

AGENDA ITEM 8

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH NOVEMBER 2015

FLOOD RISK MANAGEMENT PLAN

REPORT OF GROUP DIRECTOR OF CORPORATE AND FRONTLINE SERVICES IN DISCUSSIONS WITH THE LEADER OF THE COUNCIL CLLR A. MORGAN.

AUTHOR(s): Andrew Stone, Strategic Projects Manager

1. PURPOSE OF THE REPORT

- 1.1 To provide an overview of the legislation and requirements for the production of the Flood Risk Management Plan.
- 1.2 To advise on the outcome of the consultation on the Draft Flood Risk Management Plan (FRMP) and to present the final Flood Risk Management Plan.

2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Flood Risk Management Plan is adopted by the Authority.
- 2.2 The Flood Risk Management Plan, and accompanying reports, will be submitted to Natural Resources Wales for review under Part 4 cl26(3) of the Flood Risk Regulations 2009.
- 2.3 On completion of the review, the Flood Risk Management Plan is published on or before 22nd December 2015.

3 REASONS FOR RECOMMENDATIONS

- 3.1 The consultation on the Draft FRMP showed that both statutory Consultee and the public were generally satisfied that the plan sets out

the most significant flood risk issues across Rhondda Cynon Taff County Borough Council's area.

- 3.2 The Flood Risk Management Plan meets the requirements of the Flood Risk Regulations 2009.

4. BACKGROUND

- 4.1 The Flood Risk Regulations 2009 (The Regulations) transpose the European Floods Directive (Directive 2007/60/EC on the assessment and management of flood risk) into domestic law in England and Wales. The Regulations require three key documents to be produced:

- Preliminary Flood Risk Assessment (22nd December 2011);
- Updated Flood Maps for Surface Water (22nd December 2013); and
- Flood Risk Management Plan (22nd December 2015).

- 4.2 Within the legislation detailed in Section 4.1, Rhondda Cynon Taf County Borough Council are designated a Lead Local Flood Authority, tasked with the risk management of local sources of flood risk (ordinary watercourse, surface runoff and groundwater). Natural Resources Wales remain the risk management authority for Main River and coastal flooding.

- 4.3 Following the undertaking of the Preliminary Flood Risk Assessment in June 2011, Rhondda Cynon Taf County Borough Council was identified to have an indicative flood risk area. As a result, Rhondda Cynon Taf County Borough Council is required to produce a Flood Risk Management Plan in accordance with the European Floods Directive and The Flood Risk Regulations 2009.

- 4.4 The Flood Risk Management Plan has been undertaken based upon the surface water flood risk presented within the updated Flood Maps for Surface Water (as detailed within Section 4.1). The maps were undertaken via a joint venture between DEFRA, Welsh Government, The Environment Agency and Natural Resources Wales, who instructed a consultant to undertake the mapping. These maps were published in June 2013.

- 4.5 The Flood Risk Management Plan is based on the risk presented within the updated Flood Maps for Surface Water. Note: The maps show flood risk sourced from surface runoff and ordinary watercourse.

4.6 The Flood Risk Management Plan aims to achieve some of the objectives set out in the Welsh Government's National Flood and Coastal Erosion Risk Management Strategy (FCERM) which provides the national framework for flood and coastal erosion risk management in Wales through four overarching objectives:

- Reducing the consequences for individuals, communities, businesses and the environment from flooding and coastal erosion;
- Raising awareness of and engaging people in the response to flood and coastal erosion risk;
- Providing an effective and sustained response to flood and coastal erosion events; and
- Prioritising investment in the most at risk communities.

The Flood Risk management Plan sets out appropriate objectives which focus on reducing the adverse consequences of flooding for human health, the environment, cultural heritage and economic activity.

HOW WILL RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL IMPLEMENT THE PLAN?

- 4.7 The Flood Risk Management Plan seeks to highlight the areas which are most at risk from surface water flooding in Rhondda Cynon Taf County Borough Council, based on the risk posed within the updated flood maps for surface water.
- 4.8 The Flood Risk Management Plan has adopted the 38no. measures set out within the Rhondda Cynon Taf County Borough Council Local Flood Risk Management Strategy. The Local Flood Risk Management Strategy was published in 2013, following cabinet scrutiny and Welsh Government approval. It is important to note that the measures set out within the Strategy underwent a Strategic Environmental Assessment and this has been reviewed within the Flood Risk Management Plan and the measures are still considered to have no detriment on relevant receptors.
- 4.9 The measures introduced are implemented following the conclusions of the updated flood maps for surface water maps. The Flood Risk Management Plan sets out where the measures will be implemented over the next six year cycle of the plan.

- 4.10 The structure of the plan looks to provide information to the public by “drilling down” through the authority by firstly implementing measures borough wide and flood risk area wide.
- 4.11 The Flood Risk Management Plan then draws conclusions from the updated flood maps for surface water at a community area level.
- 4.12 Rhondda Cynon Taf County Borough Council understands that flood risk is not restricted by administrative boundaries and to accommodate this, 137no. Flood Investigation Areas (areas of specific locations for investigation) have been identified within the borough (Appendix A of the Flood Risk Management Plan) and Flood Investigation Area specific measures have been appended to these, where relevant. A summary of the measures to be implemented within the Flood Investigation Areas is provided within the Community Area Section within the FRMP, i.e. within those Community Areas that contain specific Flood Investigation Areas.

5 EQUALITY AND DIVERSITY IMPLICATIONS

An Equality Impact Assessment (EqIA) screening form has been prepared for the purpose of this report. It has been found that a full report is not required at this time. The screening form can be accessed by contacting the author of the report or the Cabinet Business officer.

6 CONSULTATION

- 6.1 It is a requirement of the Flood Risk Regulations 2009 for a public consultation to be undertaken on the Flood Risk Management Plan; however, no further direction is given within The Regulations.
- 6.2 Approval to proceed was giving through a delegated officer decision dated 8th September 2015
- 6.3 A six week period of consultation on the Rhondda Cynon Taf County Borough Council’s Flood Risk Management Plan draft for consultation, was carried out between 14th September 2015 and the 30th October 2015, in order to satisfy the requirements of The Regulations.
- 6.4 A summary of all consultation responses and any alterations carried out to the Draft Flood Risk Management Plan is contained in the report “Consultation Report on Draft Flood Risk Management Plan”.

- 6.5 The consultation responses only required minor changes and both statutory Consultee and the public were generally satisfied that the plan sets out the most significant flood risk issues across Rhondda Cynon Taff County Borough Council's area.

7 FINANCIAL IMPLICATION(S)

- 7.1 It is envisaged that the cost of the measures implemented at a Borough Wide and Flood Risk Area wide scale as described in Section 8 of the Flood Risk Management plan will total between £75,000 and £100,000 annually. These measures generally represent the work required to discharge the Council's statutory duties under the Land Drainage Act 1991, Flood Risk Regulations 2009 and Flood and Water Management Act 2010. This cost represents the Staff and other resources such as ICT, training, equipment etc. for, but not limited to, the management and implementation of:-

- Establish SUDs Approval Body
- Water Cycle Strategy
- RCTCBC Local Development Plan
- Planning Policy Wales
- Flood Awareness
- System Asset Management Plans
- Power to request information and civil sanctions
- Asset register and records
- Consenting on ordinary watercourses (OWC)
- Enforcement to maintain flow in watercourses
- Enactment of Land Drainage Byelaws
- Investigation of Flooding incidents
- Flood Risk Management Plan
- Flood Risk and Hazard Maps
- Partnership Working
- Weather pattern monitoring/Water levels

It is anticipated that this money will be available from revenue grant from Welsh Government (Single Environment Grant) at least in the near future.

- 7.2 The measures placed within the Flood Risk Management plan for the individual community areas are aspirational over the next six years and

there is no financial implications available for the measures at this stage. The measures will be undertaken dependant on available funding and there is no penalty should the authority not be able to undertake all of the measures.

7.3 It is not possible for the Flood Risk Management Plan to have specific cost benefit included within the document for measures appended to the Flood Investigation Area as further work is required before this is fully understood. It is considered that revenue or capital funding may be available for these projects by exploring the following avenues:

- RCTCBC Capital and Revenue
- Single Environment Grant (Revenue)
- Flood Defence Grant in Aid;
- Community Infrastructure Levy;
- European Funding;
- Section 106 (Developer Contributions);
- Local Fundraising; and
- Partnership funding.

8 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

8.1 The Flood Risk Regulations 2009 (The Regulations) transpose the European Floods Directive (Directive 2007/60/EC on the assessment and management of flood risk) into domestic law in England and Wales. The Regulations require three key documents to be produced:

- Preliminary Flood Risk Assessment (22nd December 2011);
- Updated Flood Maps for Surface Water (22nd December 2013); and
- Flood Risk Management Plan (22nd December 2015).

8.2 Within the legislation detailed in Section 8.1, Rhondda Cynon Taf County Borough Council are designated a Lead Local Flood Authority, tasked with the risk management of local sources of flood risk (ordinary watercourse, surface runoff and groundwater). Natural Resources

Wales remain the risk management authority for Main River and coastal flooding.

- 8.3 Following the undertaking of the Preliminary Flood Risk Assessment in June 2011, Rhondda Cynon Taf County Borough Council was identified to have an indicative flood risk area. As a result, Rhondda Cynon Taf County Borough Council is required to produce a Flood Risk Management Plan in accordance with the European Floods Directive and The Flood Risk Regulations 2009 by 22nd December 2015.
- 8.4 Following adoption of the plan by the Authority it will be submitted to Natural Resources Wales for review under Part 4 cl26(3) of the Flood Risk Regulations 2009.

9 LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES/ SIP.

- 9.1 The Local Flood Risk Strategy, as published 2013, set out how the detailed flood risk objectives and measures align with the Council's Community Strategy Ambitions and sustainable development.
- 9.2 As these detailed objectives and measures have been used in the Flood Risk Management Plan the plan is fully aligned to both corporate and sustainable development ambitions. A detailed comparison can be found in the FRMP in Table 3.

10 CONCLUSION

- 10.1 The consultation on the Draft FRMP showed that both statutory Consultee and the public were generally satisfied that the plan sets out the most significant flood risk issues across Rhondda Cynon Taff County Borough Council's area.
- 10.2 The Flood Risk Management Plan meets the requirements of the Flood Risk Regulations 2009.

Other Information:-

Relevant Scrutiny Committee

Public Service Delivery, Communities and Prosperity Scrutiny Committee

Contact Officer

Andrew Stone, Strategic Projects Manager

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Item: **FLOOD RISK MANAGEMENT PLAN**

Background Papers

Local Flood Risk Management Strategy (RCT 2013)

National Flood and Coastal Erosion Risk Management Strategy (WG 2011)

Officer to contact: Andrew Stone, Strategic Projects Manager

N.B

DUE TO THE SIZE OF THE APPENDICIES RELATED TO THIS REPORT (OVER 900 PAGES IN TOTAL), THE PLAN HAS NOT BEEN REPRODUCED IN PAPER FORMAT, ALTHOUGH IT IS AVAILABLE ON THE COUNCIL WEBSITE WITH THE CABINET REPORTS. THE PLAN CAN BE VIEWED BY ACCESSING THE LINK:-

<http://www.rctcbc.gov.uk/en/councildemocracy/democracyelections/councillorscommittees/meetings/cabinet/2015/11/24/cabinet24-nov-2015.aspx>