



Report of the Cabinet Member for Environment and Infrastructure

Climate Change and Nature Scrutiny Performance Panel – 8th March 2023

Local Flood Risk Management

Purpose	To provide an update on the policy/service area
Content	Update on Flood Risk Management in the City and County of Swansea
Councillors are being asked to	Consider the report, to give their views and make recommendations to Cabinet Member as necessary
Lead Councillor(s)	Councillor Andrew Stevens, Cabinet Member for Environment and Infrastructure
Lead Officer(s)	Stuart Davies Head of Highways and Transportation
Report Author	Mike Sweeney
Legal Officer	Debbie Smith
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1.0 Background

1.1 The Drainage Section is part of the Highways and Transportation Section. It covers a wide range of services within Flood Risk Management with the main role for overseeing compliance to statutory duties and the National Flood and Coastal Erosion Risk Management Strategy. This report will focus on the current work ongoing in order to comply with the national objectives which include:-

- Reducing the consequences of flooding to individuals
- Raising awareness of and engaging people in response to flood and coastal erosion
- Providing an effective and sustained response to flood and coastal erosion events
- Prioritising Investment in the most 'at risk' communities.

1.2 To implement these objectives will be the responsibility of everyone involved in or affected by Flood and Coastal erosion risk management. From Welsh Government to the Welsh risk management Authorities in Wales, including Natural Resources Wales, Swansea Council as Lead Local Flood Authority and Welsh Water. The Authority continues to work closely with these organisations to ensure that best practice is achieved with opportunities to share information and joint funding is continuously ongoing.

2.0 The key activities which are ongoing include:-

2.1 The Authority will need to produce a new Local Flood Risk Management Strategy (LFRMS) which will incorporate an action plan to manage the Local Authority's expectations for managing flood risk from local sources for another cycle of 6 years . The action plan will replace the Flood Risk Management Plan (FRMP), with the requirement that the new draft LFRMS produced by October 2023 with the final published in March 2024. This will supersede the existing FRMP produced by the Authority, which introduced measures for reducing flood risk in our most at risk communities between 2015-21 with another 6 year plan to manage flood risk.

To ensure consistency across Wales the Welsh Local Government Association had arranged for a good practice workshop in February this year to ensure that the production of the new LFRMS aligns with an all Wales approach, in how Lead Local Authorities in Wales manage flood risk to those communities subjected to significant flood risk. The major difference will be that instead of using individual Wards for areas where mitigation measures have been applied and this can be seen in the existing FRMP, the All Wales approach will be using data from Natural Resources Wales, Communities at Risk Register (CARR) where hydrological boundaries will set out new high flood risk areas in Swansea. This means that instead of having 32 wards with measures implemented to manage flood risk for each specific ward, the likelihood is that this will be replaced with a number of high flood risk areas across the region based on CARR boundaries. This work is at an early stage of development.

2.1 Welsh Government Grant funding

Opportunities for external funding is continually being explored. Welsh Government FCERM Grant awards have been given to the following flood affected areas which have incurred significant and repeated flooding from local sources/surface water flooding.

Current grant supported schemes

Brockhole Stream Blackpill – Detailed Design
400 Birchgrove Road – Outline Business Case

Llys Ddol Morryston - Outline Business Case
Capel Road Clydach - Business Justification Case
Kingrosia Park Clydach - Outline Business Case
Killay Square Killay - Business Justification Case
West Street Gorseinon BJC
Beryl Road Clydach- BJC

The above Business Cases provide Welsh Government with a steer on schemes to be taken forward to the next stage of the grant process.

3 Stages of Grant Process

- First stage BJC/OBC
- Second Stage FBC or Detailed design
- Third Stage- Construction

The current trend is that some Business cases are taking longer than expected due to complexity of the study. This is causing some frustration within communities due to the time being taken to complete the assessments. To note that funding is not guaranteed, as the FCERM Capital Programme and grant allocation is provided on a priority basis to those communities who rank highest across Wales.

2.2 **Small Works Grant 22/23**

An assessment made in 2021 and a design completed to improve the headwall arrangements for one of our critical watercourses at Birchtree Close Sketty. The Authority had received grant monies in the sum of £168k to undertake improvement works to protect properties on Derwen Fawr Road with the works providing an enhanced protection to reduce flood risk at this location. The works will be completed early March 2023.

2.3 **Capital Drainage Budget**

The Drainage Section is responsible for works required to improve drainage systems for the purpose of preventing flooding to the highway and risk to properties. The budget is also used for flooding complaints received from other departments which has increased the workload to this section.

With collaboration with the operational highways team and other internal departments works are identified to capture works which need to be undertaken to prevent flooding to the highway and properties. In addition works are identified via complaints received from Members and members of the public should flooding be reported which is over and above routine maintenance requirements.

Particular examples of works completed include ditching works, gabion works , introduction of new improved drainage systems, land drainage

systems, sink holes or any other works. Twenty five drainage schemes have been completed to date this year

2.4 Reservoir Act 1975 compliance

The Drainage Section is responsible with the safety measures for the two raised reservoirs we have in Swansea, namely Brynmill and Lower Swansea Valley reservoirs to ensure that in the interest of safety the reservoirs comply with the Reservoir Act 1975. There is ongoing annual works to be carried out to satisfy the recommendations of the inspection reports carried out by independent Panel Reservoirs' engineers.

Significant works have been completed at Brynmill Park this year in the sum of 100k circa to introduce improvements to the supporting embankment to the water body in order to comply with statutory requirements.

2.5 SAB function

Schedule 3 of the Flood and Water Management Act 2010 came into effect on 7 January 2019. It requires new developments with more than one dwelling, or a construction area of at least 100 square meters, to include Sustainable Drainage Systems (SuDS). SuDS must be designed and built in accordance with the Statutory Standards and construction must not commence until proposals are approved by the SuDS Approving Bodies (SABs). SABs are required by the legislation to adopt and maintain SuDS under certain conditions.

The SAB function is currently being carried out by 2 officers who approve drainage strategies to ensure compliance to the National Standards. New developments will now incorporate good suds design within their drainage strategies to ensure that the wider benefits to the environment are achieved, whilst ensuring that flood risk is not increased as the result of the development. For the year 2022 the SAB team had received 82 SAB applications with approvals granted for 29 applications. The other applications remain pending with further information required to progress with the application.

Good collaboration with internal stakeholders through working groups has been essential in order to ensure that projects consider suds components at an early stage so that timelines and project deliveries are achieved. This is the case for many projects such as the More Homes Projects, Active travel schemes, 21st Century Schools programme and City Centre Regen developments where SAB officers have been attending stakeholder meetings at an early stage to ensure that submitted drainage schemes comply with National Standards. All new projects are delivering good suds systems which does not only manage the flood risk from proposed development but provide more wider benefits to improve the environment.

All developers have access to a pre-application service which offers early engagement in the smooth delivery of drainage strategies to meet the suds standards

In terms of planning and the potential impacts of new developments, there is close and good collaborative work being undertaken between internal departments and external risk management authorities. This is to ensure that flood risk is not exacerbated as the result of new development proposals. Compliance to the requirements of Planning Policy Wales and Tan15 ensures that national guidance is adhered to. Across the 2022 financial year we were consulted by the Planning department 354 times over a range of differently sized sites. These vary from large strategic sites that are proposed, to small windfall sites that comprised of no more than 3 or 4 units. We have provided assessments in relation to local flood risk from all sources and the management of surface water arising from additional impermeable areas.

Going forward the new TAN 15 will be implemented on the 1st June 2023 to ensure that the decisions made by the Planning department has due regard to the updated Flood Map for Planning which makes allowances for climate change predictions. Consequently, the Authority is required by the Welsh Minister to complete a Strategic Flood Consequence Assessment to identify flood mitigation measures/pipeline of schemes as the result of climate change predictions in order to inform planning decisions. This work is ongoing.

2.6 Coastal Risk Management Programme

As part the National Coastal Erosion Risk Management Programme (CRMP) construction works of the flood defence walls at Mumbles has recently commenced. The scheme will not only provide a sustainable flood defence in Mumbles but will seeking to maximise multiple benefits i.e. increase tourism, green infrastructure and other benefits.

2.7 Operational Update

The Service have been running a very successful Economic Regeneration fund Project in relation to drainage. Additional gully tankers have been brought in and been tasked with clearing the backlog with gulley emptying. In excess of 30,000 additional drains have been cleaned. This has also allowed us to pro-actively clean certain at risk sites and had helped prevent a number of Highway flooding. The project has also carried out improvements corporately on high risk watercourses and allowed a small amount of assistance to be given over and above the services statutory responsibility. Recent update, economic recovery funding has allowed an additional drainage and flooding response team to be set up. This includes three additional

teams of tankers for the highway and a water course team to look after all Council flood risk culverts..

Sandbags – The Authority has additional funding to assist with private flooding to deliver sandbags to flood affected properties. However, it is to be noted that there is no statutory duty to provide or distribute sandbags to residents, and unfortunately would not be able to respond quickly in an emergency to all the requests it receives. In general sandbags will only be delivered where flooding is imminent and if the Council has available resources. Consequently, the delivery of sandbags should not be relied upon and the Authority will not deliver in advance of severe weather warnings unless there is a liability to do so.

Road Sweeping - Additional funding is provided for leaf clearance during the Autumn months over and above regular maintenance regimes, when cleansing staff will work overtime on the road sweepers where flood risk areas are targeted in accordance to priority. i.e. combination of high leaf area with known flooding issues and slip hazards. This is in addition to the regular cleansing works when clearing of leaf fall to prevent flooding in high priority areas is undertaken.

In addition to this all cleansing operatives as part of their street cleaning duties will inspect gullies and if covered in leaves or general detritus they are instructed to clean to ensure that the drain works effectively. If gullies need further work then this is reported to Highways for further investigation.

The Highways department has a policy in place on watercourse inspection procedures. Watercourses are checked at the frequencies below depending in weather conditions and level of flood risk. During dry periods inspections will not be carried out if deemed unnecessary.

	Sept to March	April to August
Blackpill & Birchtree Close	Daily	Weekly
Red List	Weekly	Monthly
High Priority	Fortnightly	Monthly
Low Priority	Monthly	Bi-Monthly

Red List to be checked following notification of a severe weather warning to wet weather. Red list to be rechecked following severe wet weather.

3.0 Future Challenges & Opportunities

- 3.1. The production of the new Local Flood Risk Management Strategy will place an additional financial burden of the Authority to deliver the measures and actions which will be outlined in the new LFRMS. Should Welsh Government Grant funding not be made available for future business cases and the construction of flood alleviation schemes, then the responsibility for managing flood risk for our communities will solely rest with the Authority to deliver. Consequently, the LFRMS will need to have the appropriate governance in place to consider, where available, allocation of appropriate resource, design and construction of potential flood measures/interventions going forward and also, the internal staff to support the delivery of the plan.
- 3.2 The trend on the demand of delivery the SAB function is increasing and the need to deliver the service will incur additional pressures in managing the SAB process and the adoption of sustainable drainage features.
- 3.3. The introduction of the new Tan 15 in June 2023 will increase the workload on the Drainage Section, as Planning Consultations will need to be responded to have due to regard, to the updated flood maps and climate change predictions to inform Planning decision.

4.0 Risks

- 4.1 Under the Flood and Water Management Act 2010, Swansea Council became a lead Local Flood Authority (LLFA) and was given a series of new responsibilities to co-ordinate the management of local flood risk for surface water, groundwater and ordinary watercourses. Failure to fulfil this statutory duty will result in increased flood risk within the administrative boundary of Swansea Council and non-compliance to the expectations of Welsh Government.

This may lead to increased risk to life and property and critical infrastructure with the Authority being subjected to claims and public criticism

Shortage of Drainage Engineers is being felt across the water industry where appointments of suitable candidates for drainage roles are being found difficult to fill in across many Authorities and other sectors.

5.0 Legal implications

The Flood Risk Regulations came into force in December 2009 and the Flood and Water Management Act became law in April 2010. Under this legislation, the Council has been identified as a Lead Local Flood Authority (LLFA) and has been given a number of key responsibilities including the preparation of a Local Flood Risk

Management Strategy (LFRMS). Policy guidance associated with flood risk and development is also contained within Planning Policy Wales (PPW) and Technical Advice Note 15 (TAN15). Although PPW and TAN15 do not dictate the requirements for, or provide any guidance on, preparing a LFRMS, the strategy is consistent with the requirements of this Guidance. Implementation of specific measures shall also take into consideration other legislation including the Land Drainage Act 1991 and the Coast Protection Act 1949.

6.0 Finance Implications

There are no immediate financial implications arising from this report and in the meantime, costs will continue to be contained within existing budgets.

7.0. Integrated Assessment Implications

This is an information only report, with no implications, therefore no IIA required

Background papers: None

Appendices: None.