

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

17th JULY 2023

REPORT TO COMMENCE FORMAL STATUTORY CONSULTATION OF THE AUTHORITY'S REVIEW OF THE LOCAL FLOOD RISK MANAGEMENT STRATEGY AND ACTION PLAN

REPORT OF DIRECTOR OF FRONTLINE SERVICES IN DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER; THE LEADER OF THE COUNCIL; CLLR ANDREW MORGAN OBE.

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1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide members with an update on progress of the Authority's review of the revised Local Flood Risk Management Strategy (LFRMS) and Action Plan (formerly known as a Flood Risk Management Plan), as required under Section 10 of the Flood and Water Management Act (FWMA) 2010.
- 1.2 The report is required to be brought before Cabinet as part of the program of work required to deliver the review of the LFRMS and Action Plan, which was agreed by Cabinet on 15th May 2023.

2. **RECOMMENDATIONS**

2.1 Cabinet to agree to commence formal statutory consultation on the Draft LFRMS and Action Plan and accompanying Environmental assessments (Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA)), as per the programme of work which was agreed by Cabinet on 15th May 2023.

3. REASONS FOR RECOMMENDATIONS

3.1 There is a requirement for public consultation on the draft revised LFRMS and Action Plan under Section 10 of the Flood and Water Management Act 2010.



4. BACKGROUND

- 4.1 Under the FWMA 2010, Rhondda Cynon Taf County Borough Council (RCTCBC) is the Lead Local Flood Authority (LLFA) for its administrative area. Under this legislation, RCTCBC is required to develop, maintain, apply and monitor a strategy for local flood risk management, i.e., a LFRMS.
- 4.2 RCTCBC published their first LFRMS in 2013¹, setting out the Council's overarching approach to managing local flood risk. Alongside the Local Strategy, RCTCBC published a Flood Risk Management Plan (FRMP) in 2015², as required under the Flood Risk Regulations (2009). The FRMP developed the objectives and high-level measures outlined in the Local Strategy into a more detailed plan for managing the risk of flooding from local sources in our communities over the next 6 years.
- 4.3 The publication of the second iteration of the National Strategy for Flood and Coastal Erosion (FCERM) in Wales in October 2020³ triggers the requirements under Section 10 (5) of the FWMA 2010 for the Council as the LLFA to review its current LFRMS and publish a revised version within the timeframe stipulated by the Welsh Government. The original date advised by the Welsh Government (WG) for the publication of the revised LFRMS was October 2023.
- 4.2 The WG have confirmed that the date for publication of the revised LFRMS and Action Plan has been revised from October 2023 to March 2024.
- 4.3 The decision to commence with the review of the LFRMS and Action Plan was agreed by Cabinet Members on 29th November 2022.
- 4.4 Following notification from the WG that the statutory publication date for the revised LFRMS and Action Plan has been revised to March 2024, the LLFA have revised their high-level programme and timeline, from that previously agreed by Cabinet Members on 29th November 2023, to reflect the 6-month delay to the publication date. The revised high-level programme and timeline for the implementation of the review of the LFRMS and Action Plan was agreed by Cabinet Members on 15th May 2023.
- 4.5 As required under the FWMA, and as part of the agreed program of works required to deliver the review of the LFRMS and Action Plan, the LLFA must consult on the draft LFRMS and Action Plan and the

¹ RCT Local Flood Risk Management Strategy, 2013

² RCT Flood Risk Management Plan, 2015

³ National Strategy for Flood and Coastal Erosion Risk Management in Wales (English) (gov.wales)



accompanying environmental assessments with the public and risk management authorities that may be affected by the strategy.

5. THE REVISED DRAFT LFRMS & ACTION PLAN

- 5.1 The revised draft LFRMS and Action Plan is included in Appendix 1. Whilst the Council previously published the LFRMS and FRMP separately, the revised LFRMS integrates the two documents into one. This reduces complexity and enables the Council to communicate and manage local flood risk more effectively. The FRMP is referred to as the Flood Action Plan within the LFRMS.
- 5.2 The revised draft LFRMS and Action Plan builds upon the lessons learnt from the first LFRMS and sets out how flooding from local sources will be managed across RCT, consistent with the Objectives, Measures and related policies and legislation set out in the National Strategy.
- 5.3 Since the first iteration of the National Strategy in 2011⁴, improvements in available mapping and datasets, together with local evidence gained as a result of more frequent and intense storm events in recent years, has provided the LLFA with an enhanced understanding of local flood risk in RCT. This has led to the development of objectives, measures and actions which reflect the current challenges facing RCT.
- 5.4 The revised LFRMS and Action Plan must align with the objectives and measures of the new National Strategy which reflect the Welsh Government's renewed priorities. These are designed to improve our understanding of risk, build resilience at a community level and reduce exposure to risk by recognising the importance of aligning with planning policy to inform better development decisions.
- 5.5 The measures described in the National Strategy to help deliver the objectives, highlights the Welsh Government's strengthened response to the climate emergency. Furthermore, the National Strategy encourages the delivery of wider benefits alongside flood risk reduction through the promotion of wider catchment interventions, as well as strengthening community adaptability and resilience to flooding by building preparedness and prioritising investment to those at greatest risk.
- 5.6 The revised draft LFRMS and Action Plan has also been informed by the results of the initial non-statutory public engagement exercise which was undertaken prior to the drafting of the revised LFRMS, from 13th December 2022 to 24th January 2023.

⁴ national-strategy-summary.pdf (gov.wales)



- 5.7 The results and feedback via initial public engagement exercise was presented to the Climate Change, Frontline Services & Prosperity (CCFSP) Scrutiny Committee on 22nd March 2023. The CCFSP Scrutiny report and 'Initial Public Engagement Report' can be found on the Council's website⁵.
- 5.8 Considerations raised by respondents as part of the initial public engagement exercise closely align with the objectives set out within the National Strategy. This has enabled the Authority's review of the LFRMS and Action Plan to align not only with the new National Strategy, but also with the key considerations raised by the public during the engagement exercise. The key considerations raised by the public, in addition to feedback received by CCFSP Scrutiny Committee on 22nd March 2023, was presented to Cabinet on 15th May 2023 and can be found on the Council's website⁶.

6. SUMMARY OF KEY CHANGES TO THE REVISED LFRMS & ACTION PLAN

6.1 To ensure consistency across Local Strategies produced in Wales, the Welsh Local Government Association (WLGA) have, in consultation with a focus group of Local Authorities including this council, prepared a LFRMS template which the Council has principally adhered to. The structure of the draft LFRMS and Action Plan included in Appendix 1, is as follows:

Chapter 1: Introduces the background and purpose of the Local Strategy.

Chapter 2: Provides an overview of the legislative context which has informed the development of this Local Strategy. It also summarises how this Local Strategy aligns with our other strategic plans and how we have developed the Local Strategy in coordination with other stakeholder plans.

Chapter 3: Gives an overview of the different sources of flooding and presents an assessment of the risk of flooding across the Authority.

⁵ Agenda for Climate Change, Frontline Services & Prosperity Scrutiny Committee on Wednesday, 22nd March, 2023, 5.00 pm - Rhondda Cynon Taf County Borough Council (moderngov.co.uk)

⁶ Cabinet Report MTSP One4aLL LG (moderngov.co.uk)



Chapter 4: Provides an overview of climate change in the context of flood risk and outlines how this Local Strategy seeks to address these risks in RCT.

Chapter 5: Sets out the roles and responsibilities for managing flood risk in RCT.

Chapter 6: Describes the strategic Objectives for managing flood risk in the coming years, and how these align with the objectives set out in the National Strategy.

Chapter 7: Sets out the flood risk management Measures. These are broad activities and ways of working which help us to meet our strategic objectives.

Chapter 8: Introduction to the Flood Action Plan. This is a focused plan, detailing specific deliverable actions required to meet our measures. The Flood Action Plan is included in Appendix A of the Strategy.

Chapter 9: Summarises the different ways in which flood risk management activities can be funded as well as how we prioritise these activities.

Chapter 10: Outlines how this Local Strategy will contribute to wider environmental objectives.

Chapter 11: Describes how we will measure and monitor our progress in delivering the objectives, measures and actions set out in this Local Strategy.

6.2 A summary of the key changes to the revised draft LFRMS and Action has been included in Table 1. The changes reflect how the LLFA have enhanced its LFRMS and Action Plan, particurarly the objectives, measures and actions for managing local flood risk, to align with the National Strategy and public feedback via the engagement exercise.



Table 1: Summary of key changes to the revised draft LFRMS and Action Plan

Section	Key Changes	
Chapter 1: Introduction		
Chapter 1. Introduction	Narrative on the integration of the FRMP (as	
	required by the Flood Risk Regulations 2009) into the LFRMS.	
	the LFRMS.	
	Included a description of the tiered approach to	
	Included a description of the tiered approach to	
	objectives, measures and actions to provide clarity	
	on the strategic objectives will be achieved by a	
	range of measures which will be delivered through	
Chapter 2. Coordination	a set of planned actions.	
Chapter 2: Coordination	The legislative context which informs the	
	requirements for the LLFA to produce a LFRMS	
	and FRMP remains unchanged from the previous	
	LFRMS in 2013, however the national, regional	
	and local policies and plans that have informed the revised draft LFRMS and Action Plan has	
	been summarised in Figure 2 for ease of	
	understanding.	
	understanding.	
	Section 2 of the revised LFRMS and Action Plan	
	also includes a summary of how the Strategy	
	aligns with other Council strategies and plans, for	
	example the Council's Corporate Plan 2020-2024,	
	'Making a Difference', and the Council's Climate	
	Change Strategy, 'Think Climate Change'.	
	Change Strategy, Thirtk Chimate Change.	
	Section 2 also demonstrates how the revised	
	LFRMS and Action Plan has been developed in	
	coordination with other RMA strategic plans. This	
	reflects the National Strategy's priority to	
	encourage partnership working and coordination	
	between RMA's.	
Chapter 3: Flood Risk in	Chapter 3 has been enhanced to incorporate local	
RCT	flood risk information which was previously	
	included in the original FRMP in 2015. This	
	includes an overview of the different sources of	
	flooding in RCT and an assessment of the	
	receptors at risk across the Authority.	
	Improvements in national mapping and datasets	
	since the first iteration of the National Strategy has	
	provided the LLFA with the ability to refine and	
	improve its understanding of local flood risk in	
	RCT. This has enabled the LLFA to enhance its	
	methodology for assessing flood risk. Where the	
	previous LFRMS used the 2011 Preliminary Flood	
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Section	Key Changes
	Risk Assessment (PFRA) ⁷ to assess and identify 'Flood Risk Areas' in RCT, the revised LFRMS and Action Plan has adopted a catchment-based approach which utilises national datasets including the Communities at Risk Register and the Flood Risk Assessment Wales mapping, together with geographic knowledge and local context to produce assessment boundaries, referred to as 'Strategic Flood Risk Areas (SFRA)'. The methodology is described in detail in Section 3.2 of the draft LFRMS and Action Plan in Appendix 1.
Chapter 4: Climate Change and Flood Risk	The revised Strategy has been drafted with a longer-term, strategic view, recognising the nature of flood risk with respect to the challenges of climate change. Chapter 4 has been introduced to discuss future trends and challenges of climate change and how this will impact flood risk in RCT.
	Managing flood risk has been identified as one of RCTCBC's Climate Commitments to reducing carbon emission within the Council, as stipulated in RCTCBC's Climate Change Strategy which was approved by Cabinet in June 2022. Chapter 4 identifies the aims and plans relevant to flood risk management which will achieve the Climate Commitments and deliver the Council's Corporate priorities; all of which have been considered in the Strategy objectives, measures and actions.
	Other national and local strategies, plans and guidance considered in the development of the revised LFRMS and Action Plan to manage flood risk and address climate change in RCT has also been included in Chapter 4.
Chapter 5: Roles and Responsibilities for Managing Flood Risk in RCT	A lack of clarity and general understanding of the roles and responsibilities of RMA's and other stakeholders with responsibilities to manage flood risk was raised during the initial public engagement exercise.
	While Chapter 5 has remained largely unchanged from the first iteration of the LFRMS, in response to the public engagement exercise, efforts have been made to clearly define the roles and

⁷ Preliminary Flood Risk Assessment, 2011



Section	Key Changes	
	responsibilities of RMA's and non-RMA's within the revised LFRMS and Action Plan.	
Chapter 6: Strategic Objectives	The first iteration of the LFRMS set out a two- tiered approach to the objectives; 4 core objectives and 16 detailed objectives.	
	The revised LFRMS and Action Plan has removed the two-tiered approach to produce a set of 13 strategic objectives which are principally based on the previous 16 detailed objectives. The core objectives have been removed in the revised LFRMS and Action Plan as they reinforce the previous National Strategy objectives.	
	The 13 strategic objectives have built upon the previous 16 detailed objectives. Key changes include:	
	 Minor amendments to the language used to ensure the most up-to-date terminology is reflected within the objectives. The integration of previous detailed objectives to produce over-arching strategic objectives which broadly cover key themes. The removal of detailed objective 15 which no longer applies to the revised LFRMS and Action Plan. Strategic objective 8, is a new objective aimed at improving our understanding of risk in RCT, which aligns with Objective A of the National Strategy. 	
	A description of each strategic objective has also been included in Table 11 to provide further context. How each strategic objective aligns with the National Strategy objectives has also been illustrated in Table 11 to meet the requirements of the FWMA 2010.	
Chapter 7: Flood Measures	The first iteration of the LFRMS included 38 flood measures, each categorised into 7 high level themes and given an indicative timescale for delivery to achieve the core and detailed objectives.	
	The revised LFRMS and Action Plan have refined the flood measures down to a total of 31 which have been categorised into 6 high-level themes: 1. Development Planning & Adaptation	



Section	Key Changes	
	 Flood Awareness, Preparedness & Response Studies, Assessments & Plans Land, Cultural & Environmental Management Asset Management & Maintenance Monitoring 	
	 Enhancement of measures include: Enhancement of measures included within the 'Flood Awareness, Preparedness and Response', and the 'Studies, Assessments and Plans'. Several measures have been retained from the previous LFRMS such as measures relating to the LLFA's business-as-usual operations, statutory duties and permissive powers under the FWMA, FRR and Land Drainage Act 1991. Some measures have been renamed to reflect current terminology and to integrate similar measures into overarching measures. Removed measures which no longer apply to the revised LFRMS and Action Plan. 	
	Each flood measure has been given an indicative timescale and cost for delivery, along with how the flood measure aligns with the National Strategy and Local objectives and other Council plans.	
Chapter 8: Flood Actions Appendix A: Flood Action Plan	Chapter 8 of the revised LFRMS and Action Plan	
	The Flood Action Plan delivers on the requirements of the FRR for LLFA's to produce a FRMP. Whilst the LLFA previously published a LFRMS and FRMP separately, the revised LFMRS and Action Plan integrates the two documents into one.	
	The Flood Action Plan provides information at two scales. The RCT Flood Action Plan sets out the flood actions to be delivered across RCT. Specific Flood Action Plans for each 12 SFRA has also	



Section	Key Changes
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been produced which contain actions at the local scale. The 12 SFRAs are illustrated in Figure 4 and listed in Table 1 of the revised draft LFRMS and Action Plan in Appendix 1.

The Flood Action Plan and SFRA Flood Action Plans are presented in Appendix A of the revised draft LFRMS and Action Plan.

The LLFA have proposed 31 RCT wide actions and a further 52 SFRA specific actions; a breakdown of which is provided below, along with a risk ranking based on the number of receptors at risk in each SFRA. The number of actions in each SFRA is proportional to risk.

SFRA	Receptors at Risk Rank	Total No of Actions
Upper Rhondda Fawr	1	8
Lower Rhondda Fawr	2	3
Lower Taf	3	8
Mid Cynon 1	4	11
Lower Rhondda Fach	5	10
Upper Rhondda Fach	6	2
Taf East	7	1
Ely	8	1
Upper Cynon	9	1
Lower Cynon	10	3
Mid Cynon 2	11	3
Taf West	12	1

Each flood action has been given an indicative timescale and cost for delivery, along with how the flood measure will be funded, status of the action (ongoing/not started) and how they align with the local flood measures.

All outputs from the Section 19 reports produced by the LLFA following Storm Dennis in February 2020, and the unnamed storm event in October 2021 which impacted the Rhydyfelin community, have been incorporated into the SFRA Flood Action Plans.

Chapter 9: Funding and Prioritisation

Funding options and how this funding is prioritised has been updated since the first iteration of the LFRMS to reflect updated funding streams and



Section	Key Changes
	also to align with the methodology for prioritising FCERM funding approved by the Welsh Government in 2018.
Chapter 10: Environmental Assessments	Chapter 10 provides a summary of how the revised LFRMS and Action Plan has taken into account the environment of RCT, focusing on the outcomes of key environmental assessments undertaken (SEA and HRA), in addition to how the Water Framework Directive has been considered in the development of the revised LFRMS and Action Plan.
Chapter 11: Monitoring Progress	Chapter 11 outlines how the LLFA will measure progress of the objectives, measures and actions, and how regular progress will be monitored. As per the previous LFMRS, the revised LFRMS and Action Plan will be updated in accordance with future updates to the National Strategy. Delivery of RCT's and the SFRA Flood Action Plans will be monitored on an annual basis. A progress report on the delivery of actions will be published each year to monitor progress against the revised LFRMS objectives and measures. The RCT and SFRA Flood Action included in Appendix A of the revised LFRMS and Action Plan will be updated every 2 years to reflect the LLFA's continued delivery against the objectives and

7. **EQUALITY AND DIVERSITY IMPLICATIONS**

7.1 An Equality Impact Assessment (EIA) 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.

8. **CONSULTATIONS**

- 8.1 An initial non-statutory public engagement exercise via a questionnaire was conducted in-house and ran for a period of six weeks from 13th December 2022 to 24th January 2023.
- 8.2 The results and review of the initial public engagement exercise on the revised LFRMS and Action Plan was presented to CCFSP Scrutiny



Committee on 22nd March 2023⁵. Members were supportive of the public engagement and the review of the LFRMS and Action Plan, and agreed their comments to be fed into the drafting of the revised Strategy.

- 8.3 It is a requirement of the FWMA 2010 for the LLFA to consult on the LFRMS and accompanying environmental documents (SEA and HRA) with the public and risk management authorities that may be affected by the strategy.
- 8.4 The statutory public consultation on the draft LFRMS and Action Plan, and accompanying environmental documents, is proposed to run for a period of 6 weeks upon approval from Members to commence public consultation.
- 8.5 Following consideration of the consultation responses, the revised draft LFRMS and Action Plan and accompanying environmental documents will be finalised and presented to Cabinet for approval before submitting the final documents to the Welsh Government for Ministerial approval.

9. FINANCIAL IMPLICATION(S)

- 9.1. The costs associated to the review of the LFRMS and Action Plan, and to facilitate the consultations, is supported by Revenue grant funding provided by the WG.
- 9.2 The measures and actions placed as part of the LFRMS and Flood Action Plan will incur costs over the life cycle of the LFRMS. In terms of financial implications, indicative costs have been grouped as follows:
 - Existing Resources (ER): No cost implication. Within current budgets.
 - Low Cost: Additional cost of £1K £10K
 - Medium Cost: Additional cost of £11K £200K
 - High Cost: Additional cost of £201K £999K
 - Very High Cost: Additional cost of £1m and above

Funding option(s) for each measure and action has also been provided. These are as follows:

- RCT Revenue
- WG Revenue Grant
- Capital Grant Funding
 - 1. WG FCERM Grant
 - 2. WG FCERM Small Scale Schemes
 - 3. WG Resilient Roads Fund.
- Potential Partnership Funding, both private and public.



9.3 Table 2 provides an indication of the financial implications of the draft measures. The summary demonstrates that 87% of the draft measures will have no cost implications, i.e., they will be delivered using existing resources within the current revenue budgets. 9% of the draft measures will be delivered within the low to medium cost range through revenue/capital grants, as well as potential partnership funding. Only 3% of the draft measures will have a medium to very high cost implications and this will be funded through capital grant and potential partnership funding.

Table 2: Summary of the number of draft measures per indicative cost range

Indicative Cost	No of Measures
Existing Resources (Existing Revenue (ER))	27
Low – Medium Cost	3
Medium – Very High Cost	1

9.4 Table 3 provides an indication of the financial implications of the draft actions for the RCT and SFRA Flood Action Plans contained in Appendix A of the Strategy. The summary demonstrates that 97% of the RCT Wide Flood Actions will have no financial implication, i.e., they will be delivered using existing resources within the current revenue budgets. 3% of RCT Wide flood actions will be delivered at low cost.

Approximately 19% of SFRA specific flood actions will have a low cost implication, 38% will have a medium cost implication, 29% will have a high cost implication and 8% will have a very high cost implication. Each of the Capital actions within the SFRA Flood Action Plans will be funded through capital grants and RCT funding, mostly as match funding. The remaining 6% of flood actions will be funded through current revenue budgets and therefore incur no financial implication.

Table 3: Summary of the number of draft actions (RCT and SFRA) per indicative cost range

Indicative Cost	RCT Flood Actions	SFRA Flood Actions
Existing Resources (ER)	30	3
Low Cost	1	10
Medium Cost	0	20
High Cost	0	15
Very High Cost	0	4

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

10.1 There are legal implications, and the relevant legislation has been considered in Section 4.1.



11. <u>LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES / FUTURE GENERATIONS – SUSTAINABLE DEVELOPMENT</u>

- 11.1 The development of the draft LFRMS and Action Plan has identified how the detailed flood risk objectives, measures and actions align with local policies such as the Council's Corporate Plan "Making a Difference" 2020-2024, the Council's former LFRMS and FRMP produced in 2013 and 2015, respectively and reflect the sustainable development principles of the Well-being for Future Generations Act and will contribute to all seven national goals.
- 11.2 The development of the draft LFRMS and Action Plan has also identified opportunities to align with emerging local policies such as the Council's Local Development Plan, Local Biodiversity Plan⁸ and the Council's Tackling Climate Change Strategy⁹.

12. CONCLUSION

- 12.1 Following the publication of the Welsh Government's National Strategy on FCERM in October 2020, triggering the requirement under S10 of the FWMA for the Council as LLFA to review and update its LFRMS. There is now a huge opportunity within this review to set a sustainable strategy to manage flood risk and build resilience and facilitate adaptation for future generations.
- 12.2 Improvements in available mapping and datasets, local evidence of the impacts of frequent storm events, together with the results from the initial public engagement exercise and comments raised by CCFSP Scrutiny Committee on 22nd March 2023, has provided the LLFA with an enhanced understanding of local flood risk. This has allowed the development of objectives, measures and actions which reflect the current challenges facing RCT.
- 12.3 The LLFA presents its draft of the revised LFRMS and Action Plan, and accompanying environmental documents, for approval from Members to commence formal statutory public consultation.
- 12.4 Public consultation will assist in the final development of the LFRMS and Action Plan, ensuring that it takes account of the views of a wide range of other interested parties.

⁸ RCT Action 4 Nature (rctlnp.wixsite.com)

⁹ Think Climate RCT - Pdf (browsealoud.com)



Other Information: -

Relevant Scrutiny Committee

Contact Officer



Appendix 1: Draft LFRMS and Action Plan

Appendix 2: Draft Environmental Assessments (SEA & HRA)