
STATUTORY INSTRUMENTS

2009 No. 3042

The Flood Risk Regulations 2009

PART 3

FLOOD HAZARD MAPS AND FLOOD RISK MAPS

Duty to prepare flood hazard maps and flood risk maps: Environment Agency

18. The Environment Agency must prepare in relation to each flood risk area identified by it under regulation 13—

- (a) a flood hazard map relating to the risk of flooding from—
 - (i) the sea,
 - (ii) main rivers, and
 - (iii) reservoirs, and
- (b) a flood risk map.

Duty to prepare flood hazard maps and flood risk maps: lead local flood authorities

19.—(1) A lead local flood authority must prepare in relation to each relevant flood risk area—

- (a) a flood hazard map, and
- (b) a flood risk map.

(2) “Relevant flood risk area” means—

- (a) the flood risk area identified by the lead local flood authority under regulation 14(1), or
- (b) if a referral is made to the Minister, the flood risk area determined by the Minister under regulation 14(6).

(3) A lead local authority is not required to include in the maps that it prepares information about flooding from a source mentioned in regulation 18(1)(a) unless the authority thinks that it may affect flooding from another source.

(4) The Environment Agency—

- (a) must review flood hazard maps and flood risk maps prepared under this regulation, and
- (b) may recommend modifications.

(5) Following a review, a lead local flood authority may revise its flood hazard map or flood risk map.

(6) The Agency’s power to require information under regulation 36 includes power to require a lead local flood authority to provide a flood hazard map or a flood risk map by a specified date.

Flood hazard maps

20.—(1) A flood hazard map is a map which identifies flood risk areas and shows—

- (a) the likely extent (including water level or depth) of possible floods,
 - (b) the likely direction and speed of flow of possible floods, and
 - (c) whether the probability of each possible flood occurring is low, medium or high (in the opinion of the person preparing the map).
- (2) The floods to be included are those for which a significant flood risk has been identified under regulation 13 or 14.
- (3) But the following may be ignored—
- (a) a medium or high probability flood caused only by groundwater,
 - (b) a medium or high probability flood which would affect only an area of coastline that, in the opinion of the person preparing the map, is adequately protected against flooding.
- (4) In paragraph (3) “groundwater” means water which is below the surface of the ground and in direct contact with the ground or subsoil.
- (5) For the purposes of this regulation—
- (a) the probability of a flood occurring is low if the chances of it occurring in any 12 month period are 0.1% or less,
 - (b) the probability of a flood occurring is medium if the chances of it occurring in any 12 month period are more than 0.1% but not more than 1%, and
 - (c) the probability of a flood occurring is high if the chances of it occurring in any 12 month period are more than 1%.
- (6) The information included in a flood hazard map must not be inconsistent with the information included in the river basin management plan for the district.
- (7) In this regulation and regulation 21 “river basin management plan” means a river basin management plan prepared under regulation 11 of the Water Environment Regulations.
- (8) A lead local flood authority must have regard to any guidance issued by the Environment Agency about the form of flood hazard maps.

Flood risk maps

- 21.**—(1) A flood risk map is a map showing in relation to each flood risk—
- (a) the number of people living in the area who are likely to be affected in the event of flooding,
 - (b) the type of economic activity likely to be affected in the event of flooding,
 - (c) any industrial activities in the area that may increase the risk of pollution in the event of flooding,
 - (d) any relevant protected areas that may be affected in the event of flooding,
 - (e) any areas of water subject to specified measures or protection for the purpose of maintaining the water quality that may be affected in the event of flooding, and
 - (f) any other effect on—
 - (i) human health,
 - (ii) economic activity, or
 - (iii) the environment (including cultural heritage).
- (2) “Relevant protected area” means an area—
- (a) that is a protected area within regulation 8(2)(a) or (b)(ii) or (iv) of the Water Environment Regulations, and
 - (b) that is registered under regulation 8(1) of those regulations.

(3) The information included in a flood risk map must not be inconsistent with the information included in the river basin management plan for the district.

(4) A lead local flood authority must have regard to any guidance issued by the Environment Agency about the form of flood risk maps.

Publication

22.—(1) The Environment Agency must publish the flood hazard maps and flood risk maps prepared by the Agency and the lead local flood authorities for each river basin district.

(2) The first flood hazard maps and the first flood risk maps for each river basin district must be published before 22nd December 2013.

Review: Environment Agency

23.—(1) The Environment Agency must review each flood hazard map and each flood risk map prepared by it under regulation 18.

(2) Following a review, the Agency may prepare—

- (a) a revised flood hazard map;
- (b) a revised flood risk map.

(3) The first review must be completed before 22nd December 2019.

(4) Subsequent reviews must be carried out at intervals of no more than 6 years.

(5) The Agency must, so far as is reasonably practicable, co-ordinate a review under this regulation with a review of a river basin district under regulation 5(2) of the Water Environment Regulations.

Review: lead local flood authorities

24.—(1) A lead local flood authority must review each flood hazard map and each flood risk map prepared by it under regulation 19.

(2) Following a review, a lead local flood authority may prepare—

- (a) a revised flood hazard map;
- (b) a revised flood risk map.

(3) The first review must be completed before 22nd June 2019.

(4) Subsequent reviews must be carried out at intervals of no more than 6 years.

(5) Regulation 19 applies in relation to a review of a flood hazard and flood risk map as it applies to the first such map.