



## **REPORT OF THE CORPORATE DIRECTOR, PLACE**

### **FLOOD RISK MANAGEMENT SECTION 19 REPORTS**

#### **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 to present its report in relation to flooding in November 2019, for Members approval and endorsement.

#### **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.
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. Nottinghamshire County Council does this by working together with other organisations including the Environment Agency (EA), who manage flooding from generally larger rivers known as Main Rivers, such as the River Trent; The Trent Valley Internal Drainage Board (TVIDB) managing low lying areas; District, Borough, Parish and Town Councils; and infrastructure/ utility providers, such as Severn Trent Water (STW) and Highways England (HE).
4. This partnership work is overseen by the Strategic Flood Risk Management Board, jointly chaired by Nottinghamshire County Council and Nottingham City Council (NCiC) and attended by all Risk Management Authorities (RMAs).
5. Local flood risk means flooding from surface water (overland runoff), groundwater and smaller watercourses (known as Ordinary Watercourses).
6. Section 19 of the Flood and Water Management Act gives Nottinghamshire County Council as a Lead Local Flood Authority, the following duties:
  1. 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.

2. Where an authority carries out the above investigation it must:-

- (a) Publish the results of its investigation.
- (b) Notify any relevant RMAs.

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 Risk Management Authorities have exercised or will exercise their responsibilities - it does not identify specific measures to prevent future flooding. It is up to the Lead Local Flood Authority and other Risk Management Authorities if they wish to then carry out further investigation into possible flood prevention and protection measures that could be implemented.
8. At Transport and Highways Committee on 31 October 2013 it was resolved that Section 19 Reports should be undertaken where the Authority is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property).

## Section 19 Report Summary

9. On the 7th November 2019, parts of the East Midlands experienced a month's worth of rainfall in just 24 hours. Via East Midlands Ltd, on behalf of Nottinghamshire County Council, facilitated 66 road closures across the county, placed over 750 flood signs on the network to warn motorists of issues and delivered over 5000 sandbags. It was reported by the Environment Agency that Nottinghamshire experienced 225% of its average monthly rainfall between the 7th and 14th November.
10. With the ground already saturated following one of the wettest autumn's on record, this resulted in extensive highway, property and business flooding across Nottinghamshire. The severe weather led to Nottinghamshire Local Resilience Forum declaring a major incident and a multi-agency approach to dealing with the recovery being initiated.
11. In the following days, further intense rainfall caused additional surface water and fluvial (river) flooding. During this period the Environment Agency monitored water levels constantly and issued 38 flood warnings and 16 flood alerts across Nottinghamshire in November.
12. We estimate 130,000 people were adversely affected by the flooding within the 80 communities that reported flooding incidents, with over 500 reports of internal flooding. Consequently, ten Section 19 Reports have been triggered. These are contained in the attached appendices and relate to the communities of:

Appendix	Place	Page Numbers	Lead Risk Management Authority
A	Egmanton	01 - 08	Trent Valley Internal Drainage Board
B	Bingham	09 - 14	Network Rail
C	Jacksdale	15 - 22	Nottinghamshire County Council
D	Retford	23 - 33	The Environment Agency
E	Tollerton	34 - 41	Nottinghamshire County Council
F	Gotham	42 - 48	Nottinghamshire County Council

G	Rhodesia	49 - 54	Nottinghamshire County Council
H	Lowdham	55 - 61	The Environment Agency
I	Shireoaks	62 - 68	The Environment Agency
J	Worksop	69 - 78	The Environment Agency

13. At 09:50 on Thursday 7<sup>th</sup> November a major incident was declared by the Tactical Coordinating Group (TCG). A process of evacuation commenced for Worksop and a Rest Centre was activated. The flooding continued and by Friday 8<sup>th</sup> November electrical substations in Worksop had lost power. As the River Trent continued to rise on Saturday 9<sup>th</sup> November the residents of Tolney Lane, Newark were advised to evacuate and a Rest Centre in Newark was opened.
14. On Monday 11<sup>th</sup> November Nottinghamshire County Council launched a hardship fund, making available £120 per household and £300 per business for all those affected by flooding in the County. Bassetlaw District Council subsequently launched a Flood Hardship Fund of £500 per household. A £2,500 Business Grant administered by Nottinghamshire County Council on behalf of the Ministry of Housing, Communities and Local Government was launched on the 22<sup>nd</sup> November 2019 and a Property Flood Resilience Recovery Grant of £5000 was made available from the Department for Environment, Food and Rural Affairs, which is being administered by the Districts.
15. Egmanton is a small village located in north Nottinghamshire, situated just off the A1 between Newark-on-Trent and Retford with an estimated population of 286. On 7<sup>th</sup> November 2019, following the prolonged period of heavy rainfall, parts of Egmanton suffered a significant flood event with 17 reported incidents of internal property flooding. Egmanton sits in a natural valley surrounded by agricultural land. During periods of heavy or prolonged rain the surface water assets (a network of watercourses and highway gullies) are overwhelmed resulting in flooding to properties roads and curtilages. The lead Risk Management Authority for this flooding incident in the Trent Valley Internal Drainage Board.
16. Bingham, a town with a population of approximately 9,100 as of the 2011 Census. 6 properties on Western Avenue in Bingham suffered internal flooding. The area affected sits adjacent to an existing watercourse that sits within land owned by Network Rail. The prolonged rainfall led to this watercourse being overwhelmed and resulted in the flooding of properties. The lead Risk Management Authority for this flooding incident is Network Rail.
17. Jacksdale is a small village that sits on the Nottinghamshire / Derbyshire border with a population of approximately 3,500. On the 14<sup>th</sup> of November 2019 parts of Jacksdale suffered a significant flood event with 7 reported incidents of internal property flooding. The flooding also affected the public highways in the village and a number of gardens and curtilages. The area of Jacksdale affected is at the bottom of quite a large catchment area, which is served by a mixture of highway drainage and surface water culverts / ditches. During the rainfall event all the surface water assets were overwhelmed which resulted in water collecting at a low spot in the catchment, flooding properties and businesses. The lead Risk Management Authority for this flooding incident is Nottinghamshire County Council.
18. Retford is a market town with a population of approximately 22,000. Retford sits in the valley of the River Idle and the Chesterfield Canal passes through its centre. Retford suffered a significant flood event with 31 reported incidents of internal property flooding. The flooding also affected gardens and curtilages in the area and the public highways in the town to the extent that Grove Lane and Blackstope Lane were impassable. Internal flooding was also reported at Darrel Road, a residential road that runs adjacent to the Carr Dyke, a tributary of

the River Idle. It is understood that flooding at this location occurs because of a combination of capacity within the Carr Dyke, surcharging of the River Idle and the period of significant rainfall leading up to the event. The lead Risk Management Authority for this flooding incident is the Environment Agency.

19. Tollerton has a population of around 1,900. Tollerton suffered a significant flood event with 14 properties being internally flooded to the extent that Tollerton Lane was closed due to the severity of the flooding and residents were evacuated. The areas of Tollerton affected are served by a mixture of highway drainage and a network of surface water culverts and ditches. Surrounded by fields, it must be noted that there are other watercourses and culverts that help drain the area and that are likely to have contributed to some of the flooding as they became overwhelmed. The lead Risk Management Authority for this flooding incident is Nottinghamshire County Council.
20. Gotham is a village in Nottinghamshire, with an estimated population of 1,600. Gotham suffered a significant flood event with 13 reported incidents of internal property flooding. The flooding that occurred in Gotham on the 14<sup>th</sup> November came from two sources, each impacting separate areas: 1) surface water which affected properties on Leake Road and Nottingham Road; and 2) foul sewage affecting properties on Curzon Street, Wallace Street and St. Andrew's Close. The lead Risk Management Authority for this flooding incident is Nottinghamshire County Council.
21. Rhodesia is a village and civil parish located in the county of Nottinghamshire. The population of the civil parish was 982 as of the 2011 census. The village lies just outside the town of Worksop. Rhodesia suffered a significant flood event with 9 reported incidents of internal property flooding. Rhodesia has a mixture of rural agricultural land and housing. There are several ordinary watercourses and ditch systems along boundaries that drain the rural catchment and a combined sewer network that serves the urban catchment. That combined sewer system takes surface water as well as foul water. The lead Risk Management Authority for this flooding incident is Nottinghamshire County Council.
22. Lowdham is a busy rural village and civil parish in Nottinghamshire. It is in the Newark and Sherwood district, and at the 2011 census had a population of 3,334. There were 12 reported incidents of internal property flooding on 14<sup>th</sup> November. The village is served by the Cocker Beck which is classed as a Main River, and it has some agricultural land to the North of its catchment and the A6097 Epperstone By-Pass running along the western boundary. Lowdham has a steep surrounding topography with hills to the north west and east falling to create a valley which has the Cocker Beck flowing along the bottom of it. The lead Risk Management Authority for this flooding incident is the Environment Agency.
23. Shireoaks is a village and civil parish in Nottinghamshire, located near Worksop on the border with South Yorkshire. The population of the civil parish was 1,432 as of the 2011 census. Shireoaks has both the Chesterfield Canal and River Ryton running through it, and there are also fishing lakes to the west of the village. 25 properties were internally flooded and public highways and gardens were also severely affected. The flooding that occurred in Shireoaks on 7<sup>th</sup> November came from two sources, namely surface water running overland (pluvial) and water from the River Ryton where it had exceeded the capacity of the river channel (fluvial). The lead Risk Management Authority for this flooding incident is the Environment Agency.

24. Worksop is the largest town in the Bassetlaw district of Nottinghamshire sitting closely to the borders with South Yorkshire, and Derbyshire. The population was 41,820 at the 2011 census. Worksop has been built around and grown adjacent to the River Ryton which is a Main River that flows through the centre of the town. Worksop suffered a significant flood event with over 300 reported incidents of internal flooding comprising approximately 128 properties and 180 businesses. The lead Risk Management Authority for this flooding incident is the Environment Agency.
25. Thursday 14<sup>th</sup> November saw more flooding hitting the county, mainly in the south this time. Road closures increased in the morning and Community Flood Signage schemes were activated. Rest Centres were placed on standby for Newark, Worksop, Retford and Rushcliffe.
26. The flooding experienced by these communities has been devastating with many home and business owners being unable to return to their properties. For many months to come the catastrophic impacts of this flooding will be felt by the communities as they begin the task of dealing with the impacts of the flooding on their lives and well-being.
27. Officers from the Flood Risk Management Team joined forces with other agencies to provide much needed support to the affected communities and initiated investigations into the numerous flooding events and associated mechanisms. Supporting the multi-agency recovery, initial visits by the Flood Risk Management team to sites around the county recorded internal flooding at over 500 properties.
28. On Sunday 11<sup>th</sup> November the Flood Risk Management team attended a community drop in session, held at Worksop Bus Station. Supported by colleagues from Emergency Planning, Bassetlaw District Council, The British Red Cross and the Environment Agency officers spent the day talking with and providing advice and support to those who had been impacted by the flooding.
29. The attached Section 19 reports identify that all relevant Risk Management Authorities carried out, and continue to carry out their respective duties.

### **Summary of Actions.**

30. Following the flooding in November several actions were identified as part of the Section 19 process for affected Risk Management Authorities.
31. The County Council has continued to provide support to residents affected by the flooding through; drop in sessions, direct contact channels, site visits to provide direct advice and continuing with investigations into the November events. The County Council has undertaken exploratory work on the conditions of existing drainage networks and will endeavour to ensure they are operating to their optimal capacity and where necessary will provide advice and suggestions to responsible landowners to support this endeavour.
32. As part of the future actions the County Council will continue to lead on investigations in areas in which they are the lead Risk Management Authority in order to better understand the mechanisms for flooding. Support will continue to be provided for affected residents and advice for landowners dealing with riparian ownership issues. Funding channels and options will be explored as part of analysing potential hydraulic modelling and capital investment schemes. Further investigations into these events may identify additional actions. The Council will continue to work in joint partnership with other key Risk Management Authorities.

33. The Environment Agency are lead Risk Management Authority for Retford, Worksop, Lowdham and Shireoaks and will lead on further investigations into the incidents and consider options for reducing the risk of future flooding incidents. This will incorporate hydraulic modelling to better understand the role of control structures within the catchments and how they may have affected the flooding incidents. They will also review their current maintenance schedules and their communication and engagements plans to ensure there is adequate risk mitigation taking place.
34. The Trent Valley Internal Drainage Board will complete their planned flood alleviation schemes and will continue to liaise with affected communities. The Drainage Board will review ways of improving the operation of specific watercourses and their interactions with additional water courses and the risk of flooding.
35. Bassetlaw District Council will support investigations and reviews into emergency procedures to ensure their validity for potential future events.

### **Reason/s for Recommendation/s**

36. The report delivers a duty defined within the Flood and Water Management Act 2010 and in line with approved County Council Policy.

### **Statutory and Policy Implications**

37. 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.
38. 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**

39. Since becoming a Lead Local Flood Authority, The Nottinghamshire County Council 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**

40. It is anticipated that this collaborative work will ultimately result in the delivery of sustainable projects that reduce flood risk across the county whilst also reducing the negative impacts that flooding has on the environment.

### **RECOMMENDATION/S**

It is recommended that:

- 1) Committee approves the publishing of the Section 19 report Appendices A-J in accordance with Section 19 of the Flood and Water Management Act 2010 and our Lead Local Flood Authority responsibilities.
- 2) The Committee endorses the work outlined in the report.
- 3) Committee encourages all agencies involved to seek and implement suitable measures to alleviate funding as soon as reasonably possible.
- 4) That updates are provided to Committee from all relevant agencies on progress with alleviation measures as part of the regular Flood Risk Management updates.

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#### **Constitutional Comments (SJE 27/01/2020)**

41. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the exercise of the Authority's functions relating to flood risk management scrutiny has been delegated.

#### **Financial Comments (SES 28/01/2020)**

35. There are no specific financial implications arising directly from this report.

#### **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.

- None

#### **Electoral Division(s) and Member(s) Affected**

- All