

Y Pwyllgor Llifogydd ac Erydu Arfordirol Cymru
Wales Flood and Coastal Erosion Committee

Annual Report 2024

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Foreword

1. This is now the fifth annual report since the first meeting of the Committee in 2019. Our year has again been a busy one, with a particular focus on our role in helping to move forward on the extended Programme for Government. A substantial part of our past year has been occupied by discussions about the work of, and collaboration with, the National Infrastructure Commission for Wales, and its review of what is needed to ensure that the impacts of flooding can be effectively managed in 2050. We have also spent significant time addressing Professor Elwen Evans's report on local authority investigations into significant flooding events, which follows on from the severe flooding in 2020-21. Both of these elements of the Programme for Government will also be key drivers of our workload for the year ahead.
2. A key highlight in the Committee's year was the attendance of Julie James, the Minister for Climate Change, at our meeting in Bridgend in November. We look forward to developing a similar close working relationship with Huw Irranca-Davies, the new Cabinet Secretary for Climate Change and Rural Affairs.
3. It has inevitably also been a very busy year for Flood Risk Management Authorities across Wales, not least because they have all been heavily committed to bringing their own plans and strategies up-to-date, and extending them further into the future. While all are increasingly endeavouring to fully take climate change into account, a key challenge in doing so is the level of uncertainty that we all face, as the impacts of the climate emergency become ever more evident, but the rate of change gathers increasing momentum.
4. It is indisputable that more needs to be done to keep pace with climate risks, particularly in adapting our communities and in increasing their resilience. Adaptation means making changes to our social, economic and environmental systems, and to the physical characteristics of our cities, our towns, our villages and our countryside. Recent debates about the proposals for the Sustainable Farming Scheme demonstrate how difficult some of these adaptations could be, and emphasise the scale of the challenges involved in taking the whole of society with us on this journey.
5. While governments are responding to these challenges and endeavouring to provide the necessary leadership, the scale of the impacts that we are seeing make clear that resilience to climate change should be a much greater national priority. Winters are already getting warmer and wetter, with summers hotter and drier. We will see more flooding but also more heatwaves, with drought risks becoming increasingly challenging. The case for integrated approaches to water management will be rapidly gathering momentum. Another key challenge is the extensive legacy of buildings and infrastructure whose resilience to climate change is poor, including within the flood risk sector itself. The sector will also need to more fully integrate carbon reduction into its own activities.
6. It is the pace and scale of these challenges that will make the new Wales Climate Resilience Strategy, under preparation by the Welsh Government and due to be published in the Autumn, of such critical importance. That Strategy, alongside the National Infrastructure Commission's report, should do much to raise the bar in terms of our expectations from the flood risk management sector in Wales.

Martin Buckle

Chair, Wales Flood and Coastal Erosion Committee

1. **How We Work**

Committee Members

1.1 Members of the Committee over the year 2023/24 are listed below.

Martin Buckle	Chair
Paul Blackman	Wallingford Hydro Solutions
Robin Campbell	Arup
Jean-Francois Dulong	Welsh Local Government Association
Geraint Edwards	Conwy County Borough Council
Natalie Haines	Mott MacDonald
Anne-Marie Moon	JBA Consulting
Jeremy Parr	Natural Resources Wales
Karen Potter	Open University
Dominic Scott	Dwr Cymru – Welsh Water
Andrew Stone	Rhondda Cynon Taf County Borough Council
Darren Thomas	Pembrokeshire County Council
Michael Wellington	Waterco
Paul Williams	National Farmers Union Cymru
Catherine Wilson	Cardiff University

Members were appointed to the Committee in the first instance in 2019 for a three-year term. A vacancy arose in April 2022 which was filled by Dominic Scott. Two further vacancies in April 2023 were filled by Robin Campbell and Paul Williams. All of the other members have completed five years of service on the Committee.

Committee Meetings

1.2 Initially, the full Committee met three times each year. With a growing workload, however, this was increased to four times each year from April 2023. Meetings are held in public. All agendas and minutes are published on the Committee's website <https://gov.wales/flood-coastal-erosion-committee>. All papers, other than those of a confidential nature, are available from the Committee's Secretariat:

floodcoastalrisk@gov.wales

1.3 The Committee meetings held in 2023/24 are set out below.

Committee	Date	Location
FCEC12	25 th May 2023	Colwyn Bay
FCEC13	6 th September 2023	Remote
FCEC14	30 th November 2023	Bridgend
FCEC15	22 nd February 2024	Remote

1.4 With the Committee alternating between remote and in-person meetings, forthcoming meetings are scheduled for 23rd May 2024 in Cardiff, and for a remote meeting on 5th September 2024.

Terms of Reference

- 1.5 The Committee’s terms of reference can be found in Annex 1. They are derived from the Flood and Coastal Erosion Committee for Wales Regulations 2017.¹

Remuneration and Allowances

- 1.6 Details of remuneration and allowances can be found in Annex 2.

Work Programme

- 1.7 At the September 2023 meeting, the Committee undertook its annual update and roll forward of its three-year Work Programme, extending it to 2025-26. The Work Programme is organised around twelve work themes, and is closely integrated with the National Strategy². The Work Programme is regularly reviewed and brought up to date at each Committee meeting. The programming of activity around each of the themes over the past year is summarised in the remaining sections of this report.

Sub-Committees

- 1.8 In progressing four of the themes in the Work Programme, the Committee has established sub-committees. Two of these were established for the first time in 2023-24. Details of all sub-committees are set out below. Secretariat support for the Sub-Committees has been secured from the Severn Estuary Partnership, hosted by Cardiff University. An overview of the work of the Sub-Committees is set out in Section 3 of this report.

Research Sub-Committee

- 1.9 This Sub-Committee met for the first time in December 2023. It is taking forward Theme 9 in the Committee’s Work Programme: *“To Influence research needs and programmes, and to disseminate research once complete.”* The Sub-Committee met for the first time in December 2023, meeting again in March 2024. Its membership is as follows.

Jean-Francois Dulong (Chair)	Karen Potter
Jeremy Parr	Catherine Wilson

Section 19 Sub-Committee

- 1.10 This Sub-Committee met for the first time in February 2024. It is taking forward Theme 12 in the Committee’s Work Programme: *“To establish high level requirements and supporting guidance for the Section 19³ flood investigation reports prepared by local authorities.”*

Paul Blackman	Natalie Haines
Geraint Edwards	Darren Thomas (Chair)

¹ <http://www.legislation.gov.uk/wsi/2017/827/contents/made>

² www.gov.wales/national-strategy-flood-and-coastal-erosion-risk-management-wales

³ [Flood and Water Management Act 2010 \(legislation.gov.uk\)](http://legislation.gov.uk)

Resources Sub-Committee

- 1.11 This Sub-Committee was established back in 2020 to take forward Theme 4 in the Work Programme: "*Explore opportunities to maximise resources for FCERM in Wales, including partnership funding contributions*". The Sub-Committee had four meetings in 2023-24.

Martin Buckle (Chair)	Jeremy Parr	Darren Thomas
Jean-Francois Dulong	Karen Potter	
Anne-Marie Moon (to September 2023)	Dominic Scott (from September 2023)	

Policy & Legislation Sub-Committee

- 1.12 This Sub-Committee was also established in 2020, in this case to progress Theme 5 in the Work Programme: "*Review of the policy and legislation around FCERM in Wales*". The Sub-Committee met twice during 2023-24.

Natalie Haines	Andrew Stone (Chair)	Michael Wellington
Paul Blackman & Jeremy Parr (to September 2023)		
Geraint Edwards (from September 2023)		

2. Flood & Coastal Erosion Risk Management in Wales

The National Strategy – Committee Work Theme 1

- 2.1 The National Strategy for Flood and Coastal Erosion Risk Management (FCERM) in Wales was published in October 2020. Its publication represented a major step forward in tackling the challenges facing Wales in managing flood and coastal erosion risks. As a ten year strategy, the National Strategy will reach its mid point in 2025. There is now a strong case for its refresh (see para 3.11).
- 2.2 The first theme within the Committee’s Work Programme is to help to implement the National Strategy, along with assisting in its monitoring, updating and review. All of the Committee’s remaining work themes (see sections 3 and 4) are linked to delivering the National Strategy. The Strategy sets out 24 measures, including three which directly involve the Committee: firstly, to consider the need for changes to legislation; secondly, to explore opportunities to maximise investment; and thirdly to establish guidance for local authority flood investigation reports.

Programme for Government Commitments

- 2.3 The Programme for Government for the current five year Senedd term was published in June 2021. This was updated in December 2021⁴ to reflect the co-operation agreement between the Welsh Government (WG) and Plaid Cymru. Within a suite of measures to address climate change, the Programme includes specific commitments to tackle flood and erosion risks, with implications for the Committee’s work programme:
- Fund additional flood protection for more than 45,000 homes;
 - Deliver nature-based flood management in all major river catchments to expand wetland and woodland habitats;
 - Commission an independent review of the local government Section 19⁵ and Natural Resources Wales (NRW) reports into extreme flooding in winter 2020-21;
 - Ask the National Infrastructure Commission for Wales (NICW) to assess how the nationwide likelihood of flooding of homes, businesses and infrastructure can be minimised by 2050;
 - Legislate to strengthen the requirements for sustainable drainage systems that provide wildlife habitat;
 - Establish a scheme to restore seagrass and saltmarsh habitats along our coastline.

Flooding Events in 2023-24

- 2.4 The winter of 2023-24 proved to be extremely stormy, with high rainfall levels, significant transport disruption and a number of flooding events. Storm Babet in October 2023 proved particularly disruptive across North-East Wales, with 160 properties flooded. Storm Ciaran in November saw a caravan site in Tenby evacuated, with a severe flood warning in place, associated with the River Ritec Valley in Pembrokeshire. This was repeated in January 2024 with Storm Henk, which also saw properties flooded in Carmarthenshire. These events were clearly tragic for the householders and businesses involved, but the scale of inundation across Wales was less than in some earlier years. In preparing for future flooding events, the extreme flooding of 2020-21 caused by Storms Ciara, Dennis, Jorge

⁴ [Welsh Government - Programme for Government - Update](#)

⁵ [Flood and Water Management Act 2010 \(legislation.gov.uk\)](#)

and Christoph continues to be a focus of attention. The independent review into these flooding events, undertaken by Professor Elwen Evans,⁶ reported in 2023. Its conclusions remain under active consideration.

Independent Review of Flood Investigations into Extreme Flooding in Wales 2020 – 2021, August 2023

- 2.5 As a key component of the Programme for Government, this report was commissioned after 3,000 properties across Wales were flooded in early 2020, with the area of Rhondda Cynon Taf Council being particularly badly affected. The report represents an important step in improving responses to flooding and its aftermath. Section 19 flood investigations help local authorities to understand the full impacts of flooding events, and can inform improvements to manage risk in a community, including new measures to reduce the likelihood of further flooding. As pointed out by the report, there was already a recognition that change is needed, evidenced by Measure 21 of the National Strategy for FCERM. It identifies a number of limitations in current practice in investigating and reporting on flooding events. The report goes on to highlight a number of strategic, policy and practical changes that could strengthen flood risk management.
- 2.6 The report sets out a number of technical recommendations to improve the preparation of Section 19 reports. It also identifies two key areas where clarity and improvements are needed:
- **Limitations in the legislation** - The legislation lacks the clarity for local authorities to understand the purpose of a Section 19 flood investigation. It remains subjective and open to interpretation, and it is unclear where these reports fit within wider flood risk management reporting. The degree to which an investigation is carried out is at the discretion of the local authority, as is the need or otherwise for a formal report. Lacking this clarity, local authorities have individually developed the process they use, where the expectation is that an investigation ends with a report, detailing events, actions and recommendations. The need is identified to clearly define the purpose of a section 19 investigation and to strengthen the process.
 - **Consistency** - There is a need for greater consistency across local authorities. For example, at what point should investigations take place, and what form should an investigation take? Should the investigation result in a report? And, if so, the development of a template would be a positive step forward.
- 2.7 The report also makes two additional recommendations:
- **A Central Repository** – Consideration should be given to requiring reports to be deposited in a central repository such as a publicly accessible webpage;
 - **Legislative Review** – The Law Commission should be invited to build on their work to date and to assist in reviewing flood risk management legislation in Wales.

The National Infrastructure Commission for Wales (NICW) – Managing Flood Impacts in Wales 2050

- 2.8 As a further key element of the revised Programme for Government, early discussions were initiated in late 2022 on how the Committee might collaborate with the Commission in responding to the request for its advice on mitigating flood risks in the longer term. A key first step was the appointment of four

⁶ www.gov.wales/independent-review-flood-investigations

members of the Committee to the Project Advisory Group. This was followed by consultation on a scoping report.

- 2.9 Since that time, all members of the Committee have had regular opportunities to contribute to the progression of this workload, in part through its inclusion as a standing item on Committee agendas.
- 2.10 The project progressed through four workstreams, which were initiated in July 2023 and reported in March 2024. These were:
- Visioning – developing a vision where homes, businesses and infrastructure are more resilient to the risk of flooding and sea level rise;
 - Strategic and Spatial Responses – Catchments and Coastal Zones
 - Resourcing – responding to challenges in workforce capacity and funding;
 - Land Use Planning – quantifying and analysing the relationship between planning decisions and flood risk management.
- 2.11 In considering the next steps towards drafting their report to Welsh Ministers which will be published later in 2024, NICW are undertaking stakeholder consultations during May and June 2024, including all members of the Committee.

3. Committee Progress in 2023-24

Work Theme 2 – Natural Resources Wales (NRW) Section 18 Reports

- 3.1 The Committee provides an independent review of the reports prepared by NRW under Section 18 of the Flood and Water Management Act 2010⁷. These reports outline progress on the implementation of the National Strategy, with detail on how flood risk and coastal erosion are being managed. The Report for the period 2020-23, was reviewed by the Committee in September 2023 prior to its submission to the Minister.
- 3.2 NRW undertook amendments and improvements to the Section 18 Report⁸ following our review, with key amendments made to address our comments, prior to its submission to the Minister. For our meeting in November, NRW provided a thorough response to the issues raised by our Committee. However, a number of key concerns were not fully resolved. These are listed below.

National Strategy Objective D - Preventing More People Being Exposed to Risk

- 3.3 This section of the National Strategy encompasses the role of the planning system in contributing to flood risk management. In 2019, the Committee had expressed concerns, in our advice on the previous Section 18 Report, that the level of residential consents within flood zones had increased dramatically in 2016-17 and 2017-18. Regrettably, the current Section 18 Report lacks an equivalent section to its predecessor, so it is unclear whether those major concerns from 2019 are being addressed, or whether the problem identified at the time might be getting worse.
- 3.4 In responding to this current concern, NRW said:
"We do recognise that data in this area is relatively poor and could be improved. This does require further support from Welsh Government planning teams, however, which has been difficult to unlock."
- 3.5 As things stand, this lack of reliable data on planning decisions is a clear deficiency in Section 18 reporting arrangements.

Addressing Community Engagement

- 3.6 In a similar vein, a key concern of the Committee relates to community engagement. While the National Strategy refers frequently to the importance of community engagement, there is not a single measure that addresses the issue. This gives rise to concerns along the lines of *"what gets measured, gets managed"*. If there isn't an incentive to report on progress regarding community engagement, there is a risk that these activities remain *'nice to do's'*. There are welcome examples of good practice on community engagement within the Section 18 Report, but without a National Strategy Measure to measure progress against, this issue is overlooked in the body of the report. Our Committee's Resources Report⁹ has highlighted the importance of resources for community engagement, but at present this is not reflected in the National Strategy and hence nor in the Section 18 reporting process.

⁷ <https://www.legislation.gov.uk/ukpga/2010/29/contents>

⁸ [Natural Resources Wales / Section 18 report: Flood and Coastal Erosion Risk Management in Wales 2020 – 2023](#)

⁹ www.gov.wales/resources-flood-and-coastal-erosion-risk-management-wales-final-report

- 3.7 This is a deficiency both in the National Strategy and in the Section 18 reporting arrangements.

Longer Term Trends

- 3.8 The Section 18 Report brings together valuable information on FCERM, and is an essential tool in monitoring progress on the National Strategy. The Report is primarily factual and descriptive in nature, focusing on the immediate reporting period. It would be of greater value if the Report were to include an analysis of longer term trends that might extend beyond the timeframe of a single Section 18 Report.

Communicating Flood Risk

- 3.9 In recognising that one of the five objectives of the National Strategy is: "Objective A: Improving our Understanding and Communication of Risk", there is a need to consider how well the Section 18 Report contributes to this aim. In particular, with the desire to increase understanding amongst the general public, the lack of a communications strategy to publicise its contents is regrettable.

The Importance of the Section 18 Report

- 3.10 Notwithstanding the concerns above, the focus of this Section 18 Report represents a significant improvement on the previous edition. In particular, the clear way of reporting against the Strategy Measures is helpful, and the excellent case studies with photographs are a good addition. The Report contains a great deal of valuable information, including NRW's own FCERM annual reports. It is of importance to the Committee as an information and evidence base for us to carry out our functions. The Section 18 Report is impressive in its scope, covering all Risk Management Authorities (RMAs) over a three year period, and addressing a range of activities from strategy and policy through to operational matters.

The National Strategy – Time for a Refresh

- 3.11 The Committee's review of the Section 18 Report reached the following key conclusion:
- "While the current Strategy was approved in 2020, much of the thinking behind it can be dated to 2018 – 2019. Understanding of climate change, and the responses it demands, has made huge progress since that time. While the Strategy was conceived as a ten year strategy, many of its measures were focused on the first few years, and a significant number of these have now been delivered, or are well in progress. As time passes further, the significance of its measures as drivers of activity by all those involved in FCERM in Wales will progressively diminish. In the light of this Section 18 Report, there is a strong case now to initiate the process for a refresh of the Strategy, with a view to this being concluded early in 2025. That would represent the mid-point of the Strategy. As well as taking on board the reports prepared by this Committee, and the advice offered by it to all RMAs as well as to Government, this timescale for a Strategy refresh would allow the work commissioned by the National Infrastructure Commission for Wales, as part of the Programme for Government, to also be fed into such a refresh."*

Work Theme 3 - Highlighting good practice in FCERM

- 3.12 As in previous years, the past year has seen considerable sharing of good practice through the meetings of the Committee. Presentations have been received from a number of Risk Management Authorities highlighting examples of good practice. These included:

- Colwyn Bay Waterfront - Conwy County Borough Council;
 - Drainage and Wastewater Management Plan - Welsh Water;
 - The Roads Review and Resilient Roads Fund - Transport Strategy & Policy Division, WG;
 - Aberaeron Coastal Defence Scheme - Ceredigion County Council;
 - Natural Flood Management and Sustainable Urban Drainage – Carmarthenshire County Council.
 - Communities at Risk Register – Natural Resources Wales;
 - Long Term Investment Requirements – Natural Resources Wales.
- 3.13 During the course of the year, we also received presentations from several WG and wider colleagues on good practice in linking to broader aspects of policy and practice, including:
- “Every Time it Rains” research on flooding across the UK - British Red Cross;
 - Sustainable Drainage Systems (SuDS) Schedule 3¹⁰ Post Implementation Review - Water, Flood and Coal Tip Safety Division, WG;
 - National Climate Resilience Strategy - Climate Change Division, WG;
 - Coastal Fora in Wales – Severn Estuary Partnership and Pembrokeshire Coastal Forum.

Work Theme 4 - Exploring opportunities to maximise resources for FCERM in Wales, including partnership funding contributions

- 3.14 This theme in the Work Programme reflects the obligation placed on the Committee by Measure 24 of the National Strategy. It has been taken forward by our Resources Sub-Committee. Their Resources Report¹¹ was approved by the full Committee in May 2022, and submitted to the Minister. The Minister’s response, together with those of other key stakeholders, was considered by the Committee in May 2023. A further report in September 2023 advised on the implications of the responses received, making recommendations on the role of the Committee.
- 3.15 In preparing the Resources Report, it had become evident that the capacity across all agencies to implement its proposals would be a substantial constraint on their delivery. The Sub-Committee therefore considered whether the Committee itself might be able to move some elements of the proposals forward, primarily in a supporting role. It is evident that the Minister, in responding to our report, could see the potential for our Committee to contribute more substantially to taking forward the proposals than originally envisaged.
- 3.16 In formulating its advice, the Sub-Committee had been mindful of the resources available to the Committee. Some progress had already been made on some proposals in limited areas, drawing on existing resources. However, the need was identified for a more substantive dialogue with WG colleagues about the availability to the Committee of additional resources.
- 3.17 Since the report was submitted, the Sub-Committee has been capturing information where proposals are already being taken forward. The following paragraphs set out areas in which significant progress is being made. The 20 proposals in the Report are organised into six main elements:
- Capital Funding and the Schemes Pipeline;
 - Partnerships;

¹⁰ [Flood and Water Management Act 2010 \(legislation.gov.uk\)](https://legislation.gov.uk)

¹¹ www.gov.wales/resources-flood-and-coastal-erosion-risk-management-wales-final-report

- Revenue Funding;
- Skills and Capacity;
- Governance and Collaboration;
- Community Engagement.

Creating the Capacity to Lead a Programme of FCERM Resource Improvement

- 3.18 In order to take the proposals forward, a significant commitment of organisational capacity will be needed, and this will need to be phased over a period of years. A proposal in the Report to create the capacity to lead a programme of resource improvement across Wales is therefore of over-arching importance. The Flood and Coastal Risk Programme Board has been identified to take on this leadership role. Following preliminary discussion, the Programme Board has asked that a scoping and options paper be prepared for further consideration.

Skills and Capacity – Key Priorities

- 3.19 The Committee's Resources Report highlights the capacity of our Risk Management Authorities, and that of the WG Water and Flood Team, as critical constraints on the delivery of effective FCERM services. This element of the Resources Report was identified as the key priority, and this has been given particular attention. In response to these concerns, and similar concerns more widely across the environmental sustainability field, the Committee was advised at its February 2024 meeting that WG has established a workstream to prepare a workforce action plan. This is progressing with Sub-Committee support, including a presentation on the current WG Environmental Sustainability Skills and Capacity Review. Proposals to undertake a workforce survey are also under development led by the WLGA, with the intention of initiating a pilot exercise in 2024.

Capital Funding and the Schemes Pipeline – Long Term Investment Requirements

- 3.20 This element of our Resources Report includes a proposal to prepare a Capital Funding Action Plan. Amongst other things, this would help to take forward the conclusions of the Long Term Investment Requirements (LTIR) reports under preparation by NRW. A significant step forward in advancing this workstream saw the publication in January 2024 of the LTIR Capital Report¹², and its presentation to our Committee. It focuses on the flood defence asset base. With this report addressing capital requirements only, the Committee has stressed the importance of preparing an equivalent LTIR report on revenue funding.
- 3.21 This LTIR Capital Report evaluates four different scenarios in addressing the need for ongoing maintenance and in responding to the implications of climate change. Key conclusions include the following:
- 1 in 8 properties in Wales are at risk of flooding now (245,000 properties);
 - This is forecast to increase by 34% over the next 100 years;
 - Overall, for all 4 scenarios, the study shows that the benefits of investing in flood defences outweigh the costs;
 - However, many defended areas are not economically viable in isolation;

¹² <https://naturalresources.wales/evidence-and-data/research-and-reports/flooding-reports-evidence-and-data/long-term-investment-requirements-for-flood-defences-in-wales/?lang=en>

- Keeping pace with climate change would require 3.4 times current funding levels over the next 100 years;
- Flood defences have a part to play, but a range of other measures are also needed;
- There are other aspects of Long-Term Investment Requirements. Further work is required to build on this evidence base;
- There is a critical need to plan for the long term;
- We need to adapt to the changing climate, and to build resilience.

Governance & Collaboration – Review of Regional Groups

- 3.22 This element of the Resources Report includes proposals to raise the profile of FCERM within local authorities, and to review the effectiveness of the three regional working groups. On the former, some progress is already being made by the WLGA, and is being incorporated as a priority into their normal business activities. A review of levels of revenue funding available for these purposes is being undertaken during 2024. The proposed review of regional groups is also being taken forward under WLGA leadership. It will include a review of their terms of reference to support deeper collaboration, aligning with National Strategy objectives and measures.

Community Engagement – Property Flood Resilience and the Role of the Insurance Sector

- 3.23 As a component of the Communities Action Plan proposed by our Resources Report, there is a particular focus on property flood resilience and the role of the insurance sector. This had led to a fuller discussion on the issue through the Sub-Committee. This identified a number of limitations in the scope of Flood Re's programme for facilitating flooding insurance and its *Build Back Better* Programme, as well as in the role of flood insurance in general. There is a need for further research in this field. These discussions add weight to the Committee's call for the Welsh Government's review of Property Flood Resilience to be published.

Work Theme 5 - Review of the policy and legislation around FCERM in Wales

- 3.24 This theme in the Work Programme, taken forward by our Policy and Legislation Sub-Committee, reflects Measure 1 of the National Strategy. The Final Report¹³ was agreed by Committee in September 2022 for consideration by the Minister. The Minister's response, received in November 2023 was referred to the Sub-Committee.
- 3.25 Having reviewed the Ministers response, the Sub-Committee reported back with its advice to the Committee in February 2024. Of the ten original proposals, it was agreed that seven would be the focus of further work by the Sub-Committee around the following themes:
- The control of FCERM assets, including the designation of features under Schedule 1 of the Flood & Water Management Act 2010;
 - Roles and responsibilities;
 - Flood risk adaptation, both on the coast and inland, and flood resilience.

¹³ www.gov.wales/case-change-legislation-and-associated-policy-flood-and-coastal-erosion-risk-management-wales-final

- 3.26 The work of the Sub-Committee has been aided significantly by the Law Commission for England and Wales, who have been undertaking consultations on a further programme of law reform. This has developed into a dialogue between the Commission and the Committee, including periodic Commission representation at meetings of the Committee.
- 3.27 The Sub-Committee has also been represented on the Environment Agency (EA)/Department for Environment, Food and Rural Affairs (DEFRA) research project's steering group for "Review of FCERM Assets" which ties into the control of assets focus area. The final report is due to be disseminated in Spring 2024.

Work Theme 6 – Establishing links with other stakeholders

- 3.28 Links with other stakeholders are inevitably critical to the work of the Committee. The Wales Coastal Groups Forum (WCGF) and the regional flood risk management groups were identified at an early stage as particularly important.

The Wales Coastal Groups Forum

- 3.29 The Forum brings together the Chairs of the four Coastal Groups along with wider stakeholders. It also acts as the advisory panel to the Wales Coastal Monitoring Centre (WCMC). Over the past year, the Committee has been represented on the WCGF by Jean-Francois Dulong and Anne-Marie Moon, with the former chairing the Forum. A report back on progress is received by the Committee annually, the most recent being considered in November 2023.
- 3.30 With some strengthening of support staff, the past year has seen some key steps forward, including progress on Phase 2 of the Shoreline Management Plans Refresh Project. In addition, as required by the National Strategy Measure 10, annual reporting on SMP Action Plans is now in place and working well.
- 3.31 Further progress has included the completion of Stage 1 of the National Prioritisation Mapping Exercise, with 96 areas along the coast identified where there is an intended policy shift from *Hold the Line* to *No Active Intervention* or *Managed Realignment*. Some key findings include:
- Although properties may not be directly affected by sea level rise and policy change, in many areas the loss of connectivity from access roads and railways will impact on their sustainability.
 - A range of healthcare facilities are also likely to be impacted.
 - Other than in Pembrokeshire and Gwynedd, very little work has taken place to prepare for change. Much work is needed on understanding assets' remaining life expectancy, triggers for implementing policy shift, and on engagement with communities and private stakeholders.
- 3.32 The WCMC had made significant progress over the previous year with a 50% increase in surveys due to strengthened staff resources. Regular surveys have been extended to additional lengths of coastline, and current data is increasingly feeding into the prioritisation of coastal flood risk schemes.
- #### **Regional Flood Risk Management Groups**
- 3.33 Our Committee meetings provide opportunities for the regional groups to provide input and take feedback, while the regional groups also act as a valuable resource for collecting and disseminating information. Mechanisms for strengthening their roles are under consideration (see para 3.22). The regional groups continue to bring presentations on issues of regional significance or examples of good practice to the Committee (see paras 3.12 & 3.13).

Wider Stakeholders

- 3.34 The Committee also recognises the importance of wider links, and the Chair continues to meet with a range of other key stakeholders. Links with the Flood and Coastal Risk Programme Board continue to be important, particularly in the context of the Committee's Resources Report (see para 3.18). With common issues around legislative change and cross boundary collaboration, regular contact also continues to be maintained with the Regional Flood and Coastal Committees in England.

Work Theme 7 – Advising on the integration of FCERM policies and priorities with other relevant policies and legislation

- 3.35 This remains an underdeveloped area within our work programme. However, our reports on resources and on legislative change have drawn attention to some key interfaces with wider policy and legislation. A number of consultation responses progressed under Theme 10 below are also of direct relevance, including those on the Sustainable Farming Scheme, and the Environmental Governance White Paper.

Work Theme 9 – Influence research needs and programmes, and disseminate research once complete

- 3.36 The Committee has made significant progress on this theme over the last year, with the establishment as planned of its new Research Sub-Committee. This met for the first time in December 2023, with a further meeting in March 2024. The terms of reference have been agreed, and discussions around a work programme have been initiated. A key task for the Sub-Committee will be to ensure that Wales engages effectively with the joint England and Wales FCERM Research and Development Programme¹⁴. To facilitate this, the Sub-Committee was joined at its second meeting by the Environment Agency's Research Manager who co-ordinates the programme. Members of the Sub-Committee have also continued to play a role in assisting with the programme's governance. Through the new Sub-Committee, a dialogue has also been opened with Environment Platform Wales. This organisation facilitates collaboration between the universities, NRW and WG, providing guidance and acting as a bridge between academic expertise and practical needs.

Work Theme 10 - Responding to consultations relevant to FCERM in Wales in 2022-23

- 3.37 As in previous years, key consultations continue to arise regularly, and this theme continues as the focus for much of the Committee's work.

Property Flood Resilience Policy Review – Welsh Government

- 3.38 At its September 2022 meeting, the Committee received a presentation on the interim report for this review. The final report is awaited.

¹⁴ www.gov.uk/government/organisations/flood-and-coastal-erosion-risk-management-research-and-development-programme

Sustainable Urban Drainage Systems (SuDS) Review – Welsh Government

- 3.39 In February 2023, the Committee received an update on the interim findings of this review. Following further consultation with practitioners, a Post Implementation Review Report was completed in May 2023¹⁵. A SuDS Community of Practice Group was established in December 2023 to take the recommendations forward. There are concerns amongst the local authorities on funding. Fee levels have not been reviewed for 5 years, and there are concerns whether service levels are sustainable in these circumstances.

Planning Technical Advice Note 15 (TAN 15) on Development, Flooding and Coastal Erosion - Welsh Government

- 3.40 The Committee has responded extensively to consultations at a number of stages since 2020. A new TAN had been launched in September 2021, along with the new Flood Map for Planning, which includes climate change projections, with the TAN to come into effect in December 2021. The TAN would reflect a determination to restrict development in the highest flood risk areas, in order to prevent problems for future generations. The TAN sought to avoid development which places extra requirements on river and coastal defences. Locations for development would need to be more carefully considered, along with future maintenance costs.
- 3.41 It was subsequently announced, however, that it would not come into effect immediately, providing local authorities with the time to update their strategic flood consequence assessments.
- 3.42 Another round of consultation was initiated on a further draft of the TAN in January 2023. This would increase flexibility to allow for some regeneration and redevelopment within flood risk areas, and provide more detail on the justification for development. It was anticipated that the new TAN would come into force towards the end of 2023.
- 3.43 Extracts from the Committee's response in April 2023 were included within last year's Annual Report. The Committee expressed substantial reservations about the new draft, particularly about the financial burdens that might be put on future generations to sustain further flood defences. Clarification was sought on a number of points, and a number of suggestions were made to improve the draft. The important focus on "*not knowingly exposing communities to unacceptable risk*" was welcomed. However, the draft TAN, in promoting flood defences as the primary mechanism to manage flood risk, rather than emphasising adaptation and resilience, was seen as representing a backward step. At this stage, it is unclear when a new draft will be published. The current situation where planning decisions are being based on WG guidance drafted in 1998 and 2004 is clearly unsatisfactory. The delay and uncertainty is a key concern for the Committee and the wider sector.

Flood Risk Management Plan 2023/29 – Natural Resources Wales

- 3.44 The Committee in September 2022 received a presentation on NRW's new Flood Risk Management Plan (FRMP). NRW has a duty to map areas at risk of flooding via a Preliminary Flood Risk Assessment, and then to produce a FRMP outlining its measures and priorities for managing these risks over the next six years. A 12 week consultation on the new plan was launched in March 2023. The draft FRMP

¹⁵ <https://www.gov.wales/sustainable-drainage-systems-suds-schedule-3-post-implementation-review>

is organized into a national section and a series of regional sections. Extracts from the response on behalf of the Committee are shown below.

Present Day and Future Flood Risk in Wales - the risk of flooding from rivers and sea is described without defences. The list of locations at greatest risk, therefore, includes locations which may be defended by significant defences. Hence, based on residual risk, these would not be amongst the highest risk locations. This should be identified and highlighted, as, if picking the top sites at risk taking account of existing defences, the list would be quite different, and the sites currently listed would not be the sites that needed urgent prioritisation.

The majority of the measures presented in the overarching report are recurring and/or ongoing. This could be interpreted as indicating that most of them are "business as usual". If so, it could be implied that NRW believe there are no significant changes or innovations needed in flood risk management to manage the increasing risks. If, however, a step change is needed, then the report should provide the opportunity to highlight the need for change and bring in new measures.

The report is based on the 6 NRW areas. This appears like a missed opportunity to move towards a more catchment based approach to flood risk management. Its absence is regrettable.

Communities at Risk Register data is referred to throughout the reports, but this feels like a black box calculation that few understand. The technical detail on the assessment process is insufficient. The document doesn't explain how the Register is generated, or what data is used to inform it. The complete evidence base needs to be published for transparency reasons.

- 3.45 Following consideration of our consultation response along with those of others, the final version of the plan was published in November 2023.¹⁶

Sustainable Farming Scheme – Welsh Government

- 3.46 This consultation was launched in January 2024. It represented a further step in delivering the Scheme, at the start of a new long-term programme to support the agricultural industry. The document set out the latest proposals, detailing a range of actions and support to meet the Sustainable Land Management Objectives. The Committee had responded to previous associated consultations, including a comprehensive submission on the Agriculture (Wales) White Paper in 2021. Our response was agreed following our Committee meeting in February 2024. Extracts follow below:

The qualifying criteria for entry into the scheme's Universal Actions, particularly in relation to the 10% habitat and 10% forestry, will effectively become barriers to entry. This will apply, we understand, also to future optional and collaborative actions. We would advocate for exploring less blunt approaches to achieving the qualifying objectives, in particular to ensure that collaborative actions can be as inclusive as possible.

The Committee welcomes that the scheme will reward farmers to mitigate and adapt to climate change and within that, we welcome the inclusion of specifically mitigating flood risk as one of the sustainable land management objectives.

¹⁶ [Natural Resources Wales / Flood risk management plan 2023 to 2029](#)

Every effort should be made to secure adequate funding for optional and collaborative actions, and to be fully operational well before the proposed date of 2029. Farmers should be adequately compensated and have clear sight of funding in respect to ongoing maintenance of prescribed features.

Actions that support adaptation to climate change at the coast are currently missing in the universal actions. This misses the opportunity to meet key WG objectives: to mitigate and adapt to climate change; and to maintain and enhance the resilience of ecosystems and the benefits they provide. We expect to see major changes to the coast and the habitats it supports in the next 10 to 20 years and beyond due to sea level rise, storminess, and increased risk of saline intrusion. These pressures will present significant challenges to farmers with coastal land, and therefore actions to support adaptation and long-term resilience are important.

Farms with coastal land will be facing challenges over and above those experienced inland and will need tailored solutions to these challenges. Shoreline Management Plans will need to play an important role in decision making. The availability of funding for adaptation and long-term resilience will be particularly important.

We are concerned at the lack of focus for river habitats, water quality and water quantity. There are no actions to support water management objectives, both quality and quantity, within the habitat objectives of the universal layer. Some of the actions identified within the universal layer could be enhanced either within the universal layer or optional layer to help intercept and store surface water run-off, providing benefits for water quality and quantity alongside biodiversity, habitat, and other ecosystem service benefits.

Securing a Sustainable Future: Environmental Principles, Governance and Biodiversity Targets for a Greener Wales – Welsh Government White Paper

- 3.47 This consultation was issued in January 2024, with a deadline for response of 30th April. Extracts from our response are shown below.

For the purposes of these proposals, it is unclear how the terms: "Environmental Law and Policy" will be defined. It is clear, however, that the definition will include the Environment (Wales) Act 2016, Part 7 of which establishes the Wales Flood and Coastal Erosion Committee. It does so, however, by amending the Flood and Water Management Act (FWMA) 2010. This legislation provides the primary framework for FCERM activity. It would therefore be appropriate if this legislation were to be included within the definition of environmental law for the purposes of these proposals.

On the basis of doing so, it would then be logical for the proposed duty under these proposals to apply explicitly to all organisations designated as "Risk Management Authorities" (RMAs) under the act. This would include Natural Resources Wales, all 22 local authorities as lead local flood authorities and as local highway authorities. It would also include the Welsh Government in its role as highway authority for trunk roads and motorways, and all water and sewerage undertakings. Local planning authorities also play key roles in FCERM, and the duty should apply equally to these, which include the three national park authorities as well as the 22 unitary authorities.

There are concerns that if the new duty were only to apply at Ministerial level it may not be fully filtered down and implemented by individual public bodies such as Local Authorities. There is a lot of pressure on resources (financial and people)

within public organisations, and so to be implemented properly, the new duties will need to be seen as a priority by each public body. This will be unlikely to be achieved unless a separate duty is placed on each of the public bodies. In addition, the governance body will have a wide ranging reach, and applying duties directly to individual public bodies would make this more manageable for the overarching body, as they should get more buy in.

Lessons learned and best practice examples could be key and should be included in reporting. With the climate change emergency, this body needs to be effective and to make a difference rapidly, and monitoring/reporting will demonstrate if this is happening - and if not, it will need to be rapidly addressed. It will be important that any reasons for ongoing noncompliance or poor trends are picked up for resolutions to be put in place.

There will be a need to clarify how the organisation will provide leadership in a collaborative way to avoid confusion and ensure consistent working across organisations towards the same goals. The Flood and Coastal Erosion Committee has a role in scrutinising the work of the Welsh Government and all RMAs including NRW through its role in regularly reviewing reports prepared by NRW under the FWMA Section 18. This also involves reviewing progress on the implementation of the National Strategy for FCERM. There will be a need for a dialogue between the Committee and the governing body to avoid duplication and overlap in this regard.

We welcome the recognition of flood risk management as a key ecosystem service.

Work Theme 12 – Guidance for Section 19 Flood Investigation Reports

- 3.48 The publication of the review of the local government Section 19 and NRW reports into extreme flooding in winter 2020-21, led by Professor Elwen Evans, (see paras 2.5 – 2.7) in August 2023, provided the catalyst to initiate this workstream. Accordingly the Committee agreed in September to establish a Section 19 Sub-Committee. This met for the first time in February 2024. This work theme will deliver on Measure 21 of the National Strategy for FCERM, which requires the Committee to collaborate with the WLGA and local authorities in the preparation of this guidance.
- 3.49 Clearly, the Elwen Evans report will be a key input into the Sub-Committee’s work. It will also be facilitated by a related review initiated by DEFRA in England in late 2023 and due to report in July 2024, with the following aims:
- Creating guidance for England on Section 19 flood investigations;
 - Facilitating better collection of data from studies, to feed into better knowledge, understanding and management of flood risk;
 - Identifying where technology could benefit and develop tools for RMAs to collect and submit the data.

Committee Members Feedback

- 3.50 Annual appraisals of Committee Members are undertaken towards the end of each financial year. These appraisals provide valuable feedback on the Committee’s processes and outputs, as well as on the performance of individual members.

- 3.51 Attendance levels at meetings continue to be good, with strong support from the employers of Committee members. The main Committee sustained attendance at 92% for the four meetings, with 90% for the nine meetings of the sub-committees. With the increase from two sub-committees to four, this continuing level of commitment is noteworthy. Participation in the Committee is viewed as a learning and networking opportunity, and continues to be highly valued. Members particularly appreciated the opportunity for a dialogue with the then Minister for Climate Change when she joined us for the meeting in Bridgend in November 2023.
- 3.52 The organisational culture of the Committee is seen as inclusive, positive and collaborative, working towards consensus building with openness and transparency. The diversity of perspectives is welcomed, with new recruits making a positive addition to the mix. The Work Programme is recognised as an effective longer term driver of momentum and prioritisation.
- 3.53 Engagement levels with colleagues from both WG and from the RMAs contribute to maintaining momentum on the work programme. However, as with the wider sector, organisational capacity is seen as a growing constraint at all levels. There is frustration at the lack of capacity in responding to the Committee's advice. Areas of particular concern include the pace of change in moving from approaches rooted in defence to ones more focused on adaptation and resilience. With growing challenges, there is a sense that more needs to be done in engaging with RMAs, and where appropriate, holding them to account.
- 3.54 Two areas of collaborative work during the year generated particular comment. On NRW's Section 18 report, Members felt that the dialogue with NRW was a largely positive one, resulting ultimately in a product that achieved its purpose well. Much Committee resource was also dedicated to the collaboration with NICW. While NICW's final report will not be seen until later in 2024, the general sentiment is that, while diverting resources from other priorities, this has been well worthwhile. Nonetheless, concerns about the Committee's capacity to initiate further workload remain.
- 3.55 The increase from two to four sub-committees is seen as a key mechanism for extending the Committee's capacity. While two are in their infancy, the outputs of the Sub-Committees are highly valued by Committee Members and wider stakeholders. Similarly, the year has seen a number of significant consultation responses, and opportunities to influence policy, programmes, legislation and guidance within WG and other organisations through these responses continue to be regarded as of great importance.

4. Looking Ahead

- 4.1 Through 2024/25, the four meetings per annum of our full Committee will continue to alternate between physical and remote meetings. The meeting of the Committee in May 2024 takes place in Cardiff, our first visit to the city since 2019. This will be followed by a remote meeting in September. As is our custom in maintaining a three year forward work programme, the September meeting will advance the Committee's work programme into 2026-27. It is anticipated that our Sub-Committees will also broadly follow a quarterly programme of meetings, but these will mainly be remote meetings.

The Work Programme in 2024-25 and 2025-26

- 4.2 Sections 2 and 3 of this report outline much detail in terms of how the Committee will be moving forward with its work themes. Inevitably, ambitions are constrained by budget and capacity limitations of those with whom we need to collaborate. Nonetheless, key highlights for the year ahead are anticipated to include the following:

- **Themes 1 & 2** – NRW's Annual Report will be reviewed in September 2024, with their next two-year Section 18 report under review in September 2025. Our review of the last Section 18 Report in September 2023 prompted a call for a **Refresh of the National Strategy**. There is no agreed timescale for this at present, but it would sensibly be informed by the conclusions of the NICW review.
- **Theme 4** - The Resources Sub-Committee will continue to take forward the proposals set out in our **Resources Report**, but also as guided by the Minister. Developing the role of the Programme Board to lead a programme of resource improvement will be a key priority. The Skills & Capacity agenda will continue to feature prominently, along with discussions about the roles of the regional groups. There will also be a focus on partnerships and on community engagement, and in particular on the role of the insurance industry in property flood resilience.
- **Theme 5** – The Minister's response to the Committee's **Legislative Change Report** will continue to shape the work programme for our Policy and Legislation Sub-Committee. Further developing the dialogue with the Law Commission will feature prominently in progressing this agenda.
- **Theme 6** – Continuing collaboration with the **National Infrastructure Commission for Wales** over their review of requirements for FCERM in 2050 will feature prominently in our work programme for 2024/25, as NICW prepare their final report. Responding to their conclusions and recommendations is likely to extend well into 2025/26.
- **Theme 8** – The Welsh Government is currently developing a new Wales Climate Resilience Strategy, which is due to be published in October this year. It will replace the current Climate Change Adaptation Plan (2019)¹⁷ Following on from this, it is anticipated that the preparation by WG of new **Coastal Adaptation Guidance** will gather momentum during the course of the next two years. It is expected that the Committee will contribute substantially to its development.

¹⁷ www.gov.wales/adapting-our-nation-climate-change-welsh-government-publishes-climate-change-adaptation-plan

- **Theme 9** – The development of an agreed work programme for our **Research** Sub-Committee will be its immediate priority, while continuing to engage with the joint England and Wales FCERM Research and Development Programme.
- **Theme 10 Consultations** – A key consultation in the short term involves providing input to WG’s **National Climate Resilience Strategy**. In the longer term, there will be much Committee interest in the outcomes from previous consultations, including those on Planning TAN15, Property Flood Resilience and the Sustainable Farming Scheme. The consultation on the Environmental Governance White Paper has drawn attention to the need for a continuing dialogue with Welsh Government colleagues as the proposals move forward.
- **Theme 12** – The Section 19 Sub-Committee will be meeting with Professor Elwen Evans, the author of the review of the local government and NRW reports into extreme flooding in 2020-21. They will also need to review the conclusions and recommendations of the study on Section 19 reports in England, which is expected to report in the Summer. Engagement with RMAs and the WLGA will be a prerequisite in preparing guidance for Wales.

Annex 1: Committee Terms of Reference

(References to “Regulations” refer to the Flood and Coastal Erosion Committee for Wales Regulations 2017).¹⁸

Purpose

1. The Committee has been established by the Environment (Wales) Act 2016, Section 81. Its purpose is to advise the Welsh Ministers on matters relating to flood and coastal erosion risk management.

Scope (regulation 8)

2. The scope of the Committee is to advise on any matters relating to flood and coastal erosion risk management.

Membership (regulations 3-5)

3. The Committee shall be made up of a Chair and up to 14 Committee members who are either an expert on matters deemed relevant by Welsh Ministers, or a nominated representative of an organisation associated with flood and coastal erosion risk management.

Duties (regulation 9)

4. The Committee must advise the Welsh Ministers on:

- i. The management of risk from all sources of flooding and coastal erosion;
- ii. Wider resilience and emergency issues from a flood risk management perspective;
- iii. The National Strategy for Flood and Coastal Erosion Risk Management; and
- iv. Work being carried out by flood and coastal erosion risk management organisations.

Powers

5. The Committee may:

- i. Establish its own programme of advisory work on flood and coastal erosion risk management in Wales (regulation 10);
- ii. Advise Welsh risk management authorities on the management of risk from all sources of flooding and coastal erosion (regulation 10);
- iii. Advise Welsh risk management authorities on wider resilience and emergency issues from a flood risk management perspective (regulation 10);
- iv. Advise Welsh risk management authorities on the National Strategy for Flood and Coastal Erosion Risk Management (regulation 10);
- v. Enter into agreements with other bodies, subject to the approval of the Welsh Ministers (regulation 10);
- vi. Appoint members of the Committee as its representatives on other fora or committees.

Meetings (regulation 11)

6. Meetings shall be held at intervals of no more than 6 months.

¹⁸ <http://www.legislation.gov.uk/wsi/2017/827/contents/made>

7. The Committee is a public body within the meaning of the Public Bodies (Admission to Meetings) Act 1960. Accordingly meetings of the Committee will be open to the public [Environment (Wales) Act 2016, Section 81 (3) and Schedule 2 Part 4].

Reports (regulation 12)

8. The Committee must submit a report to the Welsh Ministers on the exercise and performance of its functions for each period of 12 months, following the appointment of members to the Committee.

Procedure (regulation 13)

9. The Committee may regulate its own procedure, including making provision in relation to the quorum for its meetings (subject to the approval of the Welsh Ministers), and its voting procedure.

Sub-Committees (regulation 14)

10. The Committee may establish sub-committees by majority vote, to meet on the direction of the Committee. The Committee may regulate the procedure of any sub-committee, including its quorum and voting procedure. The terms of reference of a sub-committee are subject to the approval of the Welsh Ministers.

Communications & Working with others

11. Requests for interviews should be sent to the Minister for Environment in the first instance via the Secretariat. If the Minister is unavailable, the Chair may be asked to speak on behalf of the Flood and Coastal Erosion Committee.

Programme of work

12. The annual programme of work will be agreed with Welsh Ministers to ensure it includes current priorities.

Annex 2: Remuneration & Allowances

The Chair is entitled to remuneration on a per-day basis. Other Members of the Committee are not entitled to remuneration, but, as with the Chair, they are entitled to claim for travel and subsistence expenses. Expenditure under these headings is set out below.

£	Remuneration	Expenses	Total
2019-20	14,295	2,279	16,574
2020-21	14,520	80	14,600
2021-22	16,020	175	16,195
2022-23	17,203	129	17,332
2023-24	20,966	674	21,640