



RYEDALE DISTRICT COUNCIL

Policy Statement on

Flood Defence

Approved by Policy & Resources
Committee on 22 March 2001

RYEDALE DISTRICT COUNCIL

POLICY STATEMENT ON FLOOD AND COASTAL DEFENCE

1. INTRODUCTION

Purpose

- 1.1 This policy statement has been prepared by Ryedale District Council to provide a public statement of the Council's approach to flood defence in its area.

Background

- 1.2 The Ministry of Agriculture, Fisheries and Food has policy responsibility for flood and coastal defence in England. However, delivery is the responsibility of a number of flood and coastal defence "operating authorities" i.e. the Environment Agency, local authorities and internal drainage boards. Responsibilities differ according to the type of operating authority and Ryedale DC's responsibilities are set out in paragraphs 3.1 and 3.2 below.
- 1.3 The Government has published a policy aim and three objectives for flood and coastal defence. To ensure a more certain delivery of the aim and objectives by the individual operating authorities the Government has published a series of high level targets ². The first target requires each operating authority to publish a policy statement setting out their plans for delivering the Government's policy aim and objectives in their area. This will include their assessment of flooding and coastal erosion risk in their area, and the plans for reducing or managing that risk.
- 1.4 This policy statement fulfils that requirement. Copies are also available from the Council's offices at Ryedale House, Malton, North Yorkshire and on the Internet at www.ryedale.gov.uk. We are also providing a copy to:
- the Ministry of Agriculture, Fisheries and Food;
 - the Department of the Environment, Transport and the Regions; and
 - the Environment Agency.
 - Thornton, Foss, Rye and Muston and Yedingham Internal Drainage Boards.

2. HOW THE COUNCIL WILL DELIVER THE GOVERNMENT'S POLICY AIM AND OBJECTIVES

2.1 Ryedale DC acknowledges and supports the Government's aims and objectives for flood and coastal defence (as set out below). Our policy and approach will be consistent with these, as follows:

Government's policy aim: *To reduce the risk to people and the developed and natural environment from flooding and coastal erosion by encouraging the provision of technically, environmentally and economically sound and sustainable defence measures.*

Section 3 below sets out our plans for reducing or managing the risk of flooding. The Council's boundary does not include any section of coastline.

Objective (a): *To encourage the provision of adequate and cost effective flood warning systems.*

Provision of flood warning systems is the responsibility of the Environment Agency. However, Ryedale DC recognises its related and important role in emergency planning and response. We will therefore:

- ensure that our emergency response plans include appropriate arrangements for flooding emergencies and that such plans are reviewed, in consultation with the Environment Agency, at least every two years;
- maintain an awareness of the Environment Agency's flood warning dissemination plan for our area and contribute to its implementation as necessary; and
- play an agreed role in any flood warning emergency exercises organised by the Environment Agency covering our area.

Objective (b): *To encourage the provision of adequate, economically, technically and environmentally sound and sustainable flood and coastal defence measures, subject to the details set out in Section 3 of this statement.*

Ryedale DC will:

- provide an adequate, economically, technically and environmentally sound approach to providing the flood defence service. We will:
 - adopt a strategic approach to the provision of flood defences, particularly by assessing any potentially wider effects of proposed defences. To this end we will continue to play a full role in Local Environment Agency Plans for our area;
 - aim to provide sustainable flood defences which provide social and/or economic benefits to people whilst taking account of natural processes and which avoid committing future generations to inappropriate defence options;

- ensure work is carried out in accordance with best practice and to deliver best value for money including (a) keeping up-to-date with policy and technical developments in flood defence, in particular by reference to MAFF guidance, other Government publications and relevant technical manuals; (b) consulting the Environment Agency on flood defence options to ensure that best practice is adopted and shared; and (c) using appropriately qualified experts to advise on analysis and design of works or programmes of management;
 - consider alternative approaches to funding, such as Public Private Partnerships;
 - where appropriate seek contributions from developers or other direct beneficiaries of works, in accordance with Planning Policy Guidance Note 25*.
 - ensure that appropriate maintenance regimes are in place for flood defences for which the Council takes responsibility;
 - inform landowners of what responsibilities for maintenance rest with them (see paragraph 3.1 below);
 - Make publicly available the Council's expenditure plans for flood defence maintenance and capital works by way of the Budget Strategy which is available to view at Ryedale House, during normal office hours.
- play a positive role in fulfilling our statutory and other responsibilities for furthering nature conservation, including achievement of the Government's environmental obligations and targets. In particular we will:
 - fulfil our responsibilities in relation to nationally and internationally important conservation areas, under the Wildlife and Countryside Act 1981 and as a competent authority under the terms of the Conservation (Natural Habitats &c.) Regulations 1994 [NB this applies equally to EA, local authorities and IDBs];
 - co-operate with English Nature and the Environment Agency in completing and implementing Coastal Habitat Management Plans (CHaMPs) covering our area, drawing on English Nature/Environment Agency guidance for plan production;
 - when carrying out flood and coastal defence works, seek opportunities for environmental enhancement, and aim to avoid damage to environmental interest and to ensure no net loss to habitats covered by Biodiversity Action Plans. We will monitor all losses and gains of such habitats as a result of these operations and report on them annually to the Environment Agency; and
 - ensure that, for those Water Level Management Plans where we are the lead operating authority, we work in partnership with English Nature to complete, implement and review Plans in accordance with MAFF guidance on plan completion and the timetables set out in MAFF High Level Targets.

Objective (c): To discourage inappropriate development in areas at risk from flooding.

As the local planning authority for our area, Ryedale DC will take account of flooding risks in all matters relating to development control, including development plans and individual planning applications, in accordance with Planning Policy Guidance Notes 20 and 25*.

3. OUR ASSESSMENT OF THE RISK OF FLOODING IN OUR AREA AND WHAT WE WILL DO TO REDUCE OR MANAGE THAT RISK

Flood responsibilities

- 3.1 Apart from certain obligations to protect internationally important habitats under the EU Habitats Directive, all flood defence works are undertaken under permissive powers. This means that operating authorities, such as Ryedale District Council, are not obliged to carry out flood defence works. It is also important to note that the Council does not normally accept responsibility for maintenance of flood defences on private land; this is the responsibility of the landowner.
- 3.2 Ryedale District Council is the relevant operating authority for:
- flood defences on ordinary watercourses which are not within the area of an internal drainage board.
- 3.3 The flood defences that are owned or managed by the Council are detailed in our return for the database which is maintained by the Environment Agency (see item 3.10).
- 3.4 The Environment Agency is the relevant operating authority for flood defences on designated main rivers. Culverts under roads are generally the responsibility of the relevant Highways Authority (County Council or Highways Agency).

Assessment of flood risk

- 3.5 The following are all of the designated main rivers in the Councils' area, or part thereof, and are therefore the responsibility of the Environment Agency. The total length is 176.4 km:

River Hertford
River Rye
River Riccal
Hodge Beck
Howkeld Beck
River Seven
Costa Beck
Pickering Beck
Thornton Beck
River Derwent
Sea Cut
Holbeck
Wath Beck
River Dove

There are three internal drainage boards operating within part of the authorities' area, see plan at Annex A.

- 3.6 There are a large number of ordinary watercourses for which Ryedale District Council is the relevant operating authority. The total length of these is in excess of 50km
- 3.7 The Council is satisfied that there are minimal risks to human life created by these flood risks from ordinary watercourses, but emphasises the need for the Environment Agency's flood warnings to be heeded, where these are provided (*see below*). Based on historical flooding information, coupled with the Environment Agency's indicative flood plain maps, the Council has carried out an assessment to the risk of flooding from the ordinary watercourses in our area.
- 3.8 We have agreed with the Environment Agency that within the Council's area there are 4.83km of "critical watercourses" (i.e. watercourses which are not classified as "main river" but which the Council has agreed with the Environment Agency to be critical because they have the potential to put at risk from flooding large numbers of people and property).

Burnt Gill, Gilling East
Hovingham Beck, Hovingham
Mill Race, Kirby Mills, Kirkbymoorside
Priorpot Beck, Norton
Mill Beck, Norton
Thornton Beck, Thornton-le- Dale

Plans showing the detailed locations of all of the above are held at Ryedale House and can be inspected during normal office hours.

Action to reduce or manage flood risks

- 3.9 The main means by which flood risks will be managed is through the Environment Agency's flood warning dissemination plan of March 1999. This makes arrangements for warnings to be provided in: -
- (a) areas adjacent to Pickering Beck within the town of Pickering
 - (b) areas adjoining the River in the northern part of the village of Nunnington
 - (c) Butterwick from the River Seven
 - (d) Brawby from the River Seven
 - (e) Malton, Norton and Old Malton from the River Derwent
 - (f) Buttercrambe from the River Derwent

Ryedale has included plans for responding to both major and minor flooding in its emergency planning procedures and has relevant arrangements for cascading warnings received from the

Environment Agency, via the North Yorkshire County Council Emergency Risk Management Unit, to relevant council services.

- 3.10 The Council has a programme in place to inspect the state of critical ordinary watercourses on an annual basis, generally in the late autumn, in line with the “Environment Agency Guidance on High Level Targets”.

There is flexibility within this programme to inspect at differing intervals depending on weather conditions/circumstances.

- 3.11 The Council’s capital programme includes a provision for the establishment of a flood defence facility on the lower reaches of Mill Beck in Norton. It is anticipated that this facility should, subject to all funding and permissions, be operational by the late autumn of 2001.

- 3.12 The Council has neither capital nor revenue provision to carry out works beyond those referred to in 3.10 above and in the Budget Strategy. Nevertheless, having regard to the actions set out in this policy, and to the circumstances that may arise therefrom, the Council will, periodically, review the budgetary allocation to flood defence.

- 3.13 The Council will ensure that where the responsibility for maintenance rests with a landowner, we will aim to secure co-operation in ensuring appropriate maintenance takes place, drawing on enforcement powers if necessary, in consultation with the Environment Agency.

- 3.14 The Council has adopted a Code of Practice on enforcement which incorporates the principles of the Enforcement Concordat. Where enforcement is considered, the Council will act in accordance with the Code and Concordat.

- 3.15 By having regard to Government guidance in Planning Policy Guidance Note 25* on development in flood risk areas, the Council, acting as a local planning authority, will ensure that risks are further minimised. This includes measures for ensuring sustainable urban drainage systems to control surface water run off.

4. PARTNERSHIPS AND REVIEW OF THIS POLICY STATEMENT

- 4.1 The Council has set out its policy and approach to flood and coastal defence. We recognise the need to work in partnership with central Government and other operating authorities. Our local population also has an important part to play, in recognising the vital importance of watercourses in controlling flood risk and the need to avoid blockages, whether by dumping rubbish or obstructing flows in other ways. We ask members of the public to let us know of any problems which might increase the risk of flooding or coastal erosion.

- 4.2 Ryedale DC intend to review this policy statement in three years’ time, when it will be revised and reissued as necessary. Meanwhile, the Council welcomes any comments on the approach and policies set out in this statement.

References

¹ Strategy for Flood and Coastal Defence in England and Wales MAFF and Welsh Office, September 1993

² High Level Targets for Flood and Coastal Defence Operating Authorities and Elaboration of the Environment Agency's Flood Defence Supervisory Duty MAFF, November 1999

Other references from the policy statement, for example to the relevant Shoreline Management Plan.

* at the time this template and worked example was issued, DETR had yet to complete consultation on PPG 25 which will replace Circular 30/92 on Development and Flood Risk.