department for Infrastructure:

Tel: (028) 9054 2985

Email: floods.directive@infrastructure-ni.gov.uk

Writing to: **Department for Infrastructure**
Water and Drainage Policy Division
Room 1-22, Clarence Court
10-18 Adelaide Street
BELFAST
BT2 8GB

Responses should be received no later than **Friday 28th June 2019**.

Please note that all responses will be treated as public, and may be published on the Department's website. If you do not want your response to be used in this way, or if you prefer for it to be used anonymously, please indicate this when responding (see section Freedom of Information Act 2000 - Confidentiality of responses on the consultation document).

Following consideration of all responses, a report may be published on the Department's website.

Thank you for taking the time to complete this CRF and providing your comments.

I am responding

As an individual	<input type="checkbox"/>
On behalf of an organisation	<input type="checkbox"/>

Please tick the box below if you wish your response to be treated as anonymous

I want my response to be treated as anonymous	<input type="checkbox"/>
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If you wish to be contacted, please provide your contact details

Your contact details Click here to enter text.

Please enter your comment and indicate the section of the consultation document you are commenting on

Click here to enter text.

Please send the completed Consultation Response Form to:

Email: floods.directive@infrastructure-ni.gov.uk

Post: **Department for Infrastructure**
 Water and Drainage Policy Division
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Department for Infrastructure

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