

# Agenda



## Delegated Decisions - Deputy Leader/Cabinet Member for City Services

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Date: Wednesday, 9 September 2020

To: Councillor Councillor R Jeavons

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Item		Wards Affected
1	<u>Cabinet Member Cover Report for Newport City Council Flood Plan (Pages 3 - 8)</u>	All Wards
2	<u>Part 2</u> <b>Not for publication as consideration of the report involves the likely disclosure of exempt information as defined in schedule 12 A of the Local Government Act 1972 (as amended) and the exemption outweighs the public interest in disclosure.</b>	
3	<u>Newport City Council Flood Plan (Pages 9 - 84)</u>	

Contact: Anne Jenkins, Governance Team Leader  
Tel: 01633 656656  
E-mail: [Cabinet@newport.gov.uk](mailto:Cabinet@newport.gov.uk)  
Date of Issue: 1 September 2020

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# Report

## Deputy Leader and Cabinet Member for City Services and Member Development

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### Part 1

Date: 9 September 2020

**Subject** Newport City Council Flood Plan

**Purpose** To seek formal approval for the Newport City Council Flood Plan

**Author** Civil Contingencies Manager

**Ward** All wards

**Summary** Flooding is considered to be the greatest risk of an emergency occurring in the Newport City Council area with over half of the area being identified as at risk of flooding. The plan has been developed in order to meet the Council's statutory duty to prepare emergency plans. It captures the known flood risks to Newport City Council area and provides relevant procedures to respond appropriately to flooding incidents.

The full document is published as a Part 2 document, that due to the 'official sensitive' level of security classification, which for commercial and security reasons, cannot be disclosed to the public. The full document outlines known flood risk areas and details of the various types of flooding which can be experienced across the Newport City Council area. The plan outlines how we monitor and assess flood risk in partnership with external organisations, and how the council will respond to a notification of forecasted or actual flooding. The plan references procedures for managing the sharing of information between all responding agencies; evacuation and shelter arrangements and internal and multi-agency communication strategies. To assist our assessment of and the response to the impacts of flooding, detailed maps have been produced that provide an indication of the areas affected by the various sources of flooding.

**Proposal** That the Cabinet Member approves the plan and that it is adopted.

**Action by** Civil Contingencies Manager

**Timetable** Following approval the Official Sensitive plan will be circulated as appropriate to key stakeholders

This report was prepared after consultation with:

- Chief Executive
- Head of People and Business Change
- Head of Law and Regulation
- Head of Finance
- Head of City Services

**Signed**

## **Introduction**

Emergency plans are designed so that if through any unforeseen occurrence an incident occurs, additional safeguards and protection could be provided to members of the public whose health and safety might be affected.

Flooding is recognised as being the highest risk of an emergency occurring within the Newport City Council area. Over half of the Council area is identified as being at risk of flooding from various sources including the river, sea, surface water and reservoirs.

This Plan has been developed to meet the legal requirements of Civil Contingencies Act 2004 and Flood Water Management Act 2010.

The report outlines the various contents of the plan and notes the areas that are still to be mitigated against.

## **Background**

Newport City Council has a legal duty under the Civil Contingencies Act 2004, and its supporting (Contingency Planning) Regulations 2005 to assess local risk and use this to inform emergency planning, including putting in place plans and procedures and to ensure that there are appropriate arrangements in place to provide information and advice to the public, if an emergency is likely to occur or has occurred. The Council is a designated Lead Local Flood Authority (LLFA) under the Flood and Water Management Act (FWMA) 2010 and has such developed its own flood strategy, which outlines both the main flood risks and the strategies that will be implemented to ensure they are mitigated against.

The aim of this plan is to outline the emergency response arrangements to mitigate against the effects of flooding within the Newport City Council area.

The objectives of the plan are:

- To aid awareness of flooding arrangements across the Council.
- To ensure activation for assessment and potential response at the appropriate level across the Council in the initial stages of a flooding incident.
- To ensure co-ordinated management of any flooding incident.
- To ensure a co-ordinate approach with partners, where required, during a flooding incident.

## **Key Points**

The plan outlines the various sources of flood risk across the Newport City Council area and the subsequent monitoring that is undertaken to manage that risk. The plan also provides a key set of procedures for the notification of flooding for City Services and Civil Contingencies.

In addition to identifying the known flood risk areas the plan also provides details of the various types of flooding which can be experienced across the Newport City Council area including tidal, river, surface water and reservoir and also lists key flood risk management infrastructure. The plan outlines how we monitor and assess flood risk in partnership with external organisations such as the Met Office and Natural Resources Wales, and how the council will respond to a notification of forecasted or actual flooding. This includes bespoke procedures of the actions required upon receipt of flood and severe weather warnings. The plan references procedures for managing the sharing of information between all responding agencies; evacuation and shelter arrangements and internal and multi-agency communication strategies. To assist our assessment of and the response to the impacts of flooding, detailed maps have been produced that provide an indication of the areas affected by the various sources of flooding.

The plan acknowledges new flood risk areas that have been identified by Natural Resources Wales. These flood risk areas are based on the communities at risk register and means that they have a combined flood risk from all sources of flooding, although the primary flood risk is anticipated from tidal sources. These new flood risk areas are Maindee, Crindau, Duffryn and Lliswerry.

The Council's Newport Intelligence Hub has produced various maps identifying the areas that are at risk of flooding. This has allowed a count of the number of all residential and commercial properties, which are considered be at risk from river, sea, surface water and reservoir flooding. A full detailed list is too exhaustive for inclusion in the plan; however, this can be produced for specified areas during an incident, if requested. Property counts have been utilised in this plan to provide an idea of the scale of flood risk. The system can provide a Unique Property Reference Number that is shared with the emergency services systems, informing the consideration and response to any required evacuations.

Following the storms and flood events earlier this year, debriefs have been held with appropriate service areas and the lessons identified have been included within the necessary sections of the plan. These include the procedure for activating the implementation of the Caerleon Road Tidal Flood Barrier; greater emphasis on co-locating of duty officers and communications officers to improve communication during a significant incident and the requirement to initiate an emergency response team on the receipt of a Met Office amber weather warning. It is also recognised that further development of the plan will be required to include information on assets, which have only recently been identified.

Whilst there has been significant development of this draft plan for over 18 months, its development will need to continue for several years for the document to reach a sufficient stage of maturity and completeness. This is primarily as a consequence of the significant extent of flood risk within the Newport City Council area some of which has yet to be assessed. The Plan which is a confidential Part 2 appendix to this report will need to be updated as further information is received.

The plan has been prepared in an Official Sensitive format due to the information that, for commercial and security reasons, cannot be disclosed to the public. Such information includes reservoir mapping (this has been provided by Natural Resources Wales) and identified property counts.

### Financial Summary

There are no financial implications to reviewing the plan, which is a legal requirement.

Should an incident occur, Newport City Council may incur direct costs. Reimbursement of these costs will be sought during the Recovery Phase as per existing cost recovery measures.

### Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Non-compliance with the statutory duty	Medium	Medium	Preparation of the contingency plan and consultation with relevant partners	Civil Contingencies Manager

\* Taking account of proposed mitigation measures

### Links to Council Policies and Priorities

The review and update of this plan supports the Council in contributing to the:

- Well-being goals and sustainable development principles within the Well-being of Future Generations (Wales) Act 2015.
- Integrated interventions within the Newport Well-being Plan 2018-2023.
- Corporate Plan – commitment to Resilient Communities in Newport
- National Well-being goal for Wales – A resilient Wales

### **Options Available and considered**

- a) The Cabinet Member approves the plan for formal circulation.
- b) The Cabinet Member determines not to approve the plan.

### **Preferred Option and Why**

The Cabinet Member approves the plan for formal circulation. Failure to approve the plan will place the Council in breach of its statutory duties under the Civil Contingencies Act 2004 and the Flood and Water Management Act 2010

### **Comments of Chief Financial Officer**

The Newport City Council Flood Plan was developed with minimal costs which will be met from existing budgets. Any costs incurred as a result of flooding will be dealt with on an individual basis as part of the recovery stage of the plan which may include flood investigation reports, as per the duties under the Flood Water Management Act 2010.

### **Comments of Monitoring Officer**

There are no specific legal issues arising from the Report. The Newport City Council Flood Plan will comply with the Council's statutory duty under Flood Water Management Act 2010 and Civil Contingencies Act 2004 and sets out the arrangements for dealing with any civil emergency or public health hazard relating to the flooding. Some elements of the plan are confidential because of government security classifications and therefore the plan will not be circulated as a public document.

### **Comments of Head of People and Business Change**

The proposal has been undertaken to summarise the formal production of the Newport City Council Flood Plan as part of a recognised need to produce such a plan for the Council. The main aspects of the plan include information on the relevant flood risks to the Newport City Council area, Civil Contingencies and Highway officer procedures to facilitate an appropriate and timely response to a flooding incident, which includes contacting and liaising with the relevant emergency services and partner agencies. Extensive work has been undertaken by Newport Intelligence Hub (NIH) in order to produce various maps of flood risk and property counts for commercial and residential premises. It is understood that a complete list is unable to be included in the plan due to the extensiveness of this information. However, this list can be produced in real time by NIH to provide updated property information during emergency situations. Within the property information is a Unique Property Reference Number that can be integrated into Emergency Services Geographic Software allowing the sharing of information informing and aiding any required evacuations.

This plan meets the Well Being Future Generations Act 2015 as the plan has been written in collaboration with statutory partners aligning each organisations procedures accordingly allowing for joint working and the appropriate mechanisms for sharing situational awareness. The Plan has considered the five ways of working and contributes to a number of well-being goals including a Resilient Wales and Globally Responsible Wales.

### **Local issues**

Due to the vast coverage of the flood risk, this plan affects the majority of wards. As defined by Natural Resources Wales there are four areas particularly noted as being at high risk from all sources of flooding, however it is noted that the primary flood risk is anticipated to be from tidal sources. These areas are Lliswerry, Crindau, Maindee and Duffryn.

### **Comments of Non-Executive Members**

#### Councillor J Hughes:

I note despite several references to Caerleon within the report Caerleon is not included in the new ranking system as a community most at risk of flooding. Historical property flood events do not appear to have taken into account the flooding events 2019/20 that severely impacted several properties and business along Usk Road and the closure of this road for a period as a direct consequence of the flooding and the significant damage to the HSOB rugby club premises. While acknowledging the

investment in flood defences in the area I would be concerned that not acknowledging this risk would lead to a downgrading of any potential risk and support that may be available to continue improving defences and supporting local business in flood prevention initiatives where risks are identified.

#### Cabinet Member Response:

Thank you for your comments and for raising your concerns.

Whilst the NCC Flood Plan acknowledges the new flood risk areas, Section 4 of the plan recognises the role of the Council as a Lead Local Flood Authority which requires us to ensure that we work with our partners, particularly Natural Resources Wales, to assess and better understand flooding from all sources across the whole Newport City Council Area. This work will inform the NCC Flood Plan and any measures that may be required to mitigate such flood risk.

The need to liaise with Natural Resources Wales, particularly for Caerleon, is that the Afon Lwyd and River Usk are designated as main rivers and it is Natural Resources Wales who have responsibility for managing flood risk on main rivers in Wales. This report is the next step in this work which is ongoing, the Plan confirms greater emphasis is now being placed on all agencies to work in close collaboration to minimise the risk of flooding, and manage the consequences and we will continue to do this across all areas.

### **Scrutiny Committees**

This plan has not been through any Scrutiny Committees.

### **Equalities Impact Assessment and the Equalities Act 2010**

A Fairness Equality Impact Assessment (FEIA) is not considered appropriate for this plan due to the following reasons:

- The revision of the plan is not related to a change of public service;
- The revision of the plan is not related to a funding cut or an adjustment to funding;
- The plan continues to provide a flexible framework and establishes roles and responsibilities for all external partner organisations involved in the response to an incident.
- Not able to identify any equality impacts.

### **Children and Families (Wales) Measure**

No consultation has taken place specifically with children and young people.

### **Wellbeing of Future Generations (Wales) Act 2015**

This plan meets the well-being future generations sustainable development principles in the following ways:

- **Long term:** The Flood Water Management Act 2010 and Civil Contingencies Act 2004 determine the production of this plan. Therefore, this plan has been developed to meet those items of legislation and pre dates the Wellbeing of Future Generations (Wales) Act 2015. A robust flood plan which will be reviewed regularly will reduce the impacts of flooding and some of the negative impacts of climate change for current and future generations.
- **Prevention:** This plan ensures that there are measures in place to where possible respond to and mitigate the impacts of flooding incidents. This includes regular inspections and subsequent monitoring of Newport City Council flooding assets. There are also procedures in place to monitor warnings issued by the Met Office and/or Natural Resources Wales and to implement relevant procedures.
- **Integration:** By means of having a plan, it ensures that adequate procedures are in place to provide a co-ordinated pre-agreed joint internal and multi-agency response, to where possible respond to and mitigate the impacts of flooding incidents. This reduces the potential for both cultural, economic, environmental and social impacts within communities located in Newport City Council. This includes businesses, schools and infrastructure, which are detailed within plan. It also does not adversely affect the other well-being goals mentioned above. The plan supports the well-being goals of a prosperous, resilient, healthier, more equal, cohesive communities, globally responsible Wales. The

plan is designed to meet the following Council well-being objectives: to enable people to be healthy, independent and resilient, and to build cohesive and sustainable communities. The plan also meets the Public Service Board well-being objective that Newport has healthy, safe and resilient environments.

- **Collaboration:** This plan has been developed in collaboration with other service area departments particularly Flood Drainage, Highways and Newport Intelligence Hub. Joint Emergency Services Interoperability Programme (JESIP) is adhered to; ensuring joint working and the understanding of each organisations roles and responsibilities especially when working with the Emergency Services. This allows for the sharing of information between responding organisations at the incident scene.
- **Involvement:** Service areas have been included within the consultation along with elected members. Any local businesses that may be impacted by any incidents are noted within the mapping information produced by Newport Intelligence Hub. For the Caerleon Road Tidal Flood Barrier, elected members, Caerleon Civic Society and Natural Resources Wales were involved in discussions and the production of the procedure.

### **Crime and Disorder Act 1998**

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

### **Consultation**

Parts of this plan have been subject to a multi-agency and local consultation process which has involved multiple drafts of the Caerleon Road Tidal Flood Barrier procedure. Throughout this process, the points raised by all parties have been addressed prior to the submission of this document for approval. The details of the consultees are incorporated within the document and include Natural Resources Wales, Caerleon Civic Society and Elected Members.

### **Background Papers**

Civil Contingencies Act 2004

Flood Water Management Act 2010

Wales Flood Response Framework

Preliminary Flood Risk Assessment for Newport City Council 2011, 2017

Local Flood Risk Management Strategy 2014

Detailed Guidance on Developing a Multi-Agency Flood 2011

The National Flood Emergency Framework for England 2014

Dated: 1 September 2020



By virtue of paragraph(s) 12 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

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