

Report to	Communities Scrutiny Committee
Date of meeting	10th December 2020
Lead Member / Officer	Cllr Brian Jones: Lead Member for Waste, Transport and the Environment / Tony Ward: Head of Highways, Facilities & Environmental Services
Report author	Wayne Hope
Title	Flood Risk Management across Denbighshire

1. What is the report about?

1.1. This report is about flood risk management across Denbighshire.

2. What is the reason for making this report?

2.1. To outline flood management and mitigation measures to deal with all types of flood risks county-wide (already in place or planned). These include work with public and private partners and landowners, engineering projects and land management initiatives, with a view to reducing the risk of flooding and combating the effects of climate change. The report also includes details of work the Planning Department is undertaking in relation to flood mitigation as part of the planning process.

3. What are the Recommendations?

3.1. That the Committee considers whether the Council's current and planned flood risk management activities fulfil the Council's responsibilities in relation to relevant flood risk legislation, and whether the Council is using its permitted powers effectively to carry out flood and coastal defence improvements.

3.2. That the Committee considers whether the Council is taking sufficient measures to work effectively with landowners, developers and other risk management authorities to manage flood risk in Denbighshire.

3.3. That the Committee considers whether the Council is delivering the outcomes and measures set out in the Local Flood Risk Management Strategy.

3.4. In relation to the Central Rhyl Coastal Defence Scheme and the Central Prestatyn Coastal Defence Scheme, that the Committee considers the extent to which it wishes to be engaged during the design and development phases of these schemes over the next 12 months.

4. Report details

- 4.1. Broadly speaking, flood risk in Denbighshire is managed by flood risk management authorities. That is, by Denbighshire County Council in relation to surface water and ordinary watercourses; by Natural Resources Wales (NRW) in relation to main rivers and the sea; and by Dŵr Cymru Welsh Water in relation to public sewers. However, anyone who owns land next to a river, stream or ditch has responsibilities as a 'riparian landowner'. The Council also has responsibilities regarding the management of coastal erosion risk. Further detail is provided in Appendix 1. Wherever possible, the Council works together with other flood risk management authorities, as well as developers and landowners, to seek opportunities to better manage and reduce flood risk across the county.
- 4.2. The Flood and Water Management Act requires that the Welsh Government (WG) develops, maintains and applies a national strategy for flood and coastal erosion risk management in Wales. The Act also requires that the Council, as the lead local flood authority, develops, maintains and applies a strategy for local flood risk management, focussed on surface runoff, groundwater and ordinary watercourses. WG published its first national flood strategy in 2011, and has recently (October 2020) published its new strategy. In 2014, the Council published its local flood risk management strategy, which is required to be reviewed and updated by December 2022. Further details of the national and local strategies can be found in Appendix 2.
- 4.3. Regarding new development, as the Local Planning Authority, the Council considers flood risk when assessing planning applications, with particular reference to national planning policy Technical Advice Note (TAN) 15. In support of the Local Development Plan (LDP) (2006-2021), the Council commissioned a Strategic Flood Consequence Assessment, which considers the implications of flood risk for key settlements identified in the LDP. In January 2019, the Council became a Sustainable Drainage Systems Approving Body (SAB), with responsibility for the approval and adoption of surface water drainage on new developments. Additional detail is provided in Appendix 3.
- 4.4. Since 2003, the Council has invested around £41 million of WG grant and Council match funding to reduce flood risk for around 4,000 homes and businesses in Denbighshire. However, approximately 15,200 properties are still at risk of flooding from the sea, rivers and surface water. The Council has identified a programme of potential schemes that would reduce risk for a further 4,750 properties, including 1,650 at East Rhyl which will be protected by a coastal defence scheme that is currently underway. The programme is set out in Appendix 4.
- 4.5. In February 2020, Denbighshire was impacted by storms Ciara, Dennis and, to a lesser extent, Jorge. The post event analysis carried out by Natural

Resources Wales found that most rain gauges in the region recorded over 200% of their February long term average. Storm Ciara in particular created a worse than 1 in 200 year rainfall event. To put this into context, most river flood defences in Denbighshire provide protection against, at most, a 1 in 100 year rainfall event. As a result, there was flooding at a number of locations, mainly due to overtopping of main river flood defences, for example, at St Asaph. As the Lead Local Flood Authority, the Council has a duty to investigate this flooding. However, because the source of flooding was main river, the Council has agreed that NRW is best placed to lead the investigation. NRW's findings will be incorporated into the Council's overarching flood investigation report which, assuming that NRW's findings will be available by the end of December 2020, is likely to be complete by the end of February 2021.

5. How does the decision contribute to the Corporate Priorities?

- 5.1. One of the Council's corporate priorities for 2017 to 2022 is to provide an attractive and protected environment, supporting wellbeing and economic prosperity. One of the measures identified in the Corporate Plan to enable this is to reduce the number of properties at risk of flooding in Denbighshire. By fulfilling its responsibilities as a flood and coastal risk management authority, and working closely with other flood risk management authorities, the Council will be able to accomplish this measure.

6. What will it cost and how will it affect other services?

- 6.1. Routine maintenance of the Council's highway drainage and flood and coastal defence assets can be considered 'business as usual', aligned to the Council's statutory duties. Investment in new flood and coastal defence schemes requires capital investment, although the level of WG grant funding rate is 100% for studies and design work, and 85% for construction.
- 6.2. Investment in flood and coastal defence schemes in communities with known flood risk has a direct positive financial outcome for the Council in terms of reduced revenue costs, because the cost of cleaning up after a flood, which more often than not falls to the Council, is significant and can outweigh the cost of the investment when WG grant is taken into account.
- 6.3. The Council has received 100% WG grant funding to invest in natural flood management. This will not only reduce flood risk, but will have positive effects on biodiversity and the environment.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1. A Well-being Impact Assessment is not required. This is because this report is not, specifically, making a recommendation that the Council changes its activities or the way it goes about them. Any new activities that are developed as a result of this report will be impact assessed.

8. What consultations have been carried out with Scrutiny and others?

- 8.1. The Senior Leadership Team (SLT) were consulted on the Council's programme of flood and coastal defence schemes on 21st October 2020 (programme supported). The Strategic Investment Group (SIG) were consulted on natural flood management on 20th October 2020 (proposal approved), and urban catchment management on 24th November 2020 (proposal approved).

9. Chief Finance Officer Statement

- 9.1. As stated in the report a large part of the expenditure in this area is funded from Welsh Government grants and the service is to be commended on its work in attracting this funding. Investment in this area has obvious benefits to residents and businesses but also reduces the need for Council expenditure in areas such as repairs to buildings and infrastructure. Specific schemes go through the usual capital approval process of Strategic Investment Group and Cabinet for large schemes.

10. What risks are there and is there anything we can do to reduce them?

- 10.1. The Council faces a reputational risk if it fails to carry out its responsibilities and, where appropriate, use its permissive powers under the relevant flood risk management legislation.

11. Power to make the decision

- 11.1. Coast Protection Act 1949, Land Drainage Act 1991, Flood and Water Management Act 2010, Well-being of Future Generations (Wales) Act 2015.
- 11.2. The Committee's powers in relation to policy development and review and scrutinising the Council and other public bodies' performance are outlined in Section 21 of the Local Government Act 2000 and Section 7.4 of the Council's Constitution.