



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

OVERVIEW & SCRUTINY INQUIRY SESSION

9th NOVEMBER 2020

SCOPE AND KEY CONSIDERATIONS FOR THE SCRUTINY INQUIRY SESSION

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATIONS

1. PURPOSE OF THE REPORT

- 1.1 To assist members of the Overview & Scrutiny Committee with the process of the Scrutiny Inquiry Session.
- 1.2 To provide Members with the opportunity to contribute to the subsequent reporting by the Council (as the lead local flood management authority) into the flooding events of 2020.

2. RECOMMENDATIONS

It is recommended that Members:-

- 2.1 Acknowledge and scrutinise the contents of the information presented by Natural Resources Wales, following the publication of their flood report as the River Flood Management Authority and Dwr Cymru/Welsh Water;
- 2.2 Consider views and experiences of Elected Members who represent those communities impacted; and
- 2.3 Instruct the Service Director Democratic Services & Communications to gather information and present evidence for consideration by a future meeting of full Overview & Scrutiny Committee.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To afford local Members with the opportunity to provide insight into the impact of Storm Dennis and Ciara and the consequential flooding, alongside

information from Council Officers, Natural Resources Wales (NRW) and Welsh Water/Dwr Cymru.

- 3.2 To enable scrutiny to review the information in greater detail, make comments and recommendations as necessary which will contribute to the Council's statutory report.

4. **BACKGROUND & FRAMEWORK FOR SCRUTINY OF FLOODING**

- 4.1 Following discussions held at the Overview & Scrutiny Committee on the 14th October 2020, Members resolved to hold a scrutiny inquiry session as an opportunity to bring partner agencies and local members together, to give evidence and provide an insight into the impact on local people's lives.

- 4.2 Members requested that representatives from Natural Resources Wales (NRW) and Dwr Cymru/Welsh Water attend the session to assist with the discussions and to also take consideration of the information provided through the Natural Resources Wales' own flood report.

<https://naturalresources.wales/about-us/news-and-events/news/february-2020-floods-reviews-trigger-clarion-call-to-step-up-response-to-climate-emergency-impacts/?lang=en>

Local authority officers from RCT will also present an overview of the Council's preparatory work and subsequent response and recovery process following the flooding event.

- 4.3 As previously referred, Members may wish to note that, in line with the statutory requirements, the Council is responsible for developing a strategic flood risk management for Rhondda Cynon Taf; the key policies are:-

A. The ***Flood and Water Management Act 2010*** (hereafter, the Act) make provisions for the management of flooding and coastal erosion in England and Wales. The Act provides powers to, and makes requirements of, the Welsh Government, Natural Resources Wales (NRW) and Local Lead Flood Authorities (LLFA);

B. **Section 6 of the Act** defines the roles and responsibilities of 'Risk Management Authorities', which include all 22 Welsh local authorities (who act as LLFA). The Act also places a duty on local authorities to develop and implement Local Flood Risk Management Strategies to set out objectives for managing local flood risk from surface water, groundwater and ordinary watercourses;

C. **Section 19 of the Act** sets out the responsibility of a LLFA to investigate a flood event:

(1) On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate—

(a) Which risk management authorities have relevant flood risk management functions, and

(b) Whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.

Title: An independent inquiry into the 2020 flooding in Rhondda Cynon Taf so that lessons are learned

(2) Where an authority carries out an investigation under subsection (1) it must—

(a) Publish the results of its investigation, and

(b) Notify any relevant risk management

4.4 Members are asked to consider the reports of the Council's [Major Incident Recovery Board](#) as an integral part of the scrutiny process.

5. **SCRUTINY BRIEFING/ ENQUIRY SESSION**

5.1 It is proposed that the Scrutiny Inquiry Session is limited to one meeting so that the role of scrutiny can be more targeted and focussed on the specific flooding issues under review. It also means that scrutiny will add value by contributing to the Council's Statutory Flood Report through any recommendations/lessons learned that may arise from the session.

5.2 It is appropriate that local Members, whose electoral divisions were significantly impacted by the flooding events, have been invited to provide a wider perspective on behalf of their communities and to enable scrutiny to examine the broader issues affecting local communities. Likewise, the agreement of both NRW and Dwr Cymru/Welsh Water to attend the Scrutiny Inquiry Session will strengthen the multi-agency approach much needed in flood risk management.

5.3 It is intended that Scrutiny will receive representations in the following order:-

- **Rhondda Cynon Taf County Borough Council** - To receive a presentation of the Group Director for Prosperity, Development & Frontline Services, which provides information on these flooding events;
- **Natural Resources Wales** response to the floods of 2020;
- **Dwr Cymru/Welsh Water** contribution to the discussions; and
- **Local Members** evidence to help shape the Council's response from the affected wards as follows:-

- Aberaman South
- Abercynon
- Brynna
- Cwmbach
- Hawthorn
- Hirwaun
- Llanharan
- Mountain Ash East
- Mountain Ash West
- Pentre
- Pontypridd Town
- Rhondda
- Rhydyfelin Central

- Taffs Well
 - Trallwn
 - Treforest
 - Treorchy
- **Members of the Overview & Scrutiny Committee** to contribute and formulate recommendations.

5.4 Following the scrutiny session both the comments of members and NRW's statutory report in respect of the flooding events will be reported to Full Council on the 25th November 2020. Thereafter, scrutiny has the ability provided to enable the committee, if necessary and where appropriate, to make recommendations to Cabinet, based upon experience of recent events to inform future policies and strategies, and the Council's own Statutory reporting into these matters.

6. CONSULTATION / INVOLVEMENT

6.1 The process of engagement with key partners and local Members will steer the scrutiny consideration and methodology going forward and enable it to formulate well balanced and objective recommendations.

7. EQUALITY AND DIVERSITY IMPLICATIONS

7.1 Equality and diversity implications are to be considered as part of the Scrutiny Inquiry session's recommendations and any subsequent implementation arrangements.

8. FINANCIAL IMPLICATIONS

8.1 Financial and resource implications will be considered as part of the scrutiny's recommendations as will any subsequent implementation arrangements going forward.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

9.1 There are no legal implications arising from the recommendations in this report.

10. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES.

10.1 The Well-being of Future Generations Act asks public bodies to work better with people, communities and each other to meet the Sustainable Development principle. The Council's approach to the implementation of the Act agreed by Cabinet is to make sure that its requirements are embedded into the everyday business.

10.2 Engagement with Stakeholders at this stage of the Scrutiny review will support the Working Group apply the Sustainable Development principle of the Act through the five ways of working, namely, Integration, Collaboration,

Long term thinking, Involvement and Prevention and maximise the contribution to the 7 national Well-being goals.

- 10.3 Not forgetting the 'Future Generations Framework for Scrutiny' which poses a set of questions that Scrutiny Members can use as a prompt. It can be used to see if the decisions they conclude have applied the Sustainable Development principle and to ensure that the work and recommendations of Scrutiny are progressed through the lens of the Act.

11. CONCLUSION

- 11.1 The scrutiny process outlined above provides the opportunity for scrutiny to consider and challenge the response of the Council and its partners to the unprecedented weather events which affected Rhondda Cynon Taf in 2020. In doing so, the proposed approach will provided the opportunity for Elected Members, who represent communities which experienced significant impact, to inform the statutory reporting requirements of the Council.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**OVERVIEW & SCRUTINY COMMITTEE
(Scrutiny Inquiry Session)**

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