

REPORT OF CORPORATE DIRECTOR (PLACE)**SECTION 19 REPORTS: EASTWOOD FLOODING SEPTEMBER 2023 &
STORM BABET FLOODING OCTOBER 2023****Purpose of the Report**

1. This report sets out the County Council's duties as the Lead Local Flood Authority to report on flooding incidents under Section 19 of the Flood and Water Management Act (2010) and presents its Section 19 Reports in relation to the flooding in Eastwood in September 2023 and that caused by Storm Babet across the County over 20 – 23 October 2023. The Local Government Act 2000 (Section 21) requires that a local authority which is a lead local flood authority for an area in England must have arrangements to review and scrutinise flood risk management functions that may affect the local authority's area. Place Select Committee will fulfil this requirement. It is acknowledged that further flooding occurred across the County during December 2023 and January 2024 (Storm Henk) and these events will be the subject to a further committee report in June 2024.

Information

2. Following the severe flooding in many parts of the country during the summer of 2007, the Government commissioned an independent review (the 'Pitt Review') which in 2008 recommended that local authorities should lead on the management of local flood risk, working in partnership with other organisations. Two key pieces of legislation have brought this forward; the Flood Risk Regulations 2009 which transposed the EU Floods Directive into UK Law and the Flood and Water Management Act 2010 (FWMA).
3. Nottinghamshire County Council (NCC) is a Lead Local Flood Authority (LLFA) and has powers and statutory duties to manage and co-ordinate local flood risk management activities. NCC does this by working together with other organisations including the Environment Agency (EA), who manage flooding from larger rivers and watercourses known as Main Rivers, such as the River Trent and the River Erewash etc; Internal Drainage Boards (IDB) managing low lying areas; District, Borough, Parish and Town Councils; and infrastructure/ utility providers, such as Severn Trent Water (STW) and National Highways (formerly the Highways Agency). This partnership work is overseen by the Strategic Flood Risk Management Board, jointly chaired by NCC and Nottingham City Council (NCiC) and attended by all Risk Management Authorities (RMAs).
4. The LLFA provides a countywide Flood Risk Management service supported by the Local Flood Risk Management Strategy & Action Plan (LFRMS) and the Preliminary Flood Risk

Assessment (PFRA). A copy of the Local Flood Risk Management Strategy is included as Appendix AO.

5. Local flood risk means flooding from surface water (overland runoff), groundwater and smaller watercourses (known as Ordinary Watercourses).
6. Section 19 of the FWMA gives NCC, as LLFA, the following duties:
 - A. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:
 - (a) Which Risk Management Authorities (RMAs) have relevant flood risk management functions.
 - (b) Whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.
 - B. Where an authority carries out an investigation under subsection (1) it must:
 - (a) Publish the results of its investigation.
 - (b) Notify any relevant risk management authorities.

Purpose of a Section 19 report

7. It should be noted that the purpose of a Section 19 Report is to outline what happened during a flooding incident and whether the relevant RMAs have exercised or will exercise their responsibilities, it **does not** identify specific measures to alleviate future flood risk. It is up to each RMA if they then wish to carry out further investigation into possible flood prevention and protection measures that could be implemented.
8. At Transport and Highways Committee on 31 Oct 2013 it was decided that Section 19 Reports should be prepared where NCC is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property).

This threshold was triggered in Eastwood on 17 - 18 September 2023 and in 39 areas during Storm Babet over the weekend 20 – 23 October 2023. Each area has a separate Section 19 report and they are included as an Appendix to this covering report.

Eastwood Flooding Overview (Appendix A)

9. On the evening of Sunday 17 September 2023 and through to the early morning of the 18th of September large amounts of rain fell across the East Midlands region, with over 60mm of rainfall experienced in some locations across the county.
10. On the morning of Monday 18 September Eastwood, a town with a population of almost 20,000, was subjected to heavy localised rainfall that resulted in 5 residential properties experiencing internal flooding.
11. Eastwood was the only recorded incident of internal flooding triggering a Section 19 for the weekend in question. Nottinghamshire County Council are the Lead Risk Management Authority for the incident and the full Section 19 Report is included as Appendix A.

12. Flooding experienced by those affected can have significant effects on wellbeing and livelihoods. The impacts of this flooding have been and will continue to be felt by the community for many months as they begin their recovery journey and dealing with the impacts of the flooding.
13. The attached Section 19 Report identifies that all relevant Risk Management Authorities carried out, and continue to carry out, their respective duties.

Storm Babet Flooding Overview (Reports in Appendices B – AN)

14. Over the weekend of 20-23 October 2023 Storm Babet had a significant impact on homes, businesses, livelihoods and the welfare of many residents across the County. Over 1200 homes and businesses were flooded internally, 77 roads were officially closed with many more impacted by the flooding resulting in significant disruption to the public across the highway network.
15. Parts of the Midlands were subjected to the wettest 3 days since records began. Environment Agency statistics recorded up to 124mm of rain falling in parts of the County between 18 and 21 October with 95mm of that falling in a 24-hour period. The Environment Agency issued 17 Flood Alerts, 57 Flood Warnings and 2 Severe Flood Warnings between the 19 and 23 October, Figure 1 below shows the spread of these across the County.
16. This storm came after a prolonged period of persistent rain which had saturated the ground resulting in flooding of roads and properties quicker than they would following a dry period. Figure 2 below shows the recorded hourly rainfall (Staythorpe gauge) for the storm between 18 – 21 October. Figure 3 summarises the Environment Agency's Flood Warning Service.

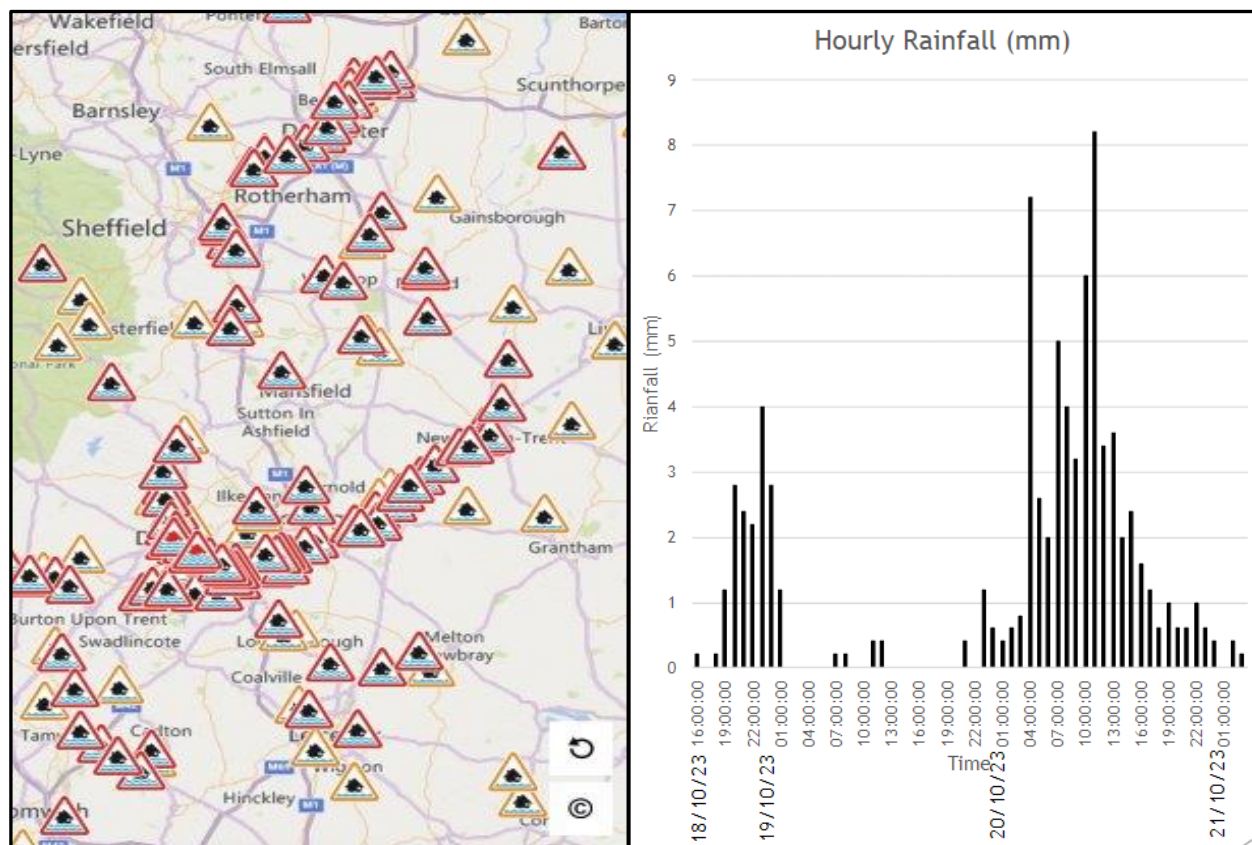


Figure 1: Flood Warnings / Alerts issued. Figure 2: Hourly rainfall for 18-21 October.

(Figure 1 and 2 source – The Environment Agency)




Flood Code	 FLOOD ALERT	 FLOOD WARNING	 SEVERE FLOOD WARNING	Warning no longer in force
What it means	<ul style="list-style-type: none"> • Flooding is <u>possible</u> • Be <u>prepared</u> 	<ul style="list-style-type: none"> • Flooding is <u>expected</u> • Immediate action required 	<ul style="list-style-type: none"> • <u>Severe flooding</u> • <u>Danger to life</u> 	No further flooding is currently expected for your area.
When it's used	Two hours to two days in advance of flooding.	Half an hour to one day in advance of flooding.	When flooding poses a significant disruption to communities.	When a flood warning or severe flood warning is no longer in force.
EA Triggers	<ul style="list-style-type: none"> • Forecasts that indicate that flooding from rivers may be possible. • Forecast intense rainfall for rivers that respond very rapidly. • Forecasts of high tides, surges or strong winds 	<ul style="list-style-type: none"> • High tides, surges couples with strong winds • Heavy rainfall forecast to cause flash flooding of rivers • Forecast flooding from rivers. 	<ul style="list-style-type: none"> • Actual flooding where the conditions pose a significant risk to life and / or widespread disruption to communities • On-site observations from flooded locations • A breach in defences or failure of a tidal surge barrier or dam that is likely to cause significant risk to life • Discussions with partners 	<ul style="list-style-type: none"> • Risk of flooding as passed • River or sea levels have dropped back below flood warning levels and no further flooding is expected • Professional judgement and discussions with partners that a severe flood warning status is no longer needed.
Impact	<ul style="list-style-type: none"> • Flooding of fields, recreation land and car parks • Flooding of minor roads • Flooding of farmland 	<ul style="list-style-type: none"> • Flooding of homes and businesses • Flooding of rail infrastructure • Flooding to roads with major impacts • Extensive flood plain inundation (including caravan parks or campsites) • Flooding of major tourist / recreation attractions 	<ul style="list-style-type: none"> • Deep and fast flowing water • Debris in the water causing danger • Potential or observed collapse of buildings / structures • Communities isolated by flood waters • Critical infrastructure for communities disabled • Large number of evacuees • Military support. 	<p>No new impacts expected from flooding, however, there may still be:</p> <ul style="list-style-type: none"> • Standing water following flooding; • Flooded properties; • Flooded or damaged infrastructure.

Figure 3 The Environment Agency's Flood Alert / Warning levels and triggers table.

17. NCC has a duty of care role for all its communities, ultimately to provide support to its communities through all phases of and emergency from response to recovery.
18. The impacts of the flooding triggered the activation a multi-agency response process established by the Local Resilience Forum (LRF). This process sets out a structure to the management of the response to the flooding including Strategic, Tactical and Recovery Coordination Groups. Representatives from all RMAs, emergency services and support organisations such as the Red Cross attended their relevant groups. NCC's Emergency Planning Team chaired and attended the Strategic, Tactical and Recovery Coordination Group meetings and carried out relevant actions requested by these groups.
19. The LRF's Chief Officer group is responsible for overseeing the co-ordination of emergency planning within Nottingham and Nottinghamshire. The group meets regularly, is led by Nottinghamshire Police, and consists of senior managers from the principal emergency planning and response organisations. The role of the LRF includes:
 - a. Agreeing joint strategic and policy approaches relating to Nottingham & Nottinghamshire's preparedness and response.
 - b. Approving the community risk register, and ensuring it provides a robust basis for planning.
 - c. Ensuring that multi-agency plans, procedures, training and exercises are in place.
 - d. Directing and overseeing the activities of subgroups which concentrate on specific subjects.

- e. Ensuring that appropriate resources are made available to working groups.
- f. Co-ordinating the individual approaches and responsibilities of each organisation to ensure they complement each other.
- g. Considering the implications of legislation and national initiatives.

Further information can be found in the LRF Constitution and LRF Strategy.

20. The main elements of Nottinghamshire County Council's role during a flood emergency, as set out in the NCC Flood Response Plan, can be summarised as:

- a. Operational on the scene response / support – providing sandbags, closing off unsafe roads, structural assessments (e.g. bridges), gully emptying and pumping where appropriate.
- b. Identifying and supporting vulnerable residents (at flood risk) that are known to NCC.
- c. Supporting emergency services and other responding agencies e.g. with evacuation.
- d. Providing emergency accommodation / transport for evacuees and addressing any other welfare needs.
- e. Ensuring NCC critical service delivery remains uninterrupted.
- f. Warning and informing the public, providing timely information and advice.
- g. Responding to animal health / welfare issues e.g. stranded livestock.
- h. Representation at multi-agency coordinating groups.

21. As a Highways Authority, Nottinghamshire County Council has a wide range of statutory duties and those relevant to flood response include:

- a. primarily to keep the highway safe.
- b. maintaining the surface of most rights of way / highways.
- c. preventing the closure or obstruction of highways, as far as possible.

22. The impact of the storm was such that a **Major Incident** was declared by Nottinghamshire County Council via the Strategic Coordination Group on Saturday October 21st.

23. During the flood event Via East Midlands Ltd. provided a critical front line response across Nottinghamshire for highway issues. They responded to 376 calls for support from communities at risk including sandbag requests and closed 77 roads across the County.

24. Nottinghamshire County Council's Emergency Planning team facilitated and participated in the Tactical and Strategic Coordination Groups and the Councils internal Risk, Safety and Emergency Management Board (RSEMB). They provided a first point of contact for Flood Wardens, volunteer groups and other NCC internal teams involved in the event.

25. In the weeks following the storm the Flood Risk Management Team, with support from RMA colleagues, verified 1259 properties and businesses in 92 different communities across the County as suffering from internal flooding as a direct result of Storm Babet. For comparison Nottinghamshire County Council have 1547 reports of internal flooding recorded in total in the 9 years between 2013 and 2022.

26. Flooding of this severity is not usually attributable to only one source or mechanism. Each individual catchment has its own response to heavy rainfall, flooding in some will happen

quickly during the rainfall - often referred to as a 'flashy' catchment, where others may experience a slower response to the rainfall with adjacent rivers and watercourses filling to capacity before overflowing and causing flooding.

27. In many catchments large open spaces such as playing fields and agricultural land can become saturated causing water to runoff the land rather than soak into it exacerbating the risk of flooding whilst highway drainage can be overwhelmed with water using the highway as a conduit more akin to a river than a road.
28. These differences merely scratch the surface of the complexities in both understanding the causes of flooding and identifying meaningful and deliverable ways of reducing the risk and consequences of future flooding events.
29. Part of the Section 19 process involves identifying a lead Risk Management Authority (RMA) for that catchment based on the primary flooding mechanism. As flooding is often a complex interaction of flooding mechanisms, e.g. river, groundwater, foul and surface water there is an expectation that the lead RMA is supported by all other RMA's that have a responsibility. The table below shows our current understanding of lead RMA's and the approximate number of internally flooded properties for that area.

Lead RMA	Nottinghamshire County Council	Environment Agency	Trent Valley Internal Drainage Board
	Hucknall (92)	Stapleford (174)	Caunton (38)
	Eastwood (76)	Lowdham (136)	Thurgaton (18)
	Oxton (30)	Worksop (132)	Egmanton (18)
	Bilsthorpe (23)	Retford (124)	Sutton on Trent (17)
	Radcliffe on Trent (18)	Woodborough (49)	Edingley (12)
	Sutton In Ashfield (16)	Trowell (25)	Kirklington (9)
	Toton (15)	Pleasley (18)	Maythorne (7)
	Southwell (14)	Newark (17)	Laneham (7)
	Carlton on Trent (8)	Ordsall (11)	
	Kirkby in Ashfield (6)	Edwinstowe (8)	
	Arnold (6)	Shireoaks (8)	
	Jacksdale (6)		
	Blidworth (6)		
	Epperstone (6)		
	East Markham (6)		
	Maplebeck (5)		
	Selston (5)		
	Ompton (5)		
	Cossall (5)		
	Treswell (5)		
TOTALS	353	702	126

30. Figure 4 below shows the 92 areas where internal property flooding has been recorded and shows how widespread the incident was. It is estimated that a further 40-50 communities experienced flooded roads, gardens, outbuildings and open spaces. Disruption across the County not only impacted its residents but also those who travel to or through the county for work or pleasure.

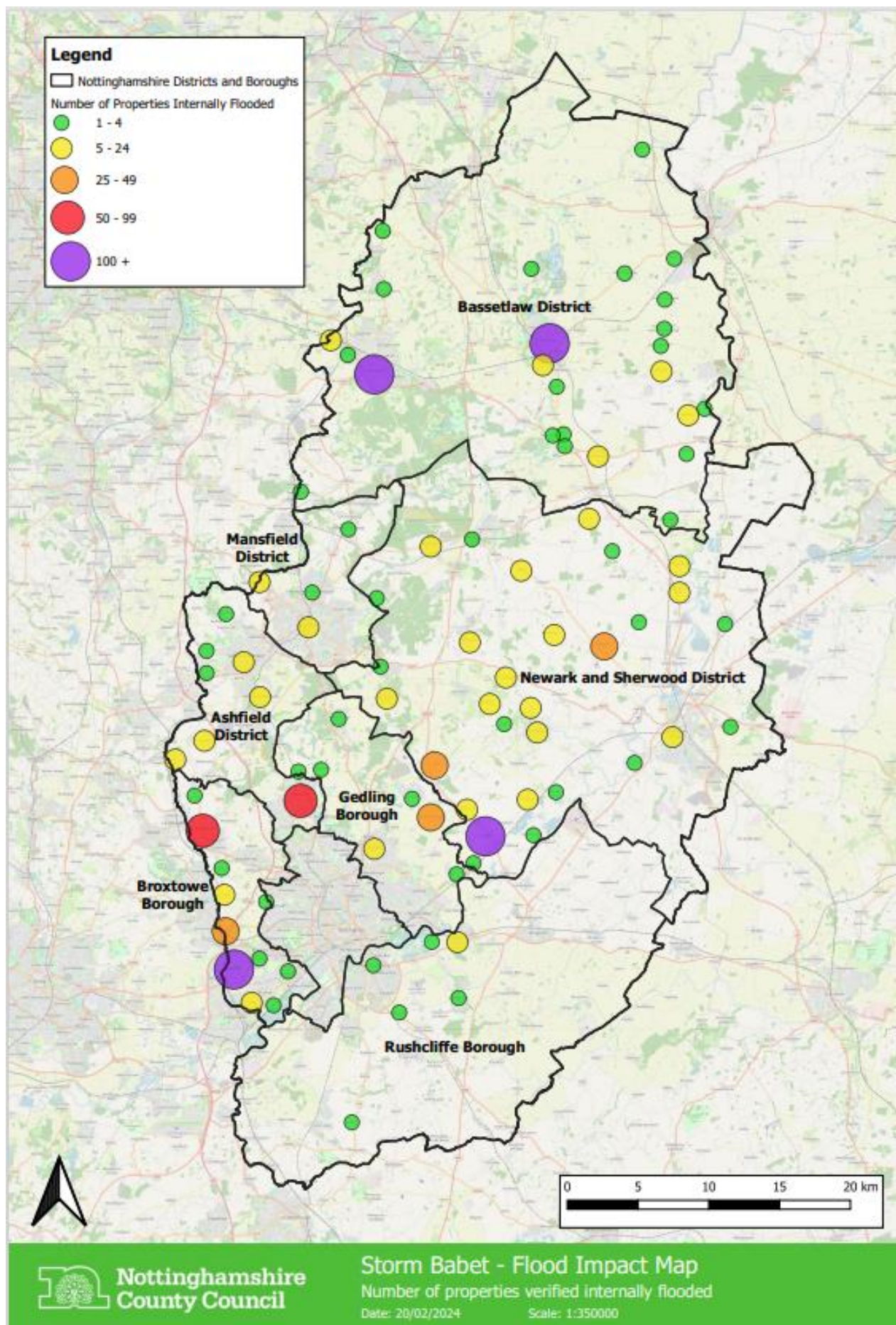


Figure 4 – Internal Flooding locations.

31. Figure 5 below lists the 39 areas by district / borough where a Section 19 report has been triggered for Storm Babet by 5 or more properties being flooded internally. The LLFA has produced Section 19 reports as separate Appendices B-AN.

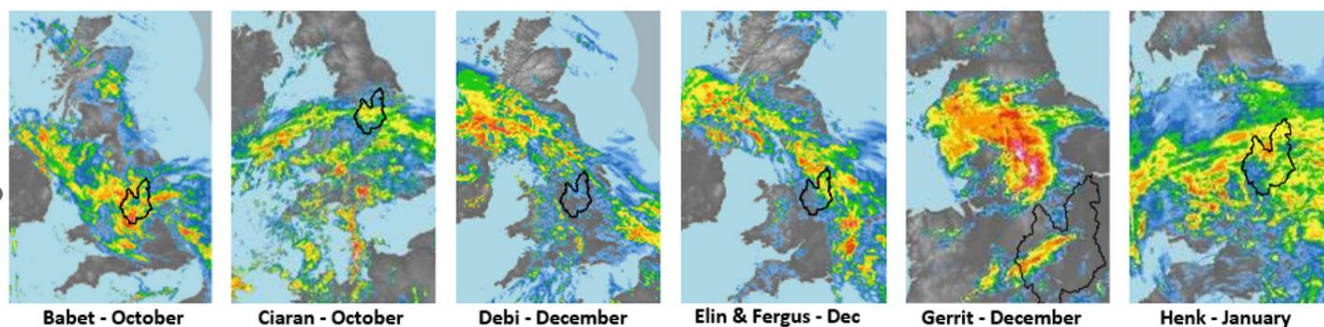
Ashfield	Hucknall (90 - M)	Jacksdale (5 - N)	Kirkby in Ashfield (6 - O)	Selston (5 - AB)	Sutton in Ashfield (16 - AF)
Bassetlaw	Ordsall (7 - W)	Retford (122 - AA)	Shireoaks (8 - AC)	Treswell (5 - AJ)	Worksop (122 - AM)
	Laneham (6 - Q)	East Markham (6 - H)			
Broxtowe	Cossall (5 - G)	Eastwood (76 - I)	Stapleford (137 - AE)	Toton (15 - AI)	Trowell (25 - AK)
Gedling	Arnold (6 - B)	Woodborough (49 - AL)			
Mansfield	Pleasley (18 - Y)				
Newark & Sherwood	Bilthorpe (22 - C)	Blidworth (6 - D)	Carlton on Trent (8 - E)	Caunton (38 - F)	Edingley (12 - J)
	Edwinstowe (8 - K)	Epperstone (6 - L)	Kirklington (7 - P)	Lowdham (135 - R)	Maplebeck (5 - S)
	Maythorne (6 - T)	Newark (17 - U)	Ompton (5 - V)	Oxton (29 - X)	Southwell (14 - AD)
	Sutton on Trent (17 - AG)	Thurgaton (17 - AH)	Egmanton (17 - AN)		
Rushcliffe	Radcliffe on Trent (17 - Z)				

Figure 5: List of Section 19 Reports by District / Borough
(Brackets show number of verified internally flooded properties and Appendix ref.).

32. During Storm Babet, 18 volunteer led community flood signage schemes (CFSS) were part of the frontline response to flooding in Nottinghamshire. Each scheme encourages community resilience and promotes road safety during flooding in their local areas. Following Storm Babet, the CFSS has been recognised by other communities at risk as a scheme which would be beneficial in increasing their community led resilience to flooding.
33. Consequently, 20 new locations have registered an interest in developing a scheme for their area, with many new volunteers signing up to the scheme. At the time of writing, 14 interested communities have now progressed to developing a formal Road Closure Policy which would increase the volunteer base to over 250 wardens.
34. The NCC Flood Risk Management team are contributing significant resources to this with policy support given, personal protective equipment (PPE) and signage provided for use by the volunteers. A countywide training event to refresh the training of existing groups and provide training for new groups was held at Castle House, Newark on Saturday February 2024.

35. In February NCC received notification that our Communities Connected – Community Flood Signage Scheme had been shortlisted for the ‘Community Involvement’ Local Government Chronical (LGC) Award. The project is led by NCC’s Flood Risk Management team and allows trained volunteers to close roads during flood events to reduce damage from bow waves whilst also promoting road safety. Over 900 entries were submitted for the prestigious award meaning the competition was highly competitive. The outcome of the award will be decided on the 12th of June. The Flood Risk Management Team are continuing to develop the scheme with 16 new schemes registering an interest following the impacts of storm Babet.
36. In the aftermath of Storm Babet Nottinghamshire County Council made its Recovery Grant available to those affected by internal flooding and has paid out 1233 claims. DEFRA and District / Borough Councils also made grants available to assist residents and businesses in recovery and resilience.
37. Where relevant and available, individual Risk Management Authorities responses to the flood event are detailed in the Appendices.
38. In the period after Storm Babet the County continued to experience persistent rainfall with a number of ‘near misses’ reported from some communities, this is hampering the recovery phase for residents, businesses and all RMAs involved in managing the impacts of the storm.
39. On 2nd January Storm Henk hit the County and caused further devastation. The detailed impacts of Storm Henk will be brought to this committee in June but the cumulative impact of the weather the County has experienced from the onset of Storm Babet to the end of Storm Henk has been unprecedented. The significant difference between storms Babet and Henk is Henk was primarily river flooding along the Trent Valley and Babet was a combination of flood mechanisms impacting the whole county. Between Babet and Henk there were several other significant storms that impacted the east midlands.

Rain Radar – October 2023 to January 2024 – Shows repeated extensive rainfall and high winds across the Trent Catchment



40. This report and Appendices deliver our statutory responsibilities as a Lead Local Flood Authority in terms of Section 19 reports however we continue to work alongside our communities and partners to provide support and help where we can.

Community Support

41. The scale of devastation from both storms will have an impact on timescales for some elements of support. The list below gives an indication of the types of support we are looking to implement.
- a. Investigations – for areas where the flood mechanism is complex and not necessarily the responsibility of a single RMA, we will commission consultant feasibility studies

to confirm the interaction of assets, identify if existing systems are delivering required levels of protection and whether there are any viable opportunities to pursue capital investment.

- b. Property Flood Resilience (PFR) – extending our existing PFR programme to cover new ‘at risk’ areas where appropriate. To date we have delivered 19 PFR schemes countywide protecting 231 homes. Examples include Southwell, Bingham, Rhodesia, Beeston, Jacksdale, Hucknall and Cropwell Butler.
- c. Building on our current support offer for community groups: expand resilience training, provide storage facilities / supplies, install remote monitoring / CCTV equipment etc, strengthen community road closure process.
- d. Natural Flood Management (NFM) - consider creating a 4-year programme of investment in suitable rural catchments. The NCC FRM team has been successful in bidding for and delivering multiple NFM projects. Funding has been secured for NFM projects in Southwell, Claborough, Gotham, Woodborough and Burton Joyce. Woodborough and Burton Joyce are the most recent NFM projects to deliver interventions with £112k secured from Regional Flood Costal Committee (RFCC) Local Levy for Woodborough and £34,500 secured from the NCC Green Investment Fund for Burton Joyce. These projects have delivered many NFM interventions which hold water in the upper catchment to reduce downstream flood risk. The interventions installed also create habitat and provide environmental benefits such as carbon sequestration, sediment capture and water quality benefits. Additionally we have just been informed that our joint bid with the Notts Wildlife Trust for NRM at Worksop/Shireoaks (£1.2m) and Cropwell Butler £115k have been approved by the Minister for delivery over the next couple of years.
- e. Maintenance: promote working with landowners, work to strengthen riparian enforcement issues, review asset maintenance programme across County / Highway assets.
- f. Risk Management Authorities will continue to meet as a Strategic Flood Risk Management Board.
- g. Continue to deliver community feedback workshops with partners and the communities who have been devastated by storm Babet and storm Henk. Since the October event we have attended 40 community-based meetings including Stapleford, Lowdham, Caunton and Treswell and have 3 programmed in through till June.
- h. Facilitate conversations with partners, specialist organisation and communities concerning mental health impacts and recovery.
- i. Awareness raising with communities of how to access early flood warning notifications/alerts.
- j. Consider water exclusion strategies with communities and look at build back better initiatives such as using waterproof plaster, raising electric sockets and installing hard impermeable flooring.
- k. Consider necessary revisions to the approved Flood Risk Management capital programme.

- l. Refresh to FRM Action Plan to take account of the above ambitions.
- m. Produce a 6 monthly update to Cabinet Member on flood risk reduction relating to Storms Babet and Henk.

42. We remain committed to working with our communities and partner organisations to reduce the risk and consequences of flooding across the County guided by the objectives contained within our Local Flood Risk Management Strategy and Action Plan

Other options considered

43. To not complete the Section 19 reports for the flooding and this would result in Nottinghamshire County Council as Lead Local Flood Authority failing to deliver its obligations under Section 19 of the Flood and Water management Act (2010).

Reason/s for Recommendation/s

44. The production of Section 19 reports delivers a duty defined within the Flood and Water Management Act 2010 and in line with approved County Council Policy.

Statutory and Policy Implications

45. The County Council has a number of statutory duties and powers under the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009 including preparation of Section 19 Reports.

46. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

47. The costs of preparing and publishing the Section 19 Report are contained within existing budgets. Costs of future alleviation, protection and community support as described in paragraph 40 will be met from existing revenue and capital budgets or be subject to further approval if additional funding is sought.

Implications for Residents

48. Since becoming an LLFA, NCC has worked in collaboration with colleagues, risk management authorities, partners and local communities to help reduce the risk of flooding in Nottinghamshire.

Implications for Sustainability and the Environment

49. NCC incorporate sustainable principles within its flood risk management strategy and actively include natural flood management and SUDS works within its delivery of flood risk management projects. These methods work with natural processes to reduce flood risk whilst

creating important habitat and helping to sequester carbon in line with ambition 9 of the Nottinghamshire Plan: Protecting the environment and reducing our carbon footprint.

RECOMMENDATION/S

It is recommended that:

- 1) The Committee endorses the work outlined in this report.
- 2) The Committee approves the publishing of the Section 19 reports in Appendix A-AN in line with the Flood and Water Management Act 2010 and our LLFA responsibilities.

DEREK HIGTON, CORPORATE DIRECTOR (PLACE)

For any enquiries about this report please contact:

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Constitutional Comments (JL 29/02/24)

Place Select Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference set out in the Constitution of Nottinghamshire County Council.

Financial Comments (PAA29 22/02/2024)

The financial implications are set out in paragraph 46 of the report. The costs of preparing and publishing the Section 19 reports will be contained within existing budgets. Costs of future alleviation, protection and community support will be met from existing revenue and capital budgets or be subject to further approval if additional funding is required.”

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Appendix – A – AN Section 19 Reports.
- Appendix – AO – Flood Risk Management Strategy.

Electoral Division(s) and Member(s) Affected

All