

Report to	Communities Scrutiny Committee
Date of meeting	21st October 2021
Lead Member / Officer	Cllr Brian Jones: Lead Member for Waste, Transport and the Environment / Tony Ward: Head of Highways & Environmental Services
Report author	Wayne Hope
Title	Flood Risk Management Responsibilities in relation to the Rhyl Cut and Prestatyn Gutter

1. What is the report about?

- 1.1. Rhyl Cut and Prestatyn Gutter drain large parts of Rhyl and Prestatyn and play an essential role in protecting thousands of homes and businesses from flooding. As part of a collaborative project, Natural Resources Wales (NRW), with support from Denbighshire County Council (DCC) and Welsh Water (WW), has carried out a flood modelling study, produced a catchment management report and developed a detailed maintenance plan for both watercourses.

2. What is the reason for making this report?

- 2.1. To present the conclusions of the joint study, led by NRW, into whether improvements could be made to the management of the Rhyl Cut and Prestatyn Gutter, adjacent drains and sewers, and to outline each organisation's responsibilities in relation to flood management and flood mitigation.

3. What are the Recommendations?

- 3.1. That members of the Committee provide comments and feedback regarding the contents of this report and the included appendices.

4. Report details

- 4.1. Following the flooding that affected parts of Rhyl and Prestatyn in July 2017, NRW commenced a review of the hydrology, management and maintenance of Rhyl Cut and Prestatyn Gutter, which are classed as “main river” watercourses. DCC and WW agreed to support NRW with the project, which will also hopefully provide a better understanding of how each organisation’s assets interact, particularly during times of heavy rainfall.
- 4.2. The project was carried out in three phases.
 - i. Phase 1 involved a flood risk modelling study, to give NRW a better understanding of the hydrology of the river catchments.
 - ii. Phase 2 resulted in a catchment management report, which took a broad overview of the management of Rhyl Cut and Prestatyn Gutter and the areas surrounding the two watercourses.
 - iii. Phase 3 has built on the recommendations within the Phase 2 management report and involved discussions within NRW’s operational maintenance teams to consider the impacts of maintenance within different sub-reaches of the watercourses. However, there is still some work to carry out in terms of producing a comprehensive maintenance and management plan and this will require a process of public and stakeholder consultation.
- 4.3. NRW has produced a briefing note and overview report of the project, which will be presented to the Committee on 21st October 2021.
- 4.4. The Member of Parliament for the Vale of Clwyd, Dr James Davies MP, presented a petition to Parliament on 14th July 2021, calling for a full public sector maintenance programme to be introduced to manage Rhyl Cut and Prestatyn Gutter (<https://www.jamesdavies.org.uk/news/rhyl-cut-and-prestatyn-gutter-petition-presented-parliament>).

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. The Council's support to the project, and work carried out in collaboration with NRW and WW in developing a better understanding of the flood risk management and maintenance of Rhyl Cut and Prestatyn Gutter has helped to achieve this measure.

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

6.1. The project is unlikely to result in any significant changes to the Council's current activities, so any resultant costs are likely to be minimal. Other services won't be affected. However, any additional maintenance activities, such as those suggested by the recent petition to Parliament (see section 4.4 of this report), would have significant budget implications for the Council and might set a precedent for other watercourses in the county.

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

7.1. This report refers mainly to matters outside the Council's jurisdiction, so a Well-being Impact Assessment hasn't been carried out.

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

8.1. As part of the project, NRW has consulted with members of the public, town and community councillors, local Members, the local MP and MS (current and previous), relevant stakeholders and professional partners.

9. Chief Finance Officer Statement

9.1 As noted in Section 6 the project is unlikely to result in any significant changes to the Council's current activities, so any resultant costs are likely to be minimal and should be maintained within existing revenue budgets. Any additional works will be subject to normal Council approval procedures if required.

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

10.1. There are no significant risks to the Council as a consequence of the project.

11. Power to make the decision

11.1. The Council has powers in relation of flood risk and drainage matters under the Flood and Water Management Act (2010) and the Land Drainage Act (1991).

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.