

By Email to; Llyr Gruffydd
Llyr.Gruffydd@senedd.wales

Dyddiad/Date: 2/03/2022

Dear Llŷr,

RE: Recent scrutiny session of Natural Resources Wales (NRW) with the Climate Change, Environment and Infrastructure Committee.

At the recent scrutiny session of Natural Resources Wales (NRW) with the Climate Change, Environment and Infrastructure Committee, we were asked by Carolyn Thomas MS about the role of NRW with regards ensuring that culverts and ditches are kept clear.

We appreciate that roles and powers when it comes to flooding can appear complicated. In essence though, NRW has powers and are the lead agency when it comes to flooding from main rivers and the sea. Local Authorities have powers and are the lead agencies when it comes to flooding from smaller watercourses and ground water. Water companies are the lead agency when it comes to sewerage related flooding. The arrangements and responsibilities are described in Welsh Government's [National Strategy for Flood and Coastal Erosion Risk Management in Wales | GOV.WALES](#) (see from p.17). It is important to note that the powers for NRW are permissive, and not statutory duties, and are to be used on a discretionary flood risk basis, in line with the National Strategy. All authorities have a duty to co-operate with each other in the exercise of their FCERM functions, which is important given that flooding can be from a variety of different sources.

To add to that, landowners have responsibilities for the watercourses that pass through their land, including culverted sections. Further information on [Rights and Responsibilities is available on our website](#). It is the responsibility of the landowner to clear any water courses on or under their property. Public bodies such as NRW or LAs can be the landowner in some cases, but land ownership is often in private hands.

It is complicated a little further in Internal Drainage District (IDD) areas. There are 11 IDDs across Wales, covering a very small proportion of Wales confined to some low lying

areas. The IDD's operate and maintain the drainage systems, which can include ditches and culverts, in these areas.

So in summary, it is not the case that NRW is responsible for clearing all culverts and ditches, and the main responsibility falls with landowners. NRW has permissive powers to undertake works on main rivers, and local authorities have the same for local watercourses.

Best wishes

A handwritten signature in black ink, appearing to read 'Clare Pillman', with a horizontal line underneath.

Clare Pillman
Prif Weithredwr, Cyfoeth Naturiol Cymru
Chief Executive, Natural Resources Wales