



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

OVERVIEW & SCRUTINY COMMITTEE

28 FEBRUARY 2022

FLOOD INVESTIGATION REPORT & ACTION PLANS

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATIONS**

1. PURPOSE OF THE REPORT

- 1.1 To provide members with the opportunity to scrutinise the group of recently published Flood and Water Management Act 2010 Section 19 Flood Investigation Reports (Flood Investigation Area RCT 12-Treforest, RCT 14-Glyntaff & Hawthorn, RCT 17-Taffs Well, RCT 01-Hirwaun, RCT 11-Pontypridd, RCT 16 Upper Boat & Nantgarw , RCT10 Cilfynydd and RCT 27 Treherbert (attached at Appendices A-H).
- 1.2 To provide Members with the opportunity to comment on quarterly performance information relating to the actions contained in the review of the Council's response to Storm Dennis [Cabinet Report 18 December 2020](#) (attached at Appendix I)

2. RECOMMENDATIONS

It is recommended that Members:-

- 2.1 Consider the attached Section 19 Flood Investigation Reports collectively (as referred to above and as attached in Appendices A-H) and determine whether they have any matters Members may wish to scrutinise arising from the findings of these reports.
- 2.2 Scrutinise the action plans enclosed as set out at Appendix I;
- 2.3 Propose that the Overview & Scrutiny Committee of the next Council, determine its focus upon this matter, as part of its work programming for the 2022/23 Municipal Year.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The Overview & Scrutiny Committee, as the Council's overarching Scrutiny Committee has considered, information to-date from partners, Council Officers and local members in advance of the internal review process considered by Cabinet in December 2020 and has continued to play its part in understanding the statutory responsibilities of the Council, how they are being met and how key agencies are working in partnership to manage flood risks.
- 3.2 Follow on from this work members requested the opportunity to scrutinise and challenge the Section 19 flood investigation reports which set out the storm events that occurred between February and August 2020 within the Rhondda Cynon Taf County Borough Council area.
- 3.3 The Overview & Scrutiny Committee will continue to maintain an interest in scrutinising the Council's flood risk management arrangements and monitor progress, including providing constructive scrutiny upon the action plans contained in Appendix I.

4. BACKGROUND

- 4.1 The Overview & Scrutiny Committee's timeline of engagement in respect of the Council's response to the severe flooding experienced during 2020 is set out below:
- [14th October 2020](#) Report and presentation from Council Officers on the scale of this weather event, the service and community response, and lessons learned to-date.
 - [9th November 2020](#) Scrutiny Inquiry Session – to facilitate the engagement of local members.
 - [Full Council on the 25th November 2020](#) briefing to all Elected Members
 - [9th December 2020](#) - Position Statement - Scrutiny of The Council's Response to Flooding During 2020
 - [21st September 2021](#) - Consideration of the Section 19 Flood Investigation Report (Pentre)
- 4.2 In addition to the Council's Section 19 reports into the February Floods as the Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010 (FWMA) an internal assessment was also undertaken by the Senior Leadership Team (SLT).
- 4.3 The report to Cabinet set out a number of key actions from the lessons learned and work undertaken, including the internal Officer reviews and the work of scrutiny.
- 4.4 It was recommended that progress and implementation of the actions agreed by [Cabinet on the 18 December 2020](#), would form part of the Council's quarterly performance report. It was proposed that the monitoring of progress

updates would be scrutinised by the Overview & Scrutiny Committee moving forward.

- 4.5 Scrutiny indicated its wish to receive and comment upon the Section 19 statutory reports on conclusion of the ongoing investigations that the Council has undertaken into the February Floods as the Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010. The recommendations contained within this report provide committee with the opportunity to do so.

5. FLOOD AND WATER MANAGEMENT ACT 2010 SECTION 19 FLOOD INVESTIGATION REPORTS

- 5.1 Members are reminded that the reports have been produced through the duties placed upon Rhondda Cynon Taf County Borough Council (RCT) under Section 19 of the Flood and Water Management Act 2010. The Act states, “Act states, “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”.

- 5.2 Members will note that they previously considered the Section 19 flood investigation report for Pentre, at its meeting held on the [21st September 2021](#) and the commitment was made for Scrutiny to receive the group of Section 19 Flood and Water Management Act 2010 reports upon publication.

- 5.3 To assist with discussions, Council Officers together with representatives from Partner Agencies Natural Resources Wales (NRW) and Welsh Water will be in attendance at the meeting.

- 5.4 The published Section 19 flood investigation reports (in addition to the Storm Dennis Overview Report) can be viewed on the Council’s website here: [Flood Investigation Reports | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](#)

6. ADDITIONAL INFORMATION REQUESTED BY SCRUTINY

- 6.1 At its meeting in September 2021, Members requested legal advice on the role of scrutiny in holding Natural Resources Wales liable for the flooding to properties in Pentre caused by Storm Dennis. Attached at Appendix J is the response provided by the Council’s Head of Legal Services in respect of the position. This advise confirms the position outlined by the Head of Democratic Services at the said meeting.
- 6.2 Furthermore, a request was also made for any correspondence associated with the WLGA Leaders’ Meeting on the 28th May 2021 and any associated responses from the Local Authority be shared with the Overview & Scrutiny Committee. All correspondence relating to that meeting is attached at Appendix K.

6.3 For clarity the following appendices are attached:

- Flood Investigation Area RCT10 Cilfynydd **Appendix A**
- Flood Investigation Area RCT 27 Treherbert **Appendix B**
- Flood Investigation Area RCT 12-Treforest **Appendix C**
- Flood Investigation Area RCT 14-Glyntaff & Hawthorn **Appendix D**
- Flood Investigation Area RCT 17-Taffs Well **Appendix E**
- Flood Investigation Area RCT 01-Hirwaun **Appendix F**
- Flood Investigation Area RCT 11-Pontypridd **Appendix G**
- Flood Investigation Area RCT 16 Upper Boat & Nantgarw **Appendix H**

- Update of actions arising from the recommendations contained in the review of the Council's response to Storm Dennis Action Plans **Appendix I**

- Additional information as requested by the Overview & Scrutiny Committee
Legal advice **Appendix J**
Correspondence **Appendix K**

7. CONSULTATION / INVOLVEMENT

7.1 The process of engagement with key partners and local members has steered Scrutiny's consideration and methodology throughout this process.

8. EQUALITY AND DIVERSITY IMPLICATIONS

8.1 Equality and diversity implications are to be considered as part of the Scrutiny's ongoing activity with this matter.

9. FINANCIAL IMPLICATIONS

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

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

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

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

11.1 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.

11.2 Engagement with Stakeholders has enabled the Scrutiny review to 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.

12. CONCLUSION

12.1 As the Council's overarching Scrutiny Committee, the Overview & Scrutiny Committee, in line with its terms of reference, has undertaken an extensive review into the Council's response to the severe flooding experienced during 2020 and contributed to the recommendations to the Cabinet. Scrutiny has a further opportunity to consider the published Section 19 Flood investigation reports to ensure that the issues which emerged from the flooding event and subsequent recommendations have been highlighted, reflected upon and actioned.