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Flood and Coastal Erosion Committee meeting: 5 September 2024: minutes

Minutes from the Flood and Coastal Erosion Committee Meeting No 17, 5 September 2024. Virtual, Microsoft Teams.

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18. Date and venue of next meeting – Tuesday 26th November 2024, Wrexham County Borough Council, The Guildhall, Wrexham, Clwyd, LL11 1AY

Attendance

Committee Present

Martin Buckle (MB) Chair
Andrew Stone (AS) Rhondda Cynon Taf CBC
Darren Thomas (DT) Pembrokeshire County Council
Paul Blackman (PB) Wallingford Hydro Solutions
Anne-Marie Moon (AMM) JBA Consulting
Jeremy Parr (JP) Natural Resources Wales
Mike Wellington (MW) Waterco
Geraint Edwards (GE) Conwy County Borough Council
Catherine Wilson (CW) Cardiff University
Paul Williams (PW) NFU Cymru
Dominic Scott (DS) Dwr Cymru – Welsh Water
Robin Campbell (RC) Arup

Welsh Government (WG)

Leanne Llewellyn (LL)
James Jewell-Edmonds (JJE)
Matt Edwards (ME)
Sarah MacCarty (SM)
David Chaundy (DC)
Michelle Delafield (MD)

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Other Speakers

Mike Adams (MA) Arcadis

Tracey Garrett (TG) National Flood Forum

Ross Akers (RA) Natural Resources Wales

Rachel Sion (RS) Natural Resources Wales

Eluned Parrott (EPa) National Infrastructure Commission for Wales (NICW)

Dr Eurgain Powell (EPo) NICW

Apologies

Natalie Haines (NH) Mott MacDonald

Karen Potter (KP) Open University

Jean-Francois Dulong (JFD) Welsh Local Government Association

1/2. Apologies and introductions

The Chair gave the apologies and introductions were made.

3. Declaration of interests

RC and AMM noted previous engagement with NICW, however, no further interest due to the conclusion of the work. RC further noted a colleague's involvement in the Upper Severn Valley Water Management Strategy as a supplier to the Environment Agency.

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4. Minutes of the meeting 23.05.24 and matters arising

MB noted the minutes and matters arising; nothing was raised by the Committee and the minutes approved.

Action updates:

DS provided an update on action to liaise with Regional Group Chairs to establish Local Strategy (LS) timescales – Local Authorities are generally in a good place; early 2025 is the current view for completion of LSs. The South West groups due to meet again next week, of which this will be on the agenda.

LL provided an update on several outstanding Welsh Government (WG) actions – on Ordinary Watercourse Consent fees: this is ongoing; action 7 is complete and fully engaged with Water Branch; on measuring community resilience – Tracy Goode (TG) has contacted NRW colleagues and is aware of a project which is at initiation stage and will hold further conversations; on the Taff management – we are engaged and is ongoing; on the Conference – information will be shared via RC including details of the Conference, of which the plans are progressing well.

5. Chair's announcements

The Chair made the following announcements:

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“ I would like to update the Committee on the meetings and events that I have attended since our last meeting. In June, I attended the quarterly meeting with the Chairs of the English Regional Flood and Coastal Committees. The meeting took place in Manchester, with a particular focus on the challenges of major urban areas. The next meeting takes place next week. It will receive an update from Defra on flood risk management in England, with Emma Hardy MP, the Parliamentary Under Secretary of State for Water and Flooding, in attendance.

“ In July, I met with colleagues from the National Infrastructure Commission for Wales in progressing work towards their recommendations on their “Managing Flood Impacts in 2050” Review. We will be hearing more about this later on the agenda. Also in July, I had a further meeting with the National Flood Forum, in preparation for the item on today’s agenda. July also saw a meeting of the Flood and Coastal Risk Programme Board. It was pleasing to learn, that on a combined capital and revenue programme of £74.9m in 2023/24, the out-turn was within 1% of the budget. In addition, the Board has agreed to take on responsibility for a Resources Improvement Programme as proposed in our Committee’s Resources Report, with extended meetings to provide the extra capacity. Again, in July, I had a further meeting with the Town and Country Planning Association. They work across England on behalf of the Environment Agency, providing training on flood risk management for planners, and on planning for flood risk management practitioners. They have agreed to present to our next meeting in November.

“ In August, I met with the Wildfowl and Wetlands Trust. They have a partnership with the Thames Regional Flood and Coastal Committee to deliver a programme of Natural Flood Management and are keen to explore the potential for collaboration across Wales. I have also invited them to present to our next meeting. Also in August, I met with the new chair of the English Severn and Wye Regional Flood and Coastal

Committee to share an update on cross-border collaboration.” ”

6. Items from the regional groups

DT noted key points from the South West (SW) Wales Flood Risk Management Group Regional AGM meeting in July, including concern over the disconnect between the FCEC and the regional groups, such as the timings of the meetings, for example - should the FCEC be first and feed fresh information into the regional group or should the FCEC meetings be after the regional groups? Technical officers in the region feel they are having no input into the work of the FCEC, they feel they should be part of the project teams.

In terms of the ToR of the SW Wales regional group, members agreed the group needs to evolve and be more focused on the same themes and/or projects to the FCEC. To this end, they will focus on developing some data on the skills gaps present in the SW and the different set ups of the relevant Flood and Coastal Erosion Risk Management (FCERM) teams. They intend to implement an annual agenda and focus on the most relevant agenda items at the correct time of the year, not just the same meeting format each quarter. Members also discussed Section 19 (S19) reports and noted the inconsistency of when they are undertaken; members also discussed resource pressures. Some members have a high vacancy rate to manage budgets (NRW 15%, CCC 33%) – local flood risk managers are already dropping works items / prioritising and schemes are being pulled as there is no resource to deliver them. Furthermore, local members are having to manage more delays associated with WG funded schemes – there is concern that schemes are with WG for review too long and the scrutiny by their consultants is seen by some as excessive.

The last Swansea & Carmarthen Bay Coastal Engineering Group (SCBCEG) meeting was held on 11th June and are due to meet again next Tuesday. No

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significant issues or concerns were raised at the group meeting, with the usual works reported relating to outfalls and ongoing erosion hotspots. RMAs, however, are struggling to deliver due to resource availability / recruitment (for example - recruitment embargos in some LAs). The coastal group has made good progress updating actions, updating the SCBCEG website and engaging with other organisations but this has only been possible because of the dedicated SCBCEG coastal officer funded using group reserves. A group priority at present is reporting on delivery of the SMP actions to the Wales Coastal Group Forum (WCGF) and to set up a working group to prioritise the group led actions.

The coastal officer's contract has been extended for an additional year (on top of the original two years) using reserves whilst a more sustainable funding model / business case is established, and whilst the group assess the competing priorities for group funding. There was also discussion of requesting contributions from core members to target the flood grant monies that have shifted to the RSG, but concerns were raised by NRW of the principal this may set for similar funding requests from all Welsh coastal groups. It was also unclear at that time whether all the local authorities were allocating the full sum through to fund FCERM functions. This matter should be discussed further next week. Finally, to note, no contact with or reporting back has been initiated with the West of Wales Coastal Group, covering Cardigan Bay.

MB queried re: the West Wales Coastal Group – have you had any indication that this group is not meeting? DT noted that Dwr Cymru – Welsh Water officers are not attending and have not received any information from the group, so unsure of the status. AMM noted meeting minutes of the last coastal group meeting, with no indication of west of Wales attendance. MB highlighted that this is perhaps an issue we need to pick up outside of the meeting. RC offered to investigate further if needed via contacts in the region.

Action

MB/RC to investigate West of Wales Coastal Group status.

LL, in response to WG issues highlighted, noted resourcing constraints within the team impacting work – a secondment was planned for a technical role, but fell through at the final hour. LL also highlighted the required processes undertaken by the team which can be time consuming. Furthermore, LL acknowledged the constraints on the Revenue Support Grant (RSG) requests, however, indicated that JFD had previously noted a positive response from RMAs on the steps taken.

GE provided an update for the North group - workshops are planned in September from NRW; DS provided update on a drainage workshop and the FCEC Resources Sub-committee. DS also noted a growing emphasis on sustainable drainage systems (SuDS), with more focus on driving forward adoption of the North Wales guidance, which is hopefully something that can be worked on as a group going forward.

AS – South East (SE) Update – no actual meeting since the last FCEC; this is due to be arranged once JFD's replacement is in place. The main focus has been on the SE Wales SuDS Approval Bodies (SABs) group which met in July. There are concerns around consistencies and concern around big sites coming up for adoption, and further concerns on the current pressures of development work on top of the WG review – the resources from the SAB would be required, on top of an already high workload which is an issue – the group, however, is working through this with a view to make priority recommendations to WG. There has also been a focus on LSs and the RSG – on LSs, of the ten authorities, seven have replied; three of the seven have submitted, whilst others are likely to be December or Q4 – resources are a key factor in limiting this. The RSG has been allocated to relevant departments, however, with budget cuts next year, questions are already being asked on resources required for 25/26.

PB – on DT’s previous comment on stronger links with the FCEC - is this reflected in the other groups? AS – in previous meetings, we have discussed focus on strategic issues to be raised via a technical sub-group to free up capacity in main group. DT – the main concern from our region is the need to establish whether a top down or top up approach is taken from regional groups to the FCEC. MB noted discussions in the Resources Sub-committee on this, flagging a commitment to convene a meeting, including appropriate members of the Committee, with the regional group chairs, an opportunity to discuss the proposals to review regional governance as set out in the FCEC Resources Report, and to explore how to ensure these relations and current arrangements can be improved.

Action

MB to liaise with colleagues in setting up a meeting with regional group chairs.

LL – on local strategies – RCT has been reviewed, however, we are awaiting input from legal services to allow decision making to be delegated to officials via the Carltona principle; we should have confirmation of this in coming weeks.

RC – noted concerns around the adoption issues highlighted by AS. AS commented that the mechanisms are in place re: SAB and adoption, however, there is concern around previous legislation and relationship with current adoption legislation. RC made a suggestion to cover this at the next meeting and to engage with WG colleagues. MB noted forums in place to enable dialogue around these issues – as such, remains unconvinced on proposed FCEC proactive involvement at present. AS confirmed that this is being dealt with by regional SAB groups, which was discussed at national level, but wished to flag for concern and watching brief in this Committee.

JP – regarding the relationship between the FCEC and regional groups – requested NRW attendance in any meetings which may be arranged to discuss

this; MB agreed. There is a link between the roles of the regional groups and the Committee work programme – there is something to explore here, to utilise the technical expertise in the regional groups. We must also consider our own commitments with respect to the work programme, with consideration of the resource constraints across the sector as an issue.

7. Committee Work Programme - To consider the report of the Chair on the update of the Work Programme and on its roll forward to 2026 – 27

MB noted the need to look ahead, with reference to the proposal previously circulated, highlighting the following key areas of possible change:

- Theme 1: refresh of national strategy (NS); the NRW S18 report and NICW report both strongly propose a refresh – we need to work in partnership with WG on a timeframe to be considered; there is no firm timeline in the draft work programme at present, but we will likely need to accommodate.
- Theme 2 – S18 reports – NRW’s annual report will be discussed later in the agenda. There is a built-in assumption that the next S18 report will be reviewed this time next year - JP agrees but will check with NRW colleagues; this will be a planned bi-annual event.
- Theme 3 – programme of good practice – this has evolved through a series of presentations linked to other work programme themes. It is envisaged that this practice will continue.
- Theme 5 – legislative change – proposals to merge Theme 7 into 5, which has occurred by default via evolution of the Policy and Legislation Subcommittee (PLSC).
- Theme 6 – relationship with NICW has been key; there will be significant implications via the upcoming report for our work programme. We plan to revisit NICW recommendations at our next meeting, by which time the sub-

committee's will have considered their involvement.

- Theme 8 – Coastal Adaptation Guidance (CAG) – we are keen to prioritise, noting previous involvement. WG recognises the importance of this, however, has yet to confirm planned approach, noting resource constraints in branch.
- Theme 10 – responding to consultations – this is a regular activity and will continue. The Sustainable Farming Scheme will likely be picked up again.
- Theme 11 – to be considered as part of wider resilience strategy – FCEC involvement not to be prescriptive as yet.
- Theme 12 – S19 responsibility – will need to be reflected in the work programme, with feedback from Sub-committee awaited.

Questions / discussion

MW – on the S19 reports – will this be a standard / consistent approach across Wales? MB it will be down to the Sub-committee to provide advice on this but will likely align with the advice provided in the Professor Evans report.

LL – on the NS refresh and CAG – there is a huge amount of work ramping up within the division, such natural flood management (NFM); as such, we need to plan accordingly for the utilisation of capacity within team – work is being undertaken to plan.

AMM – on CAG – there are some NICW recommendations on funding streams, also highlighted in the PLSC work – we need to ensure other work ongoing around coastal is captured in relation to this; I would also strongly support a NS refresh, which would be seen as a positive thing. MB not the Wales Coastal Group Forum report is expected for the next FCEC meeting.

8. Welsh Government FCERM Update - Welsh

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Government

LL provided a Welsh Government FCERM Update.

Questions / feedback

AS – on resources, please can you thank your team for the work undertaken. However, to note, when things take a while, such as contracts, sometimes the profiling in original applications quickly becomes out of date – it would be useful to provide updated profiles to avoid futures variations orders and reduce administration.

Action

LL to feedback to team re: updated profiles.

PW – the farming industry has no issue with beaver introduction per se, however, there is concern around TB and there needs to be major consideration of this. LL noted concern, which will be considered. CW – noted interest around beaver introduction policy in Wales, highlighting the potential to discuss at NFM conferences.

MB questioned whether the Terms of Reference (ToR) for the new UK Task Force could be circulated.

Action

LL to circulate ToR for new UK Task Force.

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9. Upper Severn Valley Water Management Strategy – Mike Adams, Arcadis, Severn Valley Strategic Lead on behalf of the Environment Agency

MA presented on the Strategy.

Questions / discussion

JP noted that NRW are engaged with the project – it is a wonderful opportunity with a significant amount of work going into this. JP highlighted the fact that two thirds of the catchment is in Wales – there is a need to strike balance between progressing, but also the need to recognise that the legacy of this will sit with Welsh LAs / NRW. NRW are particularly interested in operation and maintenance as a legacy of this project. This is, however, trailblazing work and we are keen to learn from this for future work in Welsh catchments. MA responded, noting a large part of this work will have a Welsh legacy – we are trying to transfer into joint ownership; whilst Defra funded, the wider implications of this project have a broad range of stakeholders, including a significant amount in Wales; we are working to bake-in Welsh involvement in legacy and the ongoing, whole-life cost is considered.

PB – have you got an indication for numbers of nature-based solutions, along with engineered solutions? MA did not have numbers to hand but assured that these have been considered.

PW – on resource, budgets etc – the majority of people who will benefit from this will be populous areas across the border; has there been consideration of IDD / levies for future funding?

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MA – we are conscious of making sure we provide the flood benefits to communities in Wales – it is important to note that there has been an increase in resilience in those locations as a result of the works carried out. From a future funding perspective, we are considering all types of models at the moment; part of this may be a levy model, but nothing has been confirmed at present.

10. National Flood Forum – Tracey Garrett, Chief Executive Officer

TG presented an overview of the work of the National Flood Forum (NFF).

Questions / discussion

JP – NRW have worked a lot with NFF, but largely on an opportunistic basis; we have thought about making this a more strategic relationship – any thoughts on this? TG – we have an ambition to establish a Welsh Flood Forum; until then, we at the NFF would be delighted to work in Wales. JP – WG would be a key player in facilitating this connection via improved resourcing.

RC – there are measures that can be undertaken to make properties more flood resilient, has the forum undertaken any research on this? TG - we are working on this, with a focus on Property Flood Resilience (PFR) and the impact on people who use it. There is a need to get the right narrative on PFR and on what needs to be considered by individual property owners.

LL – would welcome a meeting to discuss building a further relationship with WG.

11. Securing a Sustainable Future White Paper:

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Environmental Principles, Governance and Biodiversity Targets for a Greener Wales – Welsh Government Response to the Consultation - Matt Edwards, Legislative Policy Lead; and Sarah MacCarty, Environmental

ME presented on the White Paper and the Welsh Government Response to the Consultation.

Questions / discussion

DS – asked if the paper was open to further scope? ME noted that it is too late to influence scope at this stage.

RC – re: background to the white paper – biodiversity targets were not covered in the presentation; were these considered? ME – the vision outlined at the beginning noted that we have moved away from the language of headline ‘targets’, instead moving to ‘milestones’. Any further questions or areas of interest, please email the team and we will be happy to field further, more in-depth questions.

MB – this is an interesting initiative, and I am pleased to see it taken forward. There is some commonality between our Committee and the proposed body and there may be some value in collaboration and ensuring there is no overlap. We have also advised on matters of changing the law, so there may be further opportunity for us to assist and collaborate on this front. ME welcomed the offer.

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12. Sub-Committees

12.2.1 Resources Sub-Committee 14th June 2024;

MB – the most recent meeting of the Sub-committee was held on the 14th June, There have been some changes in the membership which has led to some reallocation of roles. Issues discussed include proposals around partnerships, as in the report - these will be discussed further at the next meeting. There was attendance by Alison Kitchener (AK) who attended the main Committee meeting in February to discuss the environmental skills and capacity review – we have maintained extensive dialogue via the Sub-committee. However, this work was likely delayed by cabinet reshuffles. Picking up on the infrastructure commissioner’s recommendations will likely be a prominent element of the next meeting.

Action

LL to seek update from AK on environmental skills and capacity review.

12.2.2 Section 19 Sub-Committee, 3rd July 2024;

The first Section 19 Sub-committee meeting was held on 29th February, which covered: Terms of Reference, the work programme, and a situation update which included TG’s overview.

At the second meeting, it had been planned that Prof Elwyn Evans KC would attend to discuss her report on the review of Local Government Section 19 and Natural Resources Wales’ reports into extreme flooding in Wales, 2020-21, but unfortunately, she had to cancel at short notice.

Key actions arising are:

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- The Chair will arrange one to one discussions with each Committee member about their roles, and what we will be seeking in the next Sub-committee.
- There was discussion around the communications and engagement plan from the Defra work, and some discussion around the feedback on the work Defra are doing in England.

The next meeting has now been arranged on 11th October 2024 – Prof Evans has confirmed she will attend this meeting.

12.2.3 Policy & Legislation Sub-Committee – 14th August 2024.

AS – no significant updates since last meeting; some delays, such as Defra assets report due to general election. However, Defra have indicated that it is likely to be published in September.

We look forward to NICW report, which will be given due consideration by the group. I have also met with NRW to discuss the S21 register and asset database – productive conversations are ongoing, and I will pull together a short paper for the next PLSC and cascade to wider FCEC in due course.

No update from the Law Commission (LC) at the last meeting – it will likely be a while before we hear from the LC again due to the new government in Westminster.

13. Reports

13.1 Natural Resources Wales Annual Report 2023/24 – Jeremy Parr; Ross Akers, Strategic Planning and Investment Manager; and Rachel Sion, Strategic Planning

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and Investment Advisor.

JP and RA presented an overview of the work of the Natural Resources Wales Annual Report 2023/24.

Questions / discussion

DS – has the work undertaken to produce the report resulted in any new views on the corporate direction of NRW in the future? JP – our corporate plan identified the need and want to do more ambitious, forward-looking work, albeit with resource constraints. We are currently working in a challenging environment of what can be done and what is needed versus resources available; communications and messaging around this can be difficult and is a debate ongoing internally across NRW.

AMM highlighted the need to be careful we do not end up being reactive to the immediate issues. It is important to ensure we help maintain a strategic approach to ensure future aims are maintained. JP linked to FRM and LTIR, along with NICW report which will require resourcing.

AS – re: LA and NRW budgetary constraints – on income generation, for things like FRAPs, consenting, permitting etc, I did not see these in the report. JP - we know how much income is generated by these and that they do not cover their costs – but there are potential opportunities through streams such as levy-raising activities; this was discussed in the Resources Sub-committee, with a view to revisit this.

RC – on areas outside of ‘flooding’, but related, how were the lines defined and which areas to report on here? Also, are you looking at technological advances which may assist with work undertaken and is it part of the forward look? RA – in terms of the scope of the report, we attempted to define the main areas in which are core flood-focused; however, some wider areas are covered such as nature-

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based solutions and focusing on other areas of work which feed into our work, like peatland restoration and forest resource colleagues. JP – we want to make best use of technology, however sometimes money and resource are required up front to initiate. I acknowledge that we do not do as much as we could, but are open to do more.

MB – the report is not so clear in setting out outcomes, specifically monitoring the outcome of planning decisions as outlined by the NICW report – information needs to be collected on planning outcomes; can this be included in your report next year? Also, on S19 reports – we know NRW contribute to these, but it is not acknowledged in the report. Thirdly, the LTIR currently only addresses capital for flood defences – the remainder of capital needs to be covered, as well as long-term revenue implications. We must be looking at opportunities to generate funding, with reference to the resource issues. There is a strong case for looking at levies. JP noted that we do not have the aforementioned planning data and that NRW do not get the planning outcome decisions shared. There is an argument to be made for WG to collect this data, as sadly I do not think NRW can crack this on its own – I welcome this being in the NICW report. On S19, we recognise the need for this; RA acknowledges this is a data-poor area, but there is no national-level tracking of this information. JP – on LTIR – the methodologies on this are not clear re: revenue allocation and there is no quick delivery solution.

PW – could the function of planning reporting to NRW from LAs not be done via local groups?

JP – these groups do not have correct representation; however, I agree that there should be some other routes to utilise.

14. A resolution to exclude members of the public where publicity would be prejudicial to the public

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interest by reason of the confidential nature of the business to be discussed

This resolution was agreed.

15. Managing Flood Impacts in Wales 2050: Review by the National Infrastructure Commission for Wales; Recommendations - Commissioners Eluned Parrott and Dr Eurgain Powell

EPa and EPo presented on the Review and recommendations. Committee members offered feedback and discussion.

16. Wales Climate Resilience Strategy – To receive an update from Michelle Delafield, Climate Change Division, Welsh Government

MD provided an update on the Wales Climate Resilience Strategy. Committee members offered feedback on the presentation.

17. Any other business previously notified to the Chair

None.

18. Date and venue of next meeting – Tuesday 26th November 2024, Wrexham County Borough Council, The Guildhall, Wrexham, Clwyd, LL11 1AY

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