

“flood” means the temporary covering by water from any source of land not normally covered by water, but does not include a flood solely from a sewerage system;

“the Floods Directive” means Directive 2007/60/EC of the European Parliament and of the Council on the assessment and management of flood risks^(a);

“flood risk” means the combination of the probability of a flood and of the potential adverse consequences, associated with a flood, for human health, the environment, cultural heritage and economic activity;

“flood solely from a sewerage system” means the temporary covering of land by sewage caused solely by a failure or blockage of a sewerage system or which is not connected with any loading on the system by abnormal external hydraulic factors (for example by heavier than usual rainfall or higher than usual river levels);

“international river basin district” means an area identified under regulation 4(1) of the 2003 Regulations as an international river basin district for the purposes of those Regulations;

“Northern Ireland” has the meaning given by section 98(1) of the Northern Ireland Act 1998 ^(b).

“public body” means -

- (a) a Northern Ireland department;
- (b) a department of the Government of the United Kingdom;
- (c) a body established by or under a statutory provision; or
- (d) a statutory undertaker (within the meaning of the Planning (Northern Ireland) Order 1991^(c)).

“river basin district” means the area identified under regulation 4(1) of the 2003 Regulations as a river basin district for the purposes of those Regulations;

^(a) O.J. No. L288, 6.11.2007, p.27

^(b) 1998 c.47

^(c) S.I. 1991 No. 1220 (N.I.11)

“statutory provision” has the meaning given in section 1(f) of the Interpretation Act (Northern Ireland) 1954; and

“the Water Framework Directive” means Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for Community action in the field of water policy^(a).

(3) Any other word or expression used both in these Regulations and in the Floods Directive or in the Water Framework Directive has the same meaning in these Regulations as it has in those Directives.

Competent authority

3. The Department is the competent authority for the purposes of the implementation of the Floods Directive.

General duties

4.—(1) A Northern Ireland department, each district council, each water undertaker and each sewerage undertaker shall exercise their relevant functions in a manner which secures compliance with the requirements of the Floods Directive.

(2) In exercising its relevant functions, the Department shall ensure that the requirements of the Floods Directive for the assessment and management of flood risks are coordinated.

(3) In this regulation “relevant functions” means functions under these Regulations and, so far as material, the statutory provisions listed in Schedule 1.

Preliminary flood risk assessments

^(a) O.J. No. L327, 22.12.2000, p.1 as last amended by Directive 2008/105/EC of the European Parliament and of the Council (OJ No. L348, 24.12.2008, p.84)

5.—(1) The Department shall prepare a preliminary flood risk assessment for the river basin district and the part of each international river basin district lying within Northern Ireland.

(2) In the case of an international river basin district the Department shall ensure that relevant information is exchanged with the relevant competent authority in the Republic of Ireland, in connection with the preparation of a preliminary flood risk assessment under paragraph(1).

(3) A preliminary flood risk assessment shall be prepared by 22nd December 2011.

(4) A preliminary flood risk assessment -

(a) shall be prepared to provide an assessment of potential risks; and

(b) shall be based on available or readily derivable information such as records and studies on long term developments (including, in particular, information on any impact of climate change on the occurrence of floods).

(5) A preliminary flood risk assessment shall include the matters mentioned in Schedule 2.

(6) A preliminary flood risk assessment, and any map included in it by virtue of paragraph 1 of Schedule 2, may also include such other information as the Department considers appropriate.

Preliminary flood risk assessments: review

6.—(1) The Department shall -

(a) by 22nd December 2018 review and, if necessary, update each preliminary flood risk assessment prepared under regulation 5; and

(b) by the end of the period of 6 years beginning with that date, and of each subsequent period of 6 years, review and, if necessary, update the latest preliminary flood risk assessment updated after review under this regulation.

(2) The Department shall take into account in any review under this regulation the likely impact of climate change on the occurrence of floods.

(3) Regulation 5(2) and (4) to (6) and Schedule 2 apply in relation to the review and updating of a preliminary flood risk assessment.

Preliminary flood risk assessments: availability for public inspection

7. The Department shall make available for public inspection copies of the preliminary flood risk assessment for the time being applicable for the river basin district or the part of each international river basin district lying within Northern Ireland.

Areas of significant flood risk

8.—(1) On the basis of a preliminary flood risk assessment but subject to paragraph (2), the Department shall -

- (a) for the river basin district; and
- (b) for the part of each international river basin district lying within Northern Ireland, identify any area for which it concludes that potential significant flood risks exist or might be considered likely to occur.

(2) The identification under paragraph (1) of any area within a part of an international river basin district lying within Northern Ireland shall be co-ordinated with the relevant competent authority in the Republic of Ireland.

Area of significant flood risk: reviews

9.—(1) Where the Department updates a preliminary flood risk assessment for the river basin district or the part of any international river basin district lying within Northern Ireland under regulation 6(1), it shall review and, if necessary, update the identification of areas within

that district or part for which it has concluded that potential significant flood risks exist or might be considered likely to occur.

(2) Regulation 8(2) applies in relation to a review and updating of an identification of areas under paragraph (1).

Preparation of flood hazard maps and flood risk maps

10.—(1) Subject to paragraph (3), the Department shall prepare in relation to the river basin district and the part of each international river basin district lying within Northern Ireland flood hazard maps and flood risk maps in accordance with this regulation and regulations 11 and 12.

(2) Flood hazard maps and flood risk maps shall be prepared -

- (a) by 22nd December 2013;
- (b) for the areas identified under regulation 8(1); and
- (c) at such scale as the Department considers appropriate.

(3) In the case of an international river basin district the Department shall ensure that information is exchanged with the relevant competent authority in the Republic of Ireland before flood hazard maps and flood risk maps are prepared under paragraph (1).

Flood hazard maps

11.—(1) Subject to paragraphs (2) and (3), a flood hazard map (or more than one such map taken together) shall show -

- (a) the geographical areas which could be flooded according to the following **scenarios.**
 - (i) floods with a low probability (or extreme event scenarios);
 - (ii) floods with a medium probability (likely return period of 100 years or more); and

- (iii) floods with a high probability; and
- (b) the following elements for each of those scenarios
 - (i) the flood extent;
 - (ii) water depths or water level, whichever is appropriate;
 - (iii) where appropriate, the flow velocity or the relevant water flow.

(2) But a flood hazard map need not show information referred to in paragraph (1) as respects a flood with a high probability where the Department considers such a flood would be unlikely to have significant adverse consequences for the area which could be flooded by it.

(3) The Department may decide that for a coastal area which, in its opinion, is adequately protected from coastal floods, the preparation of a flood hazard map (or more than one such map taken together) may be limited to the scenario referred to in paragraph (1)(a)(i).

Flood risk maps

12.—(1) The potential adverse consequences associated with each flood scenario for which any information referred to in regulation 11(1) is shown in a flood hazard map shall be shown in a flood risk map (or more than one flood risk map taken together) by reference to the matters mentioned in paragraph (2).

- (2) The matters are -
 - (a) the indicative number of inhabitants who potentially could be affected;
 - (b) the type of economic activity in the area which could be flooded
 - (c) installations referred to in Annex 1 to Directive 2008/1/EC of the European Parliament and of the Council concerning integrated pollution prevention and control^(a), which might cause accidental pollution if any flood scenario referred to in paragraph (1) occurred;

^(a) O.J. No.L24, 29.1.2008, p.8.

- (d) protected areas which potentially could be affected, if any flood scenario referred to in paragraph (1) occurred;
- (e) any area which is within a protected area and could be affected by pollution from any installation referred to in sub-paragraph (c);
- (f) such other information as the Department considers useful including the indication of areas where floods with a high content of transported sediments or debris floods can occur and information on other significant sources of pollution.

(3) In this regulation “protected area” has the meaning assigned to it by regulation 8(2) of the 2003 Regulations.

Flood hazard maps and flood risk maps: review

13.—(1) The Department shall -

- (a) by 22nd December 2019, review and, if necessary, update each flood hazard map and each flood risk map prepared under regulation 10; and
- (b) by the end of each subsequent period of 6 years, review and, if necessary, update the latest flood hazard map and flood risk map updated after review under this regulation.

(2) Regulations 10(2)(b) and (c) and (3), 11 and 12 apply in relation to the review and updating of a flood hazard map and a flood risk map.

Flood hazard maps and flood risk maps: availability for public inspection

14. The Department shall make available for public inspection copies of each flood hazard and each flood risk map for the time being applicable to the river basin district or the part of each international river basin district lying within Northern Ireland.

Flood hazard maps and flood risk maps: coordination with the 2003 Regulations

15.—(1) The development of the first flood hazard maps and flood risk maps and their subsequent reviews shall be -

- (a) co-ordinated with, and may be integrated into, the reviews provided for by regulations 5(2) and 6(2) of the 2003 Regulations; and
- (b) carried out in such a way that the information they contain is consistent with the information presented under the 2003 Regulations.

Flood risk management plans

16.—(1) The Department shall prepare a flood risk management plan for the river basin district or a set of such plans co-ordinated at the level of that district.

(2) The Department shall ensure co-ordination with the relevant competent authority in the Republic of Ireland with the aim of preparing a single flood risk management plan for each international river basin district or a set of such plans coordinated at the level of each international river basin district.

(3) Where it appears to the Department that plans for an international river basin district cannot be prepared in accordance with paragraph (2), the Department shall prepare a flood risk management plan or a set of such plans for the part of the international river basin district lying within Northern Ireland.

(4) Plans prepared under paragraph (3) shall—

- (a) as far as possible, be co-ordinated at the level of the international river basin district; and
- (b) not include measures which, by their extent and impact, significantly increase flood risks upstream or downstream in the Republic of Ireland unless the

measures have been co-ordinated with the relevant competent authority in the Republic of Ireland and an agreed solution has been found.

(5) For the purposes of preparing a flood risk management plan, the Department shall—

- (a) set objectives for the management of flood risks for the areas identified under regulation 8(1) focusing on the reduction of potential adverse consequences of flooding for human health, the environment, cultural heritage and economic activity; and
- (b) identify measures to achieve those objectives.

(6) A flood risk management plan shall include the matters specified in Part I of Schedule 3.

(7) A flood risk management plan may contain or be accompanied by such other maps, diagrams, illustrations and descriptive matter as the Department considers appropriate for the purpose of explaining or illustrating any matter in the plan.

(8) Any such maps, diagrams, illustrations and descriptive matter are to be treated as forming part of the plan; and references to such a plan are to be construed accordingly.

(9) A flood risk management plan shall be prepared and published by 22nd December 2015.

Flood risk management plans: objectives and measures

17.—(1) In setting objectives and identifying measures under regulation 16(5) the Department -

- (a) shall take account of, so far as relevant –
 - (i) any impact of climate change on the occurrence of floods within the river basin district to which the plan relates;
 - (ii) the preliminary flood risk assessment prepared under regulation 5 for the river basin district to which the plan relates;

- (iii) the flood hazard maps and the flood risk maps prepared under regulation 10 for the river basin district to which the plan relates;
 - (iv) the cost of implementing proposed measures;
 - (v) the benefits (in terms of reducing the potential adverse consequences of flooding for human health, the environment, cultural heritage and economic activity or otherwise) that are likely to be derived from implementing proposed measures;
 - (vi) flood extent and flood conveyance routes and areas which have the potential to retain flood water such as natural flood plains;
 - (vii) soil and water management;
 - (viii) anything done under or in pursuance of the Planning (Northern Ireland) Order 1991^(a) which affects development or the use of land within the river basin district to which the plan relates;
 - (ix) the environmental objectives of Article 4 of the Water Framework Directive;
 - (x) the conservation of nature whether the river basin district to which the plan relates; and
 - (xi) navigation and port infrastructure; and
- (b) shall consider, so far as is appropriate, both structural and non-structural measures as a means of achieving objectives.
- (2) A flood risk management plan—
- (a) shall address all aspects of flood risk management focusing on prevention, protection, preparedness, emergency response, recovery and review including flood forecasts and early warning systems and taking into account the characteristics of the particular river basin or sub basin; and

^(a) S.I. 1991 No.1220 (N.I.11)

- (b) may also include the promotion of sustainable land use practices, improvement of water retention as well as the controlled flooding of certain areas in the case of a flood.

(3) In this regulation any reference to the river basin district to which the plan relates includes an international river basin district or, as the case may be, the part of such a district lying within Northern Ireland to which the plan relates.

(4) For the purposes of paragraph (1)(b), a measure is structural if it involves the carrying out of any operation on land.

Flood risk management plans: co-ordination with the 2003 Regulations

18.—(1) The development of the first flood risk management plans and their subsequent reviews shall be co-ordinated with, and may be integrated into, the reviews of the river basin management plans provided for by regulation 15 of the 2003 Regulations.

(2) The active involvement of all interested parties under regulation 19 of these Regulations in the development of the first flood risk management plans and their subsequent reviews shall be co-ordinated, as appropriate, with the active involvement of interested parties under regulation 13 of the 2003 Regulations.

Flood risk management plans: public participation

19.—(1) The Department shall, in respect of the preparation of a flood risk management plan -

- (a) 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;
- (b) not less than one year before the beginning of the period to which the plan is to relate, publish a draft of the plan.

(2) The Department shall publish the documents referred to in paragraph (1) in a manner calculated to bring them to the attention of persons and bodies likely to be affected by them and, in particular, shall –

- (a) make copies of each document accessible to the public free of charge at Rivers Agency Headquarters, Hydebank, 4 Hospital Road, Belfast, BT8 8JP and through the Department's website;
- (b) publish a notice—
 - (i) stating the fact of publication;
 - (ii) specifying the arrangements made for making copies of the documents available for public inspection; and
 - (iii) stating that any person may make representations to the Department in relation to the documents published within a period specified in the notice;
- (c) consult the persons and bodies referred to in paragraph (4);
- (d) take such steps as it considers appropriate to provide opportunities for the general public and the persons and bodies referred to in paragraph (4) to participate in discussion and the exchange of information or views in relation to the preparation of the plan and, in particular, shall give access to background documents and information used in such preparation; and
- (e) invite the public and the persons and bodies referred to in paragraph (4) to make representations in relation to the draft plan.

(3) A notice required by paragraph (2)(b) shall be published -

- (a) in the Belfast Gazette;
- (b) at least once in each of two successive weeks in one or more newspapers circulating in the river basin district; and
- (c) on the Department's website.

(4) The persons and bodies to be consulted are -

- (a) the Drainage Council;
- (b) each district council any part of whose area is within the river basin district;
- (c) the harbour authority for each harbour in the river basin district;
- (d) the Department of Culture, Arts and Leisure;
- (e) the Department of the Environment;
- (f) the Department for Regional Development;
- (g) each water undertaker and each sewerage undertaker;
- (h) Waterways Ireland;
- (i) the relevant competent authority in the Republic of Ireland (in the case of a plan affecting an international river basin district);
- (j) such persons or bodies as appear to the Department in relation to the river basin district -
 - (i) to be representative of the interests of those carrying on any business which relies upon flood risk management; or
 - (ii) to have an interest in flood risk management; and
- (k) such other persons or bodies as the Department considers appropriate.

(5) The Department shall take into account any representations relating to each of the documents referred to in paragraph (1) which are received by the Department within a period of six months beginning with the date of publication of the document or such longer period as the Department may allow.

(6) In this regulation -

- (a) “harbour” and “harbour authority” have the meanings given by section 38 of the Harbours Act (Northern Ireland) 1970^(a); and

^(a) 1970 c.1 (N.I.)

- (b) “the 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.

Flood risk management plan: publication

20.—(1) The Department shall -

- (a) publish a flood risk management plan in such manner as it considers appropriate;
- (b) make copies of it available for public inspection;
- (c) make copies of it available to the public; and
- (d) publicise the publication of the plan.

(2) In making copies of a plan available to the public under paragraph (1)(c), the Department may charge a reasonable fee for each copy.

Flood risk management plans: review

21.—(1) The Department shall -

- (a) by 22nd December 2021 review, and, if necessary, update each flood risk management plan prepared under regulation 16; and
- (b) by the end of the period of 6 years beginning with that date, and each subsequent period of 6 years, review and, if necessary, update the latest flood risk management plan updated under this regulation.

(2) An updated plan shall include (in addition to the matters required to be included by regulation 16(6)) the matters specified in Part 2 of Schedule 3.

(3) The Department shall take into account in any review under this regulation the likely impact of climate change on the occurrence of floods.

(4) Regulations 16 (2) to (8) and 17 to 20 apply in relation to the preparation of an updated flood risk management plan.

Provision of information and assistance by public bodies

22. A public body shall, on being requested to do so by the Department, provide the Department with such information in its possession or under its control and such assistance as the Department may reasonably seek in connection with the exercise of any of the Department's functions under these Regulations.

Guidance to public bodies

23. The Department may give guidance to any public body on the implementation of the Floods Directive, and the body to whom guidance is issued shall have regard to it.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on

(L.S.)

A senior officer of the Department of Agriculture and Rural Development

STATUTORY PROVISIONS IN RELATION TO WHICH DUTIES
IN REGULATION 4 APPLY

To be finalised during interdepartmental consultation

Forestry Act 1953^(a)

The Lough Neagh Drainage Acts (Northern Ireland) 1955 and 1970^(b)

The Fisheries Act (NI) 1966^(c)

Harbour Act (NI) 1970^(d)

Local Government Act (Northern Ireland) 1972^(e)

Section 2 (2) of the European Communities Act 1972^(f)

The Drainage (Northern Ireland) Order 1973^(g)

Pollution Control and Local Government (NI) Order 1978^(h)

The Fire Services (Northern Ireland) Order 1984⁽ⁱ⁾

The Planning (Northern Ireland) Order 1991^(j)

The Roads (NI) Order 1993^(k)

The Conservation (Nature Habitats etc) Regulations (NI) 1995^(l)

The Departments (Transfer and Assignment of Functions) Regulations (NI) 1999^(m)

The North/South Co-operation Implementation Bodies (NI) Order 1999⁽ⁿ⁾

(a) 1953 c.2 (N.I.)

(b) 1955 c. 15 (N.I.) and 1970 c. 7 (N.I.)

(c) 1966 C.17 (N.I.)

(d) 1970 c.1 (N.I.)

(e) 1972 c.9 (N.I.)

(f) 1972 c.68 (N.I.)

(g) S.I. 1973/369 (N.I.1)

(h) 1978 No. 1049 (N.I.19)

(i) 1984 No. 1821

(j) S.I. 1991 No. 1220 (N.I. 11)

(k) S.I. 1993/3160 (N.I.15)

(l) S.R. 1995 No. 380

(m) S.R. 1999 No. 481

(n) S.I. 1999/859

The Water (Northern Ireland) Order 1999^(o)

The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999^(p)

The Environment (Northern Ireland) Order 2002^(q)

The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003^(r)

The Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004^(s)

The Drainage (Environmental Impact Assessment) Regulations (NI) 2006^(t)

The Laganside Corporation Dissolution Order (NI) 2006^(u)

The Water and Sewerage Services (Northern Ireland) Order 2006^(v)

Water Abstraction and Impoundment (Licensing) Regulations (NI) 2006^(w)

The Planning Reform (Northern Ireland) Order 2006^(x)

The Foyle and Carlingford Fisheries (NI) Order 2007^(y)

^(o) S.I. 1999/662 (N.I.6)

^(p) S.R. 1999 No. 73 as amended by S.R. 2008 No. 17 and S.R. 2008 No. 372

^(q) S.I. 2002/3153 (N.I.7)

^(r) S.R. 2003 No. 544.

^(s) S.R. 2004 No. 280

^(t) S.R. 2006/34

^(u) S.R. 2006 No. 527

^(v) S.I. 2006/3336 (N.I.21)

^(w) S.R. 2006 No. 482

^(x) S.I. 2006/1252 (N.I. 7)

^(y) S.I. 2007/915 (N.I.9)

SECOND DRAFT

SCHEDULE 2 Regulations 5(5) and (6) and 6(3)

MATTERS WHICH MUST BE INCLUDED IN A PRELIMINARY FLOOD RISK ASSESSMENT

1. Maps at the appropriate scale of the river basin district which show -
 - (a) borders of any river basin, sub-basin and coastal area in the district; and
 - (b) topography and land use.
2. -
 - (1) Subject to sub-paragraph (2), a description of the floods which have occurred in the past in the river basin district and which had significant adverse impacts on human health, the environment, cultural heritage or economic activity (including their extent and conveyance routes and an assessment of the adverse impacts they have entailed).
 - (2) Sub-paragraph (1) applies only where a similar future flood with significant adverse impacts on the matters mentioned in that sub-paragraph is still probable in the river basin district.
3. A description of the significant floods which have occurred in the past in the river basin district where significant adverse consequences of any similar future flood might be envisaged.
4. An assessment of the potential adverse consequences of any future flood for human health, the environment, cultural heritage and economic activity in the river basin district taking into account, as far as possible, issues such as -
 - (i) the topography;
 - (ii) the position, and the general hydrological and geomorphological characteristics of watercourses;
 - (iii) natural features (for example flood plains, wetlands or woodlands) which can assist in the retention of water (whether on a permanent or temporary basis);
 - (iv) the effectiveness of any existing artificial flood protection structure;

- (v) the position of any populated area and area of economic activity; and
 - (vi) long-term developments including impacts of climate change on the occurrence of floods.
5. In this Schedule any reference to the river basin district shall include a reference to the part of each international river basin district lying within Northern Ireland.

SCHEDULE 3 Regulations 16(6) and 21(2)

MATTERS TO BE INCLUDED IN FLOOD RISK MANAGEMENT PLANS

PART 1

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;^(a)

^(a) O.J No. L175, 5.7 1985. p.40 as last amended by Directive 2003/35/EC of the European Parliament and of the Council (O.J. No. L156, 25.6.2003, p.17)

- (b) Council Directive 96/82/EC in the control of major - accident hazards involving dangerous substances;^(a)
 - (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;^(b)
 - (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.

^(a) O.J. No. L 10, 14.1.97, p.13 as last amended by Regulation (EC) No.1137/2008 of the European Parliament and of the Council (O.J. No.L311, 21.11.2008, p.1)

^(b) O.J. No. L197, 21.7.2001, p.30

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 2

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).

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009 provide for the implementation of the requirements of Council Directive 2007/60/EC on the assessment and management of flood risks (O.J. No. L288, 6.11.2007, p.27) known as the Floods Directive. The Department of Agriculture and Rural Development has been designated as the competent authority for ensuring implementation of the directive in Northern Ireland.

The Regulations establishes a framework for the assessment and management of flood risks, aiming at the reduction of the adverse consequences for human health, the environment, cultural heritage and economic activity associated with floods.

In particular the Regulations require:

1. A preliminary flood risk assessment of all river basins and coastal areas within Northern Ireland to be undertaken by December 2011 (regulation 5).
2. For all areas which are determined to be at potential significant flood risk (regulation 8), the preparation of flood hazard and flood risk maps by December 2013 (regulation 10).
3. On the basis of the flood hazard and flood risk maps, the production of flood risk management plans focusing on prevention, protection and preparedness and containing appropriate objectives and measures aimed at reducing flood risk, by December 2015 (regulation 16). The engagement and involvement of interested parties and consultation with the public in the production of these plans is a key requirement of the Regulations (regulation 19).
4. The co-ordination with Council Directive 2000/60/EC establishing a framework for action in the field of water policy (OJ. No. L327, 22.12.2000, P.1), known as the Water Framework Directive, (regulation 15, and 18).
5. The co ordination and exchange of information with the competent authority in the Republic of Ireland with respect to international river basins (regulation 5(2), 10(3) and 16(2)).

The Department shall make available for public inspection the preliminary flood risk assessment and flood hazard and flood risk maps and publish the Flood risk management plans. Regulations 6, 13, and 21 require reviews to be undertaken every 6 years and assessments, maps and Plans to be updated as appropriate.

The Regulations places a statutory duty on Northern Ireland departments, district councils and Northern Ireland Water to exercise their relevant functions in a manner which secures compliance with the Floods Directive (regulation 4). Regulation 22 makes provision for any public body, on being requested by the Department, to provide such information and assistance as the Department may reasonably seek, in connection with any of the Department's functions under these Regulations.