



**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CLIMATE CHANGE, PROSPERITY & FRONTLINE SERVICES SCRUTINY  
COMMITTEE**

**NOVEMBER 2023**

**REPORT ON THE STATUTORY PUBLIC CONSULTATION FOR 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.**

**AUTHOR(s): Andrew Stone, Head of Flood Risk Management and  
Strategic Projects  
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**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to provide the Climate Change, Prosperity & Frontline Services Scrutiny Committee with the opportunity to consider the responses to the statutory public consultation on the revised Local Flood Risk Management Strategy 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 Scrutiny as part of the program of work required to deliver the review of the LFRMS and Action Plan, which was agreed by Cabinet on 15<sup>th</sup> May 2023.

**2. RECOMMENDATIONS**

It is recommended that: -

- 2.1 Members consider and scrutinise the content of this report together with the public consultation report contained in Appendix 1.
- 2.2 Members comment on the report to assist in shaping and informing the final LFRMS and Action Plan.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 To enable Climate Change, Frontline Services & Prosperity (CCFSP) Scrutiny Committee to consider the results of the consultation and comment on the report to inform the final LFRMS and Action Plan as per the programme of work which was agreed by Cabinet Members on the 15<sup>th</sup> May 2023.

### **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 has a duty 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 2013<sup>1</sup>, setting out the Council's overarching approach to managing local flood risk. Subsequently in 2015, RCTCBC then published a Flood Risk Management Plan (FRMP)<sup>2</sup>, 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 proceeding 6 years.
- 4.3 The publication of the second iteration of the National Strategy for Flood and Coastal Erosion (FCERM) in Wales in October 2020<sup>3</sup> requires the Council as the LLFA under Section 10 (5) of the FWMA 2010 to review its current LFRMS and publish a revised version within the timeframe stipulated by the Welsh Government (WG) of October 2023. The latest version also requires the production of an Action Plan aligned to delivering the strategy.
- 4.4 The WG have subsequently revised the date of publication from October 2023 to March 2024.
- 4.5 The decision to commence with the review of the LFRMS and Action Plan was proposed to and agreed by Cabinet Members on 29<sup>th</sup> November 2022.

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<sup>1</sup> [RCT Local Flood Risk Management Strategy, 2013](#)

<sup>2</sup> [RCT Flood Risk Management Plan, 2015](#)

<sup>3</sup> [National Strategy for Flood and Coastal Erosion Risk Management in Wales \(English\) \(gov.wales\)](#)

- 4.6 Following notification of the revised statutory publication date, the LLFA have revised their high-level programme and timeline, to reflect the 6-month delay to the publication date, as agreed by Cabinet on 15<sup>th</sup> May 2023.
- 4.7 To inform and develop the revised LFRMS and Action Plan, an initial non-statutory public engagement exercise was undertaken to identify what key themes the constituents of RCT want the revised LFRMS and Action Plan to focus and improve on.
- 4.8 This was presented to the CCFSP Scrutiny Committee on 22<sup>nd</sup> March 2023, where the committee were also afforded the opportunity to comment on the consultation and feed into the draft LFRMS and Action Plan. The CCFSP Scrutiny report and 'Initial Public Engagement Report' can be found on the Council's website<sup>4</sup>.
- 4.9 Feedback received by CCFSP Scrutiny Committee on 22<sup>nd</sup> March 2023 was presented to Cabinet on 15<sup>th</sup> May 2023 and can be found on the Council's website<sup>5</sup>. Members were supportive of the public engagement and the review of the LFRMS and Action Plan.
- 4.10 A duty under the FWMA, is the LLFA must consult on the draft LFRMS and Action Plan and the accompanying environmental assessments with the public and risk management authorities that may be affected by the strategy.
- 4.11 The statutory public consultation was conducted in-house and ran for a period of six weeks, from 21<sup>st</sup> August to 2<sup>nd</sup> October 2023.
- 4.12 The aim of the statutory public consultation was to canvas opinion on the draft LFRMS and Action Plan and accompanying environmental assessments.
- 4.13 An overview of the results and feedback provided via the statutory public consultation is incorporated into a 'Statutory Public Consultation Report', attached as Appendix 1, which is presented to Scrutiny Committee.
- 4.14 The results and feedback from the public consultation will be used to inform changes to the final LFRMS and Action Plan. A summary of the key changes being proposed to the final LFRMS and Action Plan has been discussed in more detail in Sections 5 and 6. Section 5 deals specifically with responses received relevant to the consultation on the draft LFRMS and Action Plan while Section 6 addresses responses pertaining to the SEA Environmental Report and HRA Appropriate Assessment.

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<sup>4</sup> [Agenda for Climate Change, Frontline Services & Prosperity Scrutiny Committee on Wednesday, 22nd March, 2023, 5.00 pm - Rhondda Cynon Taf County Borough Council \(moderngov.co.uk\)](#)

<sup>5</sup> [Cabinet Report MTSP One4aLL LG \(moderngov.co.uk\)](#)

4.15 There will be a further opportunity for CCFSP Scrutiny Committee to review and comment on the final LFRMS and Action Plan being presented to Cabinet in January.

**5. KEY RESULTS – PART 1: DRAFT LFRMS & ACTION PLAN**

5.1 A total of 20 responses were received during the public consultation period; 15 of which responded via the Snap XMP survey on the Council’s consultation webpage and 5 responses were received separately via direct email to officers.

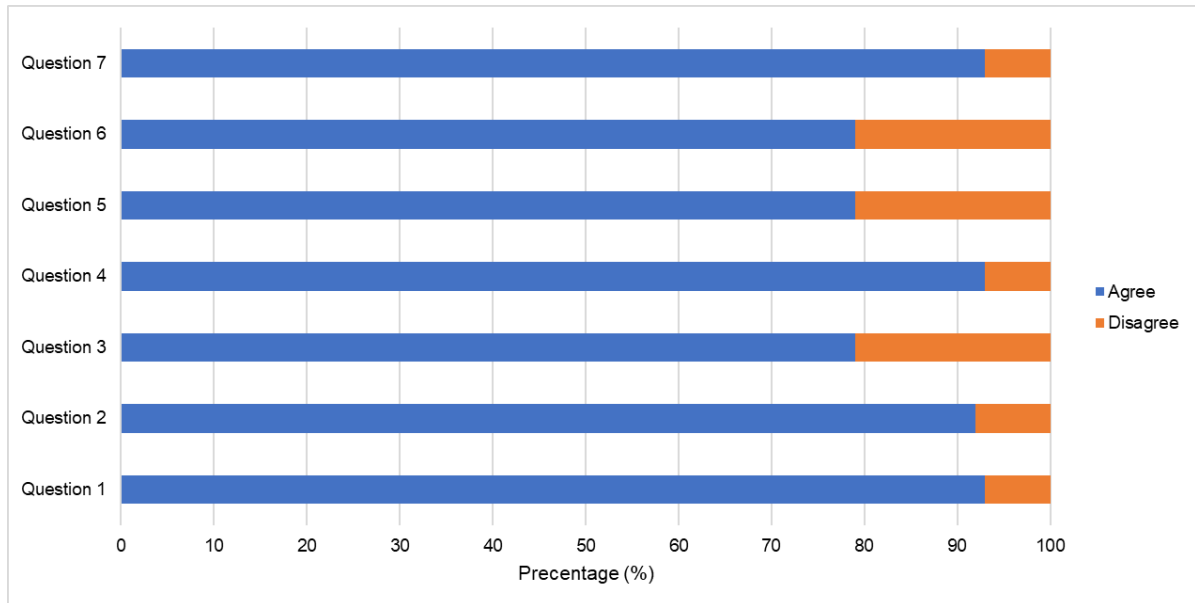
5.2 This section of the report highlights the key results from the consultation, as well as the responses received separately to the survey. This section also references the proposed changes to the final LFRMS and Action Plan however a full list of comments and proposed amendments are included in Section 5 and 6 of the ‘Statutory Public Consultation’ report in Appendix 1.

5.3 The results and feedback received during the public consultation were positive, demonstrating general support for the draft LFRMS and Action Plan, in addition to the environmental assessments (SEA & HRA), with only minor comments being received.

5.4 Figure 1 shows the percentage of respondents who agree and disagree with the questions asked in Part 1 of the consultation. The relevant questions relating to the content of the draft LFRMS and Action Plan have been listed below in Table 1 for ease of interpreting Figure 1.

*Table 1: List of questions asked in Part 1 of the public consultation on the draft LFRMS and Action Plan*

<b>Question 1</b>	Do you agree with the methodology for assessing flood risk in RCT?
<b>Question 2</b>	Does the draft Local Strategy appropriately consider the potential impacts of climate change on the risk of flooding in RCT?
<b>Question 3</b>	Does the draft Local Strategy clarify roles and responsibilities in relation to flood risk management in RCT?
<b>Question 4</b>	Do you agree with the strategic objectives of the draft Local Strategy?
<b>Question 5</b>	Are the strategic objectives supported by the appropriate flood measures?
<b>Question 6</b>	Are the flood measures supported by appropriate flood actions in the Flood Action Plan?
<b>Question 7</b>	Do you agree with the arrangements for measuring and monitoring progress of the Local Strategy?



**Figure 1:** Percentage of respondents who agree and disagree with questions 1-7 shown in Table 1

- 5.5 93% of respondents were satisfied with the methodology for assessing flood risk in RCT (refer to Section 3 of the draft LFRMS and Action Plan). It was however raised by one respondent that the SINC area affected by flood risk in Tables 3-6 of the draft LFRMS appeared low. These figures have been updated following a review of the most up-to-date datasets to reflect a more accurate depiction of SINC area at risk of local flooding in RCT. No other alterations are proposed to be made to Section 3 as a result of the consultation responses.
- 5.6 92% of respondents agree that the draft LFRMS and Action Plan appropriately consider the potential impacts of climate change on the risk of flooding in RCT (refer to Section 4 of the draft LFRMS and Action Plan). No alterations are proposed to be made to Section 4 as a result of the consultation responses.
- 5.7 79% of respondents agree that the draft LFRMS and Action Plan clarifies roles and responsibilities in relation to flood risk management in RCT (refer to Section 5 of the draft LFRMS and Action Plan). Minor alterations are proposed to be made to Section 5 of the draft LFRMS in light of consultation responses. These include highlighting the distinction between the role of the Highway Authority and Trunk Road Agency as Risk Management Authorities.
- 5.8 93% of respondents agree with the strategic objectives of the draft LFRMS (Section 6 of the draft LFRMS and Action Plan). Respondents highlighted that the objectives were clear, with one respondent raising the significance of Objectives 9 and 10 for managing local flood risk, i.e., improving communication, raising awareness and preparedness.

- 5.9 79% of respondents agree that the strategic objectives are supported by the appropriate flood measures (Section 7 of the draft LFRMS and Action Plan). There were no significant adverse comments received aside from minor suggestions to strengthen Measures 6 (*Community Adaptation & Resilience*), 8 (*Public Engagement & Consultation*) and 31 (*Monitoring the Delivery of Wider Benefits*) and to provide additional clarity to Measures 17 (*Spatially Mapping Drainage Assets*) and 18 (*Catchment Asset Management Plans*). Details of these proposed minor changes are referred to in Sections 5 and 6 of the ‘Statutory Public Consultation’ report in Appendix 1.
- 5.10 79% of respondents agree that the flood measures are supported by appropriate flood actions in the Flood Action Plan (Section 8 and Appendix A of the draft LFRMS and Action Plan). The Flood Action Plan was generally well received, noting that “*the Plan (Flood Action Plan) is very helpful in drawing Strategy and Action in the same place*”. Minor comments have been raised and addressed in Sections 5 and 6 of the ‘Statutory Public Consultation’ report in Appendix 1, however overall, no alterations are proposed to be made to the Flood Action Plan as a result of the consultation responses.
- 5.11 93% of respondents agree with the arrangements for measuring and monitoring progress of the Local Strategy. No alterations are proposed to be made to Section 11 of the draft LFRMS and Action Plan as a result of the consultation responses.
- 5.12 General support for the content and structure of the draft LFRMS and Action Plan was demonstrated in the responses provided, noting that the draft Strategy is “*comprehensive*” and “*well written and clear*”. Where minor comments have been raised, minor changes have been proposed to provide greater clarity and strengthen the wording used in certain areas.

## **6. KEY RESULTS – ENVIRONMENTAL ASSESSMENTS (SEA & HRA)**

- 6.1 In accordance with the relevant legislation, a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) was produced alongside the LFRMS which formed part of the consultation on the draft LFRMS and Action Plan.
- 6.2 The results and feedback received during the public consultation on the SEA and HRA were positive, demonstrating general support for the draft environmental assessments.
- 6.3 Minor alterations have been proposed for the draft SEA – Environmental Report in light of the consultation responses which include greater

reference to the impact of asset maintenance, green spaces and Natural Flood Management, and the role of woodland and forestry practices on the environment (including their impact on human health and wellbeing).

- 6.4 A comprehensive list of comments and proposed amendments to the SEA and HRA are included in Sections 5 and 6 of the 'Statutory Public Consultation' report in Appendix 1.

## **7. EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 An Equality Impact Assessment (EIA) screening form has been prepared for the purpose of this report and was consulted upon as part of the public consultation on the draft LFRMS and Action Plan. It has been found that a full report is not required following consultation.

## **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 the 13<sup>th</sup> December 2022 to the 24<sup>th</sup> 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 22<sup>nd</sup> March 2023<sup>4</sup>. Members were supportive of the public engagement and the review 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, was conducted in-house and ran for a period of six weeks from 21<sup>st</sup> August to 2<sup>nd</sup> October 2023.
- 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, as per the agreed program presented to Cabinet on 15<sup>th</sup> May 2023.
- 8.6 There will be a further opportunity for CCFSP Scrutiny Committee to review and comment on the final LFRMS and Action Plan being presented to Cabinet in January.

## **7. FINANCIAL IMPLICATION(S)**

- 7.1. 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.
- 7.2. The measures and actions placed as part of the LFRMS and Flood Action Plan will incur costs over the life cycle of the LFRMS. These were presented to and agreed by Cabinet on 17<sup>th</sup> July 2023<sup>6</sup>.

## **8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

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

## **9. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES / FUTURE GENERATIONS – SUSTAINABLE DEVELOPMENT**

- 9.1. 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.
- 9.2. The draft LFRMS and Action Plan has also identified opportunities to align with emerging local policies such as the Council's revised Local Development Plan, RCT's Local Nature Partnership – 'Action for Nature' Plan<sup>7</sup> and the Council's Tackling Climate Change Strategy<sup>8</sup>.

## **10. CONCLUSION**

- 10.1. Following the publication of the Welsh Government's National Strategy on FCERM in October 2020, there is a duty under S10 of the FWMA for the Council as LLFA to review and update its LFRMS. There is now a significant opportunity within this review to set a sustainable strategy to

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<sup>6</sup> [Decision - Report to commence formal statutory consultation of the authority's review of the Local Flood Risk Management Strategy and Action Plan - Rhondda Cynon Taf County Borough Council \(moderngov.co.uk\)](#)

<sup>7</sup> [RCT Action 4 Nature \(rctlnp.wixsite.com\)](#)

<sup>8</sup> Think Climate RCT - Pdf ([browsealoud.com](#))



manage flood risk and build resilience and facilitate adaptation for future generations.

- 10.2 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 22<sup>nd</sup> 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.
- 10.3 The results from the statutory public consultation on the draft LFRMS and Action Plan and environmental assessments have been positive and this has demonstrated overall support for the draft LFRMS and Action Plan from the public and relevant risk management authorities.
- 10.4 Feedback provided as part of the public consultation will be amended within the final LFRMS and Action Plan and environmental assessments.

**Other Information: -**

***Relevant Scrutiny Committee***

***Contact Officer***