

The Highland Council

Agenda Item	18
Report No	ECI/24/2024

Committee: Economy and Infrastructure

Date: 2 May 2024

Report Title: Flood Risk Management Policy

Report By: Executive Chief Officer Infrastructure, Environment & Economy

1 Purpose/Executive Summary

1.1 This report presents an update to the Flood Prevention Policy for Members to approve.

2 Recommendations

2.1 Members are asked to:

- i. **Approve** the Flood Risk Management Policy as contained in Appendix 2 which accords with the Flood Risk Management (Scotland) Act 2009; and
- ii. **Note** that the previous Flood Prevention Policy is now obsolete.

3 Implications

3.1 **Resource** - Existing resources will be utilised to implement this Policy.

3.2 **Legal** - The Council has a general duty under the Flood Risk Management (Scotland) Act 2009 which is covered by this Policy.

3.3 **Community (Equality, Poverty, Rural and Island)** - There are no direct implications arising from this Policy.

3.4 **Climate Change / Carbon Clever** - The impacts of climate change are resulting in larger, more frequent floods, from surface water, rivers and coastal sources. This Policy outlines how the Council will engage to mitigate these changes.

3.5 **Risk** - There are no direct implications arising from this Policy.

3.6 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – There are no known health and safety risks arising from this Policy.

3.7 **Gaelic** - There are no implications from this Policy.

4 Introduction

- 4.1 The current 'Flood Prevention Policy' within **Appendix 1** was approved by the Transport Services Committee on the 11 June 1997. Since then, new legislation has come into force.
- 4.2 The Flood Risk Management (Scotland) Act 2009 has led to a new risk based, plan led approach to deal with flooding in Scotland and, as a result, SEPA published the second national Flood Management Plan in 2021.
- 4.3 The Highland Council is lead Local Authority for the Highland and Argyll Local Plan District Area (LPD01) and is responsible for developing the "Local Flood Risk Management Plan for Highland and Argyll". Highland Council is also a contributor to the Findhorn, Nairn and Speyside Local Plan District Area (LPD05) where Moray Council is responsible for developing the "Local Flood Risk Management Plan for Findhorn, Nairn and Speyside".

5 Policy Amendments

- 5.1 The policy has been updated to reflect changes to current practice and guidelines.
- 5.2 The proposed policy document is contained within **Appendix 2**. It sets out high level criteria by which Highland will manage flood risk.

6 Road Improvement Project

- 6.1 The update to this policy supports one of the aims of the Roads Improvement Project, to compile a programme of policy renewal. Further policies will be brought to this committee for approval, as they are finalised.

Designation: Executive Chief Officer Infrastructure, Environment & Economy

Date: 26 March 2024

Author: Alan Fraser, Principal Engineer (Flood Risk Management Team)

Background Papers: None

Appendices: Appendix 1 – Current Flood Prevention Policy 1997
Appendix 2 – Proposed Flood Risk Management Policy (2024)

Flood Risk Management Policy – Current Flood Prevention Policy



ROADS AND TRANSPORT COMMITTEE

FLOOD PREVENTION POLICY

The Council's general policy on Flood Prevention Maintenance and assessment was agreed at the Roads and Transport Services Committee of 11/06/97.

The general policy is as follows:-

1. Assessment

1.1 It is proposed that formal assessments are carried out by a member of staff in Network Management with close involvement of Area staff. These assessments will be prioritised as follows:-

- a) Known areas of flooding
- b) Urban areas, in order of size of population and possible risk of flooding
- c) Rural areas, in order of possible risk of flooding

1.2 The assessments shall be carried out when resources permit. Given the magnitude of the task the requirement to carry out the assessments "from time to time" is likely to lead to the intervals between assessments to be several years. It is also unlikely that all the watercourses that require to be assessed will be completed in less than 3 years.

1.3 SEPA have responsibilities to also carry out formal assessments. Co-operation between the Council and SEPA will be instigated to reduce duplication of effect.

2. Works

2.1 Where the need for works is identified by the assessment process then the works will be carried out in order of priority within available resources. Prioritisation will consider the following:-

- a) Where there is risk to life.
- b) Where there is a risk to property which shall be prioritised in the order of residential premises; commercial premises; residential land; commercial land.
- c) Areas of denser population will be given higher priority than single residences.

2.2 The prioritisation will take into account the frequency of the risk. Flood frequencies are expressed in terms of statistical return periods which are expressed in terms of 1 in 5 years, 1 in 20 years return periods, etc. These indicate that a 1 in 20 year flood is likely to occur, once during a 20 year period.

Flood Risk Management Policy



Roads and Infrastructure

Infrastructure, Environment and Economy

Approval

	Name	Date
Prepared By:	A Fraser, M McLeod	21 st February 2024
Approved By:	E Maciver	26 th March 2024

Responsible Officer:	Head of Roads and Infrastructure
Committee:	Economy and Infrastructure
Approval Date:	TBC

Document Control

Version Number	Date	Comments
1.0	2 nd May 2024	Draft for approval

Contents

1.0	Introduction.....	4
2.0	Scope	4
3.0	Information	4

1.0 Introduction

- 1.1. The Highland Council has a general duty under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk within its geographical area.
- 1.2. The Flood Risk Management (Scotland) Act 2009 has led to a new risk based, plan led approach to deal with flooding in Scotland.

2.0 Scope

- 2.1. In 2021 SEPA published the second national Flood Risk Management Plan (FRMP) for Scotland. This is updated on a 6-yearly cycle. Within the FRMP Highland communities are located in either:
 - The Highland and Argyll Local Plan District Area (LPD01) where the Highland Council is the lead Local Authority, or
 - The Findhorn, Nairn and Speyside Local Plan District Area (LPD05) where The Moray Council is the lead Local Authority.
- 2.2. The plan describes in detail the:
 - Sources and impacts of flooding within Potentially Vulnerable Areas (PVAs).
 - Objectives for tackling these risks.
 - Appropriate actions that will then deliver these objectives, and
 - The prioritisation of each action in six-yearly planning cycles.

SEPA Flood Risk Management Plan: <https://www2.sepa.org.uk/frmplans/>

- 2.3. The Flood Risk Management (Scotland) Act 2009 requires the lead local authority for each Local Plan District to publish a “Local Flood Risk Management Plan”. This Local FRM Plan identifies details of Actions relating to the Objectives set by SEPA in their plan, including who is responsible and indicative timeframes for undertaking the Actions.
- 2.4. The Highland Council is the lead local authority for The Highland and Argyll Local Plan District Area (LPD01) and is responsible for developing the Plan. Highland and Argyll Local Plan:
https://www.highland.gov.uk/downloads/file/26381/highland_and_argyll_lfrm_p_cycle_2_dec_2022

3.0 Information

- 3.1. A booklet “Managing Flood Risk in the Highlands” has been published on the Highland Council Website. It outlines responsibilities of property owners, Highland Council, Scottish Water and SEPA.
Managing flood risks in the Highlands | Managing flood risk in the Highlands:
https://www.highland.gov.uk/downloads/file/468/managing_flood_risk_in_the_highlands